

**GENOA CHARTER TOWNSHIP BOARD**  
**Regular Meeting**  
**January 23, 2023**

**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, Jean Ledford, Terry Croft, Jim Mortensen, Diana Lowe and Robin Hunt. Absent was Paulette Skolarus. Also present were Township Manager Kelly VanMarter, Township Attorney Joe Seward and five persons in the audience.

The Pledge of Allegiance was recited.

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

Mr. Ben Tasich of 3492 Lakewood Shores Drive stated Genoa Township is the best community where he has lived. Public transportation is very important, and he would like to have LETS expanded from South Lyon to Fowlerville. He invited the Board to the second annual Rosa Parks Transit Equity Day Pancake Breakfast and Community Recognition that will be on February 3, 2023 from 8:00 am to 9:30 am. He asked the Board to recognize this day and the importance of public transportation as well as invite Greg Kellogg, who is the head of LETS, to speak to the Board regarding their partnership with other surrounding townships in the hopes this can be done in Genoa Township as well.

Supervisor Rogers advised that the flier will be placed on the Township website and copies will be placed at the Township Hall for the public.

The call to the public was closed at 6:36 pm.

**Approval of Consent Agenda:**

Ms. Ledford requested to have Item #3 moved to the Regular Agenda.

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

1. Payment of Bills: January 23, 2023
2. Request to approve December 5, 2022 regular meeting minutes
3. Request to appoint Joann Fellwock as an alternate to the Board of Review for a term ending ~~December 31, 2024.~~ (moved to Regular Agenda)

4. Request approval to enter into agreements to collect 2023 summer property taxes for the Brighton Area Schools, Hartland Consolidated Schools, Howell Public Schools, and the Livingston Educational Service Agency as submitted by the Township Treasurer.

### **Regular Agenda**

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

3. Request to appoint Joann Fellwock as an alternate to the Board of Review for a term ending December 31, 2024. (moved from Consent Agenda)

Ms. Ledford asked if Ms. Fellwock has past experience. Supervisor Rogers stated this recommendation came from the Assessing Department. Her resume states she had been a realtor and she worked as a mortgage officer. Ms. VanMarter stated the assessor is confident she is qualified. She will be attending the mandatory training for Board of Review members.

**Moved** by Hunt, supported by Ledford, to appoint Joann Fellwock as an alternate to the Board of Review for a term ending December 31, 2024. **The motion carried unanimously**

5. Request for approval of Resolution #1 (to proceed with the project and direct preparation of the plans and cost estimates) for the McNamara Subdivision Road Improvement Project. (Roll Call)

**Moved** by Hunt, supported by Lowe, to approve Resolution #1 to proceed with the project and direct preparation of the plans and cost estimates for the McNamara Subdivision Road Improvement Project. **The motion carried unanimously with a roll call vote (Ledford - yes, Croft - yes, Hunt - yes, Lowe - yes, Mortensen - yes, and Rogers - yes.)**

6. Request for approval of Resolution #2 (to approve the project, schedule the first hearing, and direct issuance of statutory notices) for the McNamara Subdivision Road Improvement Project. (Roll Call)

**Moved** by Ledford, supported by Croft, to approve Resolution #2 to approve the project, schedule the first hearing, and direct issuance of statutory notices for the McNamara Subdivision Road Improvement Project. **The motion carried unanimously with a roll call vote (Ledford - yes, Croft - yes, Hunt - yes, Lowe - yes, Mortensen - yes, and Rogers - yes.)**

7. Consideration of a recommendation for approval of special use application, environmental impact assessment and site plan for the storage of hazardous materials for Bottcher Systems located at 1349 Grand Oaks Drive, south of Grand River Avenue and North of I-96 on the east side of Grand Oaks. The request is petitioned by Bottcher America.
  - A. Disposition of Special Use Application.

