

**APPROVED MINUTES  
LYNDON TOWNSHIP REGULAR BOARD MEETING  
JUNE 12, 2007**

**Members Present:** MaryAnn Noah, Linda Reilly, Mary Jane Maze, Kathryn Francis,  
LeeAnn Shanahan

**Also Present:** Merritt Honbaum, Ordinance Officer, Lee Fahrner - Midwest Consulting,  
and other interested citizens.

Supervisor Noah called the meeting to order at 7:00 PM, followed by the Pledge of Allegiance.

**Call to the Public:** Rich/Elizabeth Martin, 1244 Sugarloaf Lake, expressed concern regarding the Herrst situation and asked the township not to lose sight of the mess left behind by this catastrophe. Jerry/Gail Nelson said they were here for the same reason.

Noah asked if anyone had comments other than those pertaining to the Herrst property/Sugarloaf Lake. There were no further comments.

**Consent Agenda:** The consent agenda was adopted as presented. The meeting agenda was approved as amended, adding the Herrst/Cane property and moving the Police Report to the top.

**Police Report:** State Trooper, Joe Groder, Ypsilanti Post, reported they are still available in Lyndon Township by calling 911 for emergencies, day or night. Complaints and/or tips can be called into the Sheriff's department or by using 911. Groder responded to questions affirming police units still work out of Sylvan Township Hall and he is unaware of any study for a traffic stop light at Werkner & M-52. Groder added that as a result of the state's economy, he is unaware of any change in the officer's role in patrolling roads.

**Kenneth Herrst/Annette Cane Property:** Noah reported that consent was signed for Lyndon Township officials to enter the Herrst/Cane property on Guinan Rd. Noah added the safety of the inhabitants of the house and the public was of the utmost importance.

Fahrner updated the Board by stating he and Honbaum visited the site and recommended, for the safety of the inhabitants and traveling public, that a geotechnical engineer do an inspection and contacted Soil and Materials Engineers, Inc. (SME) in Plymouth, MI. SME did their site visit on June 11, 2007 and submitted their observations, opinions, and recommendations in a letter to Fahrner on June 12, 2007, which he read out loud. SME also submitted a fee schedule for personnel and expenses.

In summary, SME did not have access to go onto the property at the time of the visit, but reported evidence of tension cracks along the slope face, indicating movement of portions of the slope below the tension cracks. Fahrner stated these cracks were not visible at his initial inspection. SME concluded the existing slope in the area of the failed retaining wall is not considered stable and there is a high probability of additional failures of the existing slope and damage occurring to the residence. SME recommended the boat and trailer at the top of the slope be removed immediately and trees topped. Fahrner stated he would submit this letter to CACA for review tomorrow.

Fahrner stated in going forward, there are three things to consider:

- 1) Immediate safety concerns; safety of occupants
- 2) Short term; stabilize sloughing of hill
- 3) Long term solution; unknown issues with stability of the hill.

Fahrner discussed the proposal for the inspection from SME and stated the cost for inspections up to this date could average around \$1100.

Francis requested if Midwest Consulting would arrange to include Mr. Herrst in their meetings. Fahrner agreed that would be beneficial.

Noah summarized by stating the Board needs to know the relative stability of the property for the family and the relative probability for health, safety, and welfare that could impact the public. Noah stated the Board must incrementally work through the intermediate solution and authorize the geotechnician. Noah added any reconstruction of the wall has to be by permit of Lyndon Township and that the Township will have an oversight responsibility of what the Herrst engineers are doing. Once Herrst/Cane plans are prepared for rebuilding the wall, Lyndon Township will also have to approve. This has to come together and Lyndon Township must retain a geotechnician immediately to do some borings to determine if there is chance of further collapse.

Jerry Nelson suggested the Township pressure the Road Commission to clean gutters and manholes to alleviate the runoff problem that was so prevalent during the recent rains. Nelson stated there should be regularly scheduled maintenance of gutters and manholes. Noah agreed this was a good point.

Shanahan moved, supported by Reilly, that the Township hire a geotechnical engineer, preferably from SME as they have already been to the site, and to coordinate meetings with Mr. Herrst. All approved. Motion carried.

**Supervisor's Report:** Noah reported grinder pumps were under water during heavy rains, but continued to work well. With the exception of a short-lived valve shut down at Patterson Lake, sewers continued to work as they were intended. Noah assessed extensive flooding on Long Lake after several residents complained they had water in their homes. No culverts or dams were plugged. The health department was contacted as several drain fields on Long Lake were covered in water. Noah discussed plans to talk with drain commissioners at Livingston and Washtenaw counties, as well.

Noah commended Chelsea area fire fighters and other departments for the hours they spent sandbagging several houses to keep them from taking in water, as well as, the delivery of a baby.

