

**GENOA CHARTER TOWNSHIP BOARD
Regular Meeting
October 17, 2022**

MINUTES

Supervisor Rogers called the regular meeting of the Genoa Charter Township Board to order at 6:30 pm at the Township Hall. The following members were present constituting a quorum for the transaction of business: Bill Rogers, Paulette Skolarus, Jean Ledford, Terry Croft, Jim Mortensen, Diana Lowe and Robin Hunt. Also present were Township Manager Kelly VanMarter, and Township Attorney Joe Seward and one person in the audience.

The Pledge of Allegiance was recited.

Supervisor Rogers welcomed the new Township Manager, Kelly VanMarter, to her first Board Meeting.

The call to the public was opened at 6:31 pm with no response.

Consent Agenda

Moved by Hunt, supported by Mortensen, to approve the Consent Agenda as presented. **The motion carried unanimously.**

1. Payment of Bills: October 17, 2022
2. Request to approve Minutes: October 3, 2022

Regular Agenda

Moved by Lowe, supported by Mortensen, to approve the Regular Agenda as presented. **The motion carried unanimously.**

3. Request to approve water rate adjustments in response to the City of Brighton's revised fee schedule effective December 1, 2022 as recommended by the accountants and Utility Director as follows:
 - a) Increase the Lake Edgewood Conference Center Quarterly Water Fee to \$7.06/1,000 gallons from \$6.43/1,000 gallons
 - b) Increase the Lake Edgewood Other Quarterly water fee to \$6.76/1,000 gallons from \$6.16/1,000 per 1,000 gallons
 - c) Hold the applicable Brighton City water connection fee at \$2,802 per REU and the sewer connection at \$7,198 per REU.

Moved by Ledford, supported by Lowe, to Increase the Lake Edgewood Conference Center Quarterly Water Fee to \$7.06/1,000 gallons from \$6.43/1,000 gallons. **The motion carried unanimously.**

Moved by Skolarus, supported by Croft, to Increase the Lake Edgewood Other Quarterly water fee to \$6.76/1,000 gallons from \$6.16/1,000 per 1,000 gallons. **The motion carried unanimously.**

Moved by Hunt, supported by Lowe, to hold the applicable Brighton City water connection fee at \$2,802 per REU and the sewer connection at \$7,198 per REU. **The motion carried unanimously.**

4. Consideration of a recommendation for approval of an amendment to the Saint Joseph Mercy Health Planned Unit Development Agreement, final PUD site plan and environmental impact assessment to construct a proposed 175,043 sq. ft. 4-story hospital addition to an existing medical building. The project is located at 7575 Grand River Avenue, north side of Grand River Avenue and west of Bendix Road. The request is petitioned by Trinity Health-Michigan.
 - a) Disposition of the Amended and Restated PUD Agreement
 - b) Disposition of the Environmental Impact Assessment (dated 3-30-22)
 - c) Disposition of the Final PUD site plan (dated 9-16-22)

Mr. Tom Tocco, the Executive Director of Facilities and Construction for Trinity Health-Michigan, stated he and his consultants were present this evening to answer any questions from the Board.

Mr. Mortensen asked if the Howell hospital would be closed. Mr. Tocco stated this is a relocation of that hospital. This hospital will open with 56 beds with room to grow. The existing location currently has 40 beds.

Ms. Hunt asked for confirmation that the drainage issues raised by the adjacent residents have been resolved. Mr. Tocco stated they have.

PUD Agreement

Moved by Skolarus, supported by Mortensen to approve the Amended and Restated Planned Unit Development (PUD) Agreement with the following conditions

1. The applicant will revise the Agreement to address the comments of the Planner and Township Manager. Additional detail shall be provided regarding the proposed signage and the applicant shall revise the PUD Agreement as necessary.
2. The Township Attorney shall review and approve the final document prior to execution.
3. The applicant shall ensure that the signed document is property recorded with the Register of Deeds prior to issuance of a land use permit for the project.
4. Any site plan fee exceedances associated with the additional meetings and consultant reviews as indicated on the site plan and PUD applications shall be paid prior to issuance of the land use permit for the project.

The motion carried unanimously.

