

GENOA TOWNSHIP

Regular Meeting

Feb. 21, 2005

MINUTES

Supervisor McCririe called the regular meeting of the Genoa Township Board to Order at 6:30 p.m. The Pledge of Allegiance was then said. The following board members were present constituting a quorum for the transaction of business: Gary McCririe, Paulette Skolarus, Robin Hunt, Jean Ledford, Jim Mortensen, Steve Wildman and Todd Smith. Also present were Township Manager Michael Archinal, Township Attorney Rick Heikkinen and approximately twelve persons in the audience.

A Call to the Public was made with no response.

Approval of Consent Agenda:

Moved by Ledford, supported by Mortensen, to approve the Consent Agenda as follows. The motion carried unanimously.

1. Payment of Bills.

2. Approval of Minutes: Jan. 18, 2005 (numbering system corrected) Feb. 7, 2005

3. Request for approval to establish the poverty guidelines for 2005 as requested by Township Assessor Debra Rojewski.

4. Request for approval to delete refuse collection of 80.80 from the 2004 winter tax bill for property identified as 47-11-29-100-026 as requested by Hunt.

Approval of Regular Agenda:

Moved by Hunt, supported by Ledford, to approve the Regular Agenda as follows. The motion carried unanimously.

5. Request for approval of a resolution to exceed the maintenance limitations of the Drain Code for the Lake Chemung outlet drain extending from the dam north to the Muirfield Manor Condominiums in Section 3 and 4 as presented by Ken Recker, Deputy Drain Commission, at a cost of \$65,000.00.

Ken Recker addressed the board on the necessity of the project. 33% of the cost would be assessed to property owners, 8% to MDOT, 35% to the county and 25% to the township. A call to the public was made with the following response: Margo Park (Outdoor Resorts) – Our resort has been negatively impacted by the inadequacy of this drain. Some of our sites are not accessible. Flooding and repairs over the last couple

years has cost us in excess of \$20,000.00. If nothing is done, the problem will continue. We would like to make a contribution to the township in the amount of \$5,000.00 to assist in the additional cost projected for the township.

Moved by Skolarus, supported by Mortensen, to approve the resolution and authorize the expenditure of approximately \$16,000.00 or 25% of the project whichever is less for the maintenance and repair of the Lake Chemung Outlet Drain.

The motion carried by roll call vote as follows: Ayes – Ledford, Smith, Hunt, Wildman, Mortensen, Skolarus and McCririe. Nay – None. Absent – None.

Moved by Ledford, supported by Skolarus, to gratefully accept the donation of \$5,000.00 from Outdoor Resorts as financial support for the drain project.

The motion carried unanimously.

6. Request for approval of an environmental impact assessment, corresponding to site plan for a 5,800 sq. ft office/retail building located on the south side of Grand River Avenue between Dorr and Latson Roads, Section 10, petitioned by Arbor Bay Development, as discussed by the Planning Commission 01/24/05.

Moved by Smith, supported by Ledford, to approve the impact assessment, changing paragraph C from twenty-five to ten feet. Further, with the following conditions:

1. Building materials and colored renderings reviewed by the Planning Commission are acceptable and will become the property of the Township.
2. The sidewalk along Grand River should be constructed within the right-of-way, except where utilities need to be avoided.
3. Detention pond plantings are required and shall be native shrubbery and grasses compatible with the wetlands. There shall be one shrub installed every 10 feet. Township staff will conduct final review of the plantings.
5. All conditions in the Township Engineer's letter of February 18, 2005 will be complied with.

The motion carried unanimously.

7. Request for approval of a special use permit, site plan and environmental impact assessment for construction of a water storage tank located in Sec. 27, north of Brighton Road, west of Oak Pointe Drive, petitioned by Genoa Township as discussed by the Planning Commission 02/14/05.

A call to the public was made with no response.

A. Disposition of special use application.

Moved by Ledford, supported by Smith, to approve the special use application for a water storage tank as recommended by the Planning Commission.

The motion carried unanimously.

B. Disposition of impact assessment (01/27/05).

Moved by Hunt, supported by Skolarus, to approve the impact assessment as submitted. The motion carried unanimously.

