

GENOA TOWNSHIP BOARD  
Regular Meeting  
January 7, 1991  
7:30 p.m.

AGENDA

Call to Order.

Pledge of Allegiance.

Approval of Agenda.

Call to the Public.

Administrative Business:

- A. Correspondence.
- B. Approval of Minutes: 12-17-90 Regular Meeting.
- C. Payment of Bills.

1. Presentation of financial update with regard to the accounting review of procedures instigated by Bredernitz and Wagner; Herb Wagner, CPA.
2. Request to Rezone from A-1 (General Agricultural District) to C-1 (General Commercial District) approximately 4.26 acres located at the southeast corner of Section 13 alongside the east line of Section 13 and the center-line of Hacker Road: B & V Construction, Inc., Horace Birkenstock.
  - A. Disposition of environmental impact assessment (09-07-90).
  - B. Disposition of rezoning request.
3. Presentation by Robert J. Steeh representing Brighton Community Education.
4. Consideration of letters of interest for appointment to the trustee position on the Genoa Township Board.
5. Consideration of amendment to the Genoa Oceola Sewer District to include the south side of Grand River from Dorr Road west to the entrance ramp of Interstate 96.
6. Consideration of a resolution approving the interest charge for the 1990 winter tax levy.
7. Review of Compensation Commission Information.
8. Discussion of collection of summer taxes and the per parcel charge.

GENOA TOWNSHIP BOARD - Regular Meeting - 01-07-91

Standing Reports:

Supervisor  
Treasurer  
Manager

Clerk  
Trustees  
Attorney

Adjournment.

GENOA TOWNSHIP BOARD  
Regular Meeting  
January 7, 1991

MINUTES

A Regular Meeting of the Genoa Township Board was called to order by Supervisor Murray at 7:30 p.m. at the Genoa Township Hall. The Pledge of Allegiance was then said.

Board members present: Robert Murray, Paulette Skolarus, Margaret Park, Douglas Brown and John Esbrook constituting a quorum for the transaction of business. Also present: Jim Stornant, Township Zoning Administrator; and approximately 45 persons in the audience.

Moved by Esbrook, supported by Park, to approve the agenda with the tabling of item 2 (the rezoning request by B & V Construction), and item 5 (the amendment to the Genoa Oceola Sewer District), and with the addition of 8-A (Consideration of a resolution correcting the 1990 tax notice for the Old Homestead Sewer District). The motion carried.

A Call to the Public was made with no response.

Moved by Park, supported by Brown, to approve the Minutes of the 12-17-90 Regular Meeting as presented. The motion carried.

Moved by Park, supported by Esbrook, to approve for payment vouchers P-3009 thru P-3065, and 8082 thru 8123. The motion carried.

Herb Wagner, representing the auditing firm of Bredernitz and Wagner, updated the board with regard to the township's financial records and procedures.

Robert J. Steeh and Craig Lesley, representing Brighton Community Education, addressed the board concerning a need for a Recreation Plan for the Brighton area. A representative from the Genoa Township Board was requested by the committee. Bob Murray volunteered to represent Genoa Township.

Four letters of interest were received from Genoa residents with reference to the opening of a trustee position on the Genoa Township Board. Moved by Skolarus, supported by Brown, to nominate Kathleen Robertson to the trustee position. Moved by Brown, supported by Park, to nominate David G. Johnson to the trustee position. David G. Johnson was elected by the board to complete the unexpired term of Maurine Crandall.

Moved by Esbrook, supported by Brown, to approve a resolution approving the interest charge for the 1990 winter tax levy. The motion carried.

GENOA TOWNSHIP BOARD - Regular Meeting - 01-07-91

Moved by Skolarus, supported by Esbrook, to table a review of Compensation Commission information until a full board is in place.

Moved by Esbrook, supported by Park, to approve the collection of summer taxes at the \$3.00 fee as previously negotiated. The motion carried.

Moved by Brown, supported by Esbrook, to approve a resolution correcting the 1990 tax notice for Old Homestead Sewer District as related to parcel 11-28-201-017. The motion carried.

Respectfully submitted,



Paulette A. Skolarus  
Genoa Township Clerk

(BA, LCP 01-16-91)

GENOA TOWNSHIP RESOLUTION  
APPROVING THE INTEREST CHARGE FOR THE 1990 WINTER TAX LEVY

At the regular meeting of the Genoa Township Board held on January 7, 1991 it was moved by ESBROOK, supported by BROWN, to unanimously approve the following resolution:

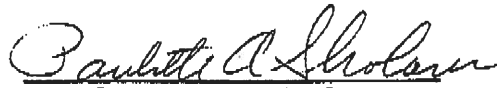
WHEREAS, the Special Assessment Roll for the road improvement districts of Holly-Magnolia-Dillon, State Street, and Euler Road was established on August 6 1990 and September 4, 1990; and

WHEREAS, respectively the Board of Trustees of Genoa Township, County of Livingston, State of Michigan established the above three road improvement districts, with annual interest payments of 7.5% toward the outstanding principle; and

WHEREAS, the interest levy for the 1990 Assessment Roll was for 12 months and the Districts were established in September, therefore, the interest levy should have been for 3 months.

NOW, THEREFORE, be it resolved that the over charge of interest shall be applied toward the principle balance for the 1991 Assessment levy, or the 1990 Assessment levy will be adjusted through February 28, 1991 on the 1990 winter tax levy.

I, the undersigned, duly certified and acting Township Clerk of the Township of Genoa, do hereby certify that the foregoing is a true and complete copy of the proceedings taken by the Township Board of Genoa Township.

  
Paulette A. Skolarus  
Genoa Township Clerk

GENOA TOWNSHIP RESOLUTION  
CORRECTING THE 1990 TAX NOTICE FOR OLD HOMESTEAD SEWER DISTRICT

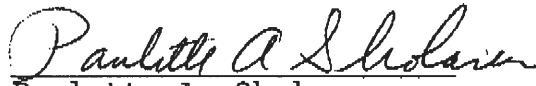
At the regular meeting of the Genoa Township Board held on January 7, 1991, it was moved by Brown, supported by Esbrook, to unanimously approve the following resolution:

WHEREAS, the Township previously established the Old Homestead Special Assessment District; and

WHEREAS, the special assessment against tax code number 11-28-201-017 had been paid prior to September 1, 1990 and a partial assessment was levied on the 1990 winter tax roll.

