

**GENOA CHARTER TOWNSHIP BOARD
Regular Meeting & Public Hearing
November 7, 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, Township Attorney Joe Seward, Human Resources Director Kim Lane and William Tucker of Maner Costerisan and five persons in the audience.

The Pledge of Allegiance was recited.

The call to the public was opened at 6:31 pm

Ms. Eda Biegas of 1950 Genoa Circle questioned the traffic study that was submitted for the apartments on the corner of Dorr and Grand River only included the traffic from the new hospital or included the summer lake traffic also. If not, she would like it to include it. Ms. VanMarter advised she can review the study and provide that information to Ms. Biegas.

Ms. Biegas wants to ensure that the setbacks are far enough that if Grand River needs to be expanded, it won't be the homes on the other side of the road that will be affected. She feels the proposal is too dense.

Mr. Wayne Brewer who lives in Sunrise Park has concerns about the Dorr Road development. He is against it. It is not needed. There is already a lot of congestion in that area. The farmland should remain farmland.

Mr. Andy Beaudry of 3631 Woodridge is opposed to the rezoning for the apartments. It is not a good fit for the Township, it will increase traffic, and the property is very close to one of the largest egret populations in the County.

The call to the public was closed at 6:37 pm.

Consent Agenda

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

1. Payment of Bills: November 7, 2022
2. Request to approve October 17, 2022 regular meeting and October 26, 2022 special meeting minutes

3. Request to amend the Board of Review, Refunds and Chargebacks Budget (101-247-964-000) from \$2000.00 to \$5000.00.

Regular Agenda

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

4. Request for approval of the proposed 2023 employee benefits as presented by Human Resources Manager, Kim Lane.

Ms. Lane provided a review of the 2023 benefit plan. The increase is 10.9 percent, due to Blue Cross doing an actuary study Statewide, instead of just Livingston County. The dental coverage increased by 1.5 percent. She is recommending lowering the EHIM budget. The net increase is approximately 5 percent.

Mr. Mortensen noted that the employee contribution will increase approximately six percent.

Ms. Skolarus requested reviewing the employee contribution amount, and possibly increasing it to 12 percent. Supervisor Rogers stated this can be reviewed during the next budget discussion.

Moved by Hunt, seconded by Ledford, to approve the 2023 employee benefits. **The motion carried unanimously.**

5. Presentation and request to receive the Fiscal Year 2021-2022 Township Audit as presented by Maner Costerisan.

Mr. William Tucker of Maner Costerisan reviewed the Township's Fiscal Year 2021-2022 Audit. He provided details of the financial statements contained in the report. He noted some items; specifically, the Pension Fund is funded at 88 percent, the General Fund Fund Balance is approximately 68 percent of the Township's annual operating expenses, State Revenue Sharing has increased due to census adjustments, and annual expenditures increased approximately 3 percent. He then reviewed his suggestions for improvements.

Ms. Hunt stated Staff reviewed the suggestions and have begun to implement changes to address them.

Moved by Mortensen, seconded by Lowe, to receive and place on file the Fiscal Year 2021-2022 Township Audit. **The motion carried unanimously.**

6. Request for approval of the proposed 2023 Howell Area Parks and Recreation Authority budget presented by Tim Church, HAPRA Director.

Mr. Church thanked the Township for always supporting recreational growth. He noted that they are required to increase their budget based on the Consumer Price Index, which would be an 8.2 percent increase. They understand this would be a large increase over one year, so they are requesting a 5.8 percent increase, which is an additional \$6,500 per year. They will be increasing their participation fees and membership rates.

Moved by Mortensen, seconded by Croft, to approve the proposed 2023 Howell Area Parks and Recreation Authority budget, including a \$120,000 contribution by Genoa Charter Township effective January 1, 2023. **The motion carried unanimously.**

Ms. Skolarus noted this will require an amendment to the Township's budget.

7. Consideration of a recommendation for approval of a special use application, environmental impact assessment and site plan for a proposed 3,750 sq. ft. office building with outdoor storage located at 1247 Fendt Drive, north of Grand Oaks Drive. The request is petitioned by Al Halliday, A & J Cartage.

