

**GENOA TOWNSHIP
Regular Meeting
March 1, 2004**

MINUTES

Supervisor McCririe called the public hearing and regular meeting of the Genoa Township Board to order at 7:00 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, Todd Smith, Anthony Combs, Jim Mortensen and Jean Ledford. Also present were Township Manager Michael Archinal, Township Attorney Rick Heikkinen and approximately 50 persons in the audience.

Moved by Skolarus, supported by Mortensen, to approve the Agenda with the tabling of petition No. 1 for Baetcke Lake (at the petitioner's request). Further, allowing a call to the public to allow residents who were present to voice their comments and concerns.

A call to the public was made with no response.

Consent Agenda:

- 1. Request for approval of the 2004 summer tax collection agreement with Howell Public Schools.**
- 2. Consideration of a contract amendment with Tetra Tech for engineering services associated with the recreational grant application.**

Moved by Smith, supported by Ledford, to approve the consent agenda as presented. The motion carried unanimously.

Action Items for Discussion:

- 1. 1st Public Hearing on the Baetcke Lake aquatic weed/lake control petition.**

A call to property owners and the public was made with the following response:
Bill Rocheleau – Our ground water needs to be protected and preserved. Ground water should not be used for the pleasure of 24 units in our township it should be used to sustain life in the home. This board represents the entire community, not just 24 homeowners. Paul Carte – How many homes are in the district? McCririe – 24 directly on the lake. Kelly Ernce (Argenta) – What part of due diligence has been done with regard to the local health standard and the D.E.Q. A project of this magnitude could have a large effect on other properties besides Baetcke Lake. I cannot support this and I speak for the entire White Pines subdivision. McCririe – The Baetcke Association petitioned

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the board to provide the funding. They will have to apply to the D.E.Q. for permitting and also tests by the Health Dept. The township does not approve or deny permits. Our request is related only to the financing. We then set the public hearing and contact all properties within 300 feet of the proposed request.

Michael Sucru – (Sunrise) – I am sympathetic and I don't have a problem with them buying water and trucking it in. Mary Ann Gardella – The Health Dept. has said that this is not in the best interests of Baetcke Lake. There are too many unknowns and they have not as yet been asked for a permit. The D.E.Q. said that this is a new phenomenon and could impact wells, streams, etc. When Triangle Lake first allowed an augmentation well this area was not as densely populated as it is today. If we lose our water, everyone will come after you. We are in a cycle and we need to be patient. It is not wise to okay this project.

Mike Olebeck - The D.N.R. publishes a document about defining the legal lake level. McCririe – A study is proposed to drill an initial augmentation well to determine the impact to this area. Baetcke Lake could apply to the Drain Commissioner's Office with this request. Kelly Price – My property abuts Little Baetcke Lake. I have no privileges to the lake; however, my property would be adversely effected should you allow this. The value of my home would go down and I would be ready to sue. This is a self-motivated request.

Ron – This project should come to an end now. Why would they ask for a table to the next meeting? McCririe – It is not unusual to ask to table a project to acquire more information. Sue Ann Lloyd - If the township supports this project, do you have any legal responsibility should our wells dry up? Jim Pratt (Argenta) – If you don't fund it does this board have the right to stop the project? McCririe – No. We can only address our concerns to the D.E.Q. or Health Dept. just as you can.

Geoff Keeney – The ground water is public domain. How will you protect yourself from the risk of wells failing in that area? David Peecook (White Pines) Water levels are low and contain more iron. It is logical that this much water being diverted will have a negative impact on everyone. Jack Wells (Old Hickory) – Why would you want to finance this project? Joe Nagy (White Pines) – Would you support other lake in the township that petitioned with this same request? McCririe – I will make my position known after everyone is heard.

McCririe – the Township's legal responsibility only includes the funding. This is not a precedent setting course of action. Mother nature should take its course. This is not a unique situation and I do not know that we want to get into this. I will not vote in favor of this request. Hunt – I cannot support this project. It is not in the best interest of our residents. Todd Smith – I will not support this project unless I felt that it would not impact other residents. Jean Ledford – We would be opening Pandora's box if we allowed this to go forward. I need to protect the health and welfare of all our residents.

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Skolarus – This board established a committee to study this request and discuss alternate proposals with the Baetcke Lake Association. Baetcke Lake asked that this request tonight be tabled. It was my understanding that we would make the call to the public but not make any formal decision. Now it appears that four members are voting no and they do not even have the alternate proposal before them. Baetcke Lake asked to table and I granted that request - as I have been able to do for 19 year. We should at least wait and hear from them before making a decision.

Combs – They were granted a tabling to this meeting when the full board would be present. I am not prepared to table again. I would rather see 300 new homes than pumping into a bathtub for 24 homeowners. Mortensen – I will listen to the petitioners. I have not made a decision as yet. McCririe – There is no harm in listening to additional information.

Moved by Smith, supported by Mortensen, to allow a final table until the 03/15/04 meeting of the board, allowing a presentation with no additional discussion. The motion carried as follows: Ayes – Ledford, Smith, Hunt, Mortensen, Skolarus and McCririe.
Nay – Combs.

2. Consideration of a request to rezone from AG (agricultural) to RPUD (residential Planned Unit Development) and grant approval of the Site Plan, impact assessment, conceptual PUD plan, and PUD agreement as related to a 191 acre parcel (Preserve of Genoa) located south of Brighton Road and east of Chilson Road, Section 33 & 34, petitioned by Crescendo Homes as discussed by the Planning Commission on 01/26/04.

Moved by Skolarus, supported by Mortensen, to remand this request to the Planning Commission for clarification with a return to this board on the 15th. The motion carried unanimously.

3. Payment of Bills.

Moved by Mortensen, supported by Ledford, to approve for payment vouchers totaling \$952,718.18. The motion carried unanimously.

4. Approval of the Minutes: February 16, 2004.

Moved by Ledford, supported by Mortensen, to approve the Minutes, correcting typographical errors. The motion carried unanimously.

5. Request for approval to remove special assessments from the winter tax roll for the following parcels: Tax Identification Nos. 11-03-303-009, 11-03-303-005, 11-11-304-009 and 11-11-304-008 in the amount of \$85.00 each.

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Moved by Skolarus, supported by Combs, to remove the aforementioned assessments from the parcels as described. The motion carried unanimously.

The regular meeting and public hearing of the Genoa Township Board was adjourned at 8:20 p.m.



Paulette A. Skolarus
Genoa Township Clerk