

**CHARTER TOWNSHIP OF LYON
BOARD OF TRUSTEES
MEETING MINUTES
July 5, 2005**

Approved as submitted August 8, 2005.

DATE: July 5, 2005
TIME: 7:00 PM
PLACE: 58000 Grand River

1. **Call to Order:** Supervisor Young called the meeting to order at 7:04 PM.

2. **Pledge of Allegiance**

3. **Roll Call:**

Present:	Lannie Young, Supervisor Patricia Carcone, Treasurer Pamela Johnson, Clerk Dan Cash, Trustee Brent Hemker, Trustee John Hicks, Trustee
Absent:	Troy Schilling, Trustee (vacation)
Also Present:	Matthew Quinn, Township Attorney Chris Olson, Township Superintendent Chris Doozan, Township Planner Leslie Zawada, Township Engineer Les Cash, Fire Chief
Guests:	48

4. **APPROVAL OF THE CONSENT AGENDA**
- Approval of Special Meeting Minutes of May 20, 2005
 - Approval of Regular Meeting Minutes of June 6, 2005
 - Approval of Disbursements
 - May Revenue/Expense Report
 - Cash Balance Report through May, 2005
 - Fire Department Report for May, 2005
 - Building Department Report for May, 2005
 - Zoning Enforcement Report for May, 2005
 - Sheriff Department Report for May, 2005
 - Engineer Status Report for June, 2005

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

Roll Call Vote: Ayes: Cash, Johnson, Carcone, Young, Hicks, Hemker
Nays: None
Absent: Schilling

Motion approved.

5. CALL TO THE PUBLIC

John Bell, Library Board, stated that the Library now has wireless internet connections and that they have increased the number of computers. He thanked Chris Roberts for his help in installing these.

Thaddeus McCotter, State Representative, stated that it is an honor to work with Lyon Township and felt that they are doing great things here. He stated that he is available to help when needed and that the Board members should feel free to contact him.

Mr. Young stated that on behalf of the Board, they appreciate the work that Congressman McCotter has done.

6. ANNOUNCEMENTS AND COMMUNICATIONS

a. DDA Progress Report – Verbal – Mr. Olson noted that at last month's Board meeting there was a request from former Trustee, Steven Adams, for an update on what is going on with the DDA. Mr. Olson gave a progress report on the DDA.

7. APPROVAL OF AGENDA

The following items were added to the agenda:

- Award the Engineering Bid for the Bike Trail (end of Unfinished Business)
- Carriage Club, Phase III (end of New Business)

The following item was removed from the agenda:

- Deficit Reduction Plans – Library and Police Operating Funds

Ms. Carcone made a motion to approve the agenda with two additions, Award the Engineering Bid for the Bike Trail and Carriage Club Phase III and the removal of the Deficit Reduction Plans for the Library and Police Operating Funds. Mr. Hicks supported the motion.

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

Motion approved.

Mr. Hicks made a motion to close the regular meeting and open the public hearings. Ms. Carcone supported the motion.

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

Motion approved.

The regular meeting was closed and the public hearings were opened at 7:23 PM.

8. Public Hearing to Confirm the Assessment Roll for Lyon Ridge Sanitary Sewer Capacity Purchase and Special Assessment District

Mr. Quinn explained that this is the resolution confirming the roll for the Lyon Ridge Sanitary Sewer Capacity Special Assessment Roll. He stated that there is only one property owner. The SAD is in the amount of \$1,067,834. This amount will ultimately be paid to Park Place Environmental. There will be a separate installment payment agreement for the Township's portion. It is a ten year special assessment district. The bond will be sold later this year.

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

9. Public Hearing for Eleven Mile Road Paving and Milford Road and Spaulding Road Water Main Improvement Special Assessment District

Mr. Quinn explained that this is the Eleven Mile Road Paving and Spaulding Road and Milford Road Water Improvement SAD. He stated that this is the first public hearing being held on this SAD. The anticipated construction costs of the road and the water is \$3,467,582. He stated that as far as the proposed roll that Giffels-Webster has proposed, the following property owners will be paying the entire amount for this particular district are:

- Elkow Family, LLC on two parcels
- Paul and Laura Elkow individually on a parcel
- Crystal Creek Land, LLC on four parcels

He stated that these are the only property owners that are being assessed. He stated that the reason that some other property owners were given notice of this hearing is because the Bond Attorney that represents the Township asked that they notify all the property owners that front the road so that if they had any comments on the road improvements, the Board would then be able to hear the comments.

Mr. Young asked if there were any comments.

Bob Moody, 25808 Milford Road, questioned if this means that the Township cannot come to him later and try and collect money for this. Mr. Quinn responded that it does.

Jerome Szynwelski, 58800 Eleven Mile Road, questioned what the speed limit is going to be on the road once the paving is completed. Mr. Olson explained the Road Commission's process in determining the speed limit.

