

Special Meeting of Eagle Township Board
December 20, 2000 at 1:30 p.m.
At the office of Richard Robinson, Attorney

The meeting began at 1:45 p.m. Board members present were: Supervisor David Morris, Clerk Wendy Simmons, Treasurer Patti Schafer, Trustees Patricia Hazen and Steve Colby. Also present were Eagle township residents Mark Higbee and Gary Peterson.

Mr. Richard Robinson began by giving the Board a brief overview of his history with Township Law. Supervisor Morris asked Mr. Robinson to review the case regarding the placement of a manufactured housing community at the McCrumb road site. Also to offer opinion whether or not the Township has any possibility of having the consent judgment allowing the manufactured housing community set aside.

Mr. Robinson's opinion is that the Township does not have a case to ask for the consent motion to be set aside. Lack of Township zoning grants the County the zoning authority within the Township. Further, there is no question that this judgment gives the authority for this manufactured housing community to be built.

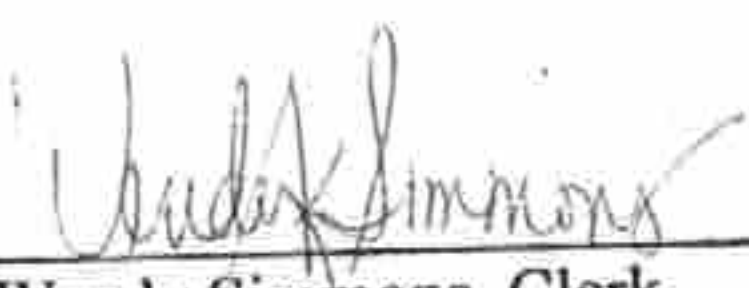
The only possibilities Mr. Robinson sees to prevent the manufactured housing community at this site are: 1) If the DEQ sets the chemical parameters for waster after treatment at a level that it is not equitable for Landon to comply; or 2) If there is not adequate drinking water available at the site.

Mr. Robinson did state that Landon Corporation had agreed to some provisions in the consent judgment that would not have been applicable otherwise. For example, the units must be a minimum of 1200 square feet, new, owner occupied and have a sloped roof. No more than 250 units may be placed in the first phase of operation. Also, Landon Corporation must contribute \$10,000 to a mid-decade census.

Mr. Robinson further commented that Eagle Township will probably not be confronted with this issue again due to the size of the proposed community. Also, he recommended that the Board ask the County to adopt a policy regarding the immediate notification of the Board any time action is taken that will affect the Township's land use.

Finally, Treasurer Schafer asked Mr. Robinson what the Board's first course of action should be if confronted with this or a similar issue in the future. His recommendation was to immediately seek legal counsel.

The meeting concluded at 2:45 p.m.


Wendy Simmons, Clerk

Approved 1/1/01