Environmental Impact Assessment

Moved by Lowe, supported by Mortensen, to approve the Environmental Impact Assessment dated March 30, 2022 as submitted. **The motion carried unanimously.**

Final PUD Site Plan

Moved by Mortensen, supported by Croft, to approve the Final PUD Site Plan dated September 16, 2022. **The motion carried unanimously.**

5. Consideration of a recommendation for approval of an amendment to a previously approved site plan for a climate-controlled indoor commercial storage business located at 2630 E. Grand River Avenue, south side of Grand River, east of Chilson Road. The request is petitioned by Schafer Construction, Inc.

Mr. Stan Schafer stated they are requesting to not pave the front portion of the parking lot at this time as the owner has a potential user for it. He requested an extension of 12-18 months. Ms. VanMarter noted that her memo recommended 12 months; however, the applicant is requesting 12-18 months.

There was a discussion with the applicant regarding the allowable time frame and requiring a performance guarantee. Mr. Shafer agreed to a time frame of 12 months and to provide a performance guarantee.

Moved by Hunt, supported by Lowe, to approve the amendments to the approved Site Plan dated October 4, 2022 with the following conditions:

- The applicant shall be permitted to delay removal of the pavement in the un-improved future outlot area for a period not to exceed 12 months.
- Within 12 months of this approval the applicant must have obtained site plan approval for construction of a principal building in the area of the future lot.
- To ensure adherence to this condition, the applicant shall work with staff and the Township attorney to determine the best legal mechanism to ensure the faithful completion of the removal. This may include provisions for a performance guarantee in accordance with Section 21.03 of the Zoning Ordinance.

The motion carried unanimously.

6. Request for approval of a transfer of a Class C liquor license from NPZ Group LLC at 7749 E. M36, Hamburg Township to CBOCS Properties, Inc. (Cracker Barrel) at 7925 Conference Center Drive, Genoa Township.

Moved by Hunt, supported by Croft, to approve a transfer of a Class C liquor license from NPZ Group, LLC at 7749 E. M36, Hamburg Township to CBOCS Properties, Inc. (Cracker Barrel) at 7925 Conference Center Drive, Genoa Township. **The motion carried unanimously.**

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7. Consideration of amendments to the Fiscal Year 2022/2023 Budget for the General Fund, Fund 101 to reflect the impact of the resignation of the Township Manager and the internal promotions to fill the Manager and Planning Director positions as follows:
 - a) Increase Dept. 172 - Township Manager, "Salary" Line Item 101-172-702-014 from \$139,513 to \$166,435.08.
 - b) Decrease Dept. 261 - Unallocated, "Retirement" Line Item 101-261-718-001 from \$121,000 to \$119,505.
 - c) Decrease Dept. 701 - Planning and Zoning, "Planning and Zoning Wages and Salaries" Line Item 101-701-703-000 from \$218,760 to \$176,889.12.

Moved by Hunt, supported by Lowe, to amend the Fiscal Year 2022/2023 Budget for Fund 101, Department 172 - Township Manager, "Salary" Line Item 101-172-702-014 from \$139,513 to \$166,435.08. **The motion carried unanimously.**

Mr. Mortensen stated he will make the motion to decrease the Unallocated "Retirement" line item; however, he requested that Staff revisit the amount being requested as he does not think it is correct.

Moved by Mortensen, supported by Lowe, to amend the Fiscal Year 2022/2023 Budget for Fund 101, Department 261 – Unallocated, "Retirement" Line Item 101-261-718-001 from \$121,000 to \$119,505. **The motion carried unanimously.**

Moved by Mortensen, supported by Ledford, to amend the Fiscal Year 2022/2023 Budget for Fund 101, Department 701 – Planning and Zoning, "Wages and Salary" Line Item 101-701-703-000 from \$218,760 to \$176,889.12. **The motion carried unanimously.**

Supervisor Rogers advised the Board the reason they are seeing so many adjustments throughout the fiscal year due to the new budget system required by the State of Michigan. Ms. Skolarus would like to see these amendments on a quarterly basis. Ms. VanMarter stated the Board will be provided quarterly reports to see the changes that have been made, noting that the first quarter reports were reported to the Board. The new auditors have requested to see these adjustments made and approved by the Board as they occur. She added that this is the first year with the new budget, so it is expected that there will be more adjustments; however, this will not be the case for future years.

Ms. Hunt agrees that the amendments should be presented when they are being done.