Paul Ayers, 59450 Eleven Mile Road, stated that the Eleven Mile Road water main extension goes right in front of property that he owns. He questioned if water will be available to him. Ms. Zawada explained the process that Mr. Ayers needs to follow, if he is interested in getting water.

10. Public Hearing to Confirm the Assessment Roll for the Southwest Sanitary Sewer Special Assessment District

Mr. Quinn explained that this SAD is in the amount of \$21,690,000.09 and is to be assessed against 56 parcels of property in the southwest portion of the Township. He stated that this SAD is a twenty year equal installment payment plan. He stated that the first payment, at the property owners request, has been pushed back and is not due until February 14, 2008. He stated that this SAD is to run the sanitary sewer throughout the southwest portion of the Township.

Ms. Zawada, using an overhead, pointed out the route of the sewer for the SAD.

Mr. Young asked if there were any comments.

David Goldberg, Aspen Group, stated that the way that the SAD is set up, he represents his company as well as the Raney's. He stated that as a matter of clarification for the Raney family, there are 206 REU's allocated to the seven parcels that make up the entire SAD. He stated that some of these are on the land that is going to the Township as part of this development. He questioned how the REU's are being allocated. He also questioned if at this stage, do they have to have the REU's allocated. He noted that they have an agreement with the Raney's that no REU's will be allocated to their parcel. He stated that they are in the process of splitting off land that is part of the PD from the Raney's existing properties and would like to have all the REU's allocated to the Aspen's property.

Mr. Goldberg stated that even though the Raney parcels are part of the assessment, they are requesting that none of the REU's be allocated to these parcels.

Mr. Quinn stated that the roll does reflect this right now. He stated that when the three parcels merge together into one common development, then they are allowed to allocate them.

Anthony Ruggero, property owner, stated that they are in the beginning stages of planning a development. He questioned how they will know what has been allotted to their property.

Mr. Young suggested that Mr. Ruggero meet with the Township Engineer. Ms. Zawada stated that there are nine REU's for this parcel, "S".

11. Public Hearing to Confirm the Assessment Roll for the Southwest Water Special Assessment District

Mr. Quinn explained that this SAD is also in the southwest portion of the Township, it is for water. This SAD is being assessed against 31 parcels and the amount of the assessment is \$3,152,205. He stated that this is a twenty year SAD with the first payment not being due until February 14, 2008.

Ms. Zawada, using an overhead, pointed out the route of the water for the SAD.

Mr. Young asked if there were any comments. There were none.

Mr. Young closed the public hearings at 7:38 PM.

12. UNFINISHED BUSINESS

a. Resolution Confirming Lyon Ridge Sanitary Sewer Capacity Improvement Special Assessment District Roll

Mr. Hicks made a motion to adopt the Resolution Confirming Lyon Ridge Sanitary Sewer Capacity Improvement Special Assessment District Roll. Mr. Hemker supported the motion.

Mr. Young asked if there were any comments regarding the motion. There were none.

Roll Call Vote: Ayes: Young, Hicks, Johnson, Cash, Hemker, Carcone
 Nays: None
 Absent: Schilling

Motion approved.

b. Resolution Determining Sufficiency of Petitions and Necessity of Improvements and Designating Special Assessment District for the Eleven Mile Road Paving and Milford Road and Spaulding Road Water Main Improvement Special Assessment District

Mr. Quinn noted that there is one change on this draft in paragraph three, the actual construction cost and share of district has now been refined to the amount of \$3,467,582. He stated that these two amounts should be amended.

Mr. Cash made a motion to adopt the Resolution Determining Sufficiency of Petitions and Necessity of Improvements and Designating Special Assessment District for the Eleven Mile Road Paving and Milford Road and Spaulding Road Water Improvement Special Assessment District in the amended amount of \$3,467,582. Mr. Hicks supported the motion.

Mr. Young asked if there were any comments regarding the motion. There were none.

Roll Call Vote: Ayes: Hemker, Carcone, Young, Hicks, Cash, Johnson
 Nays: None
 Absent: Schilling

Motion approved.

c. Resolution Setting Hearing Date on Special Assessment Roll for the Eleven Mile Road Paving and Spaulding Road and Milford Road Water Improvement Special Assessment District

Mr. Quinn stated that this resolution calls for the public hearing to be on August 8, 2005. He stated that in paragraph one the amount should be modified to reflect \$3,467,582. He stated that with this the notification will be published in the newspaper and the same property owners will again receive notice of the public hearing to confirm the roll.

Mr. Hicks made a motion to adopt by Resolution Setting Hearing Dated on Special Assessment Roll for the Eleven Mile Road Paving and Spaulding Road and Milford Road Water Improvements Special Assessment District in the amount of \$3,467,582. Ms. Johnson supported the motion.

Mr. Young asked if there were any comments regarding the motion. There were none.