NOW, THEREFORE, be it resolved that the 1990 winter tax bill be corrected by removing the 1990 special assessment levy for the Old Homestead sewer.

I, the undersigned, duly certified and acting Township Clerk of the Township of Genoa, do hereby certify that the foregoing is a true and complete copy of the proceedings taken by the Township Board of Genoa Township.

  
Paulette A. Skolarus  
Genoa Township Clerk

GENOA TOWNSHIP BOARD  
Executive Session  
January 22, 1991  
7:00 p.m.

AGENDA

Call to Order.

Approval of Agenda.

1. Discussion of pending litigation.

Adjournment.

GENOA TOWNSHIP BOARD  
Regular Meeting  
7:30 p.m.

AGENDA

Call to Order.

Pledge of Allegiance.

Approval of Agenda.

Call to the Public.

Administrative Business:

- A. Correspondence.
- B. Approval of Minutes: 01-07-91 Regular Meeting.
- C. Payment of Bills.

1. Administration of Oath: Mr. David G. Johnson.
2. Consideration of adoption of Resolution No. 2  
(Initiating the project and directing the preparation of plans and cost estimates) for Red Oaks of Chemung, including the south side of Grand River, as related to Phase 2 of the Genoa Oceola Sewer Project: Mr. Jim Kiefer.
3. Presentation by the Livingston County Groundwater Leadership Team: Mr. Quentin Freidhoff and Mr. Mark Doyle.
4. Consideration of approval of the environmental impact assessment (11-16-90) corresponding to site plan (01-02-91) for PDQ, located on the north side of Grand River in Section 13: Mr. Richard Albrecht.
5. Request to rezone from R-1-C (Single Family Urban Residence) to C-0 (Commercial Office District) Lots 5, 7, &

8 of Birkwood Hills Subdivision, located in Section 27: Mr. Dennis Hull, Mr. Rex Welty, Mr. Horace Birkenstock.

- A. Disposition of environmental impact assessment (12-05-90).
- B. Disposition of rezoning request.

- 6. Presentation of 2nd Quarter General Fund budget status report.
- 7. Consideration of request by Brighton Library for additional funding: Mr. Douglas Brown.
- 8. Review of compensation commission information.

Standing Reports:

Supervisor  
Treasurer  
Manager

Clerk  
Trustees  
Attorney

Adjournment.



GENOA TOWNSHIP BOARD  
Regular Meeting  
January 22, 1991

MINUTES

A Regular Meeting of the Genoa Township Board was called to order by Supervisor Murray at 7:38 p.m. at the Genoa Township Hall. The Pledge of Allegiance was then said.

Board members present: Robert Murray, Paulette Skolarus, Margaret Park, Douglas Brown, David Johnson, and Bob Hajdu constituting a quorum for the transaction of business. There were eight persons present in the audience.

Moved by Esbrook, supported by Park, to approve the agenda with the administration of the oath to precede the administrative business. The motion carried.

A Call to the Public was made with no response.

Skolarus administered the Oath of Office to Johnson and he was welcomed to the trustee position on the Genoa Township Board.

Moved by Brown, supported by Esbrook, to approve the Minutes of the 01-07-91 Regular Meeting as submitted. The motion carried with Hajdu and Johnson abstaining.

Moved by Hajdu, supported by Park, to approve for payment vouchers P-3066 thru P-3082 and 8124 thru 8153. The motion carried.

Moved by Hajdu, supported by Brown, to approve a resolution of intent to proceed with the drain project and set a public hearing thereon for Red Oaks of Chemung, including the south side of Grand River, as related to Phase 2 of the Genoa Oceaola Sewer Project. The first public hearing will be held 02-19-91. The motion carried.

Moved by Esbrook, supported by Park, to approve Resolution No. 1 (to proceed with the project and directing the preparations of plans and cost estimates) for the Tri-Lakes Sewer System Improvement Project. The motion carried.

Moved by Skolarus, supported by Johnson, to approve Resolution No. 2 (scheduling the first hearing and directing the issuance of statutory notices) for the Tri-Lakes Sewer System Improvement Project. The motion carried.

A presentation was not made by the Livingston County Groundwater Leadership Team due to nonrepresentation.

Moved by Brown, supported by Hajdu, to grant approval of the environmental impact assessment (11-16-90) corresponding to site

plan (01-02-91) for PDQ, located on the north side of Grand River in Section 13. Further, that the facility would have only gas and electric and would be prohibited from hook-up to any sewer facility. The motion carried.

Moved by Hajdu, supported by Skolarus, to grant approval of the environmental impact assessment (12-05-90) for the rezoning of property as reported immediately below and recommended by the planning commission for Birkwood Hills Subdivision. The motion carried.

Moved by Hajdu, supported by Johnson, to approve a request to rezone from R-1-C (Single Family Urban Residence) to C-0 (Commercial Office District) Lots 6, 7, & 8 of Birkwood Hills Subdivision, located in Section 27. The motion carried.

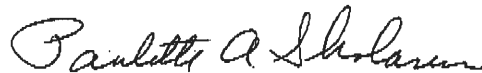
Moved by Esbrook, supported by Hajdu, to approve an amendment to the General Fund Budget for the 1990-91 fiscal year. The motion carried.

Moved by Esbrook, supported by Skolarus, to table a request for funding by the Brighton Library. The motion carried.

Moved by Skolarus, supported by Esbrook, to table a review of compensation commission information to allow our new board member time to review the process. The motion carried.

The regular meeting of the Genoa Township Board was adjourned at 9:45 p.m.

Respectfully submitted,



Paulette A. Skolarus  
Genoa Township Clerk

(01-30-91 LCP, BA)

[Resolution #1 - Tri-Lakes Sewer System Improvement Project]

TOWNSHIP OF GENOA

At a regular meeting of the Board of Trustees of the Township of Genoa (the "Township"), Michigan, held in the Township Offices, Livingston County, Michigan on January 22, 1991, at 7:30, there were

PRESENT: Murray, Skolarus, Park, Esbrook, Hajdu, Brown and Johnson.

