

**CHARTER TOWNSHIP OF LYON
BOARD OF TRUSTEES
MEETING MINUTES
November 5, 2008**

Approved as submitted December 1, 2008.

DATE: November 5, 2008
TIME: 7:00 PM
PLACE: 58000 Grand River

1. **Call to Order:** Supervisor Young called the meeting to order at 7:02 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
Chriss Roberts, Trustee

Also Present: Matthew Quinn, Township Attorney
Michelle Aniol, Township Planner
Loren Crandell, Township Engineer
Al Hogan, Building Official
Ron McClain, Fire Chief

Guests: 23

4. **APPROVAL OF THE CONSENT AGENDA**

- Approval of Regular Meeting Minutes of October 6, 2008
- Approval of Disbursements
- Revenue Expense Report through September
- Cash Balance Report through September
- Building Department Report for September, 2008
- Zoning Report for September, 2008
- Engineer Status Report for September, 2008
- Acceptance of Grant of Permanent Sanitary Sewer Easement from David V. Johnson on Parcel 21-25-100-011 (Lyon Copperwood)

Ms. Carcone moved to approve the Consent Agenda as submitted. Mr. Roberts seconded the motion.

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

Motion approved.

5. **ANNOUNCEMENTS AND COMMUNICATIONS**

Mr. Hicks discussed communication from Website Forge.

Ms. Carcone noted that the articles for the newsletter need to be done soon.

Presentation of plaques to Clerk Pam Johnson and Trustee Dan Cash for their years of service to the Township. Mr. Young noted that this is the last regular meeting for Chriss Roberts who filled in a gap on the Board. He stated that Chriss did a fantastic job and a certificate of appreciation will be forwarded to him.

6. CALL TO THE PUBLIC NONE

7. APPROVAL OF AGENDA

The following issue was added to the agenda:

- Item 12e – Add Deputy Clerk
- Item 15, Executive Session – add discussion of property acquisition

Ms. Carcone moved to approve the agenda with additions. Mr. Hicks seconded the motion.

Voice Vote: Ayes: All
 Nays: None

Motion approved.

8. Presentation from HAVEN Representative, Belle Kleinberg

Belle Kleinberg gave a brief presentation of what HAVEN has done in the Township.

9. Public Hearing on 2009 Community Development Block Grant Funding

Ms. Aniol reviewed the information contained in the McKenna Associates, Inc. letter dated October 31, 2008 regarding this issue.

Mr. Young opened the public hearing at 7:20 pm. There were no comments. He then closed the public hearing at 7:21 pm.

Mr. Hicks moved to adopt the resolution approving the Community Development Block Grant Funding for the year 2009 in the amount of \$27,075. Mr. Roberts seconded the motion.

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

Motion approved.

10. Presentation by Gail Novak, Representative of Oakland County Emergency Response and Preparedness – Request for Adoption of Oakland County Hazard Mitigation Plan

Gail Novak gave a brief presentation of Oakland County's Hazard Mitigation Plan.

Mr. Cash moved to approve the attached sample resolution with direction for the Fire Chief and Township Attorney to make the final completions of the insertions and then present it to the Supervisor for signature. Mr. Hemker seconded the motion.

Roll Call Vote: Ayes: Hemker, Young, Cash, Roberts, Johnson, Carcone, Hicks

Nays: None

Motion approved.

11. Public Hearing on Miscellaneous Special Assessment Rolls 08-120 & 08-130

Mr. Quinn explained that these rolls are for delinquent sewer and noxious weed.

Mr. Young opened the public hearing at 7:26 pm. There were no comments. He then closed the public hearing at 7:27 pm.

a. Resolution Confirming General Purpose Roll No. 08-120 & 08-130

Ms. Carcone moved to approve the Special Assessment Resolution confirming the general purpose roll for No. 08-120 and 08-130. Mr. Hicks seconded the motion.

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

Motion approved.

12. UNFINISHED BUSINESS

a. Ordinance for Reimbursement for Sewer Construction (Bob Saks Payback)

Ms. Carcone moved to table the Ordinance for Reimbursement for Sewer Construction until the next regular meeting. Ms. Johnson seconded the motion.

Voice Vote: Ayes: All
 Nays: None

Motion approved.

b. Downtown Development Authority Appointments – Supervisor Young

Mr. Young moved to re-appoint Mark Mitra to the Downtown Development Authority for a term beginning December 1, 2008 and ending November 30, 2012. Mr. Hicks seconded the motion.

Voice Vote: Ayes: All
 Nays: None

Motion approved.

Mr. Young moved to re-appoint Brian Wallace to the Downtown Development Authority for a term beginning December 1, 2008 and ending November 30, 2012. Mr. Hicks seconded the motion.

