

LYNDON TOWNSHIP
REGULAR BOARD MEETING
17751 N. Territorial Road, Chelsea, MI 48118
Tuesday, June 9, 2009 @ 7:00 PM

Members Present: John Francis, Mary Jane Maze, Robert Mester, and Marc Keezer

Members Absent: Linda Reilly

Also Present: Merritt Honbaum – Ordinance Officer; John Enos – Carlisle/Wortman; Kevin Glardon, Pyramid Network Services; Craig Swenson, Washtenaw County 800 MHz Radio Consortium; Mike Strother, Motorola; Deputy Chief Jack Ceo, Scott Patton, Administrator, Washtenaw County, and Amy Schneider, P.E., G2 Consulting Group.

1. Call to Order: Francis called the meeting to order at 7:00 PM.
2. Approval of Agenda: Mester motioned, second by Keezer, to approve the agenda, as amended. Carried 4-0.
3. Call to the Public: Several comments were heard in opposition to the *special land use* for the public safety tower that was given approval by the Planning Commission. Questions/concerns included dismantling of the tower when no longer in use, disregard of the will of the people, continue to exhaust collocation possibilities, liability if the tower falls, setbacks, rush to approve, being railroaded, contaminated drinking water, middle of residential area, and located in the middle of an old Indian trail. Major concerns were directed to the geotechnical investigation, inability to collocate on another tower, and lack of communication and notification by the Township. Two residents reported they were in favor of the tower.
4. Approval of Board Minutes: Mester motioned, second by Maze, to approve the minutes of May 12, 2009, as presented. Carried 4-0.
5. Treasurer's Report: Maze reported CD funds are doing Okay.
6. Approval of Bills: Keezer motioned, second by Francis, to approve bills as presented. Carried 4-0.
7. New Business:
 - 7A. Site Plan Review of Washtenaw County 800 MHz Radio Consortium proposed 400' free-standing emergency communications tower: John Francis reiterated the Special Land Use for the tower was approved by the Planning Commission pending approval of the site plan by the Township Board.

Deputy Police Chief Jack Ceo, Saline, MI, reviewed the history and plan for the 400' emergency communications radio tower to be located on property owned by the City of Chelsea and located at the Chelsea Recycling Center. Ceo reviewed the 2006 millage that passed in support of building seven such towers within the County of Washtenaw.

John Enos, Township Planner, reported the notification process was done properly and noted the Township is bound by State statutes to do so. Enos stated the tower is a permitted use in the Light Industrial District and that the Board was reviewing the site plan in an effort to limit its impact. Enos stated remaining items to be addressed included requirement of down shielded lighting on all wall packs on the equipment shelter and requirement that a geotechnical evaluation be completed to the satisfaction of the Chelsea Area Construction Agency (CACA).

Kevin Glardon, Project Manager, discussed physical characteristics of the site, inside and out. Glardon stated they would request an updated geotechnical investigation as the tower location was moved approximately 60 feet from the original site. Glardon stated a Phase II ESA test was required and would test ground water for contamination. Monitoring systems of the tower, propane tank, shelter, and other equipment were reviewed.

Amy Schneider, Project Engineer for G2 Consulting Group, reported on aspects of the geotechnical investigation, results from their observations and analysis, and recommendations for subgrade preparation and construction considerations for the proposed tower. Schneider stated a second boring was not necessary when moving the site within 100 feet; however, did not object to doing a second 70-foot boring. Mike Strother, Motorola, stated they looked at historical records as another level of testing.

Local resident, Warren Widmayer, 14333 Island Lake Road, provided a strong case in support of continued discussions with American Tower in an attempt to collocate on the 1,000 foot WPXD tower. Widmayer stated he spoke with individuals at American Tower and reported their willingness to cooperate in an attempt to renegotiate an agreement.

Craig Swenson, reviewed many obstacles in reaching an agreement with American Tower, WPXD, and landowners at the base of the property. Swenson stated they are mindful of the feelings of the people in the room and assured they continue to explore the option to collocate on the WPXD tower.

Ceo stated time was of the essence in coming to an agreement and that \$40,000 has already been committed. Francis asked for a time limit, if economically feasible, to continue to work an agreement with American Tower and the landowners.

The Board continued to discuss issues and answered questions of the public as they arose. Francis stated it was time to make a motion to approve or disapprove.

Mester motioned, second by Maze, to approve the site plan review with the following conditions:

- 1) Continue to pursue collocation negotiations for the next 30-days with American Tower, landowners, and WPXD.
- 2) Contingent on results of a second geotechnical investigation and Phase II ESA testing.
- 3) Require site plan review for access to the site from the Chelsea Area Fire Authority.
- 4) Require down shielded lighting on shelter exterior lighting.

Roll Call Vote: Francis – Aye; Keezer – Aye; Maze – Aye; Mester – Aye. CARRIED 4-0.
(Linda Reilly, Clerk, was not in attendance at this meeting.)

7B. Restated Articles of Incorporation – Multi-Lakes Water & Sewer Authority:

Discussion. Francis offered a Resolution, second by Maze, to adopt the Restated Articles of Incorporation for the Multi-Lakes Water and Sewer Authority. Roll Call Vote: Maze – Aye; Francis- Aye; Keezer – Aye; Mester – Aye. Carried 4-0.

7C. Jail Work Program: Mester motioned, second by Keezer, to approve having Francis contact Sgt. Kurt Schiappacasse, Washtenaw County Sheriff Court Services, to discuss the Jail Work Program and the possibility of using workers to do cleanup around the Township Hall and road area. Carried 4-0.

7D. Handicap Ramp: Francis motioned, second by Keezer, to hire GCB, Grass Lake, MI, to build a handicap ramp at the Township Hall contingent on being licensed and insured and if not, to hire Tom Lixey (Hands on Builders, Inc). Carried 4-0.

7E. Quote for purchase of used finisher and fax for Kyocera copier: Discussion. No action taken.

8. Old Business:

8A. Development Review Fee Schedule: Tabled.

8B. Kenneth Herrst Property: Francis motioned, second by Mester, to approve release of funds for removal of two trees at the Herrst residence not to exceed \$500; to release funds not to exceed \$10,000 for a rock retaining wall; get a guarantee that the wall will not collapse and to negotiate with the builder to build eight feet high; and to release funds for gravel not to exceed \$500. Carried 4-0.

9. Reports: The only report given was by the Ordinance Officer. The Board decided due to the late hour, reports would be given if there were any questions on the report information already in the board packets. No questions were asked.

10. Correspondence: None

11. Other Business: None

12. Call to the Public: None

13. Adjournment: Mester motioned, second by Maze, to adjourn at 10:48 PM.

Roxanne Petrie, Office Manager

John Francis, Supervisor