ABSENT: None

The following preamble and resolution were offered by Esbrook and supported by Park:

RESOLUTION TO PROCEED WITH THE  
PROJECT AND DIRECTING  
PREPARATIONS OF THE PLANS AND COST ESTIMATES

WHEREAS, the Board of Trustees of the Township has received petitions (the "Petitions") from property owners to construct certain sewer improvements within the Township as described in Exhibit A (the "Project");

WHEREAS, the Board of Trustees of the Township has determined that the Petitions are sufficient to satisfy the requirements of Section 3 of Act 188, Michigan Public Acts of 1954, as amended;

WHEREAS, the Board of Trustees of the Township has tentatively determined to proceed with the Project and to finance the Project by issuing bonds (the "Bonds") to finance the cost of the Project, in accordance with Act No. 188, Michigan Public Acts of 1954, as amended;

WHEREAS, the Board of Trustees of the Township has tentatively determined to use Special Assessments to raise the funds to pay the Township's obligations on the Bonds;

NOW, THEREFORE, BE IT RESOLVED THAT:

1. In accordance with Act No. 188, Michigan Public Acts of 1954, as amended, and the laws of the State of Michigan, the Township Supervisor is directed to have plans prepared demonstrating the Project, the location of the Project, and an estimate of the cost of the Project.

2. The plans and estimates identified in paragraph 1, when prepared, shall be filed with the Township Clerk.

A vote on the foregoing resolution was taken and was as follows:

YES: Murray, Skolarus, Park, Johnson, Brown, Hajdu and Esbrook.

NO: None

ABSTAIN: None

CLERK'S CERTIFICATE

The undersigned, being the duly qualified and acting Clerk of the Township of Genoa, Livingston County, Michigan, hereby certifies that (1) the foregoing is a true and complete copy of a resolution duly adopted by the Board of Trustees of the Township at a regular meeting held on January 22, 1991, at which meeting a quorum was present and remained throughout, (2) the original thereof is on file in the records in my office; (3) the meeting was conducted, and public notice thereof was given, pursuant to and in full compliance with the Open Meetings Act (Act No. 267, Public Acts of Michigan, 1976, as amended) and (4) minutes of such meeting were kept and will be or have been made available as required thereby.

Paulette A. Skolarus  
Township Clerk

Exhibit "A"

DESCRIPTION OF PROJECT

The project shall consist of the installation of sanitary sewers and collection systems to serve the properties identified in the Special Assessment District set forth on the attached map, which properties are also identified by the following permanent parcel numbers:

Exhibit "A"

DESCRIPTION OF PROJECT

The project shall consist of the installation of sanitary sewers and collection systems to serve the properties identified in the Special Assessment District set forth on the attached map, which properties are also identified by the following permanent parcel numbers:

11-21-400-002	11-21-400-003	11-21-400-004
11-21-400-005	11-21-400-006	11-21-400-011
11-21-400-012	11-21-400-013	11-21-400-014
11-22-300-001	11-22-300-004	11-22-301-001
11-22-301-002	11-22-301-004	11-22-301-007
11-22-301-009	11-22-301-010	11-22-301-013
11-22-301-014	11-22-301-015	11-22-301-017
11-22-301-025	11-22-301-029	11-22-301-030
11-22-301-031	11-22-301-032	11-22-301-034
11-22-301-041	11-22-301-042	11-22-301-043
11-22-301-044	11-22-301-045	11-22-302-001
11-22-302-002	11-22-302-003	11-22-302-004
11-22-302-005	11-22-302-006	11-22-302-007
11-22-302-008	11-22-302-009	11-22-302-010
11-22-302-011	11-22-302-012	11-22-302-013
11-22-302-014	11-22-302-015	11-22-302-016
11-22-302-017	11-22-302-018	11-22-302-019
11-22-302-022	11-22-302-023	11-22-302-024
11-22-302-026	11-22-302-027	11-22-302-028
11-22-302-029	11-22-302-030	11-22-302-031
11-22-302-032	11-22-302-033	11-22-302-034
11-22-302-035	11-22-302-036	11-22-302-037
11-22-302-038	11-22-302-039	11-22-302-040
11-22-302-041	11-22-302-042	11-22-302-043
11-22-302-044	11-22-302-045	11-22-302-050
11-22-302-051	11-22-302-052	11-22-302-053
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11-22-302-067	11-22-302-068	11-22-302-069
11-22-302-070	11-22-302-071	11-22-302-073
11-22-302-074	11-22-302-075	11-22-302-076
11-22-302-077	11-22-302-079	11-22-302-080
11-22-302-081	11-22-302-082	11-22-302-083
11-22-302-086	11-22-302-087	11-22-302-089
11-22-302-090	11-22-302-091	11-22-302-092
11-22-302-093	11-22-302-094	11-22-302-095

11-22-302-096	11-22-302-098	11-22-302-099
11-22-302-100	11-22-302-101	11-22-302-102
11-22-302-103	11-22-302-105	11-22-302-106
11-22-302-107	11-22-302-108	11-22-302-109
11-22-302-110	11-22-302-113	11-22-302-114
11-22-302-115	11-22-302-116	11-22-302-117
11-22-302-118	11-22-302-120	11-22-302-121
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11-22-302-127	11-22-302-128	11-22-302-129
11-22-302-130	11-22-302-131	11-22-302-132
11-22-302-133	11-22-302-134	11-22-302-135
11-22-302-136	11-22-302-137	11-22-302-138
11-22-302-139	11-22-302-140	11-22-302-141
11-22-302-142	11-22-302-143	11-22-302-144
11-22-302-146	11-22-302-147	11-22-302-148
11-22-302-149	11-22-302-150	11-22-302-151
11-22-302-153	11-22-302-154	11-22-302-155
11-22-302-156	11-22-302-157	11-22-302-158
11-22-302-159	11-22-302-160	11-22-302-161
11-22-302-163	11-22-302-164	11-22-302-165
11-22-302-166	11-22-302-167	11-22-302-168
11-22-302-169	11-22-302-170	11-22-302-173
11-22-302-174	11-22-302-175	11-22-302-176
11-22-302-177	11-22-302-178	11-22-302-179
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11-22-302-183	11-22-302-184	11-22-302-185
11-22-302-186	11-22-302-187	11-22-302-188
11-22-302-189	11-22-302-190	11-22-302-191
11-22-302-192	11-22-302-193	11-22-302-194
11-22-302-195	11-22-302-196	11-22-302-197
11-22-302-198	11-22-302-200	11-22-302-201
11-22-303-001	11-22-303-002	11-22-303-003
11-22-303-005	11-22-303-006	11-22-303-007
11-22-303-008	11-22-303-010	11-27-100-001
11-27-100-002	11-27-100-003	11-27-100-004
11-27-100-005	11-27-100-008	11-27-100-009
11-27-100-011	11-27-100-012	11-27-100-013
11-27-100-014	11-27-100-015	11-27-100-016
11-27-100-017	11-27-100-018	11-27-100-020
11-27-100-023	11-27-100-024	11-27-100-025
11-27-100-027	11-27-100-028	11-27-100-029
11-27-100-030	11-27-101-027	11-27-101-028
11-27-101-029	11-27-101-025	11-27-101-014
11-27-101-015	11-27-101-026	11-27-101-020
11-27-101-021	11-27-101-022	11-27-101-023
11-27-101-024	11-27-103-001	11-27-103-003
11-27-103-005	11-27-103-006	11-27-103-010
11-27-103-011	11-27-103-013	11-27-103-014
11-27-103-015	11-27-103-018	11-27-103-019

