

**LYON TOWNSHIP MONTHLY BOARD MEETING**  
**JUNE, 17, 202**

The meeting convened at 7:00

Members present: Eric Carlson, Craig Williams, Lenette Tomak, Doug Schnell, Ed Nellist. Lyon Township Attorney: Steve Schultz

A number of people called in.

Motion by Schnell, supported by Carlson to approve the agenda. Yeas: 5. Nays: 0. Motion Passed.

Motion by Williams, supported by Carlson to accept minutes of the March 25, 2020 budget meeting, May 20, 2020 Board meeting, and June 10, 2020 work session. Yeas: 5. Nays: 0. Motion passed.

Motion by Williams, supported by Schnell to pay the Vendors in the total amount of \$69,591.51 and Payroll in the amount of \$21,258.83 from May 21, 2020 through June 15, 2020 as presented.

Roll Call: Williams-yes, Carlson-yes, Tomak-yes, Nellist-yes, Schnell-yes. Motion passed.

Motion by Tomak, supported by Nellist to accept the treasurer's report for March 31, 2020 and April 30, 2020 as presented. Yeas: 5. Nays: 0. Motion passed.

Motion by Tomak, supported by Carlson to accept the proposed amendment to Lyon Township's existing 401(a) plan, stating "eligible participants for the Group Pension Plan to: all elected and appointed Lyon Township Board members." Yeas: 5. Nays: 0. Motion passed.

Motion by Williams, supported by Nellist to approve Blue Cross/Blue Shield COVID Relief Discount of \$420.78. Refund as follows: \$331.11 to the Township, Carlson 15.53, Schnell 27.26, and Tomak 46.88.

Roll Call Vote: Carlson-yes, Williams-yes, Tomak-yes, Nellist-yes, Schnell-yes. Motion passed.

Motion by Williams, supported by Tomak to accept the contract with MVW and associates (Assessor) to continue as Lyon Township Assessor for \$34,800 per year, with contract valid through July 1, 2025.

Roll Call Vote: Carlson-yes, Williams-yes, Tomak-yes, Nellist-yes, Schnell-yes. Motion passed.

Motion by Williams, supported by Nellist to accept, sign, and return 2020 Tax Rate Request form: L-4029 from Roscommon County Board of Commissioners. Yeas: 5. Nays: 0. Motion passed.

Motion by Tomak, supported by Schnell to accept and pay annual premium to Municipal Underwriters of West MI Inc. in the amount of \$38,869.00 for Michigan Township Par Plan insurance.

Roll Call Vote: Williams-yes, Carlson-yes, Tomak-yes, Nellist-yes, Schnell-yes.

Motion by Tomak, supported by Nellist to approve Bill Cleeves to proceed with application for a 50/50 DNR Grant Wild Land Equipment. Yeas: 5. Nays: 0. Motion passed

Motion by Carlson, supported by Williams to accept Fire Hall propane bid from Webster and Garner Propane. Yeas: 5, Nays: 0, Motion passed.

Motion by Williams, supported by Nellist to accept, pursue, and go forward with Camp Curnalia Board's request to annex Beaver Creek Township portion of Camp Curnalia into Lyon Township. Carlson asked for an explanation of the annexation. Nellist explained that there was a request and a vote from Camp Curnalia to Annex into Lyon Township.

Yeas: 5. Nays: 0. Motion passed.

Motion by Williams, supported by Carlson to accept the preliminary Engineering report (PER) dated April 13, 2020 for the study of a sewer system encompassing Higgins lake in both Gerrish and Lyon Townships.

Nellist explained that by accepting the report Lyon Township agreed to pay \$30,000 and as soon as the check is sent along with the approved minutes of the meeting, the \$30,000 would be returned to Lyon Township. Schnell stated that the report is on the Lyon Township website.

Yeas: 5. Nays: 0. Motion passed.

Motion by Williams, supported by Schnell to delegate the authority to manage and administer daily oversight of Lyon Township employees to the supervisor position, with the Clerk being the back up in the absence of the Supervisor.

Carlson wanted to know why this action was taking place. Nellist stated that authority was never defined, and that this came out of a discussion with the Township Lawyer. Schell said that the Township does not have an HR person, and if issues come up it is not always best to wait until a monthly board meeting. He stated that a General Law Township does not have an in-charge person, and the Township is adopting a Charter Township format by using the Supervisor to manage day to day issues.

Yeas: 3. Nays: 2. Motion passed.

Motion by Schnell, supported by Williams to pay Fleis & Vandenbrink invoice for the PER study and submit proof of payments to USDA to receive USDA Search Grant reimbursement.

Roll Call Vote: Williams-yes, Carlson-yes, Tomak-yes, Nellist-yes, Schnell-yes.

There was much discussion on the motion to approve Dickenson Wright PLLC proposed contract.