**Fall Cleanup:** Reilly and Maze reported they would like to solicit other townships to join the fall cleanup and share costs involved. Francis recommended discontinuing the fall cleanup to save funds. Noah agrees but stated the public expects the fall cleanup and would not like to stop it without any warning. Reilly, Maze, and Noah will contact and try to confirm at least three townships to combine and share costs.

**Assessor's Contract:** Noah offered a Resolution, seconded by Francis, to approve the assessing contract with Greg F. Zamenski beginning July 1, 2007 and ending June 30, 2010. There shall be a 5% increase over the life of the new contract. Roll Call Vote: Maze – Aye; Reilly – Aye; Francis – Aye; Noah – Aye; Shanahan – Nay. Resolution adopted.

**Kathryn Francis – Time Sheets – Board Approval:** Noah moved, supported by Reilly, that effective June 1, 2007, Lyndon Township will no longer pay for any costs associated with any representation of WWRA. Roll call vote: Maze – Aye; Reilly – Aye; Shanahan – Aye; Francis – Aye; Noah – Aye. Motion Carried.

Reilly moved, supported by Shanahan, to compensate Francis for February and March CACA and WWRA meetings, including expenses. Roll Call Vote: Reilly – Aye; Maze – Aye; Francis – Aye; Shanahan – Aye; Noah – Nay.

**Computer Alley – Account for Lyndon Township:** Reilly requested the Board's permission to open an account with Computer Alley to allow David Cooper to purchase computer supplies for the network and maintenance on all township computers. Cooper would be required to submit a quote prior to making any purchases and then approve the invoice.

Shanahan moved, supported by Francis, to set up an account with Computer Alley in the name of Lyndon Township. All in favor. Motion carried.

**WWRA Request for Professional Courtesy – Waiver of ZBA Application Fee:** Noah offered a Resolution, seconded by Reilly to waive the \$450 application fee to the Lyndon Township Zoning Board of Appeals for Western Washtenaw Recycling Authority, an agency of Lyndon Township. Noah added the following wording to the Resolution: "This does not include any fees to township consultants deemed necessary by the ZBA". Roll Call Vote: Francis – Abstained; Shanahan – Aye; Reilly – Aye; Noah – Aye; Maze – Nay. Resolution adopted.

**Office Manager Assistant Pay: Officer Manager Work – Other than Receptionist:** Reilly requested the Board approve the salary for an Office Manager Assistant who covers for the Office Manager, to be paid at the rate of the Office Manager when doing work other than strictly receptionist work, i.e. special projects, minutes, preparing Board, PC, or ZBA meeting packets, not to exceed \$15.00/hour. Francis moved, supported by Maze, that Office Manager Assistant pay is equal to that of Office Manager when doing other than receptionist work. All approved. Motion carried.

**Office Manager Rate of Pay – Roxanne Petrie:** Reilly recommended the Board increase Roxanne Petrie's salary from \$14.00 per hour to the maximum allowed \$15.00 per hour, based on performing an outstanding job as the new Office Manager. Francis moved, supported by Shanahan to look at this again after Ms. Petrie has completed six months in her new position. Opposed – Maze, Noah, Reilly; Ayes – Shanahan, Francis.

**Policies & Procedures:** None

**Reports:**

- *CAFA*: Noah reported CAFA is looking at acquiring some property, and looking at the MERS plan retirement policy and will schedule a work session meeting.
- *Multi-Lakes Sewer*: See Supervisor's report above. Closing this month with state on SRF for waste water treatment plant upgrade.
- *Leoni Sewer*: Noah reported there were no catastrophic malfunctions in spite of heavy rain.
- *Sylvan Sewer*: Noah reported there were no catastrophic malfunctions in spite of heavy rain.
- *CACA*: No report.
- *WWRA*: Francis reported on highlights of May 23, 2007 WWRA meeting. A motion was passed to award \$1,000 leading to the arrest of any violators dumping unwanted items into recycle bins.
- *Ordinance Officer's Report*: Honbaum reported two permits were issued for a house and an in-ground pool. A land division was approved at the Atkinson Clinic. A dangerous building citation issued to MSU is finally being addressed. Two zoning appeals have come in and there will be a ZBA meeting in July.

***Other Business:*** None

***Call to the Public:*** Mr. Herrst and Ms. Cane requested copies of SME letters and Board minutes, and other information ahead of time, if possible, for submission to their lawyers and insurance agency. Mr. Herrst reiterated there is no problem with access to his site and has begun work to top the trees.

Fahrner stated CACA needs to look at the house and that there is imminent danger to the family and home. SME engineers will contact Mr. Herrst and Ms. Cane to enter property for hand soil borings.

***Adjournment:*** Shanahan moved, supported by Francis, to adjourn the meeting at 9:10 PM. Meeting was adjourned with objection.

Respectfully submitted,

Roxanne Petrie  
Office Manager