11-27-103-020	11-27-103-023	11-27-103-025
11-27-103-026	11-27-103-028	11-27-103-054
11-27-103-035	11-27-103-038	11-27-103-041
11-27-103-044	11-27-103-045	11-27-103-046
11-27-103-048	11-27-103-049	11-27-103-050
11-27-103-052	11-27-103-053	11-27-105-003
11-27-105-004	11-27-105-006	11-27-105-007
11-27-105-008	11-27-105-009	11-27-105-010
11-27-105-011	11-27-105-012	11-27-105-014
11-27-105-015	11-27-105-016	11-27-105-017
11-27-105-018	11-27-105-019	11-27-105-020
11-27-105-021	11-27-105-022	11-27-105-023
11-27-105-024	11-27-105-025	11-27-105-026
11-27-105-029	11-27-105-030	11-27-105-031
11-27-105-032	11-27-105-035	11-27-105-036
11-27-105-037	11-22-302-097	11-22-302-172



GENOA TOWNSHIP BOARD  
Regular Meeting  
April 1, 1991  
7:30 p.m.

AGENDA

Call to Order.

Pledge of Allegiance.

Approval of Agenda.

Call to the Public.

Administrative Business:

A. Correspondence.

B. Approval of Minutes: 03-04-91 Public Hearing  
03-18-91 Regular Meeting

C. Payment of Bills.

1. Recommendation and summary update of monthly review by auditing firm of Bredernitz and Wagner: Mr. Herb Wagner, CPA.
2. Consideration of agreement between Genoa Township and McNamee Porter and Seeley, Inc. for professional services: Mr. Don Lund, Engineer.
3. Consideration and discussion of the possible assessment of vacant lots in the proposed Genoa Township Sewer Districts: Ms. Cindy Strader, Mr. Ed Biscus representing McNamee Porter and Seeley.

Standing Reports:

Supervisor  
Treasurer  
Attorney

Clerk  
Trustees  
Manager

Adjournment.

GENOA TOWNSHIP BOARD  
Regular Meeting  
April 1, 1991

MINUTES

A Regular Meeting of the Genoa Township Board was called to order by Supervisor Murray at 7:30 p.m. at the Genoa Township Hall. The Pledge of Allegiance was then said.

Board members present: Robert Murray, Paulette Skolarus, Margaret Park, John Esbrook, Robert Hajdu, David Johnson and Douglas Brown, constituting a quorum for the transaction of business. Also present: Jim Stornant, Township Zoning Administrator; and six persons in the audience.

Moved by Esbrook, supported by Hajdu, to amend the agenda as follows: Delete item 3, as related to the possible assessment of vacant lots; add item 3. Consideration of a resolution authorizing execution of a sewage disposal system contract; add item 4. Consideration of a resolution designating the Township Supervisor of Genoa as representative for all activities directed with the Project Plan for the Tri Lakes wastewater treatment project. The motion carried.

A Call to the Public was made with Ann Walstrom responding. Walstrom of 5753 King Road in Howell addressed the board concerning events that had taken place with the Treasurer's Office as related to the nonpayment of her property taxes. Certified mail was received by the Treasurer's Office, however, the contents of the envelope were not verifiable. Moved by Skolarus, supported by Johnson, to allow Walstrom to pay \$1,010.01 as full payment of her winter property taxes for 1991 with the township accepting responsibility for any late fees. The motion carried.

Moved by Skolarus, supported by Johnson, to amend the Minutes of the 03-04-91 Public Hearing as follows: Pg. 1, para 4 - With reference to the Tri-Lakes Sanitary Sewer System Improvement Project, the March 4, 1991 meeting was the first of two public hearings scheduled on the project, and that the Michigan Department of Natural Resources and the Michigan Municipal Bond Authority would be financing the project. The motion carried.

Moved by Esbrook, supported by Hajdu, to approve the Minutes of the 03-18-91 Regular Meeting of the board as presented. The motion carried.

Moved by Brown, supported by Park, to approve for payment vouchers P-3168 thru P-3207, and 8263 thru 8291. The motion carried.

With regard to the recommendation by the auditing firm of Bredernitz and Wagner concerning the purchase of a cash

register, Hajdu has volunteered to seek additional bids, subject to the needs of the Treasurer's Office. Moved by Brown, supported by Hajdu, to authorize an additional \$750.00 in fees for the auditing consultant. The motion carried.

Moved by Johnson, supported by Hajdu, to authorize Bredernitz and Wagner to perform the annual auditing services for the 1990-91 fiscal year ending June 30th. The motion carried.

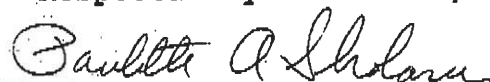
Moved by Hajdu, supported by Johnson, to approve the execution of an agreement between Genoa Township and McNamee Porter and Seeley, Inc. for professional services. This action based upon the review and approval of the Township Attorney, Rick Heikkinen. The motion carried.

Moved by Brown, supported by Johnson, to approve a resolution authorizing the execution of the sewage disposal system contract. The motion carried by roll call vote as follows:  
Ayes - Brown, Johnson, Park, Hajdu, Esbrook, Skolarus, Murray.  
Nays - None.

