

GENOA CHARTER TOWNSHIP BOARD
Regular Meeting
May 1, 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, Diana Lowe, Robin Hunt, Paulette Skolarus. Jim Mortensen arrived at 6:51 pm. Also present were Township Manager Kelly VanMarter, and 12 people in the audience.

The Pledge of Allegiance was recited.

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

Ms. Stacy Kroeyr of 4688 Brighton Road, near Glenway, stated her neighbor who lives at 4700 Brighton Road has cancer, her husband has stage 4 cancer, and they have had four dogs on the two properties die of cancer. She questioned why their wells are not being tested. She is concerned with the forever chemicals from the dump and the wastewater treatment plant. She is requesting that the wells at their homes be tested.

Mr. Tom Horgan at 5090 Glenway Drive stated the letter he received from Greg Tatara was very informative. He asked the Township to convince EGLE to do a complete Environmental Impact Study of this area. He noted there were other contamination issues with properties in the area in the early 2000's.

Mr. Mike Wilczynski of Pangea Environmental LLC has 45 years of experience as a geologist dealing with contaminated sites. He previously worked for Tetra Tech and worked on the Township's infiltration basins at the wastewater treatment plant. He agrees with Mr. Horgan that EGLE should do a complete environmental study and he is willing to assist.

The call to the public was closed at 6:42 pm.

Approval of Consent Agenda:

Ms. Hunt asked to have the minutes moved to the Regular Agenda.

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

1. Payment of Bills: May 1, 2023
2. ~~Request to approve April 17, 2023 regular meeting minutes.~~ (moved to Regular Agenda)

Regular Agenda

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

2. Request to approve April 17, 2023 regular meeting minutes. (moved from Consent Agenda)

Ms. Skolarus stated she received an email from a resident who spoke at the call to the public at the April 17 meeting and does not feel her comments were recorded correctly. She asked to have her comments note that she challenged the special assessment district and that it was not defined properly by the township and that the Villas should have been included in the special assessment district. She also challenged that if the special assessment district included the Villas, there were not enough petitions signed to move forward with the project.

Moved by Lowe, supported by Skolarus, to approve the April 17, 2023 regular meeting minutes as corrected. **The motion carried unanimously.**

3. Public Hearing on the proposed Stillriver Drive Road Rehabilitation Special Assessment Project (Summer Tax 2023).
 - A. Call to the Property Owners
 - B. Call to the Public

The call to the Property Owners was opened at 6:45 pm.

Mr. Ben Luethy of 3019 Stillriver Drive is excited and hopeful for the project to move forward.

The call to the Property Owners was closed at 6:46 pm.

The call to the public was opened at 6:46 pm with no response.

4. Request for approval of Resolution #3 Approving the Project Cost Estimates, Special Assessment District and causing the Special Assessment Roll to be prepared for the Stillriver Drive Road Rehabilitation Special Assessment Project (Summer Tax 2023). (Roll Call)

Moved by Hunt, supported by Ledford, to approve Resolution #3 Approving the Project Cost Estimates, Special Assessment District and causing the Special Assessment Roll to be prepared for the Stillriver Drive Road Rehabilitation Special Assessment Project (Summer Tax 2023). **The motion carried unanimously with a roll call vote (Ledford - yes, Croft - yes, Hunt - yes, Lowe - yes, Mortensen - absent, Skolarus - yes, and Rogers - yes).**

5. Request for approval of Resolution #4 Acknowledging the filing of the Special Assessment Roll, Scheduling the Second Hearing for May 15, 2023, and Directing the Issuance of Statutory Notices for the Stillriver Drive Road Rehabilitation Special Assessment Project (Summer Tax 2023). (Roll Call)

Genoa Charter Township Board Meeting

May 1, 2023

Approved Minutes

Moved by Skolarus, supported by Ledford, to approve Resolution #4 Acknowledging the filing of the Special Assessment Roll, Scheduling the Second Hearing for May 15, 2023, and Directing the Issuance of Statutory Notices for the Stillriver Drive Road Rehabilitation Special Assessment Project (Summer Tax 2023). **The motion carried unanimously with a roll call vote (Ledford - yes, Croft - yes, Hunt - yes, Lowe - yes, Mortensen- absent, Skolarus - yes, and Rogers - yes).**

Ms. Skolarus stated that an appeal of the Pine Creek Road Improvement Special Assessment District has been filed so township counsel has asked for a temporary postponement of agenda items #6, 7 and 8 to allow the attorneys to review the appeals and advise staff on the next steps.

Moved by Skolarus, supported by Lowe, to postpone Agenda Items #6, 7, and 8 as requested by the Township Attorney. **The motion carried unanimously,**

6. Request for approval of Resolution #6 Bond Authorizing Resolution for the Pine Creek Ridge Road Improvement Special Assessment District. (Roll Call)
7. Request to approve the Memorandum of Understanding with the Lake Villas of Pine Creek for their contribution to the 2023 Pine Creek Ridge Road Improvement Project.
8. Request to approve a project agreement with the Livingston County Road Commission to reconstruct the roads within the Pine Creek Ridge Subdivision consisting of approximately 5.45 miles with the Township's cost not to exceed \$4,210,000.
9. Consideration of a recommendation for approval of an environmental impact assessment corresponding to the site plan for proposed site grading on a 4.32-acre vacant parcel (4711-06-200-101) on the north side of Grand River Avenue, just west of Char-Ann Drive. The request is petitioned by Chestnut Development.

Mr. Allan Pruss of Monument Engineering, representing Chestnut Development, provided a review of the project. They will be grading the property and removing the guard rail to prepare it for future development. They will be preserving the trees as requested by the Planning Commission.

