

**GENOA TOWNSHIP**  
**Regular Meeting**  
**February 3, 2003**

**MINUTES**

Supervisor McCririe called the regular meeting of the Genoa Township Board to order at 7:00 p.m. at the Genoa Township Hall. 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. In addition there were Township Manager Michael Archinal, Township Attorney Rick Heikkinen and approximately 60 persons in the audience.

Moved by Hunt, supported by Smith, to approve the Agenda with the addition of a closed session to discuss an interest in Real Estate. The amended agenda was voted and approved unanimously.

A call to the public was made with the following response: Desmond Rowan – Hamburg Township has put in place an ordinance to control fertilizers used near the lakes. Would Genoa Township consider the same restriction? McCririe – We will look into your request.

**1. Public Hearing on the Mountain View Subdivision Road Rehabilitation and Improvement Project.**

The project will include crushing and re-grading the existing asphalt pavement, then placing 3.0 inches of asphalt pavement in two lifts on the roadway. Genoa Township will support the project out of the General Fund. It is expected that the district will be established for three years with no interest to our residents. Annual cost is expected to be a little less than \$550.00.

**A. Call to property owners and the public.**

A call to the public was made with the following response: Jim Rosebrough – What guarantee do we have of your assistance. McCririe – There is no guarantee on the subsidy. It is a decision of this board, however, we have looked favorably upon just such a request in the past. The road commission will bid this project in the spring. This board will make any decision with regard to a subsidy at the next public hearing. The next public hearing will be held after the bidding process is complete. A determination will be made then.

**2. Public Hearing on the Lake Chemung Weed Control Project.**

The cost for the first year is expected to be \$46,000.00 with applications of Aquakleen, Aquathol-K, Reward/Hydrothol, Rodeo and Copper Sulfate as need is determined. Approximately 500 parcels are included in the district. Commercial property will be

assessed as follows: Acreage will be divided by three and then assessed per acre at the residential equivalent user of approximately \$85.00 annually. \$1.00 will be then charged per front footage along the water line. Under Act 188, the expected costs associated with the bid may not exceed 10% of today's estimate. Vacant parcels will not be assessed as requested by the lake association. Applications of some herbicides will be made no closer than 250' from homes with wells. The township assessing department determined that there is no county owned property.

Letters were received from Sanford and Lenore Blanton and from Kristy Steele asking for an exclusion since they have no access to the lake. Tony Groves from Progressive A.E. addressed the board and audience on the weed control project. The program will include both a herbicide application and harvesting in the latter years. A call to property owners and the public was made with the following response. Norman Wright – We do not have milfoil near Sunrise Park. Groves – We did an analysis all around the lake to determine the type of plants and found milfoil. Jim Linton – Who are you? Groves – I am a biologist with Progressive Architecture and Engineering. Linton – What guarantee is there that the shoreline will be free of weeds? Grove – Most of the vegetation in the lake benefits the lake. We will only try to control “nuisance vegetation”. The lake will not be made weed free. Linton – What about the County and State supporting this project. Heikkinen – We cannot assess the State or County. Michigan law does not allow it.

Sandy Glowacki – The state is making money to come onto our lake. They should pay. McCririe – Our attorney has advised us that state law does not allow us to levy assessments against governmental units. Glowacki – Do I have to worry about these chemicals harming my children? Groves – No. The concentration is very small. Glowacki – Will there be a time when we cannot swim? Groves – Yes. A notice will be posted every so many feet along the lake regarding the application dates.

Marian Kujawa – What time of the year is the chemical treatment applied? Groves – Late April to early May. Two applications are anticipated for this year. Then we will recheck for milfoil in the lake. Michael Siceu – We have a shallow well. Who do I notify? McCririe – Contact Progressive. They will oversee the project. Ms. Cary – Will this process be re-evaluated in five years. McCririe – If you are satisfied with the process then it is up to you to ask for another district through petition in five years.

Ms. Jones – Will you be taking the Kira? Groves – Kira is a large Algae that grows on the bottom of the lake. We will use some Algae herbicide but will not kill the Kira. Barbara Figurski – Where have you done this before? Groves – We have 50 or 60 projects going around the state. We have been very successful, for example with Houghton Lake; the milfoil has been reduced to 8% of its original coverage. Cary – When vegetation dies will that be floating matter that will have to be cleaned up? We already have between 6' and 8' of silt near my home. Groves – There could be some floating but most will weaken and decompose.

Gerald Macezia – Lake Chemung has never been so bad as it is now. Something has to be done. Groves – It is not our intention to just use herbicides, but also to consider harvest control. Again, that would be done in the later years of this district.

Lenton – What would be the total of the build-up? Groves – The amount of buildup will not significantly change from what it is today with the herbicide process. The township board took no further action.

