

**CHARTER TOWNSHIP OF LYON
BOARD OF TRUSTEES
MEETING MINUTES
October 4, 2004**

Approved as submitted November 8, 2004.

DATE: October 4, 2004
TIME: 7:00 PM
PLACE: 58000 Grand River

1. **Call to Order:** Supervisor Shigley called the meeting to order at 7:00 PM.

2. **Pledge of Allegiance**

3. **Roll Call:** Present: Joseph Shigley, Supervisor
Patricia Carcone, Treasurer
Pamela Johnson, Clerk
Steven Adams, Trustee
Dan Cash, Trustee
Lannie Young, Trustee

Absent: Ray Bisio, Trustee (vacation)

Also Present: Matt Quinn, Township Attorney
Chris Olson, Township Superintendent
Chris Doozan, Township Planner
Loren Crandell, Township Engineer
Les Cash, Fire Chief

Guests: 35

4. **APPROVAL OF THE CONSENT AGENDA**

- Approval of Special Meeting Minutes of October 4, 2004
- Approval of Regular Meeting Minutes of September 7, 2004
- Approval of Disbursements
- Financial Report for August, 2004
- Fire Department Monthly Report
- Engineer Monthly Report
- Earth Tech WWTP Operations Report
- Zoning Officer Report
- Sheriff Department Monthly Report
- Building Department Monthly Report

Ms. Carcone made a motion to approve the consent agenda as submitted. Ms. Johnson supported the motion.

Roll Call Vote: Ayes: Cash, Carcone, Young, Johnson, Shigley, Adams
Nays: None
Absent: Bisio

Motion approved.

5. CALL TO THE PUBLIC ON NON-AGENDA ITEMS

Tim Blackwood, Firefighter, informed the Board that the Fire Department applied for and received FEMA Grant money in an amount just under \$100,000 on September 24, 2004. The money will be used for miscellaneous equipment for the Fire Stations.

Gary Rentrop, Attorney, Phoenix Land Acquisition, requested a special meeting of the Board of Trustees for sometime later this month.

Robin Allen, 28550 Tindale Trail, discussed the possibility of the meetings being taped and broadcast on cable. He read a statement regarding the taping of the meetings. He stated that he would be willing to tape the meetings, if no one else could.

Mike Buck, 55291 Nine Mile Road, briefly discussed the cable contract. He explained what the cable commission, WOCCA, are trying to negotiate with the cable company.

6. APPROVAL OF AGENDA

The following items were added to the end of New Business:

- Comcast Cable
- Applied Grinding and Technologies request
- Discussion regarding the South Lyon School sewers

Mr. Young made a motion to approve the agenda as modified. Ms. Carcone supported the motion.

Voice Vote: Ayes: All
 Nays: None
 Absent: Bisio

Motion approved.

7. ANNOUNCEMENTS AND COMMUNICATIONS

Mr. Shigley congratulated the Fire Department on the award of the FEMA Grant money that they applied for.

Mr. Shigley provided information regarding Continental Aluminum and the report from Michigan Department of Community Health which should be back within a month. He stated that there is also a letter in the Board’s packet regarding two pre-teen children at Dolson Elementary that tested for high levels of aluminum.

8. Public Hearing for Martindale Road Water Main and Road Improvement Special Assessment District

Ms. Carcone made a motion to close the regular meeting and open the public hearing for the Martindale Road Water Main and Road Improvement Special Assessment District. Ms. Johnson supported the motion.

Voice Vote: Ayes: All
 Nays: None
 Absent: Bisio

Motion approved.

The regular meeting was closed and the public hearing were opened at 7:15 PM.

Mr. Crandell explained the route of the sewer. He stated that Jeff Appel's property will be paying for the whole project. The district is larger than just this one parcel, but only the one parcel will be paying for the project and everyone else will be charged \$1.00 to connect. This project was originally estimated at \$1,055,000. After opening the bids that were received, the updated cost for this project is \$965,760.62.

Mr. Shigley asked if there were any public comments. There were no public comments.

Ms. Carcone made a motion to close the public hearing for the Martindale Road Water Main and Road Improvements Special Assessment District and open the regular meeting. Ms. Johnson supported the motion.

Voice Vote: Ayes: All
 Nays: None
 Absent: Bisio

Motion approved.

The public hearing was closed and the regular meeting was opened at 7:20 PM.