Moved by Hajdu, supported by Park, to approve a resolution approving the Township Supervisor as designated and authorized representative for all activities in connection with the wastewater treatment works Project Plan for study areas of which the Tri-Lakes Area is included. The motion carried by roll call vote as follows: Ayes - Brown, Johnson, Park, Hajdu, Esbrook, Skolarus, Murray. Nays - None.

The Regular Meeting of the Genoa Township Board was adjourned at 8:45 p.m.

Respectfully submitted,



Paulette A. Skolarus  
Genoa Township Clerk

(BA, LCP 04-10-91)

**RESOLUTION**

WHEREAS, Genoa Township has prepared a wastewater treatment works Project Plan for study areas of which the Tri-Lakes Areas is included; and

WHEREAS, Genoa Township is preparing a loan application for funding under the Michigan State Revolving Fund Loan Program for the purpose of design and construction of wastewater treatment improvements.

NOW, THEREFORE, BE IT RESOLVED that the Township Supervisor of Genoa Township is designated as the authorized representative for all activities in connection with the project.  
(Project No. 5066)

I hereby certify that the above is a true and complete copy of a Resolution passed by the Genoa Township Board at a special meeting April 1, 1991.  
(date)

  
Township Clerk

RESOLUTION NO. \_\_\_\_\_

RESOLUTION AUTHORIZING EXECUTION OF SEWAGE DISPOSAL SYSTEM CONTRACT

At a regularly scheduled meeting of the Township Board of the Township of Genoa, County of Livingston, State of Michigan, held at the Township hall in said township on the 1st day of April, 1991.

PRESENT: Murray, Skolarus, Park, Hajdu, Brown, Esbrook, Johnson.  
\_\_\_\_\_  
\_\_\_\_\_

ABSENT: None  
\_\_\_\_\_  
\_\_\_\_\_

The following Resolution was offered by Brown, and seconded by Johnson.

BE IT RESOLVED BY THE TOWNSHIP BOARD OF THE TOWNSHIP OF GENOA, COUNTY OF LIVINGSTON, STATE OF MICHIGAN, AS FOLLOWS:

WHEREAS, Genoa Township has, in the best interest of health, safety, and the general welfare of its citizenry, worked towards providing adequate sewage treatment facilities to service residents and property owners of Genoa Township, and,

WHEREAS, Genoa Township has been involved in the Genoa-Oceola Sanitary Sewer Drain No. 1 Drainage District and the Genoa-Oceola Sewer and Water Authority to accomplish the purposes of providing sanitary sewer treatment for its citizenry, and,

WHEREAS, the Township Board of Genoa Township has been authorized to enter into negotiations, contracts, and financial commitments for the construction, operation, maintenance, and related services for the sewer treatment plan, and

WHEREAS, Genoa Township, through its Township Board has approved the incorporation of the Genoa-Oceola Sewer and Water Authority to assist in the construction, operation, financing, repairs and related matters of the Sewage treatment facilities, and,

WHEREAS, it is necessary to establish a contract between the Genoa-Oceola Sanitary Sewer Drain No. 1 Drainage District, the Township of Genoa, as well as the Genoa-Oceola Sewer and Water Authority, and Oceola Township for the future governance, operation, maintenance, and ultimate transfer of ownership of the facilities to Genoa and Oceola Townships and their Genoa-Oceola Sewer and Water Authority, and,

WHEREAS, the Sewer and Water Authority has two board members appointed to it from each of the respective townships, to wit: Genoa and Oceola, and the Genoa-Oceola Sanitary Sewer Drain No. 1 Drainage District is desirous of having a member appointed through the Livingston County Drain Commissioner to participate in the Sewer and Water Authority for a time certain, in order that the working arrangement between the various corporate municipalities involved hereinabove set forth, are as compatible as possible, and it appearing that the involvement of the Chairman of the Genoa-Oceola Sanitary Sewer Drain No. 1 Drainage District would be beneficial to the monitoring of the operation of the sewer treatment facilities;

THEREFORE, BE IT RESOLVED THAT the Township Board of the Township of Genoa, hereby approves and acquiesces in the execution of the Genoa-Oceola Sewage Disposal System Contract, a copy of which is appended hereto, and specifically as it relates to the provisions of Page 3, Paragraph 8 of same, providing for the involvement of the Chairman of the Genoa-Oceola Sanitary Sewer Drain No. 1 Drainage District on the Board of Directors of the Genoa-Oceola Sewer and Water Authority, with the understanding and acknowledged purpose that the involvement of the Chairman of the Genoa-Oceola Sanitary Sewer Drain No. 1 Drainage District Board terminates and ceases participation in the Genoa-Oceola Sewer and Water Authority upon the conclusion of the terms of the contract entered into and which is attached and incorporated by reference hereto, or upon the transfer of the real estate and facilities currently in place to the Genoa-Oceola Sewer and Water Authority and/or its two designated Townships, Genoa Township and Oceola Township, or upon payment in full for any bonding and financing between the combination of the Genoa-Oceola Sewer and Water Authority, Oceola Township, Genoa Township, and Genoa-Oceola Sanitary Sewer Drain No. 1 Drainage District, whichever event occurs first.

ADOPTED:


Yeas:     7    

Nays:     0    

Absent:     0    

STATE OF MICHIGAN     )  
                                  )ss.  
COUNTY OF LIVINGSTON)

I, the undersigned, duly qualified and acting township clerk for the Township of Genoa, Livingston County, State of Michigan, do hereby certify that the foregoing is a true and complete copy of certain proceedings taken by the Township Board of said Township at a regularly scheduled meeting held on the 1st day of April, 1991.

  
Paulette Skolarus  
Clerk, Genoa Township

GENOA-OCEOLA SEWAGE  
DISPOSAL SYSTEM CONTRACT

THIS CONTRACT, made and entered into this 1st day of April, 1991, by and among the Genoa-Oceola Sanitary Sewer Drain No. 1 Drainage District (sometimes hereinafter referred to as "District"), a Michigan body corporate, the Township of Genoa and the Township of Oceola, public corporations located in the County of Livingston, State of Michigan (hereinafter referred to individually as "GENOA" and "OCEOLA" and collectively as the "LOCAL UNITS"), and the GENOA-OCEOLA SEWER AND WATER AUTHORITY, public corporation established by the LOCAL UNITS under the provisions of Act 233, Public Acts of Michigan, 1955, as amended (hereinafter referred to as "AUTHORITY").