Roll Vote: Ayes: Johnson, Young, Hemker, Cash, Carcone, Hicks
 Nays: None
 Absent: Schilling

Motion approved.

d. Resolution Confirming Roll for the Southwest Sanitary Sewer Special Assessment District

Mr. Quinn there are no changes on the proposed draft and is ready for the Board's consideration.

Mr. Cash made a motion to adopt the Resolution Confirming Roll for the Southwest Sanitary Sewer Special Assessment District. Mr. Hicks supported the motion.

Mr. Young asked if there were any comments regarding the motion.

Ms. Carcone questioned where all the 206 REU's are going. She cited what happened on the Erwin's property and that she could not put all the REU's on one parcel, they had to be split. She stated that they can't put all of them on one parcel, they need to be divided up. She stated that per the ordinance, there has to be an REU for each parcel. She stated that she has to put the REU's on the Raney's parcel. She noted that Aspen will have to pay the Raney's assessment.

Roll Call Vote: Ayes: Hicks, Johnson, Carcone, Young, Cash, Hemker
 Nays: None
 Absent: Schilling

Motion approved.

e. Resolution Confirming Roll for the Southwest Water Special Assessment Supply

Mr. Quinn stated that there are no changes on the draft and is ready for the Board's consideration.

Mr. Cash made a motion to adopt the Resolution Confirming Roll for the Southwest Water Special Assessment District. Mr. Hicks supported the motion.

Mr. Young asked if there were any comments regarding the motion. There were none.

Roll Call Vote: Ayes: Hemker, Johnson, Carcone, Cash, Young, Hicks
 Nays: None
 Absent: Schilling

Motion approved.

f. Second Reading and Proposed Adoption of Grading Regulations

Mr. Quinn stated that this is the same ordinance that the Township Board has seen previously modifying the grading regulations. He stated that this ordinance has been published and is ready for the Board's final consideration and adoption.

Mr. Hicks made a motion to approve the second reading and adoption of the Grading Ordinance 2005, Article 12.00, Section 12.10. Ms. Carcone supported the motion.

Mr. Young asked if there were any comments regarding the motion. Mr. Hemker stated that he just wants to verify that plans must be approved before grading begins. Mr. Quinn indicated that this is correct. Mr. Olson noted that this will be removed from the zoning ordinance and put into the design standards.

Roll Call Vote: Ayes: Johnson, Hemker, Cash, Carcone, Hicks, Young
 Nays: None
 Absent: Schilling

Motion approved.

g. Library Millage of 3/10 Mill/Transfer Basis

Mr. Olson noted that there is a legal opinion from the Township Attorney and some information from the Library Board in the Board's packet regarding this issue.

Mr. Quinn stated that this is one of the questions that the Board proposed to him that really does not have a definitive answer. The question is "How is the 3/10 Mill that the Library Board needs from the Township calculated in order to maintain their membership and certification in the Library Cooperative Services Program, which is part of the State aid for the Public Library Act?" He stated that in talking with the Attorney General's office and the Treasurer's office, they really don't have any answers themselves. He stated that there are no other previous cases. He stated that Statute makes the statement that 3/10 Mill is required to be paid from the taxable value.

Mr. Quinn stated that if the 3/10 Mill is calculated before a TIF capture or after a TIF capture, this is where there isn't an answer. He stated that he tried to look at this as a practical issue. He noted that the Township's 1 Mil is gradually rolled back by Headlee. Theoretically, it could be rolled back so that the Township could be levying 3/10 Mil, if they never went to the voters asking for it to be restated to 1 Mil. He stated that if they took a strict look at this 3/10 Mil would never change as the Township's Millage kept rolling back, so the Library Board would be getting a greater percentage of the budget every year. He stated that he does not feel that this is the intent of this particular Statute.

Mr. Quinn stated that it is his direction that this is really a policy determination of this Board whenever there is a non-answer then it falls back on the Board of Trustees to make a policy decision in the way that they deem fit.

Mr. Olson gave a brief history of what has been paid to the Library over the years.

Ms. Carcone made a motion to approve for the 2005 Budget year, which we are in right now, to award the Library 3/10 Mil on the final taxable value from the 2004 roll.

Mr. Young asked if this would be before the DDA capture. Ms. Carcone responded that it is before the DDA capture which is the intent of the law that she read and the intent of the resolution that was passed by a previous Board and that they have followed in practice.

Mr. Hicks supported the motion.

Mr. Young asked if there were any comments regarding the motion from the Board.

Ms. Carcone stated that she wants to make it clear that in her department she is the one responsible for transferring the money to the Library budget. She stated that she usually does this every year, after settlement, so that she uses the exact taxable value that the Township has settled on for the previous year. She stated that she got a call from the Library asking why they have not been doing this for the past couple years. She indicated that she did not know and that she followed the budget. She noted that she has always done 3/10 Mil, but the budget is different. She requested clarification.