9. UNFINISHED BUSINESS

a. Resolution Confirming Martindale Road Water Main and Road Improvements Revised Cost Estimate and Special Assessment Roll.

Mr. Quinn stated that on the table this evening there was a new resolution which updated the dates that the payments would be due. He stated that the new figure of \$965,760.62 will be added to paragraph one. He stated that with this change, the resolution is in proper form for the Board's consideration.

Mr. Young made a motion to adopt the Resolution Confirming Martindale Road Water Main and Road Improvements Revised Cost Estimate and Special Assessment Roll for \$965,760.62 per the language on the form provided labeled "New". Mr. Cash supported the motion.

Mr. Shigley asked if there were any comments regarding the motion from the Board. There were none. He then asked if there were any public comments. There were none.

Roll Call Vote: Ayes: Adams, Johnson, Shigley, Carcone, Young, Cash
 Nays: None
 Absent: Bisio

Motion approved.

b. Award of Construction Contract for Woodwind Well

Mr. Crandell explained that this is the special assessment district for the Woodwind well house. Woodwind, LLC and Curtis Builders are being assessed for this. He stated that they have sent out a draft contract to South Hill Construction but have not received comments back yet. He suggested that the Board table this issue.

Mr. Cash made a motion to table the award of the construction contract for Woodwind Well until the November meeting. Ms. Johnson supported the motion.

Voice Vote: Ayes: All
 Nays: None
 Absent: Bisio

Motion approved.

c. Acceptance of Donation Documents for Woodwind Well

Mr. Quinn explained that these documents were provided in the Board's packet this evening to give them the introduction to the fact that Woodwind water is going to be donating the six acres around the new well site, the apparatus that is in the ground that makes up the personal property as well as any aquifer right that they are entitled to. He stated that they have had several discussions with them. He stated that there are some concerns about some of the wording, which has already been expressed to Woodwind. He felt that all the concerns should be worked out by the November meeting and suggested that this issue be tabled until then. He stated that if the Board, after reading these documents over, any concerns or comments, to forward them to him or Mr. Olson.

Mr. Cash made a motion to table the donation documents for Woodwind Well until the November meeting. Ms. Johnson supported the motion.

Voice Vote: Ayes: All
 Nays: None
 Absent: Bisio

Motion approved.

d. Amended Resolution Approving Revision of Project Description and Increasing Cost Estimate for West Pontiac Trail Sewer Special Assessment District and Confirmation of the Special Assessment Roll.

Mr. Quinn explained that on the West Pontiac Trail sewer, since this matter was in front of the Board last, the engineers have looked at the route (project description). The project description has been modified somewhat. He stated that instead of the sewer line going directly down Martindale Road it takes a little deviation into the Saddle Creek project and then comes back out on Martindale Road. He stated that this is the reason for the change in the project description. The project cost has been increased due to the fact that they now have the specific number of REU's to be purchased within the special assessment district. He stated that the total cost of this project is \$6,074,385, with the share of the district at \$6,008,167 and the Township at large is \$66,218. He stated that this is subject to modification, if additional REU's are purchased the Township's portion would decrease.

Mr. Quinn stated that they need to schedule a special meeting for later this month so that the Bonds can be sold by the end of the year. He stated that because of the publication requirements, a special meeting could be held sometime within the last week of October. There was discussion as to when a special meeting could be held. It was determined that they would schedule the special meeting for Tuesday, October 26, 2004 at 6:00 PM.

Mr. Young made a motion to schedule a special meeting of the Board of Trustees for Tuesday, October 26, 2004 at 6:00 PM to discuss the resolution pertaining to the West Pontiac Trail Sanitary Sewer. Mr. Cash supported the motion.

Voice Vote: Ayes: Adams, Cash, Johnson, Shigley, Young
 Nays: Carcone
 Absent: Bisio

Motion approved.

Mr. Young made a motion to adopt the resolution setting the hearing date on the revised project description, revised cost estimate and on the special assessment roll for the West Pontiac Trail Sewer Special Assessment District in the verbiage on the form provided with the understanding that the public hearing date will be set for 6:00 PM on October 26, 2004. Mr. Cash supported the motion.

Mr. Shigley asked if there were any comments regarding the motion from the Board. Ms. Carcone questioned if the Township-at-large is \$66,218. Mr. Crandell responded that it is. Mr. Shigley asked if there were any public comments. There were none.