WITNESSETH:

WHEREAS, it has been determined that it is necessary for the public health and welfare of the present and future residents of the Genoa-Oceola area that existing sewage disposal facilities be improved to meet the present and future sewage disposal requirements of the LOCAL UNITS; and

WHEREAS, the Genoa-Oceola Sanitary Sewer Drain No. 1 Drainage District, under the provisions of Act 40, Public Acts of Michigan, 1956, as amended (hereinafter sometimes referred to as the "Act"), begun construction of a sanitary sewer collection, disposal facility and improved treatment facilities to service Genoa Township and Oceola Township; and

WHEREAS, said Act authorizes the Genoa-Oceola Sanitary Sewer Drain No. 1 Drainage District to acquire sewage collection, water and disposal systems as defined in said Act, and to improve, enlarge, extend and operate such systems; and

WHEREAS, by the terms of said Act, the LOCAL UNITS are authorized to request the District to acquire and construct a sewage disposal system and the payment of the costs thereof shall be paid by the LOCAL UNITS, with interest, over a period not exceeding thirty (30) years, and the Genoa-Oceola Sanitary Sewer Drain No. 1 Drainage District is then authorized, pursuant to appropriate action by its Board, the Board of County Commissioners of Livingston County, to issue bonds to provide the funds necessary therefore; and

WHEREAS, said Act provides a practicable method and means for acquiring and financing the necessary sewage disposal facilities and appurtenances necessary for the public health and welfare of the residents of the LOCAL UNITS residing in and around the LOCAL UNITS to be served, and financing under the terms of the Act will result in favorable interest rates for the money necessary to be borrowed for such purposes; and

WHEREAS, plans estimate of cost for said sewage collection and disposal improvements have been prepared by McNamee, Porter & Sealy, engineers of Ann Arbor, Michigan (hereinafter sometimes referred to as "Engineers"), which said estimate of cost totals \$ 7,754,000.00 ; and

WHEREAS, it is also necessary for the LOCAL UNITS to contract relative to the operation and maintenance of said sewage disposal system and water systems. All of the parties hereto recognize that pursuant to the provisions of the aforesaid Drain Code, the District is the owner of the facilities constructed in and by said District and held in trust for the LOCAL UNITS. All of the parties hereto further acknowledge that such facilities have been constructed for the use and benefits of the Township of Genoa and the Township of Oceola and desire that they be administered, operated and maintained, and ultimately owned by the LOCAL UNITS and their AUTHORITY;

NOW THEREFORE, in consideration of the premises and covenants of each other, the parties hereto agree as follows:

1. The LOCAL UNITS, in cooperation with the Genoa-Oceola Sanitary Sewer Drain No. 1 Drainage District, have approved the establishment of a sewage disposal system in the County of Livingston under the provisions of Act 40, Public Acts of Michigan, 1956, as amended, consisting of new sewage treatment facilities, sewer interceptors and laterals, force mains and pump stations, together with all necessary appurtenances, attachments and rights of land. Said sewer improvements and the area to be served consisting of Phase I and Phase II as are more specifically set out in the plans for the project prepared by the Engineers and referred to in the preamble hereto.

2. The sewer system referred to in Paragraph One above, is hereby designated as the GENOA-OCEOLA SEWAGE DISPOSAL SYSTEM (hereinafter sometimes referred to in this contract as the "System").

3. the LOCAL UNITS hereby consent to the use by the Genoa-Oceola Sanitary Sewer Drain No. 1 Drainage District of the public streets, alleys, lands and rights-of-way in the LOCAL UNITS for the purpose of constructing, operating and maintaining the System and any improvements, enlargements, and extensions thereto.

4. The System is designed to serve the LOCAL UNITS and is immediately necessary to protect and preserve the public health, and the LOCAL UNITS do, by these presents, consent to the furnishing of sewage disposal service through the System by the AUTHORITY as lessee thereof, pursuant to Section 8 hereof, to the individual users in the LOCAL UNITS. All parties specifically agree, however, that the Genoa-Oceola Sanitary Sewer Drain No. 1 Drainage District shall not have the right to take over operation of the System and serve individual customers directly, the Genoa-Oceola Sanitary Sewer Drain No. 1 Drainage District being limited to other remedies prescribed in this contract in the event of any default hereunder by the LOCAL UNITS.

5. The Genoa-Oceola Sanitary Sewer Drain No. 1 Drainage District the LOCAL UNITS hereby approve and confirm the plans dated March 1, 1989 for said System prepared by the Engineers and the estimated cost thereof in the sum of \$ 10,200,000.00 . Said estimated cost includes all



surveys, plans, specifications, acquisition of property for rights-of-way, physical construction necessary to acquire and construct the System, the acquisition of all materials, machinery and necessary equipment, and engineering, engineering supervision, administrative, legal and financing expenses (including eight (8) months capitalized interest) necessary in connection with the acquisition and construction of the System and the financing thereof.

6. The Genoa-Oceola Sanitary Sewer Drain No. 1 Drainage District has constructed certain sanitary drainage improvements including a sewage treatment facility under the provisions of the Michigan Drain Code (Act 40, Public Acts of Michigan of 1956, as amended), pursuant to petitions for such improvements filed by the LOCAL UNITS, in order to provide sanitary sewer collection and disposal facilities and improved treatment facilities to service the LOCAL UNITS.

7. The System having been acquired and constructed by the Genoa-Oceola Sanitary Sewer Drain No. 1 Drainage District in accordance with the plans and specifications heretofore approved by the LOCAL UNITS. All matters relating to engineering plans and specifications, together with the making and letting of final contracts for acquisition of the System, the approval of work and materials thereunder, and construction supervision, shall be in the exclusive control of the Genoa-Oceola Sanitary Sewer Drain No. 1 Drainage District Board.