Mr. Hicks stated that it is his understanding that any special treatment of any entity could put the whole DDA thing in jeopardy and the County may withdraw their support. He stated that he is very concerned about this. He stated that he does understand why there are problems, but does not want to do anything that may jeopardize the DDA. Ms. Carcone noted that this would be Millage money and this is not Millage money, it is the Township's gift to the Library. Mr. Hicks stated that as long as it does not jeopardize the DDA, then he would be in favor of this.

Mr. Cash stated that this is a Millage because if they didn't have a Millage they would not be collecting the .99. He stated that it is not clear because each year the Headlee rolls back, they could get down to where they are at 3/10 Mil for the Township tax, which would mean that the Library would capture all of the Township taxes.

Mr. Olson stated that the Township has held the Library safe from the Headlee rollback because they never applied this the way that the Township's Millage rate is reduced. He briefly discussed the budget and noted that he has done it the same way since 2003.

Mr. Hemker questioned what the motion would mean in dollars for the current budget. Mr. Olson responded that it would mean that they would transfer an additional \$33,270 to the Library. He noted that next year it would be \$37,649. Mr. Hemker stated that since they already have the budget set and everything accounted for, they really don't have any excess dollars in the budget at this point. He felt that this should be done annually at budget time. He stated that there really isn't anything that tells them definitively that it has to be before DDA capture. He stated that since this year's budget is already done, he would lean more toward not increasing it because they don't have \$33,000 just sitting around.

Ms. Johnson stated that the past couple of years the Library's budget has been paying the Library Director with benefits with the Millage money that was transferred. She noted that years ago the Township Board did approve monies above the 3/10 Mil for the Library Director and the benefits. She felt that this should be an annual thing and stated that it should not have been changed without the Board's knowledge. She stated that the Board should have been fully aware that there was a reduction.

Mr. Young stated that he had three concerns, one was the legal aspect, which has been clarified in the Attorney's letter to the Board. He stated that the fact that the Township agreed to do this by resolution from a previous Board, they should stick to this. He stated that everybody is cutting costs and revenue sharing but the Library is still getting the same amount of money. He stated

that the Township is struggling and that they keep getting less and less. He stated that if they could, they would gladly give the money. He stated that they are not in violation legally, they don't have the money and it is really a philosophical argument for this Board to decide from a policy standpoint, do they give from the gross or from the net. He stated that because of the Township's financial situation, he is opposed to changing their policy now.

Mr. Cash stated that at the last meeting they were forced to cut the liaison to the Middle School because of the DDA capture and how much it captures. He stated that the police had the biggest Millage, that is why they show the biggest cut.

Mr. Hemker noted that the Library Board has come up with their own budget, which is actually under what they had budgeted for them this year. He stated that he would like to work on this with next year's budget and try to get it as high as they possibly can.

Mr. Young asked if there were any public comments.

John Bell, 23113 Currie Road, stated that in order to have a Library, they need to have local support. He stated that to maintain the Library's accreditation, they need the support. He stated that any jeopardy to the 3/10 Mil from local support could jeopardize the Library's status. He discussed the accounting and some of the fees that the Library pays. He felt that the Library needs a better idea as to what the line items are. He stated that they would be very reluctant to go to the Michigan Library Association for funding, therefore, they are at the Board's mercy.

Mary Pat Freund, 651 Woodland, stated that she is a little confused as to why this is being cut now since they have their budget set already. Ms. Carcone noted that it was already cut. Mr. Cash stated that it has been this way since 2003. Mr. Hemker stated that the current budget and the money that they have given them this year would not change.

Marilyn Smith, 58857 Travis Road, questioned if the Library will be losing their 3/10 Mil and will they lose accreditation. Mr. Young responded that they are not proposing that the Library lose anything. Ms. Smith stated that the Board of the Lyon Township Library is an asset to this community. She stated that she appreciates that they are going through budget crunch, but she would like to make sure that the Township Board understands that they do appreciate the support that they are giving the Library. She stated that the Library believes that they are one of the most important assets that the Township has to offer. She felt that it would behoove all of them to go in the direction of a positive asset rather than a negative.

Darcy Hollon, 24300 Martindale Road, stated that this is kind of confusing. She stated that there are a lot of residents who really care about the Library.

Roll Call Vote: Ayes: Johnson, Hicks, Carcone
 Nays: Young, Cash, Hemker
 Absent: Schilling

Motion failed – tie vote.

h. Bond Resolution for SAD Bond, Series 2005 B (Woodwind Well #3, Spaulding Road Sewer and Timber Trail Water and Sewer SAD's)

Mr. Quinn explained that Bond Counsel has prepared the Bond Resolution SAD Bond Series 2005 B which is a ten year SAD for Spaulding Road and Timber Trail and a nine year SAD for Woodwind Well #3 for the years 2007 through 2015. He stated that Bond Attorney and the Tax Attorney met to discuss the issue of interest. He noted that this particular bond issue will be reduced from 1% over the selling rate to .25% over the selling rate. He stated that other than this, this bond issue is similar to others that the Board has seen in the past and is ready for the Board's consideration.