Roll Call Vote: Ayes: Shigley, Carcone, Johnson, Adams, Young, Cash
 Nays: None
 Absent: Bisio

Motion approved.

e. Amended Resolution Approving Revision of Project Description and Increasing Cost Estimate for West Pontiac Trail Special Assessment District and Confirmation of the Special Assessment Roll.

Mr. Cash made a motion to adopt the resolution setting the hearing date for the special assessment roll for the West Pontiac Trail Water Special Assessment District for 6:00 PM October 26, 2004. Ms. Carcone supported the motion.

Mr. Shigley asked if there were any comments regarding the motion from the Board. There were none. He then asked if there were any public comments. There were none.

Roll Call Vote: Ayes: Young, Carcone, Johnson, Cash, Adams, Shigley
 Nays: None
 Absent: Bisio

Motion approved.

10. NEW BUSINESS

a. Library Board Presentation on Library Millage Request on November Ballot

Representing the Library Board this evening:
- John Bell, 23113 Currie Road
- Alice Fitzgerald, Library Board
- Jim Mumby Architect

Mr. Bell gave a brief update to the Board on where they stand with the proposed new Library project. Mr. Mumby explained the new Library plan. He noted that they are still in the early stages of conceptual.

Earl LaFave, Beck Development, explained the bidding process and the lease agreement for the proposed new Library.

Mr. Shigley asked if there were any public comments regarding this issue.

Herbert Crandell, 59351 Bishop Road asked questions regarding the figures that were discussed. Mr. Olson briefly reviewed and discussed some of the figures. He gave a copy of the breakdown spreadsheet to Mr. Crandell.

Shirley Baker, 27239 Stancrest asked what the 6.9 mil means. Mr. Olson indicated that this is broken down on the spreadsheet he has, which he gave a copy to her.

Mr. Adams stated that they received a letter from Christina Bush, Michigan Department of Health, which indicates that some students at Dolson Elementary have high levels of lead. He stated that this is in the vicinity of where the new Library is planned to built. He suggested that they get this issue resolved before the Library is built.

There was no formal action taken by the Board on this issue.

b. Transfer of On-Premises Class C Liquor License for Riverbank Golf, L.L.C.

Mr. Quinn explained that this request is from Riverbank Golf, LLC. It is a request for a transfer of a Class C Liquor License. He stated that his letter to the Township Clerk dated July 30, 2004 outlines the Township's requirements for a Liquor License transfer. He briefly reviewed the requirements. He stated that there are some reports that are required, but that they have not received these yet.

Mr. Olson stated that there are some questions and concerns that were expressed to him by the Building Official as it relates to some of the items that are still remaining on the original site plan. He briefly discussed these items.

Kevin Cleary, Attorney, stated that his client has been the owner for the past two years and may or may not of been aware of these compliance issues. He stated that his client told him that in 1991 there was a certificate of occupancy issued and in 1997 there was a completion certificate issued, so he felt that there were no longer compliance issues.

Mr. Quinn stated that he is sure that the reports will be available shortly from the Township. He stated that if this issue is tabled for one month this will allow time to get all the reports together and time to sit down with Mr. Cleary and Mr. Doozan to go over the site plan issues. He stated that they can iron out the site plan problems during this time.

Mr. Young made a motion to table the transfer of the on-premise Class C liquor license for Riverbank Golf, L.L.C. until the November meeting with the understanding that the Township's Consultants will meet with the client and work out the issues and bring it back to the Board. Ms. Carcone supported the motion.

Voice Vote: Ayes: All
 Nays: None
 Absent: Bisio

Motion approved.

c. Quadrants 6th Amendment to Approved Condominium Master Deed of Quadrants Industrial Park, south side of Grand River, west of Napier Road.

Mr. Doozan reviewed the comments indicated in the McKenna Associates, Inc. letter dated September 14, 2004 regarding this issue.

Mr. Young made a motion approve the amendments to the Condominium Master Deed of Quadrants per the items listed in the McKenna Associates, Inc. letter dated September 14, 2004. Ms. Carcone supported the motion.

Mr. Shigley asked if there were any comments regarding the motion from the Board. There were none. He then asked if there were any public comments. There were none.

Roll Call Vote: Ayes: Adams, Carcone, Johnson, Shigley, Cash, Young
 Nays: None
 Absent: Bisio

Motion approved.

d. Lyon Crossing Retail Condominium, Master Deed, Bylaws and Exhibit B, west side of Milford Road, north of Grand River Avenue

Mr. Doozan reviewed the comments indicated in the McKenna Associates, Inc. letter dated September 15, 2004 regarding this issue.

