

Lyndon Township  
**REGULAR BOARD MEETING**  
17751 N. Territorial Rd., Chelsea, MI 48118  
Tuesday, January 13, 2009 @ 7:00 PM

APPROVED MINUTES

**Members Present:** John Francis, Linda Reilly, Mary Jane Maze, Robert Mester, Marc Keezer

**Members Absent:** None

**Also Present:** Merritt Honbaum, Ordinance Officer

**1. Call to Order:** Francis called the meeting to order at 7:05 PM.

**2. Approval of Agenda:** Reilly motioned, supported by Francis, to approve the agenda with a slight change to the order. CARRIED 5-0.

**3. Call to the Public:** None

**4. Approval of Board Minutes:** Reilly motioned, supported by Mester, to approve minutes of 12-9-08, as written. CARRIED 5-0.

**5. Treasurer's Report:** Maze reported she would be doing another disbursement next week.

**6. Approval of Bills:** Francis motioned, supported by Keezer, to pay bills as presented. CARRIED 5-0.

**7. OLD BUSINESS:**

**7A. Charter/Sprint Tower:** Board members reviewed/discussed a letter from Township Attorney, Flintoft, addressed to Sprint, Nextel, and Charter Communications, stating the tower at M-52 and N. Territorial is in violation of the Lyndon Township noise ordinance. The letter requests that Township Supervisor, John Francis, be notified within twenty days of the actions to be taken to abate the nuisance.

**7B. Policy change – Fees for Non-footprint Zoning Permits:** A Resolution was offered by Francis and supported by Reilly, to amend the Lyndon Township *Schedule of Fees* and reduce the Zoning Permit, Non-Footprint fee of \$30.00 to Zero. Roll Call Vote: Mester – Aye; Keezer – Aye; Maze – Aye; Francis – Aye; Reilly – Aye. CARRIED 5-0.

**7C. Herrst Property Settlement:** Flintoft and Board members reviewed recent correspondence from Mike John, Ken Herrst's counsel, who submitted a proposed Settlement Agreement and Stipulation and Order for Dismissal. Flintoft stated he would like the Board to approve the settlement and close the case. Board members requested a few changes. Maze motioned, supported by Reilly, to table until the February Board meeting. CARRIED 5-0.

**7D. Amendment to Multi-Lakes Sewer Use Rules and Regulations:** Mester motioned, supported by Reilly to approve the amendment to the Sewer and Sewage Disposal Rules and Regulations for the Multi-Lakes Area Water & Sewer Authority, Section 3.25, Equivalent Residential Unit. CARRIED 5-0.

**7E.** Contract for Accountant Pat Hanniford: Maze motioned, supported by Reilly, to approve a three-year contract with Pfeffer, Hanniford, and Palka, CPA's, commencing April 1, 2009. CARRIED 5-0.

## **8. NEW BUSINESS**

**8A.** Township Attorney: Pete Flintoft introduced himself to the new Board and proceeded to discuss the proposed settlement of the Herrst/Cane property collapse. (See 7C)

**8B.** Enbridge Pipeline Settlement: Francis motioned, supported by Reilly, to approve the settlement regarding Enbridge Pipelines (Toledo), Inc. v. Lyndon Township with a correction made to one parcel number noted by Maze. CARRIED 5-0.

**8C.** Policy Updates: Discussion on amending the previous policy on "*Reimbursement for Township Board Members*" dated 4-10-07. Policy updates included the following: 1) Delete WWRA from "Lyndon Township Authorities/Agencies" and add "Michigan Townships Association." 2) Rescind the requirement of meeting minutes for payment when attending meetings of approved authorities/agencies. 3) Rescind the sentence, "No township salaried elected official shall be reimbursed for any special meetings of the Township Board" and add "Trustees are to be paid for attending Special Meetings at the Township Hall as allowed by MCL41.95(2)." Francis motioned, supported by Reilly, to adopt the above changes and rescissions of the April 10, 2007 Lyndon Township policy on "*Reimbursement for Township Board Members.*" CARRIED 5-0.

