

GENOA CHARTER TOWNSHIP BOARD  
Regular Meeting  
February 21, 2011

MINUTES

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

A Call to the Public was made with the following response: Boyd Buchanan – I am a member of the Home Builders Association in Livingston County. Your discussion this evening includes the adoption of an ordinance designating the township as an enforcing agency for the Michigan Construction Code. This action will create higher fees than the County. The Governor's new budget proposal asks for inter-governmental agreements and the Township is going in the wrong direction. The County building department functions well and is effective. We are asking that you reconsider this proposal.

Jim Rowell – I work in the County Building Department and am a Township resident. I appreciate everything that is done by the Township in this community. The County was never approached concerning any issues with the Building Department. Permits will still be needed from the County and there is the concern with increased costs should Genoa move forward. For instance your permits for decks are double ours. Also, you have hired a part-time inspector when that position requires full-time work.

Mike Archinal – Our fees will be commensurate with the County. We have hired a permanent part-time inspector and full-time service will be provided contractually through an arrangement.

Steve Craine – I am concerned that we will not be able to re-schedule an inspection without additional cost. McCririe – You will be able to reschedule at no additional cost.

Boyd Buchanan – The County Building Department is 100% improved over a year ago. Please reconsider this action.

Dave Domas (County Commissioner) – I am disappointed to see continued severance between the County and the Township. We made changes at the County level and we feel that we can work this out if the Township is willing.

Todd Smith – We have had problems with the County Building Department for thirteen years. The biggest issue is the timeliness of issuing permits - often it takes ten to thirteen weeks. We feel that this process can be done more efficiently at the Township level. Our goal is and has always been customer service. We feel that applications should be turned around in seven to ten days.

**Approval of Consent Agenda:**

Moved by Mortensen, supported by Wildman, to approve all items listed under the consent agenda as requested. The motion carried unanimously.

**1. Payment of Bills**

**2. Request to approve minutes: 02/07/11**

**3. Request for approval to direct staff to order the soccer field light fixtures from Standard Electric Company as specified in quote number 17-4662846 dated 2/15/11 at a cost not to exceed \$28,140.00.**

**4. Request for approval to authorize execution of the Line Extension Agreement and Certificate of Grade with DTE Energy to provide electrical service for the soccer field lighting at a cost not to exceed \$5,591.36.**

**Approval of Regular Agenda:**

Moved by Smith, supported by Ledford, to approve for action all items listed under the regular agenda. The motion carried unanimously.

**5. Request for approval of Resolution #1 to Proceed with the East and West Crooked Lake Aquatic Weed Control Project and Direct Preparation of the Plans and Cost estimates and set the first public hearing for March 7, 2011 at 6:30 p.m.**

Moved by Ledford, supported by Hunt, to have Ledford abstain from any action on this resolution since there is a personal benefit to her lake parcel. The motion carried unanimously.

Moved by Smith, supported by Skolarus, to approve Resolution No. 1 (To proceed with the project and direct the preparation of plans and cost estimates and set the first public hearing).

The first public hearing will be set for March 7, 2011. Skolarus asked that the annual fee be set at \$50.00 per year to cover the cost of the initial set-up of the district since the Township will be advancing funds initially from the General Fund. The motion carried by roll call vote as follows: Ayes – Smith, Hunt, Wildman, Mortensen, Skolarus and McCririe. Nays – None. Abstain – Ledford.

**6. Request for approval and adoption of an ordinance # 110221-A to designate Genoa Charter Township as an enforcing agency for the Michigan Construction Code.**

Moved by Smith, supported by Wildman, to approve Ordinance 110221-A as requested. The motion carried by roll call vote as follows: Ayes – Ledford, Smith, Hunt, Wildman, Mortensen, Skolarus and McCririe. Nays – None.

**7. Request for approval of an amendment to the Building Permit Fee Schedule.**

Moved by Smith, supported by Ledford, to table the Building Permit Fee Schedule until the next regular meeting of the board so that a determination can be made that the fees are equal to or less than those used by the County. The motion carried unanimously.

**8. Request for adoption of ordinance #Z-11-02 and approval of rezoning agreement, impact assessment and site plan for a rezoning from LDR (Low Density Residential) to a conditional OSD (Office Service District) located at 2980 Dorr Road, Brighton, Sec. 15, petitioned by Genoa Charter Township on behalf of Livingston County United Way.**

VanMarter indicated that the United Way has proposed a conditional rezoning on their property which would restrict the use to a very limited number of office type uses. The current zoning is Low Density Residential and Ms. VanMarter feels the Conditional Rezoning is more appropriate for this parcel given its past and present office use. Both the Township and County Planning Commission have recommended approval.

A. Adoption of Ordinance #Z-11-02.

Moved by Smith, supported by Wildman, to adopt Ordinance No. Z-11-02 as submitted. The motion carried by roll call vote as follows: Ayes – Ledford, Smith, Hunt, Wildman, Mortensen, Skolarus and McCririe. Nays – None.