Mr. Cash made a motion to approve the Bond Resolution for SAD Bond, Series 2005 B. Mr. Hicks supported the motion.

Mr. Young asked if there were any comments. Mr. Young asked Ms. Carcone if this has anything to do with the 5% Administration fee. Ms. Carcone responded that it does not.

Roll Call Vote: Ayes: Johnson, Hicks, Carcone, Cash, Young, Hemker
 Nays: None
 Absent: Schilling

Motion approved.

i. Consideration of Video Bids

Mr. Hicks stated that they received seven bids for the video system that the Township was interested in installing. He stated that they asked Richard Perry, a local consultant, to review the bids. He stated that Mr. Perry identified 3 of the 7 vendors as quality companies with many years of experience in this field. He stated that Mr. Perry indicated that the system that we sent out for bid is a mid-range price quality system. Mr. Hicks noted that the lowest bid came from City Animation at \$30,088.

Mr. Young stated that they put the bid package together not knowing where the prices would end up. He stated that they got a lot of bids with a range from \$30,000 to \$40,000. He noted that the bids were higher than what they anticipated.

Mr. Hicks made a motion to approve the bid from City Animation in the amount of \$30,088. Mr. Young supported the motion.

Mr. Young asked if there were any comment regarding the motion.

Mr. Hicks stated that a couple things have happened since they went out for bid. He stated that they have been informed by the Township's Liaison that Comcast may be providing the Township with a professional grade camera and tripod. He stated that he went to an impromptu meeting with Chris Olson, Pam Haggerty and Roger Collissimo and found out that they are very interested in broadcasting both the City and the Township's meetings. He noted that they would have to provide equipment for this.

Mr. Hicks stated that his plan is to get together with Mike Buck and talk to Comcast and try to get some of the questions answered.

Ms. Carcone stated that she would rather buy books for the kids. She stated that if someone wants to see the Board meetings, they can come to the Township Hall and view them personally. She stated that she wished that they were on cable so the residents could see how this Board voted against the Library. She stated that she is not happy and that she is a "No" vote.

Ms. Johnson stated that she would like to see the \$30,000 used for repairs to the Township Hall rather than for video equipment.

Mr. Hemker stated that he is certainly not in favor of spending this kind of money on a video system. He noted that there is a large number of residents in the community that don't have a cable running to their house, street or private lane. He felt that this is a very expensive endeavor that is not going to benefit all the residents in the Township.

Mr. Hicks stated that one of the reasons he wanted to get this on the table for discussion is because

he felt that the Board has an obligation to stop the inquiries from the vendors and residents. He stated that this way they know what has been done.

Mr. Cash stated that he felt that the people who are so adamant about having the meetings on cable should go out and raise the funds.

Mr. Young stated that he concurred with Ms. Carcone in the fact that if the Township had an extra \$30,000 he would rather see it go to the Library than on video equipment. He stated that he was really energized to see this happen because for the last three or four years there has been a real push to try and get something in place. He stated that this system is not a Cadillac, it is a Chevrolet, a good system but it is too expensive.

Mr. Young asked if there were any public comments.

Earl LaFave, Beck Companies, stated that Green Oak Township they were able to negotiate a deal with Comcast to have them install, at their expense, a broadcast system and staffing. He stated that there was some sort of reciprocal agreement where Comcast would be allowed to do some advertising. He felt that this might be something that the Board should look into.

John Bell, 23113 Currie Road, stated Robin Allen could keep doing what he is doing and send the tapes to Comcast for broadcast or maybe the Board could find a volunteer to do this.

Mr. Hemker stated that he would like to see them follow-up with Comcast to see if they are willing to do this.

Roll Call Vote: Ayes: None
 Nays: Hemker, Young, Hicks, Cash, Johnson, Carcone
 Absent: Schilling

Motion failed.

Mr. Hicks made a motion to reject all bids and terminate this specific project but come back after getting more information as to what they can get from Comcast and what is available. Mr. Hemker supported the motion.

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

Motion approved.

j. Award Engineering Bid for Bike Trail

Ms. Carcone stated that she distributed a letter from McKenna Associates, Inc. that indicated they received a \$25,000 Engineering Grant to do some engineering on the trail system. She stated that they solicited six bidders and received three back. She stated that the Trailway Council is recommending Giffels-Webster for this project. Their bid was in the amount of \$20,250. She stated that she is asking the Board to officially award this package to Giffels-Webster so they can begin.

Ms. Carcone made a motion to award the bid to Giffels-Webster for the trail enhancement in the amount of \$20,250. Mr. Hemker supported the motion.