- B. Disposition of Environmental Impact Assessment (dated 1-11-23)
- C. Disposition of Site Plan (dated 8-1-22)

Ms. Nikki Calloway of Bottcher Systems provided a review of her company and the need for the Special Land Use. They will be using and storing hazardous materials.

**Moved** by Hunt, supported by Lowe, to approve the Special Land Use permit for the storage of hazardous materials for Bottcher Systems located at 1349 Grand Oaks Subject Property Packet page #46 Drive. The use is found to be compatible with the Industrial 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 Lowe, to approve the Environmental Impact Assessment dated January 11, 2023 (received) for the storage of hazardous materials for Bottcher Systems located at 1349 Grand Oaks Drive. This approval is conditioned upon the following:

- The applicant must obtain and maintain any outside permits necessary and required for this type of operation.

**The motion carried unanimously.**

**Moved** by Mortensen, supported by Lowe, to approve the Site Plan dated August 1, 2022 with the following conditions:

- The petitioner shall update the landscaping, specifically the front yard greenbelt to provide additional trees as stated in the Planner's review letter dated November 10, 2022.
- The petitioner shall upgrade the lighting with wall mounted lighting fixtures.
- All repairs to impervious surfaces shall be made to the satisfaction of Township Staff, including parking space striping and correct number of barrier free spaces.

**The motion carried unanimously.**

8. Consider request to modify the March 15, 2012 Settlement Agreement between the Township and Paul Lalewicz for Case No. 11-26089-CEW as requested by Paul Lalewicz.

Supervisor Rogers stated the Board had discussions with ~~Ms~~~~Mr~~. Lalewicz; however, there were some items to which he would not agree. Ms. Lowe stated the conditions that were put forth by the Township were not unreasonable. Ms. Hunt agrees.

**Moved** by Hunt, supported by Ledford, to maintain the existing Consent Order and Settlement Agreement for Case 11-26-089-CEW involving Paul Lalewicz. **The motion carried unanimously.**

9. Consideration of a request to approve an addendum to the Agreement with Howell Public Schools for the construction of the Senior Survivor Park, to increase the contribution from the Township from \$139,300 to \$351,080.14 and to amend the FY 22/23 budget.

A. Approval of the “Addendum to Agreement for Construction of Survivor Park” which has a fiscal impact of increasing the Township’s contribution to the project from \$139,300 to \$351,080.14 to be reflected in the fiscal year 2023/2024 budget.

B. Increase the 2022/2023 Fiscal Year budget for the “Senior Survivor Park Project” revenue line item 208-000-668-001 in Fund 208, Dept. 000 Parks and Recreation Revenue from \$462,069.00 to \$462,919.86

**Moved** by Lowe, supported by Mortensen, to approve the “Addendum to Agreement for Construction of Survivor Park” including the language recommended by the Township Attorney which has a fiscal impact of increasing the Township’s contribution to the project from \$139,300 to \$351,080.14 to be reflected in the fiscal year 2023/2024 budget. **The motion carried unanimously.**

**Moved** by Mortensen, supported by Ledford, to amend the Fiscal Year 2022/2023 Budget for Fund 208 Parks and Recreation, Department 000 –Revenue to increase the “Senior Survivor Park Project” line item 208-000-668-001 from \$462,069.00 to \$462,919.86. **The motion carried unanimously.**

10. Consideration of amendments to the Fiscal Year 2022/2023 Budget as follows:

A. Add new line item number 101-261-802-001 to Fund 101, Department 261 – Unallocated, for “Twp. Vehicle Expenses” with a budget amount of \$2,000.

B. Add new line item number 202-478-802-000 to Fund 202, Department 478 – SAD Roads and Lakes for the Homestead Road Project, “Annual Maintenance Expenses” with a budget amount of \$6,100.

C. Increase “Engineering Review Services” line item 101-701-946-002 in Fund 101, Department 701 – Planning and Zoning from \$20,000 to \$28,000.