**8D.** FAX Machine Request: Francis requested to purchase a FAX machine to use at his residence, which would be marked as Township property. Francis motioned, supported by Keezer to approve the request not to exceed \$140.00. CARRIED 5-0.

**8E.** Chelsea Area Fire Authority: Maryann Noah resigned as the alternate representative to the Chelsea Area Fire Authority. Francis motioned, supported by Reilly, to have Marc Keezer replace Maryann Noah as the alternate to the Chelsea Area Fire Authority. CARRIED 5-0.

**8F.** Chelsea Area Fire Authority Budget: Francis presented the CAFA budget for Board discussion only.

**8G.** Chelsea Area Fire Authority Millage: Francis motioned, supported by Maze, to give CAFA the go ahead to seek an operating millage. ROLL CALL VOTE: Mester – Aye; Keezer – Aye; Francis – Aye; Maze – Aye; Reilly – Aye. CARRIED 5-0.

**8H.** Board of Review Appointments: Francis motioned, supported by Reilly, not to retain Walter Radu as a member of the Board of Review and to designate alternate, Paul Dunn, as a regular member. CARRIED 5-0. A replacement alternate will be discussed at the next meeting.

**8I.** Keezer presented the idea of setting up online access for property information due to the high volume of calls requesting tax information. Keezer reported Lyndon is one of a few Townships not providing this service. Keezer stated options would require the customer to pay a fee of \$2.00 per lookup, or the Township could pay a company \$1500.00, which would provide

the service to customers for free. No Board action was taken. Keezer will look into this further and get more specifics.

**8J. Federal Stimulus Package for Infrastructure – Wireless Internet:** Keezer reported he did research to find wireless broadband access for Lyndon Township and discovered Freedom Net had set up service for another rural community in Michigan. Keezer stated there are grants available for this type of service and suggested the Township compete by submitting a grant. Francis reported there are grant writing classes available and would like to coordinate a meeting to discuss this option in the future.

**8K. Board of Review Hardship Guidelines:** A Resolution was offered by Francis and supported by Maze, to allow resident taxpayers to protest in writing to the Board of Review. ROLL CALL VOTE: Mester – Aye; Keezer – Aye; Maze – Aye; Francis – Aye; Reilly – Aye. CARRIED 5-0.

A Resolution was offered by Francis, supported by Reilly, to adopt the hardship guidelines for poverty exemptions within the purview of the Township Board. ROLL CALL VOTE: Mester – Aye; Keezer – Aye; Maze – Aye; Francis – Aye; Reilly – Aye. CARRIED 5-0.

## **9. REPORTS**

**9A.** Ordinance Officer – Honbaum discussed his zoning report, which listed all zoning permits issued during 2008, highlighting only three new home permits. Honbaum stated he sent a letter to Mr. Lammers explaining his fence was in violation by three feet. Honbaum expressed concern that the extension granted to the North Lake Country Store to complete a buffer zone has expired.

**9B.** CACA – Report by Francis

**9C.** CAFA – Report by Francis

**9D.** CAPT/DART – Report by Mester

**9E.** Leoni Sewer – Report by Francis

**9F.** Multi-Lakes Sewer – Meeting canceled.

**9G.** Planning Commission – Maze reported a draft of the Special Events Ordinance was enclosed in the Board packets. Maze stated Leon Moore, Planning Commission Chair, asked Board members to review and bring back any comments to the next Board meeting.

**9H.** Police reports were provided as handouts.

**9J.** WWRA - Report by Maze.

**10. CORRESPONDENCE:** None

**11. OTHER BUSINESS:** None

**12. CALL TO THE PUBLIC:** None

**13. ADJOURNMENT:** Maze motioned, supported by Reilly to adjourn at 9:50 PM.

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Linda Reilly, Township Clerk