8. The Genoa-Oceola Sanitary Sewer Drain No. 1 Drainage District does hereby let and lease the said System for the sum of ONE AND 00/100 DOLLAR (\$1.00) to the AUTHORITY and the AUTHORITY does hereby rent and hire said System from the Genoa-Oceola Sanitary Sewer Drain No. 1 Drainage District for a term commencing upon the completion of the System, or any substantial part thereof, and ending upon the expiration of this contract. The Chairman of the Genoa-Oceola Sanitary Sewer Drain No. 1 Drainage District Board, or his alternate designated by the Genoa-Oceola Sanitary Sewer Drain No. 1 Drainage District Board, shall be a voting member of the Genoa-Oceola Sewer and Water Authority, the public corporation established by the LOCAL UNITS under the provisions of Act 233, Public Acts of Michigan, 1955, as amended. The lease by the Genoa-Oceola Sanitary Sewer Drain No. 1 Drainage District with the AUTHORITY, shall contain the prior provision with respect to the Chairman, or his alternate, being a member of the AUTHORITY. The term or time of tenure of the Chairman or his alternate being a voting member of the Genoa-Oceola Sewer and Water Authority shall be contemporaneous with the term or tenure of being a Chairman or designated alternate as a member of the Genoa-Oceola Sanitary Sewer Drain No. 1 Drainage District Board. The AUTHORITY shall operate, maintain and manage the System for and on behalf of the Genoa-Oceola Sanitary Sewer Drain No. 1 Drainage District and as agent of the LOCAL UNITS for such purpose. Said System shall be maintained in good condition and repair, to the

satisfaction of the parties, and the Genoa-Oceola Sanitary Sewer Drain No. 1 Drainage District shall the right to inspect the System at any time and to require the AUTHORITY to make any necessary repairs or replacements in order to maintain the System in good repair and condition. If the AUTHORITY shall negelect at any time to make such repairs and replacements within a reasonable time after being notified by the Genoa-Oceola Sanitary Sewer Drain No. 1 Drainage District to do so, then the Genoa-Oceola Sanitary Sewer Drain No. 1 Drainage District shall have the right to make the necessary repairs and replacements and the AUTHORITY shall reimburse the Genoa-Oceola Sanitary Sewer Drain No. 1 Drainage District for the expense thereof within thirty (30) days after such expense has been incurred. The AUTHORITY will, at its own expense, provide additional insurance on the treatment plant, machinery, pumping stations or similar equipment of the System against fire or loss by explosion, destruction, or damage, of the comprehensive type customarily carried, and will also provide sufficient liability insurance protecting itself, the LOCAL UNITS and the Genoa-Oceola Sanitary Sewer Drain No. 1 Drainage District, its officers individually and collectively, and the County of Livingston, against loss on account of damage or injury to persons, employees, or property imposed by reason of the ownership or operation of the System or resulting from any act of omission or commission on the part of the AUTHORITY, its agents, officers or employees in connection with the operation, maintenance or repair of the System.

It is understood that the AUTHORITY has been established by the LOCAL UNITS to operate and maintain the System with consent of the Genoa-Oceola Sanitary Sewer Drain No. 1 Drainage District and is therefore the appropriate party to operate and maintain the System. However, the LOCAL UNITS remain primarily responsible for the proper operation and maintenance of the System, and upon the failure of the AUTHORITY to fulfill any of its obligations hereunder, the Genoa-Oceola Sanitary Sewer Drain No. 1 Drainage District shall be authorized to look to the LOCAL UNITS to meet such obligations. Should it be necessary for the Genoa-Oceola Sanitary Sewer Drain No. 1 Drainage District to charge administration or operation and maintenance expenses to the LOCAL UNITS, such charges shall be shared by the LOCAL UNITS in the same proportion as the LOCAL UNITS debt service payment on the System. If for any reason such charges must be made promptly and the Genoa-Oceola Sanitary Sewer Drain No. 1 Drainage District cannot reasonably determine such proportions, it may make such charges in the same proportions as hereafter provided for the current debts service payments, or in its sole discretion on any other reasonable basis, until such use determinations can be made.

The System shall be used and operated by the AUTHORITY and the LOCAL UNITS in compliance with all contractual and legal obligations applicable. In the interest of economy and efficiency of operation, the System may be

integrated with and operated as a part of the facilities comprising the existing sewage collection and disposal systems of the LOCAL UNITS or their SEWER AUTHORITY.

The AUTHORITY will furnish reports to the Genoa-Oceola Sanitary Sewer Drain No. 1 Drainage District at periodic intervals corresponding with the System's reporting periods in detail sufficient to inform the Genoa-Oceola Sanitary Sewer Drain No. 1 Drainage District of the operations of the System and to permit the Genoa-Oceola Sanitary Sewer Drain No. 1 Drainage District to meet its reporting requirements.

The AUTHORITY shall operate the System pursuant to requirement and within the guidelines of the State Health Department, D.N.R. and federal and state Statutes as they relate to its operation requirement and licensed personnel. The personnel of the Drainage District shall be responsible to oversee the initial residential and commercial connections to the System in accordance with this agreement, and the ordinances adopted by the LOCAL UNITS. The personnel or contractor hired by the AUTHORITY shall utilize the operation and maintenance manual for said treatment facility as its guideline as approved and accepted by the LOCAL UNITS and the Genoa-Oceola Sanitary Sewer Drain No. 1 Drainage District and prepared by the firm of McNamee, Porter & Sealy, Inc. The AUTHORITY shall require the contractor and other personnel retained by it, to be guided in the maintenance and operation of the wastewater treatment facility and other necessary facilities as pumping stations, etc. by the maintenance equipment manual furnished to the Genoa-Oceola Sanitary Sewer Drain No. 1 Drainage District by the respective manufacturers of said equipment.

The LOCAL UNITS and/or SEWER AUTHORITY shall establish regulations relative to the nature of the effluent which shall be acceptable for entry into the treatment facilities and shall adopt such ordinances placing such regulations into effect within their boundaries. The AUTHORITY will enforce its own ordinances, rules and regulation, and agrees to enforce rules and regulations governing sewer connections and the admission of sewage into sewers of the District, which said rules and regulations are incorporated herein as promulgated in the Sanitary Sewer Ordinances adopted by the LOCAL UNITS, which ordinances are herein incorporated by reference and made a part of this agreement, and which copies of said ordinances are herein attached as Exhibit A and B to this agreement. Any future amendments to said ordinances enacted by the LOCAL UNITS shall be part of this agreement, unless objections are filed by the "District" prior to enactment of such additional amendments by the LOCAL UNITS. The LOCAL UNITS both agree to furnish a copy of all future amendments to said ordinances prior to their adoption by the LOCAL UNITS to the "District" for its concurrence, approval or recommendations.