Mr. Mortensen arrived at 6:51 pm.

Moved by Hunt, supported by Lowe, to approve the Environmental Impact Assessment dated April 24, 2023 for Chestnut Development site grading project located on a 4.32-acre vacant parcel (4711-06-200-101) with the following conditions:

1. The silt fence line shall be adjusted to ensure protection of trees that are to be preserved per Planner's review letter dated April 4, 2023
2. MDOT approval for the removal of the guard rail shall be submitted to Township staff prior to issuance of land use permit.

The motion carried unanimously.

Genoa Charter Township Board Meeting

May 1, 2023

Approved Minutes

10. Consideration of a recommendation for approval of an environmental impact assessment corresponding to the site plan for a proposed 7,865 sq. ft. medical office building on a vacant parcel of land (4711-13-100-046) located on the north side of Grand River Avenue, east of Euler Road. The request is petitioned by Stephen Tait.

Dr. Stephen Tait and the engineer for the project were present to answer any questions from the Board.

Moved by Ledford, supported by Croft, to approve the Environmental Impact Assessment dated February 22, 2023 for a proposed 7,865 sq. ft. medical office building on a vacant parcel of land (4711-13-100-046) located on the north side of Grand River Avenue, east of Euler Road with the condition that the requirement of the site plan approval by the Planning Commission be satisfied. **The motion carried unanimously.**

11. Request for review and approval of a Certificate of License to conduct an outdoor assembly not to exceed 5,000 attendees on July 22, 2023 from 2:00pm to 10:00pm for the "Yellowstone Country Music Festival" to be located at Mt. Brighton Ski Resort, 4141 Bauer Road, Brighton, MI 48116. The request is petitioned by the Greater Brighton Area Chamber of Commerce.

Ms. Linda Carey, Ms. Pam McConeghy and Mr. Bill Anderson of the Brighton Area Chamber of Commerce were present. Ms. Cary stated they are unable to have this event downtown Brighton due to the construction on Main Street. She has worked closely with the Livingston County Sheriff and they are in agreement with their recommendations for the number of officers to be present.

She has secured additional parking locations with a shuttle service if needed.

Ms. Hunt noted that while members of the public call this property "Mount Brighton," it is actually owned by Vail Properties.

Ms. Hunt asked if this festival will continue to be held at this site in future years. Ms. Carey stated this is the first year they are holding this event and they do not know what to expect. They are unsure if the event will remain in the township or move to downtown Brighton next year.

Ms. VanMarter thanked the Chamber for their work putting together the application as the assembly ordinance that was being used was last written in 1974. She noted that Ms. Ruthig's letter outlines conditions of approval, including approvals from outside agencies, and requested that these be included in the motion if the Board were to vote to approve this event.

Moved by Lowe, supported by Ledford, to approve the Certificate of License to conduct an outdoor assembly not to exceed 5,000 attendees on July 22, 2023 from 2:00pm to 10:00pm for the "Yellowstone Country Music Festival" to be located at Mt. Brighton Ski Resort, 4141 Bauer Road, Brighton, MI 48116, conditioned upon all requirements outlined in Amy Ruthig's memo dated April 25, 2023 and the Brighton Area Fire Authority Fire Marshal's letter dated April 21, 2023 be met. **The motion carried unanimously.**

Genoa Charter Township Board Meeting

May 1, 2023

Approved Minutes

12. Request for review and approval of a Certificate of License to conduct an outdoor assembly not to exceed 3,000 attendees per day on September 8th and September 9th, 2023 from 5:00pm to 10:00pm for the "Brighton Smokin' Jazz and Barbeque Blues Festival" to be located at Mt. Brighton Ski Resort, 4141 Bauer Road, Brighton, MI 48116. The request is petitioned by the Greater Brighton Area Chamber of Commerce.

Ms. Carey reiterated her statements from the previous item. This event cannot be held in downtown Brighton this year. The average attendance at this event is 1,500 on Friday night and between 2,200 and 2,800 on Saturday night.

Ms. Hunt again stated this property is owned by Vail Properties.

Ms. VanMarter stated there is an additional requirement in Ms. Ruthig's review letter regarding this event. The ability for this event to be held is contingent on the success of the Yellowstone event. Any issues that arise shall be addressed before final approval is given for the Brighton Smokin' Jazz and Barbeque Blues Festival.

Moved by Mortensen, supported by Skolarus, to approve the Certificate of License to conduct an outdoor assembly not to exceed 3,000 attendees per day on September 8th and September 9th, 2023 from 5:00pm to 10:00pm for the "Brighton Smokin' Jazz and Barbeque Blues Festival" to be located at Mt. Brighton Ski Resort, 4141 Bauer Road, Brighton, MI 48116, conditioned upon all requirements outlined in Amy Ruthig's memo dated April 25, 2023 and the Brighton Area Fire Authority Fire Marshal's letter dated April 21, 2023 be met. **The motion carried unanimously.**

Ms. McConeghy thanked the township staff for helping them during the planning and application process for both of these events.

Member Discussion

Ms. Skolarus stated the election for the Hartland Area Schools is tomorrow. They sent out 900 absentee ballot applications, received 144 returned applications, and have received less than 100 ballots returned.

Adjournment

Moved by Ledford, supported by Croft, to adjourn the meeting at 7:15 pm. **The motion carried unanimously.**

Respectfully Submitted,

Patty Thomas
Recording Secretary

Approved:

Paulette Skolarus, Clerk
Genoa Charter Township

Bill Rogers, Supervisor
Genoa Charter Township