Ms. Carcone made a motion to approve AP-04-05, Lyon Crossing Retail Condominium, Master Deed, Bylaws and Exhibit B per Planner letter dated September 15, 2003. Mr. Young supported the motion.

Mr. Shigley asked if there were any comments regarding the motion from the Board. Ms. Carcone questioned what they are getting in Lyon Crossing. Tony Antone, Kojaian responded that there is nothing yet.

Mr. Quinn questioned how they are handling the public road/private road conflict with the planned development agreement. Mr. Doozan responded that the intent, as expressed in the documents, is to dedicate it as a public road. James Fontichiaro, Barris, Sott, Denn & Dricker, stated that they have been trying to dedicate the road, but the hold up is with the Road Commission. Mr. Quinn questioned if this will be a private road with a private road easement recorded. Mr. Fontichiaro responded that this is correct and that the developer will bare all the costs to maintain the road.

Mr. Shigley asked if there were any public comments. There were none.

Roll Call Vote: Ayes: Young, Cash, Shigley, Carcone, Adams, Johnson
 Nays: None
 Absent: Bisio

Motion approved.

e. Minimum Parcel Size for Funeral Homes and Mortuaries – Text Amendment to Zoning Ordinance

Mr. Doozan reviewed the comments indicated in the McKenna Associates, Inc. letter dated September 14, 2004 regarding this issue.

Mr. Shigley questioned if 4 acres is enough property. Mr. Doozan responded that they looked at other communities ordinances and felt that 4 acres seemed like a reasonable size.

Ms. Carcone made a motion to consider this the first reading of the minimum parcel size for Funeral

Homes and Mortuaries in conjunction with the September 14, 2004 McKenna Associates, Inc. letter. Ms. Johnson supported the motion.

Mr. Shigley asked if there were any comments regarding the motion from the Board. There were none. He then asked if there were any public comments. There were none.

Roll Call Vote: Ayes: Cash, Carcone, Young, Adams, Shigley, Johnson
 Nays: None
 Absent: Bisio

Motion approved.

f. Impervious Surface Standards – Text Amendment to Zoning Ordinance

Mr. Doozan reviewed the comments indicated in the McKenna Associates, Inc. letter dated September 14, 2004 regarding this issue.

Mr. Shigley questioned if this amendment now includes residential driveways, cement decks and swimming pools. Mr. Doozan responded that this is correct. He stated that a deck would be included if it was an impervious surface. Mr. Shigley noted that with this change they will be limiting the size of a house. Mr. Doozan stated that they may need to increase the percentage in residential by 5% or so.

Mr. Doozan stated that the Board could have the first reading of this amendment and he could report back to the Board about the modification discussed. Mr. Quinn noted that they would need the information for the publication of the notice.

Mr. Shigley asked if there was a rush to get this done. Mr. Doozan responded that there would be a distinct benefit on a very prominent site in the Township, if this were in place. Mr. Shigley questioned if the rush is only for industrial. Mr. Doozan responded that it is for commercial. Mr. Shigley questioned if they could just pass the commercial portion of this and not the industrial portion at this time. Mr. Doozan responded that they could do this.

Mr. Cash made a motion to consider this the first reading of the Impervious Surface Standards as outlined in the McKenna Associates, Inc. letter dated September 14, 2004 and give direction to McKenna Associates, Inc. to make the modifications regarding the residential maximum lot coverage. Ms. Carcone supported the motion

Mr. Shigley asked if there were any comments from the Board regarding the motion. There were none. He then asked if there were any public comments. There were none.

Roll Call Vote: Ayes: Cash, Young, Adams, Johnson, Carcone
 Nays: Shigley
 Absent: Bisio

Motion approved.

g. Transfer of Class C Liquor License Ownership from Brinker Restaurant Corporation to Brinker Michigan, Inc.

Ms. Johnson explained that this liquor license is for Chili's. She stated that there is a technicality as far as the ownership. It should be Brinker Michigan, Inc., therefore, the license needs to be transferred from Brinker Restaurant Corporation to Brinker Michigan, Inc. Mr. Quinn stated that they are doing this in every City.

Mr. Young made a motion to approve the transfer of the Class C Liquor License ownership from Brinker Restaurant Corporation to Brinker Michigan, Inc. Mr. Cash supported the motion.