Mr. Young asked if there were any comments.

Ms. Carcone stated that the ranges went from \$74,900 to \$20,250. She felt that Giffels-Webster is

really giving the Township a good deal.

Roll Call Vote: Ayes: Carcone, Hemker, Cash, Johnson, Young, Hicks
 Nays: None
 Absent: Shilling

Motion approved.

13. NEW BUSINESS

a. Resolution of Tentative Declaration of Intention to Make Improvements for Mill River Sewer and Water Special Assessment District.

Mr. Quinn stated that the Clerk should acknowledge that she received the petition from the property owner and that the property owner equated to 100% of the property within the district. He stated that this is the first resolution to start the process of the new SAD that will bring water and sewer improvements into the Mill River development.

Ms. Zawada provided the Board with the background information for this project.

Mr. Quinn stated that in the consent judgment it was agreed that the Township would create special assessment districts that would be 20 years in duration for the sewer and water improvements for this particular project. He noted that this is for the residential component only.

Mr. Cash made a motion to approve the Resolution of Tentative Declaration of Intention to Make Improvements for Mill River Sewer and Water Special Assessment District. Ms. Carcone supported the motion.

Mr. Young asked if there were any comments.

Ms. Carcone asked Mr. LaFave how many REU's he is planning to purchase on this section. Mr. LaFave responded that they intend on purchasing all 490 REU's.

John Bell, 23113 Currie Road, questioned if this excludes the Library section. Mr. Quinn responded that it would. Mr. Bell questioned when they begin construction on the Library will they have to then get sewer and water assessments. Mr. Quinn responded that they would. He noted that with the construction of the line, it will be right at the Library property.

Mr. LaFave stated that they are extending the stubs and the leads to the property line. He stated that the mains will all be tapped for uses such as the Library.

Voice Vote: Ayes: Young, Johnson, Cash, Carcone, Hemker, Hicks
 Nays: None
 Absent: Schilling

Motion approved.

b. Tanglewood Grenelefe West Subdivision – AP-03-25 – Approval of Final Plat, Easement, Covenants and Restrictions (Conditional Approval was granted December 6, 2004)

Mr. Doozan reviewed the comments indicated in the McKenna Associates, Inc. letter dated May 26, 2005 regarding this issue.

Mr. Hemker made a motion to approve the Final Plat, Easements, Covenants and Restrictions for Tanglewood Grenelefe West Subdivision, AP-03-25, subject to the applicant providing a copy of

the covenants, conditions and restrictions which satisfies conditional approval that was granted on December 6, 2004. Ms. Johnson supported the motion.

Mr. Young asked if there were any comments. There were none.

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

Motion approved.

c. Tanglewood Golf Community, AP-05-15 – Revised & Restated PD Amendment

Mr. Doozan reviewed the comments indicated in the McKenna Associates, Inc. letter dated June 7, 2005 regarding this issue.

Mr. Quinn stated that this should be considered a first reading since this is an amendment to the zoning ordinance and it does have to be published in the paper before the Board makes a final decision.

Mr. Hicks made a motion to approve the AP-05-15, Tanglewood Golf Community, curative revised and restated planned development amendment as a first reading subject to the conditions cited in the McKenna Associates, Inc. letter dated June 7, 2005, namely approval by the Planner and the Township Attorney. Mr. Young supported the motion.

Mr. Young asked if there were any comments.

Ms. Johnson noted that they have identical letters from McKenna Associates, Inc. dated June 7, 2005 and June 27, 2005. She asked for clarification as to the correct letter.

Mr. Hicks amended his motion changing the letter date from June 7, 2005 to June 27, 2005. Mr. Young supported the motion.

Ms. Carcone questioned if this includes the additional land. She asked Mr. Freund if they already own it. Mr. Freund responded that they do own it and it is included. She noted that Ken Freund never called her back on the property transfer affidavits. She stated that she is voting "No" because Ken Freund did not do what he was supposed to do.

Mr. Cash questioned when the additional 20 units were approved. Mr. Doozan responded that it was seven or eight years ago. Mr. Quinn explained that on this plan there are two orange squares, which were added and approved by the Board. He noted that the additional number of lots were already approved but technically that property was never added into the PD. He stated that things just got a little bit out of order but the final result is in this final plan with all the property included in it. He stated that they know that there are 108 units that still need to be constructed and we know the type of units that need to be constructed so that there can't be any questions at all from here on in.

Mr. Young questioned the location of the ten and three acres. Mr. Quinn responded that they both front Ten Mile Road, one is part of the Grenelefe East Subdivision and the other is the farmhouse and equipment barn. Mr. Young questioned if the farmhouse and equipment barn would be torn down. Mr. Freund responded that they are not, they are just including it as part of the planned development.