Voice Vote: Ayes: All
 Nays: None

Motion approved.

Mr. Young noted that there will be another vacancy to fill beginning next month when John Dolan joins the Board.

c. Proposed Amendments to 2008 Budget

Mr. Young reviewed the proposed amendments.

Mr. Hicks moved to approve the 2008 General Fund budget amendments number 1. Ms. Carcone seconded the motion.

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

Motion approved.

d. Proposed Adoption of 2009 Budget

Mr. Young reviewed several of the funds contained in Draft #3.

Ms. Carcone moved to approve the 2009 General Fund Budget Proposal Draft #3 with the addition of raising Deby Cothery’s salary to \$15.00 per hour for 24 hours per week. Ms. Johnson seconded the motion.

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

Motion approved.

Mr. Hicks moved to approve the 2008 DDA Fund Amendment #2 as presented. Mr. Cash seconded the motion.

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

Motion approved.

Ms. Carcone moved to approve the 2008 Police Fund Amendment #1. Mr. Hicks seconded the motion.

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

Motion approved.

Mr. Hicks moved to adopt the 2009 Police Fund Budget as presented. Ms. Carcone seconded the motion.

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

Motion approved.

Ms. Carcone moved to approve the 2009 Park Fund Proposed Budget, Draft #2 with the proposed changes as the final budget number. Mr. Hicks seconded the motion.

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

Motion approved.

Ms. Carcone moved to approve the 2009 Building Department Fund Draft # 1 as the final budget. Mr. Cash seconded the motion.

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

Motion approved.

e. Resolution Establishing Salaries for Elected Officials (Trustees, Clerk, Supervisor, Treasurer and Deputy Clerk)

Ms. Carcone moved to resolve to establish the salary of the Township Trustees in the amount of \$4,208 beginning November 20, 2008. Mr. Cash seconded the motion.

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

Motion approved.

Ms. Carcone moved to resolve to establish the salary of the Township Clerk in the amount of \$59,303 beginning November 20, 2008. Mr. Hicks seconded the motion.

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

Motion approved.

Ms. Carcone moved to resolve to establish the salary of the Township Supervisor in the amount of \$59,303 beginning November 20, 2008. Mr. Hicks seconded the motion.

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

Motion approved.

Mr. Cash moved by resolution to establish the salary of the Township Treasurer in the amount of \$59,303 beginning November 20, 2008. Mr. Hicks seconded the motion.

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

Motion approved.

Michele Cash requested that the Board set the salary for her deputy, April Talaga at \$30,000 per year.

Mr. Hicks moved to adopt the salary for the Deputy Clerk in the amount of \$30,000 annually to begin November 20, 2008. Mr. Roberts seconded the motion.

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

Motion approved.

f. Repurchase of REU's Request – Q Industrial

Mr. Crandell reviewed the information contained in the Giffels-Webster Engineer letter dated October 27, 2008 regarding this issue.

Mr. Quinn explained the Zebra Agreement.

Ray Cousineau, on behalf of Lyon Wastewater, expressed opposition to the repurchase of REU's.

Ms. Carcone moved to authorize the Township Attorney to put together an agreement for the repurchase of the 22 REU's from Quadrants and with this agreement to void out the utility agreement of 1997, the amendments thereto and the reservation agreement of 1999 that allowed them to move these to the Sucher property. Ms. Johnson seconded the motion.

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

Motion approved.

13. NEW BUSINESS

a. Vacant Lot on Unnamed Private Road off Travis Road

Ms. Aniol reviewed the information contained in the McKenna Associates, Inc. letter dated October 10, 2008 regarding this issue.

There was discussion with regard to the location of the vacant lot and the amount of improvements that would have to be made to the road in order to build on this lot.

Clayton Miller, son of the property owner, commented on this issue.

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

b. Status of Petition for Contested Case Hearing for the newly issued NPES General Storm Water Permit - Engineers

Mr. Crandell updated the Board on the status of the petition. He referred to an e-mail from Leslie Zawada dated October 31, 2008.

Ms. Carcone moved to join the consortium which is a pending appeal in front of the MDEQ Administrative hearing process. Mr. Hemker seconded the motion.

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

Motion approved.

c. Request for Appeal to MDEQ of Coverage of NPDES Storm Water Permit for Lyon Township

Mr. Crandell explained their request to the Board to appeal to the MDEQ for coverage under the NPDES Storm Water Permit.

Voice Vote: Ayes: All
 Nays: None

Motion approved.

Respectfully Submitted,

Deby Cothery

Deby Cothery
Recording Secretary

Pamela Johnson
Clerk