**Moved** by Lowe, supported by Mortensen, to amend the Fiscal Year 2022/2023 Budget for Fund 101, Department 261 – Unallocated, to add a new line item for “Twp. Vehicle Expenses” Line Item 101-261-802-001 with a budget amount of \$2,000. **The motion carried unanimously.**

Ms. VanMarter stated this is to pay for the maintenance of roads for the Homestead Road Project. It was part of the assessment; however, there was no line item created for it.

**Moved** by Ledford, supported by Hunt, to amend the Fiscal Year 2022/2023 Budget for Fund 202, Department 478 – SAD Roads and Lakes for the Homestead Road Project, “Annual Maintenance Expenses” Line Item 202-478-802-000 with a budget amount of \$6,100. **The motion carried unanimously.**

**Moved** by Lowe, supported by Mortensen, to amend the Fiscal Year 2022/2023 Budget for Fund 101, Department 701 – Planning and Zoning to increase the engineering review services line item 101-701-946-002 from \$20,000 to \$28,000. **The motion carried unanimously.**

11. Consideration of a request to rescind Resolution 221121 related to the censure of the Clerk as requested by Paulette Skolarus. (Roll Call)

Ms. Hunt asked if this item could be discussed since Ms. Skolarus was not in attendance this evening. Mr. Seward advised that the Board could act on this item this evening or table it until the next meeting. It was the consensus of the Board to move ahead.

**Moved** by Hunt, seconded by Croft, to deny the request to rescind the Resolution 221121 related to the censure of the Clerk for the following reasons:

1. The information provided by the Clerk does not change any of the facts upon which the Censure Resolution is based.
2. The payroll issue was thoroughly researched and resolved over six years ago. This dispute is well beyond the statute of limitations, and it is deplorable that the Clerk continues to waste Township resources on this issue.
3. The Clerk has continued to show a complete lack of regard for the law and has openly ignored the requests and requirements of this Board.
4. The Clerk's request for this Board to consider her variance is unlawful and continues to show her complete disrespect for the laws and rules upon which we govern.
5. By this motion, I find that the 2016 payroll issue is finalized and the Censure Resolution that was passed by the Board stands on its merits. This issue shall not be considered again by this Board.
6. All requested items listed on Page 194 of this evening's Board meeting packet are denied.

**The motion carried unanimously with a roll call vote (Ledford - yes, Croft - yes, Hunt - yes, Lowe - yes, Mortensen - yes, and Rogers - yes).**

12. Request for review and consideration for approval of Agenda Management and Minutes Policy and Travel and Mileage Expenses Policy.

Ms. VanMarter provided a review of the two policies presented this evening. She will be continuing to update many of the Township's policies, developing new ones, and presenting them to the Board for review and approval.

Mr. Mortensen suggested updating the policy for Per Diem.

Ms. Lowe would like these policies added to the Township website.

**Moved** by Hunt, supported by Lowe, to approve the policies for Agenda Management and Minutes and Travel and Mileage Expenses. **The motion carried unanimously.**

**Correspondence**

Information regarding the Rosa Parks Transit Equity Day Pancake Breakfast & Community Recognition being held on February 2, 2023.

**Member Discussion**

Supervisor Rogers asked the Board Members to advise if they will be attending the Michigan Township Association 2023 Educational Conference and Expo April 17-20, 2023.

Ms. Lowe is disappointed that she is unable to work in the Clerk's office during election season; however, she does not have any ill feelings toward any Board Members who voted no.

Ms. VanMarter provided the Board with hard copies of the Current 2022/2023 Fiscal Year Budget and the Draft 2023-2024 Fiscal Year Budget Assumption and Significant Expenses.

**Adjournment**

**Moved** by Ledford, supported by Lowe, to adjourn the meeting at 7:26 pm. **The motion carried unanimously.**

Respectfully Submitted,

Patty Thomas  
Recording Secretary

Approved:

Paulette Skolarus, Clerk  
Genoa Charter Township

Bill Rogers, Supervisor  
Genoa Charter Township