Mr. Shigley asked if there were any comments from the Board regarding the motion. There were none. He then asked if there were any public comments. There were none.

Roll Call Vote: Ayes: Carcone, Cash, Young Johnson, Adams, Shigley
 Nays: None
 Absent: Bisio

Motion approved.

h. Award Construction Management Agreement for West Pontiac Trail Sewer Special Assessment District

Mr. Crandell explained that the West Pontiac Trail sewer and water SAD's is scheduled for the roll to be approved at the next meeting, October 26, 2004. He stated that the Central Grand River sewer project was the first time that they tried a construction manager. He noted that the reason the Township tried it with this project is because Walbridge-Aldinger owned 50% of the property and were interested in being the construction manager and controlling the costs. He stated that Walbridge-Aldinger did a good job at what they did, but could not say that they actually saved money on the project.

Mr. Crandell stated that Multi Building Company is in a similar situation, they are one of four property owners in this district and have worked closely with the Township to make this happen. He stated that Multi Building Company has been very cooperative with the Township and are very interested in the time frame for this project. He stated that Multi Building Company has prepared two Construction Management Agreements, one for the sewer and one for the water. He noted that Giffels-Webster will still be doing the final review.

Mr. Shigley stated that in reviewing this he questioned whose responsibility is Item #4. Mr. Crandell responded that it would be Multi Buildings responsibility. Mr. Quinn stated that the contract with the actual contractor will be between the Township and the contractor. He stated that this language would be in the contract with the contractor.

Mr. Young stated that in his past experience in hiring construction managers, they always reserved the right to approve the sub-contractors. He questioned if there is anything in the documents that would allow the Township to do this. Mr. Olson responded that on the top of page 2, item 3a, there is a language regarding this.

There was further discussion with regard to the language in the agreement.

Ms. Carcone made a motion to approve the construction management agreement for West Pontiac Trail Sanitary Sewer Special Assessment District with Multi Building Company contingent upon the finalization of the special assessment district, bonds being sold and Giffels-Webster giving written permission for commencement of project construction. Mr. Cash supported the motion.

Mr. Shigley asked if there were any comments from the Board regarding the motion. There were none. He then asked if there were any public comments. There were none.

Roll Call Vote: Ayes: Johnson, Carcone, Cash, Adams, Shigley, Young
 Nays: None

Absent: Bisio

Motion approved.

i. Award Construction Management Agreement for West Pontiac Trail Water Special Assessment District

Mr. Young made a motion to approve the construction management agreement for West Pontiac Trail Water Special Assessment District with Multi Building Company contingent upon the finalization of the special assessment district, bonds being sold and Giffels-Webster giving written permission for commencement of project construction. Mr. Cash supported the motion.

Mr. Shigley asked if there were any comments from the Board regarding the motion. There were none. He then asked if there were any public comments. There were none.

Roll Call Vote: Ayes: Young, Shigley, Adams, Carcone, Johnson, Cash
 Nays: None
 Absent: Bisio

Motion approved.

j. Resolution of Authorization for Township Attorney to Begin Condemnation Process and Hiring for any Non-Voluntary Participating Landowner for Easements and Hiring of Appraisers as Necessary

Mr. Quinn stated that the resolution in front of the Board is actually titled "Resolution of Acquisition for Pontiac Trail Sanitary Sewer Special Assessment District". He noted that there is a similar resolution for the Water Special Assessment District. He stated that the purpose of this resolution is to allow the Supervisor, the Engineer and Legal Counsel to negotiate, on behalf of the Township, with property owners for the permanent and temporary construction easements for the construction of the West Pontiac Trail Sanitary Sewer. He stated that if they are unable to negotiate to a conclusion with those property owners, they would then be allowed to begin the process of the property acquisition through the Court. He stated that the Board would also be authorizing them, as an expense of the SAD, to hire any appraisers that are necessary and any other fees that are required to proceed.

Mr. Quinn stated that they want this project to move forward. He noted that there are a significant number of easements that need to be dealt with. He stated that they have been receiving, voluntarily, some of the easements.

Mr. Young questioned if it would be appropriate to add the Township Superintendent to the group. Mr. Quinn responded that it would not be a problem to do this.

Mr. Cash made a motion to approve the Resolution of Acquisition for the Pontiac Trail Sanitary Sewer Special Assessment District with the changes noted by Mr. Young. Ms. Carcone supported the motion.