Ms. VanMarter provided a review of the proposed project.

Mr. Croft stated the report says 4 to 6 trailers. He went by there yesterday and there were 11 trailers. He asked if this can be limited. Ms. VanMarter stated if this is approved, the applicant would have to comply with the number that is stated in their Environmental Impact Assessment and if they have more, then they will be in violation.

Ms. Skolarus asked to have this tabled until the next meeting since the petitioner is not present.

Ms. VanMarter stated she notifies the petitioners that they are expected to attend the Board Meetings to answer any questions that may be asked. Mr. Mortensen suggested that it be added to the application that if the petitioner is not present at the Board meeting, their item will be tabled. Ms. VanMarter will make that addition.

Moved by Lowe, supported by Hunt, to approve the Special Land Use permit for a proposed 3,750 sq. ft. office building with outdoor storage located at 1247 Fendt Drive, north of Grand Oaks Drive. The use is found to convey a high-quality image and is compatible with the Research and Development category of the Master Plan and is also found to comply with Section 19.03 of the Zoning Ordinance. **The motion carried unanimously.**

Moved by Hunt, supported by Skolarus, to approve the Environmental Impact Assessment dated February 23, 2022 as submitted. **The motion carried unanimously.**

Moved by Hunt, supported by Ledford, to approve the site plan dated October 12, 2022 with the following conditions:

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- The applicant shall comply with the conditions of the Planning Commission.
- The applicant shall comply with the conditions of the Township Engineer's letter dated March 8, 2022 prior to land use permit issuance. The stormwater comments can be addressed by the Livingston County Drain Commissioner's Office as part of the SESC review and permit process.
- The applicant shall comply with the conditions of the Brighton Area Fire Authority Fire Marshal's letter dated March 9, 2022 prior to land use permit issuance.
- Future parking lot lighting shall comply with the Township Exterior Lighting Standards (Section 12.03).
- In order to connect to the public utilities, all REU fees must be paid at land use permit issuance.
- There shall be a limit of four to six trailers on the property.

The motion carried unanimously.

8. Request for introduction of the proposed rezoning ordinance number Z-22-03 and to set the meeting date for the purpose of considering the proposed ordinance for adoption before the Township Board on Monday, November 21, 2022. The request is to rezone approximately 52 acres from the Neighborhood Service District, Medium Density Residential District and the Town Center Overlay District to Residential Planned Unit Development. The property consists of two vacant parcels with a combined total of approximately 52 acres with parcel ID numbers 4711-11-300-014 and 4711-14-100-002 located at the southeast corner of Grand River and Dorr Road.

Moved by Hunt, supported by Ledford, to introduce proposed rezoning ordinance number Z-22-03 and to set the meeting date to consider adoption before the Township Board on Monday, November 21, 2022 for the purpose of considering the proposed zoning map Amendment. **The motion carried unanimously.**

9. Request for approval to appoint Kelly VanMarter as the FOIA Coordinator for the remainder of the current term, to re-appoint Diana Lowe to the Planning Commission with a term ending 11/20/23, to re-appoint Jean Ledford to the Zoning Board of Appeals with a term ending 11/20/23 and to re-appoint Chris Grajek, Ron Matkin, Marianne McCreary, and Lindsay MacFarlane (alternate) to the Board of Review with terms ending 12/31/24 as recommended by the Township Supervisor.

Moved by Lowe, supported by Mortensen, to appoint Kelly VanMarter as the FOIA Coordinator for the remainder of the current term, to re-appoint Diana Lowe to the Planning Commission with a term ending 11/20/23, to re-appoint Jean Ledford to the Zoning Board of Appeals with a term ending 11/20/23 and to re-appoint Chris Grajek, Ron Matkin, Marianne McCreary, and Lindsay MacFarlane (alternate) to the Board of Review with terms ending 12/31/24. **The motion carried unanimously.**

10. Request for discussion regarding re-negotiating the Settlement Agreement associated with a Consent Order for Case No. II-26089-CE, Genoa Charter Township vs Paul Lalewicz.