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

Roll Call Vote: Ayes: Hemker, Young, Cash, Hicks, Johnson
 Nays: Carcone
 Absent: Schilling

Motion approved.

d. North River Properties – AP-05-18 – Rezoning Request from R-1.0, Single Family Residential, to I-1, Light Industrial District – First Reading

Mr. Doozan reviewed the comments indicated in the McKenna Associates, Inc. letter dated June 27, 2005 regarding this issue.

Mr. Cash made a motion to approve the rezoning of AP-05-18b, North River Properties, from R-1.0, Residential-Agricultural to I-1, Light Industrial District as a first reading. Mr. Hicks supported the motion.

Mr. Young asked if there were any comments regarding the motion.

Mr. Cash stated that his preference would not have been to do a straight rezone on this. He stated that this is a residential island surrounding by industrial. He felt that this should not have been tied in with the next item. He questioned what would happen with the next item, if they were to turn it down. Mr. Doozan responded that if this item is approved and the next item was turned down, the property would remain I-1.

Mr. Hemker stated that looking at this from a zoning point of view, I-1 is the proper zoning for this parcel. He stated that everything around this is I-1 and it is Master Planned as I-1. He stated that this fits as I-1 and residential kind of sticks out. He felt that the rezoning is a good thing.

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

Motion approved.

e. First Reading of Proposed Text Amendment Regarding Outdoor display and Storage of Recreational Vehicles, Article 19.00 and Article 33.00

Mr. Doozan reviewed the comments indicated in the McKenna Associates, Inc. letter dated June 28, 2005 regarding this issue.

Mr. Cash made a motion to approve the first reading of the proposed text amendment regarding outdoor display and storage of recreational vehicles, Article 19.00 and Article 33.00. Mr. Hicks supported the motion.

Mr. Young asked if there were any comments regarding the motion.

Mr. Hicks discussed the amount of pop-up campers that are displayed on gravel at General RV's current location. He noted that it is not a very pretty display area.

Mr. Cash stated that since he heard about this issue he has been keeping an eye on Cummins and their parking lot, which is mostly campers. He felt that in this case, this would probably be a good fit. He noted that it is surrounded by industrial and felt that it won't impact residential. He stated that the one concern he has is that he does not want this to be a storage for used campers. Mr. Quinn stated that this could be a specific part of the special land use resolution.

Mr. Hemker stated that they all just agreed that this should be rezoned to industrial and now they are saying that they are going to allow sales in this area, which would make it commercial, not industrial. He stated that he does realize that truck and tractor sales are allowed in the I-1 District, but felt that this is different. He questioned if auto sales will be next to go into industrial sections because it is basically the same user that you get from RV's. He stated that he personally does not feel that an industrial district is the right place for this use.

Mr. Young felt that is a housekeeping issue. He stated that this is a special land use and that they will have to take each use on its own merit and deliberate accordingly. He stated that the proposal is to take this out of B-3 and put it into I-1. He stated that he does not see a problem with this.

Ms. Johnson noted that she does not have a problem with this.

Voice Vote: Ayes: Carcone, Cash, Hicks, Johnson, Young
 Nays: Hemker
 Absent: Schilling

Motion approved.

f. Streetlight Quotes

Mr. Hicks explained that they have received requests for streetlights at four different intersections:

- Emelbee drive at Pontiac Trail
- Pontiac Trail at Martindale Road
- Ten Mile Road at Tara Drive
- Grand River at Haas Road

Mr. Young asked what type of action Mr. Hicks is looking for. Mr. Hicks responded that there were the requests for these lights and felt that the Board has to determine how they are going to deal with this issue.

Mr. Cash stated that if they are going to allow the lights, he would prefer to see them all the same style. Mr. Young felt that the Board needs to have some type of policy with regard to the lights. Mr. Hicks noted that they are waiting for three more quotes also.

Mr. Olson noted that in the past the Township has paid for the installation of a light and that the homeowner's association has paid for the on going service. Ms. Carcone noted that the Township would be billed and then she would bill the homeowner's association for the service.

Ms. Carcone stated that she agrees that they need to have some type of policy in place for streetlights. She stated that she would hope that the Board would consider putting a streetlight at Grand River and Haas Road. She stated that she understands that there is one residence and one business there, but it is a major intersection.

Mr. Olson noted that the area of Haas Road and Grand River is an area where people are towing trailers, if they are going to the campground.

Ms. Carcone made a motion to approve \$981.00 out of the 2005 budget to purchase a new streetlight installation and also for the annual cost of \$292.11 for the annual operating costs for the intersection of Grand River and Haas Road. Ms. Johnson supported the motion.

Mr. Young asked if there were any comments. He stated that based on the bid it indicates that the Township will contribute \$105.00 to the total cost of \$981 and every year the Township will have to come up with \$292.11 to keep it lit. Ms. Carcone indicated that this is correct. Mr. Olson noted that this also requires Edison to maintain the poles and replace bulbs as necessary.