Nellist turned the floor over to Steve Schultz, Lyon Township's Attorney. Schultz voiced a number of concerns about moving forward at this point. He stated that this is a 100 million-dollar project that involves two townships that are made up differently with different concerns. He stated that his job is to make sure the interests of Lyon Township are represented and addressed. He stated that it is important to create the articles so that there are not problems down the road, and at this point there are too many questions that need answers. He said that each township should come up with questions and then meet to discuss those questions and possible answers. He stated that these conversations have not yet taken place. He addressed the issue of the \$5,000 fee for the law firm to draft the articles, and said that this would just be to draft the articles, but stated that the law firm needs to have directions and answers to a variety of questions.

Vicki Springstead asked if any of what Schultz talked about would put the project on hold. Schnell said that it would not and then proceed to read a document from Fleis and Vandenbrink which outlined the set order in moving forward. One of the things clearly stated on the list is for the Townships to have public hearings, and that has not been able to occur due to COVID. Schell stated that the USDA wanted to submit a bond proposal by August 1, but stated that there was no way to have a public meeting to move this forward. He believes this will be a 2022 project. Schnell also stated he would put the Fleis and Vanenbrink document on the Township Website.

An audience member wanted to know if the Township knew the list of issues, and Schnell replied that no but Schultz was going to compile a list of questions. Another audience member wanted to know how long this would take, and Schultz replied 30-60 days.

Carlson wanted to know if agreeing to the letter of agreement turns all authority to the law firm Dickinson Wright and wanted to know if it makes a difference if the Board votes and then discusses concerns. Schultz recommended holding off until there is a chance to go over questions. An audience member wanted to know if the Board could not move forward and work out details later. Nellist said that there could be a ton of problems with that. Another audience member stated that Gerrish had already passed the agreement and wondered if Gerrish was aware of Lyon's concerns. Carlson replied there needs to be a public hearing where questions can be answered.

Motion by Nellist, supported by Williams to table the motion to approve the Dickenson Wright PLLC proposal on the recommendation of the Township Lawyer.

Yeas: 5. Nays: 0. Motion passed.

**Cleeves:** There were 39 runs. Reports are up to date, and there is a training flyer for all fireman. There was a business meeting, Officer development class, pump operations, maintenance, and four birthday drive bys. The cost recovery is \$1,728.00

**Dailey-Cemetery**

4 burials  
2 cremations  
Sold 2 plots  
1 funeral this Saturday

Parks are open  
Tennis courts are open  
Bathrooms are opened and cleaned daily

**Carlson:** Planning Commission-no meeting  
Recreation Meeting-Track ride for Sam-O-Set ordered at a cost of \$5,000, and it will be in on Friday.  
The fence at Sam-O-Set needs painting.

**Cook:** There is an aerator motor failure. A rebuilt one costs \$375 and a new one costs \$1200. They had four and are down to three. There is a need to replace the failed motor before any of the others fail. There is a meeting on June 23 at Beaver Creek to approve the budget.

**Tomak:** There is a summer virtual reading program posted online.  
There are activity kits available for kids at the library, and a couple of board members volunteered to deliver kits to families that could not pick them up. Erica Luck went to Houghton Lake Library.  
The library has a new phone system.

**Nellist:** Building: The building department has been busy.  
Trash-There is a new trash company, and they will start June 29 & 30.

**Schnell:** The switchover to BS&A is moving forward. The BS&A schedule is posted online.  
Absentee ballots should be in Friday.

**Williams:** Williams is working on summer taxes. People should receive them around July 1.

**Tomak:** Nothing.

**Carlson:** Nothing.

**Public Comments:**

Steve Rickets wanted to know if there will be the big green trash cans. Williams stated that no they would just be regular size, one for one.

Vicki Springstead addressed the board with her arguments as to why the Board should move forward with the sewer project.

Dave Hall agreed with Springstead and promoted the Board moving forward with the project. He said that the Township Lawyer could have a place at the table but felt that a lawyer that does not have a conflict of interest should be used to resolve conflicts.

An audience member said he lived downstate. A sewer was put in and it made a positive difference.

Wayne Brooks said he felt the quality of the lake was degrading. He encouraged the Board to move forward.

Phillip Check felt the attorney brought up legitimate concerns but wanted a commitment as to the parties involved in the meeting to talk about concerns. Williams replied that there is no answer yet and that the committees will need to get together. He stated he did not want to make the same mistakes as was done when the Camp Curnalia authority was formed. He said that the Board is not against the sewer. They just want to make the right decisions for all constituents.

Nancy Perry wanted to know about the window of time to receive grants. Carlson replied that August 1 was the deadline by the USDA. He said that a grant will not pay for the entire project and that there will be an assessment, and at this time there is no guarantee the township will receive a grant at all.

Schultz explained his background and stated that he wants the project to go forward but does not want his successors to be left with a mess. He wants it done the right way.

Motion by Carlson, supported by Tomak to adjourn the meeting. Yeas: 5. Nays: 0. Motion passed.

The meeting adjourned at 8:23

Minutes were prepared by the Deputy Supervisor and once approved will be posted to [www.lyontownship.org](http://www.lyontownship.org)

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Doug Schnell, Clerk

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Edward A. Nellist, Supervisor