Supervisor Rogers stated this case involves Mr. Lalewicz who owns property in the Township that is unbuildable. His neighbor sued him because he was living in his RV on the property; however, that neighbor has moved. Mr. Lalewicz would like to be allowed to leave his motor home on the property long term. Supervisor Rogers suggested that Mr. Lalewicz be allowed to leave it there in the summer months, but if he sells the property, it would not be allowed by the new owner.

Ms. Hunt stated the Township would be approving something that is against the ordinance.

Mr. Seward stated the court order can be made with certain stipulations negotiated between the Township and Mr. Lalewicz. The judge could either approve or deny it.

Ms. Ledford stated this could set a precedent for other properties on lakes in the Township.

Mr. Mortensen stated that if this is approved, he would like to have other stipulations placed on it, such as it shall remain on tires, it shall not become a permanent building, it only applies to Mr. Lalewicz, etc. It can be defended against other property owners making the same request because there is a court order to allow it.

Ms. Skolarus does not have an objection to allowing Mr. Lalewicz to stay in his RV overnight.

The Board agreed to bring this item back for further discussion and request for approval with specific restrictions. Ms. VanMarter suggested that Mr. Lalewicz and his attorney draft the agreement and present it to the Township. Mr. Seward suggested some other restrictions could be the size of the RV, if the RV is sold and not replaced within a certain period of time, then the agreement would not be valid, etc.

11. Request for discussion regarding Township contributions to the Senior Survivor playground project.

Ms. VanMarter stated that the overall project costs for the full Senior Survivor Park have been received, leaving a shortfall of \$212,613. She presented two options to the Board; one is to increase the Township's contribution to \$351,931 to meet the shortfall and build all aspects of the proposed park or to remove the picnic plaza area and increase the Township's contribution by \$119,731 for a \$259,031 total contribution.

Mr. Seward stated that the total project cost in the agreement is \$750,000. Ms. VanMarter provided the minutes from the meeting where Mr. Archinal stated that if the costs come in higher, then changes would be made to the project.

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Ms. Lowe stated this is a lot of money, although it will be a great benefit to the community. Ms. Hunt stated there is \$1 million in the fund that would be used to pay for the park.

Ms. VanMarter noted that there maybe a need to increase parking when this park is installed.

Mr. Mortensen is in favor of moving forward with the additional funding; however, he would like to know the final total costs. Ms. Lowe and Ms. Hunt agree. Supervisor Rogers stated he and Staff will provide additional information to the Board at a future meeting.

12. Request for approval of the closed session minutes from October 26, 2022.

Ms. VanMarter distributed a sealed copy of the minutes to each Board Member for review. After the members reviewed the minutes, typographical errors were noted.

Moved by Lowe, seconded by Ledford, to approve the closed session minutes from the October 26, 2022 Board Meeting as amended. **The motion carried unanimously.**

Ms. Skolarus requested to go into closed session to discuss aspects of the investigative report that she read. Mr. Seward stated the only item that can be discussed in tonight's closed session are the minutes. Discussing the report would need to be placed on a future meeting agenda. Ms. Skolarus asked to have this placed on a meeting agenda. Supervisor Rogers requested that she send the request to him with the language as required before the next meeting.

Correspondence

Ms. VanMarter provided letters that have been sent to residents of two subdivisions regarding Special Assessment Districts for road improvements.

Ms. Skolarus provided a letter from the State of Michigan Department of Licensing And Regulatory affairs asking for participation in a survey regarding video service competition in Michigan,

Member Discussion

Ms. Skolarus stated they have received approximately 6,000 AV ballots for tomorrow's election.

Ms. VanMarter is working on the possibility of closing the Township Hall on the day of large elections. There is a large amount of activity in the building on election day and it may be best to dedicate the building to the Election on those days.

Supervisor Rogers stated that per the meeting on October 26, he has not received the resignation from the Township Clerk, so he is requesting the Township Attorney and Staff put together a censure for the next Board meeting.

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Adjournment

Moved by Ledford, supported by Hunt, to adjourn the meeting at 9:15 pm. **The motion carried unanimously.**

Respectfully Submitted,

Patty Thomas
Recording Secretary

Approved:

Paulette Skolarus, Clerk
Genoa Charter Township

Bill Rogers, Supervisor
Genoa Charter Township