Phil Strong, 59705 Sunridge Drive, stated that he wrote a letter to the Township on February 5, 2005 requesting a light be installed on Pontiac Trail and Martindale Road. He noted that it is very dark at that intersection. He stated that he would like the Board to consider installing a light at this intersection.

Mr. Hemker stated that he would like to see some sort of policy in place before they begin placing streetlights throughout the Township.

Roll Call Vote: Ayes: Johnson, Carcone
 Nays: Hicks, Hemker, Cash, Young
 Absent: Schilling

Motion failed.

Ms. Johnson stated that, as part of the policy, she would like to get a letter from the homeowner's association indicating that they will pay for the light.

After further brief discussion regarding the other requests, there were no other motions made. Direction was given to Mr. Olson to begin the process of setting up a policy for streetlights.

Shirley Baker, 27239 Stancrest, stated that she understands the problem, and questioned if they could request that the signs in front of subdivisions could be lit instead.

Ms. Baker stated that she know that this does not have to do with street lighting, but with the amount of new businesses going in, it is very difficult to find an address. She questioned if the addresses could be made larger for the people who are driving by trying to find an address.

The Board took a five minute break.

g. Property and Liability Insurance Quotes

Mr. Olson stated that he does not expect a decision from the Board. He stated that they did get renewal information in the beginning part of June from the current insurer. He stated that he has been solicited last year and this year by FDI Group in Novi, which has selective insurance with Parkland Casualty. He briefly compared the current policy to what the other company is offering.

Mr. Olson suggested that they have both companies come in and give presentations. He stated that they could then discuss some of the differences between them as well as some of the language.

Ms. Johnson stated that they have already paid half the premium to the current insurance company. She asked Mr. Olson if there was a primary reason as to why he went looking for a new insurance company. Mr. Olson responded that the FDI Group has been getting more aggressive with their quotes and that they did contact him. He noted that FDI does have superior zoning coverage.

Mr. Hemker stated that he would like to see them start in January to go out for bids for the policies that renew in June. He stated that he would like to get bids from not only the current insurance company and anybody who has soliciting Mr. Olson, but from any other company that would like to bid. He stated that they could the compare the bids and make the appropriate decision prior to the policy renewing.

Ms. Carcone stated that she agrees with Mr. Hemker and felt that they should start early to get bids.

h. Deficit Reduction Plans – Library and Police Operating Funds

Removed from the agenda.

i. Set Meeting – Audit Presentation and Infrastructure

There was brief discussion with regard to when a special meeting should be scheduled for a presentation from the Township Auditors. The meeting was tentatively set for Monday, August 8, 2005 at 6:00 PM.

John Bell, 23113 Currie Road, questioned if the Auditors could address the Library Board also. Mr. Young suggested that the Library Board come to the same meeting because it all ties together.

j. Carriage Club Phase III

Mr. Doozan reviewed the comments indicated in the McKenna Associates, Inc. letter dated June 27, 2005 regarding this issue.

Ms. Carcone questioned why this is on the agenda with so many open items. She stated that issues should not come before them unless they are complete. Ms. Johnson stated that she has a problem with this also.

Jack Healy, 3696 Sleeth Road, stated that the Drain Commission signed the plat on May 17, 2005, which is their approval. He stated that he could get a letter, if the Board wishes, but when they signed the plat, they were approving it.

Mr. Healy discussed the high pressure gas line that runs through this development. He noted that Mich Con approved the layout of the plan seven years ago, but now has a new representative who is much more concerned and cautious than the previous representative. He stated that they designed the plan around the gas lines. He stated that when a potential buyer comes in, they provide a disclaimer about the gas lines. He stated that they have also included the information in the deed restrictions.

Ms. Johnson stated that it sounds like Mr. Healy had done everything that he can to protect the homeowner and make them aware that the gas line is there. She stated that subsequent owners could be a problem. There was further discussion with regard to the gas line.

Mr. Young stated that some of the open issues seem significant. He asked Mr. Healy what the timetable is for getting these issues cleared up. Mr. Healy responded that the Drain Commission issue seems to be fine. He noted that with the gas line issue, he would basically have to shut down the whole subdivision to please the new Mich Con representative. He stated that with regard to the issues from the Township Engineers, they have been approved. With regard to the conservation easement, he stated that it is signed and at the Township.

Mr. Hicks stated that he is troubled by the letter that they received from the gas company. Ms. Zawada indicated that she has never seen a letter like this from a gas company before.

Mr. Cash made a motion to approve the final plan for Carriage Club Planned Development Phase III subject to the conditions cited in the McKenna Associates, Inc. letter dated June 27, 2005 and a final review of the covenants and restrictions by the Township Attorney. Ms. Carcone supported the motion.

Mr. Young asked if there were any comments. There were none.