C. Disposition of site plan (01/27/05).

Moved by Hunt, supported by Ledford, to approve the site plan with the following conditions:

1. An easement will be secured from the utility to encroach on the utility easement.
2. The species of the ten trees to be planted will be coordinated with the township planner. In addition a staff decision will be made concerning the additional pines along Oak Pointe Drive (south of the current evergreen tree line). No existing trees will be removed to accommodate this construction.
3. The condition of the Brighton Fire Marshall's letter of 02/03/05 will be complied with, however no signage will be provided other than an address.

The motion carried unanimously.

D. Disposition of the request to execute a contract with Fishbeck, Thompson, Carr & Huber for construction of the ground storage tank and booster station.

Moved by Mortensen, supported by Ledford, to approve the shop drawings and the ordering of the Natgun storage tank and the Gorrman/Rupp booster station.

The motion carried unanimously.

8. Request for approval of a special use permit, site plan and environmental impact assessment for the expansion of an existing garden center located at 3330 E. Grand River. Sec. 5, petitioned by The Home Depot and discussed by the Planning Commission 01/24/05.

A. Disposition of special use application.

Moved by Smith, supported by Wildman, to approve the special use application with the following conditions:

1. Requirements of the Fire Marshal's letter dated December 27, 2004 shall be complied with.
2. Lighting will not exceed 10 foot-candles nor will the lighting source be visible offsite.
3. The same materials will be used as exists on the present outdoor storage area
4. Any stockpiles of soils, fertilizer or similar loosely packaged materials shall be sufficiently covered or contained to prevent dust or blowing of materials.
5. No outdoor storage shall be permitted in any required yard (setback) of buildings for the district in which the commercial outdoor display, sales or storage use is located.
6. The same limitations for outdoor sales and storage specified in the original Special Land Use permit shall be complied with.
7. Because the petitioner is proposing to relocate approximately 275 linear feet of water main, the petitioner shall submit detailed construction plans to the Township Manager, initiate the construction plan review process and obtain an MDEQ water permit. Also, a

representative from the public utility will be required to be on site during the relocation of the water main.

8. There will be no storage of tractor/trailers for more than 48 hours.

The motion carried unanimously.

B. Disposition of impact assessment.

Moved by Smith, supported by Ledford, to approve the impact assessment as presented.

The motion carried unanimously.

C. Disposition of site plan.

Moved by Ledford, supported by Skolarus, to approve the site plan as submitted.

The motion carried unanimously.

9. Public hearing for consideration of the termination of a special use permit authorized for John Conely on April 5, 2004 and cited for violation in the Jan. 7, 2005 correspondence from Rick Heikkinen.

The board noted several issues and inconsistencies between the approved site plan and what has taken place on the property today. It was the consensus of the board to work with the petitioner and his counsel (Jeffrey Dobson) to resolve the outstanding issues. Moved by Mortensen, supported by Smith, to table the petition and allow the Manager, Supervisor and Township attorney to discuss the issues and come to an amicable settlement of the problem.

The motion carried unanimously.

10. Request for approval of a resolution of indemnification of township officers and employees as requested by Heikkinen.

Moved by Mortensen, supported by Ledford, to approve the indemnification resolution adding the following language: This resolution shall not diminish any protection otherwise provided by the Statutes of the State of Michigan.”

The motion carried unanimously.

11. Request for approval of a per diem policy for township officials attending meetings and/or other approved events.

Moved by Smith, supported by Hunt, to approve the per diem policy as requested.

The motion carried unanimously.

12. Request for approval of Resolution No. 1 (To Proceed with the Project and approve the preliminary Plans and Cost Estimates and Establish the First Public Hearing) for Rolling Meadows Subdivision Road Improvement Project.


Moved by Skolarus, supported by Ledford, to approve resolution No. 1 setting the first public hearing for Monday, March 7, 2005 at 6:30 p.m. at the Genoa Township hall.

GENOA TOWNSHIP BOARD – Regular Meeting – Feb. 21, 2005

The motion carried by roll call vote as follows: Ayes – Ledford, Smith, Hunt, Wildman, Mortensen, Skolarus and McCririe. Nay – None. Absent – None.

The clerk submitted articles for the next newsletter. The newsletter will be sent early in March.

The regular meeting of the township board was adjourned at 8:45 p.m.

Paulette A. Skolarus / 

Paulette A. Skolarus
Genoa Township Clerk

(PA 03/02/05)