B. Disposition of rezoning agreement.

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

C. Disposition of impact assessment

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

D. Disposition of site plan

Moved by Smith, supported by Ledford, to approve the site plan as submitted. The motion carried unanimously.

**9. Request for approval of ordinance # Z-11-01 for amendments to Zoning Ordinance Articles 3 and 11.**

VanMarter explains the proposed amendments to the ordinance. Article 3 is proposed to be amended to allow for a home occupation to be conducted within an accessory building to encourage and promote the growth of new business in the Township. Article 11 is proposed to be amended to regulate the use of Outdoor Furnaces and ensure that they will not have a negative impact on surrounding properties. The Township Planning Commission and Livingston County Planning Commission have both recommended approval of these amendments to the Township Board.

Moved by Hunt, supported by Wildman to approve Ordinance Z-11-01 as requested. The motion carried by roll call vote as follows: Ayes – Ledford, Smith, Hunt, Wildman, Mortensen, Skolarus and McCririe. Nays – None.

**10. Request for approval and adoption of an ordinance# 110221-B to create the Genoa Charter Township Planning Commission in compliance with P.A. 33 of 2008, as amended being the Michigan Planning Enabling Act, M.C.L. 125.3801.**

VanMarter indicates the Ordinance was reviewed by staff and legal counsel and minor changes were made to clarify the voting requirements to meet statute. The Ordinance is recommended for approval.

Moved by Ledford, supported by Smith, to approve the adoption of Ordinance No. 110221-B as requested. The motion carried by roll call vote as follows: Ayes – Ledford, Smith, Hunt, Wildman, Mortensen, Skolarus and McCririe. Nays – None.

**11. Request for approval the Authorization to Proceed between First ROW, Inc. and Genoa Charter Township to assist in the acquisition of right-of-way for the Latson Road Interchange project.**

VanMarter informs the Board that MDOT has set July 1, 2011 as the deadline for right-of-way certification. Multiple plan revisions and technical acquisition requirements due to the use of Federal and State funding for the project has made local efforts to acquire difficult. VanMarter recommends approval of the contract with FirstROW to assist in acquisition efforts. The funding for FirstROW, Inc. will be taken from the balance of the 1 million dollars allocated for this project.

Moved by Smith, supported by Ledford, to approve the authorization to proceed with a contract between First ROW, Inc. and Genoa Charter Township to assist in the acquisition of right of way for the Latson Road Interchange with the costs as quoted. The motion carried unanimously.

**12. Request for approval to adopt a resolution 110221-C which approves the MHOG Master Operating Agreement between MHOG and Genoa, Marion, Oceola, and Howell Townships and also terminates previous agreements between these parties that will be supplanted by the Master Operating Agreement as requested by Greg Tatara.**

Tatara – We serve approximately 15,000 people with an operating budget of two million. Our bonding counsel Jim Kiefer has reviewed these documents and has no objections or concerns. Moved by Smith, supported by Mortensen, to approve the resolution 110221 – C (approving the Master Operating Agreement and the Water System and Terminating Certain Prior Agreements) as submitted. This action is subject to a review by Kiefer to determine that there is no liability concerning our relationship with other townships and their debt. The motion carried by roll call vote as follows: Ayes – Ledford, Smith, Hunt, Wildman, Mortensen, Skolarus and McCririe. Nays – None.

**13. Request for approval of the Utility Services Agreement between Genoa Charter Township, the Marion, Howell, Oceola and Genoa Sewer and Water Authority, and the Genoa-Oceola Sewer and Water Authority.**

Moved by Skolarus, supported by Smith, to approve the execution of the Utility Services Agreement between Genoa Charter Township and MHOG (Marion, Howell, Oceola and Genoa) Sewer and Water Authority and the Genoa-Oceola Sewer and Water Authority. The motion carried by roll call vote as follows: Ayes – Ledford, Smith, Hunt, Wildman, Mortensen, Skolarus and McCririe. Nays – None.

**14. Request for approval of the Township Utility Department wage schedule for sewer and water operational staff with a start date of April 9th, 2011.**

Moved by Skolarus, supported by Smith, to approve the wage schedule, beginning 04/09/2011 as submitted by Tatara. The motion carried unanimously.

Member Discussion: Smith asked that Hunt review the accounts held with First National Bank. Hunt will review the request and report back to the board. Archinal advised the board that the next yard waste collection will include evergreen seedlings that will be given freely to residents participating in the collection. He also stated that Standard and Poors had changed our rating from AA- to AA.

The regular meeting of the Genoa Charter Township Board was adjourned at 7:55 p.m.

Paulette A. Skolarus  
Genoa Township Clerk

(press/argus 02/25/2011)