8. Consideration of amendments to the Fiscal Year 2022/2023 Budget for the Parks and Recreation Fund, Fund 208 as follows:
 - a) Increase Dept. 751 – Parks & Recreation, "Park Master Plan" Line Item 208-751-934-006 to cover the cost of survey work and wetland delineation for the Township park acquisition parcels from \$10,000 to \$20,850.

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- b) Decrease to zero Dept. 751 – Parks & Recreation, Line Item 208-751-934-003 for the Pedestrian Crossing at Grand River and Speedway due to MDOT consideration for the project.
- c) Decrease to zero Dept. 751 – Parks & Recreation, Line Item 208-751-934-009 for the Pedestrian Crossing at Grand River and Golf Club due to MDOT consideration for the project.
- d) Create new Dept. 751 – Parks & Recreation, line item number 208-751-934-012 for the “Grand River Sidewalk Infill design/easement” project with a budget amount of \$55,000.

Moved by Mortensen, supported by Hunt, to amend the Fiscal Year 2022/2023 Budget for Fund 208 Parks and Recreation, Line Item 208-751-934-006 to increase the budget amount from \$10,000 to \$20,850 to cover the cost of survey work and wetland delineation for the Township park acquisition parcels. **The motion carried unanimously.**

Moved by Ledford, supported by Skolarus, to decrease to zero Dept. 751 – Parks & Recreation, Line Item 208-751-934-003 for the Pedestrian Crossing at Grand River and Speedway due to MDOT consideration for the project. **The motion carried unanimously.**

Moved by Skolarus, supported by Lowe, to decrease to zero Dept. 751 – Parks & Recreation, Line Item 208-751-934-009 for the Pedestrian Crossing at Grand River and Golf Club due to MDOT consideration for the project. **The motion carried unanimously.**

Moved by Ledford, supported by Lowe, to amend the Fiscal Year 2022/2023 Budget for Fund 208 Parks and Recreation, to add a new line item with fund number 208-751-934-012 for the Grand River Sidewalk Infill Design & Easement with a budget amount of \$55,000. **The motion carried unanimously.**

Correspondence

Ms. VanMarter reviewed a memo providing answers to questions from the Board regarding the solar charging table.

An email was received from the DNR regarding the grant for the Genoa Township Park Expansion.

Member Discussion

Ms. Skolarus provided photographs of the cleanup that has been started in the cemetery. They will be back in November to do additional work. Then they will do clean ups in the early spring, summer, and fall of 2023. Mr. Mortensen has visited the cemetery and it is vastly improved.

Ms. Lowe asked if she is allowed to work in the Clerk’s Office the Saturday before the election. Mr. Seward stated there is the Incompatible Office Act, which does not allow for a Board Member to work as an election worker when they are on the ballot, but that is not the case with this election and Ms. Lowe. There is a provision in the act that if a community has less than 40,000 residents, the Board can approve it.

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The other issue is that there would then be a quorum of the Elections Commission that day if Ms. Lowe is working with Ms. Skolarus, so that would violate the Open Meetings Act. Ms. Skolarus stated this would also apply when both are working in the office together at other times.

Ms. Hunt stated this is putting the Township at risk. Ms. Ledford agrees. Ms. Hunt would have liked to have this discussion on an agenda and provided more information. Ms. VanMarter stated these concerns were discussed with the Clerk prior to the last Board meeting, so there was time to add it to the agenda; however, a request was not made to place it on tonight's agenda.

Mr. Seward stated having Ms. Lowe discuss and vote on this item is a conflict of interest. Ms. Lowe left the meeting room.

Moved by Mortensen, supported by Skolarus, that Trustee Diana Lowe can be employed in the Clerk's Office with work hours that are separate and apart from the existing Clerk for the election on November 8, 2022. **The motion failed (Ledford - no, Croft - yes, Hunt - no, Mortensen - yes, Skolarus - yes, and Rogers - no).**

Ms. Lowe returned to the meeting.

Adjournment

Moved by Hunt, supported by Ledford, to adjourn the meeting at 7:21 pm. **The motion carried unanimously.**

Respectfully Submitted,

Patty Thomas
Recording Secretary

Approved:

Paulette Skolarus, Clerk
Genoa Charter Township

Bill Rogers, Supervisor
Genoa Charter Township