Mr. Shigley asked if there were any comments from the Board regarding the motion. There were none. He then asked if there were any public comments. There were none.

Roll Call Vote: Ayes: Johnson, Shigley, Young, Carcone, Adams, Cash
 Nays: None
 Absent: Bisio

Motion approved.

Mr. Cash made a motion to approve the Resolution of Acquisition for the Pontiac Trail Water
Special Assessment District with the changes noted by Mr. Young. Ms. Carcone supported the motion.

Mr. Shigley asked if there were any comments from the Board regarding the motion. There were none. He then asked if there were any public comments. There were none.

Roll Call Vote: Ayes: Young, Adams, Johnson, Carcone, Cash, Shigley
 Nays: None
 Absent: Bisio

Motion approved.

k. Set Truth-In-Budgeting Hearing

Mr. Olson briefly explained what the hearing is for. He noted that the Board has already scheduled a special meeting for October 26, 2004 at 6:00 PM and suggested that this be added to that meeting agenda.

Mr. Young made a motion to include the Truth-in-Budgeting Hearing on the agenda for the special meeting scheduled for October 26, 2004 at 6:00 PM. Ms. Johnson supported the motion.

Mr. Shigley asked if there were any comments from the Board regarding the motion. There were none. He then asked if there were any public comments. There were none.

Voice Vote: Ayes: All
 Nays: None
 Absent: Bisio

Motion approved.

l. Comcast Cable Discussion

Mike Buck briefly updated the Board on the progress of the negotiations with Comcast Cable Company. He noted that WOCCA will be meeting with Comcast tomorrow to get a preliminary contract.

m. Applied Grinding and Technologies Request

Mr. Olson stated that this application calls for a 100% tax abatement from the Township for a
twelve year period. He questioned if the Board would like to have discussion about this issue at the special meeting that they have scheduled. He stated that if the Board is not so inclined to give a 100% tax abatement under the new law, then they should not review it all.

Mr. Quinn stated that from what he read, it appears that Applied Grinding will only be a tenant in the building and are only requesting a personal property tax abatement. Mr. Olson read a portion of the application which deals with what the abatement will cover.

Mr. Olson stated that Applied Grinding has been informed of how the Township has reacted to tax abatements in the past. He noted that if Applied Grinding does not receive approval from the Township by October 29, 2004, they cannot submit anything to the State.

Mr. Young made a motion to add Applied Grinding and Technologies request to the agenda for the scheduled special meeting of October 26, 2004. There was no support for the motion.

n. Discussion – South Lyon School District Sewers

Mr. Olson stated that he and Mr. Crandell have been working on some documents for this issue. He stated that the Board also received a report from the meeting that was held last Tuesday with School Official, as was directed by the Board in August. He stated that with regard to the report there are still a few details that need to be worked on. He felt that the report that was provided to the Board dated October 1, 2004 speaks for itself.

Ms. Carcone suggested that they form a sub-committee to help get this issue resolved. Mr. Young and Ms. Carcone indicated that they would like to be on the sub-committee.

Mr. Young made a motion to form a sub-committee of Pat Carcone and Lannie Young to work with the Consultants on this issue. Mr. Cash supported the motion.

Mr. Shigley asked if there were any comments from the Board regarding the motion. There were none. He then asked if there were any public comments. There were none.

Voice Vote: Ayes: All
 Nays: None
 Absent: Bisio

Motion approved.

11. ITEMS REMOVED FROM CONSENT AGENDA FOR ACTION OR DISCUSSION NONE

12. ADJOURNMENT

Mr. Young made a motion to adjourn the meeting. Ms. Carcone supported the motion.

Voice Vote: Ayes: All
 Nays: None
 Absent: Bisio

Motion approved. The meeting was adjourned at 9:10 PM.

Mr. Shigley re-convened the meeting to discuss one issue that was brought to the Board's attention.

Phoenix Group's Request for a Special Meeting

Mr. Young made a motion to add Phoenix Group to the agenda for the special meeting scheduled for October 26, 2004.

Voice Vote: Ayes: All
 Nays: None
 Absent: Bisio

Motion approved.

Mr. Young made a motion to adjourn the meeting. Mr. Cash supported the motion.

Voice Vote: Ayes: All
 Nays: None
 Absent: Bisio

Motion approved. The meeting was adjourned at 9:15 PM.

Respectfully Submitted,

Deby Cothery

Deby Cothery
Recording Secretary

Pamela Johnson
Clerk