**3. Request for approval of the environmental impact assessment, corresponding to a rezoning of 20.33 acres from SR (suburban residential) to MDR (medium density residential), for property located on the north side of Bendix Rd. just west of Hacker, in Sections 11-13-200-012, 11-13-200-018, 11-13-400-011, 11-13-400-012, 11-13-400-013, 11-13-400-014, 11-13-400-008, 11-13-400-009, 11-13-400-017, 11-13-400-007 and 11-13-400-019 as petitioned by First National Bank/1st Trust Investments as discussed by the Planning Commission on 12-09-02.**

**A. Disposition of impact assessment.**

Moved by Skolarus, supported by Mortensen, to approve the impact assessment dated Jan. 16, 2003 as submitted. The motion carried unanimously.

**B. Disposition of rezoning application.**

Moved by Ledford, supported by Combs, to approve the rezoning application as requested. The motion carried unanimously.

**4. Request for approval of amendments to the Zoning Ordinance Text related to electronic message reader boards affecting the entire Township of Genoa as discussed by the Planning Commission 12-09-02.**

Moved by Hunt, supported by Mortensen, to approve the text amendment changes to the Zoning Ordinance contingent upon the review and approval of Rick Heikkinen and a determination that the change will not expose the township to unnecessary litigation. The motion carried unanimously. *Approved per Rick 4/14/03*

**5. Request for approval of an environmental impact assessment (01-02-03), *based on* corresponding to site plan (01-16-03) for a proposed parking lot expansion to serve *restroom* an existing office building located on the north side of Grand River, east of Euler *at free speech* Rd., Sec. 13, petitioned by Pro-Way Investment LLC as discussed by the Planning Commission 01-13-03. *the first amendment.***

Moved by Skolarus, supported by Ledford, to approve the impact assessment contingent upon the following:

1. The number of additional parking spaces shall be a maximum of 52, including one additional handicap space, which will be relocated across the two existing handicap spaces.
2. The petitioner shall obtain a variance from the ZBA for the parking lot setback requirement.
3. The petitioner shall design the additional parking spaces to provide 3 additional

ornamental trees and 12 shrubs in addition to what is shown on the plan to the southwest corner of the site and the southwest corner of the entrance from Euler Road, essentially confining the additional parking between these two landscape areas.

4. The petitioner shall comply with any requirements of the Township Engineer.

5. The parking spaces shall be reduced to 16 ½ feet in length.

These restrictions must be completed prior to the issuance of a Land Use Permit. The motion carried unanimously.

**6. Request for approval of an environmental impact assessment (12-18-02) and site plan (01-08-03) for a proposed 5,600 sq. ft. building addition to the existing Wal-Mart Superstore, located on the south side of Grand River, west of Latson Rd. within the Livingston Commons PUD, petitioned by Wal-Mart Stores Inc. as discussed by the Planning Commission 01-13-03.**

**A. Disposition of impact assessment.**

Moved by Ledford, supported by Mortensen, to approve the impact assessment as presented. The motion carried unanimously.

**B. Disposition of site plan.**

Moved by Mortensen, supported by Ledford, to approve the site plan contingent upon the following:

1. The building materials and colors shall be compatible and the same as possible to the existing WalMart Structure. The petitioner will specifically purchase the materials from its original source, Fabcon Manufacturing of Minnesota.

2. There are to be three downward-facing, wall-mounted lights on the addition.

3. During construction, the petitioner shall change the outside spotlight furthest to the north so it is redirected away from Grand River.

4. The petitioner shall comply with all Township Engineer requirements.

5. The petitioner shall remove all outside speakers.

The motion carried as follows: Ayes – Ledford, Smith, Hunt, Combs, Mortensen and McCririe. Nay – Skolarus.

**7. Request for approval of a contract with Tonia Clifford, Deputy Assessor.**

Moved by Ledford, supported by Combs, to approve the contract with a base salary of \$38,000.00 for the first year and \$40,500.00 for the second year. The motion carried unanimously.

**8. Discussion of the Township Newsletter articles as submitted by Skolarus.**

Newsletter articles were reviewed with no formal action taken by the board.

**Administrative Business:**

Moved by Skolarus, supported by Ledford, to move to a closed session of the board to discuss interest in real estate. The motion carried by roll call vote as follows: Ayes – Ledford, Smith, Hunt, Combs, Mortensen, Skolarus and McCririe. Nay – None.

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The regular meeting was again called to order at 8:30 p.m.

Moved by Ledford, supported by Hunt, to approve for payment vouchers totaling \$157,752.82. The motion carried unanimously.

Moved by Ledford, supported by Smith, to approve the Minutes of the 01-21-03 regular meeting of the board as submitted. The motion carried unanimously.

The regular meeting of the Genoa Township Board was adjourned at 8:40 p.m.



Paulette A. Skolarus  
Genoa Township Clerk

(PA 02-12-03)

**Adjournment.**