The AUTHORITY and LOCAL UNITS will retain the exclusive right and option to establish, maintain and collect rates and charges for sewage

collection, hook-up fees, tap-in fees, and disposal service to its inhabitants or other persons using the facilities of the Genoa-Oceola Sanitary Sewer Drain No. 1 Drainage District acquired and constructed pursuant to this contract.

The revenues generated from the operation of the sewage disposal facilities and the wastewater treatment plant by the AUTHORITY, which is the income derived from the rates, charges or assessments collected by the AUTHORITY for the services and facilities furnished by the System, are hereby agreed to be set aside as collected and deposited with the Township Treasurer of the LOCAL UNITS in a separate depository fund to be designated "AUTHORITY'S SANITARY SEWER SYSTEM RECEIVING FUND" (hereinafter referred to as the "Operating and Maintenance Fund"), and the revenues of said fund are pledged for the purpose of the following funds and shall be transferred by the AUTHORITY acting on behalf of the Units from the Operation and Maintenance Fund periodically in the manner and at the times hereinafter specified.

A. OPERATION AND MAINTENANCE FUND:

Out of the revenues in the Receiving Fund, there shall be first set aside, quarterly or oftener, into a separate depository account designated OPERATION AND MAINTENANCE FUND, a sum sufficient to provide for the payment of the next quarter's current expenses of administration and operation of the System, and such current expenses for the maintenance thereof as may be necessary to preserve the same in good repair and working order.

B. REPLACEMENT FUND:

Out of the remaining revenues in the Receiving Fund, there shall be set aside in any quarter, after meeting the requirements of the Operation and Maintenance Fund, in a separate depository account designated REPLACEMENT FUND, such sum as the AUTHORITY may deem advisable to build up a reserve for any replacements to the System which may become necessary from time-to-time.

C. IMPROVEMENT FUND:

All of the remaining revenues in the Receiving Fund, after meeting the requirements of the Operation and Maintenance Fund, and after setting aside such funds in the Replacement Fund as the AUTHORITY determines to be necessary, shall be set aside in a separate depository account to be designated IMPROVEMENT FUND, to be used for improvements, enlargements, extensions and repairs to the System.

Drain No. 1 Drainage District Treasurer in principal installments, plus interest and other expenses as hereinafter provided, on April 1st of each year, as follows:

<u>Date</u>	<u>Principal</u>	<u>Interest</u>	<u>Total</u>	<u>Annual Total</u>
NOV 1, 1989		\$453,092.50	\$453,092.50	\$453,092.50
MAY 1, 1990	\$510,000.00	\$388,365.00	\$898,365.00	
NOV 1, 1990		\$360,315.00	\$360,315.00	\$1,258,680.00
MAY 1, 1991	\$510,000.00	\$360,315.00	\$870,315.00	
NOV 1, 1991		\$332,265.00	\$332,265.00	\$1,202,580.00
MAY 1, 1992	\$510,000.00	\$332,265.00	\$842,265.00	
NOV 1, 1992		\$304,215.00	\$304,215.00	\$1,146,480.00
MAY 1, 1993	\$510,000.00	\$304,215.00	\$814,215.00	
NOV 1, 1993		\$276,802.50	\$276,802.50	\$1,091,017.50
MAY 1, 1994	\$510,000.00	\$276,802.50	\$786,802.50	
NOV 1, 1994		\$259,462.50	\$259,462.50	\$1,046,265.00
MAY 1, 1995	\$510,000.00	\$259,462.50	\$769,462.50	
NOV 1, 1995		\$241,995.00	\$241,995.00	\$1,011,457.50
MAY 1, 1996	\$510,000.00	\$241,995.00	\$751,995.00	
NOV 1, 1996		\$224,400.00	\$224,400.00	\$976,395.00
MAY 1, 1997	\$510,000.00	\$224,400.00	\$734,400.00	
NOV 1, 1997		\$206,677.50	\$206,677.50	\$941,077.50
MAY 1, 1998	\$510,000.00	\$206,677.50	\$716,677.50	
NOV 1, 1998		\$188,827.50	\$188,827.50	\$905,505.00
MAY 1, 1999	\$510,000.00	\$188,827.50	\$698,827.50	
NOV 1, 1999		\$170,977.50	\$170,977.50	\$869,805.00
MAY 1, 2000	\$510,000.00	\$170,977.50	\$680,977.50	
NOV 1, 2000		\$153,000.00	\$153,000.00	\$833,977.50
MAY 1, 2001	\$510,000.00	\$153,000.00	\$663,000.00	
NOV 1, 2001		\$134,895.00	\$134,895.00	\$797,895.00
MAY 1, 2002	\$510,000.00	\$134,895.00	\$644,895.00	
NOV 1, 2002		\$116,662.50	\$116,662.50	\$761,557.50
MAY 1, 2003	\$510,000.00	\$116,662.50	\$626,662.50	
NOV 1, 2003		\$98,302.50	\$98,302.50	\$724,965.00
MAY 1, 2004	\$510,000.00	\$98,302.50	\$608,302.50	
NOV 1, 2004		\$79,815.00	\$79,815.00	\$688,117.50
MAY 1, 2005	\$510,000.00	\$79,815.00	\$589,815.00	
NOV 1, 2005		\$61,200.00	\$61,200.00	\$651,015.00
MAY 1, 2006	\$510,000.00	\$61,200.00	\$571,200.00	
NOV 1, 2006		\$45,900.00	\$45,900.00	\$617,100.00
MAY 1, 2007	\$510,000.00	\$45,900.00	\$555,900.00	
NOV 1, 2007		\$30,600.00	\$30,600.00	\$586,500.00

MAY 1, 2008	\$510,000.00	\$30,600.00	\$540,600.00	
NOV 1, 2008		\$15,300.00	\$15,300.00	\$555,900.00
MAY 1, 2009	\$510,000.00	\$15,300.00	\$525,300.00	\$525,300.00
<b>TOTALS</b>	<b>\$10,200,000.00</b>	<b>\$7,444,682.50</b>	<b>\$17,644,682.50</b>	<b>\$17,644,682.50</b>

It is further understood and agreed that the bonds of the Genoa-Oceola Sanitary Sewer Drain No. 1 Drainage District hereinbefore referred to, have been issued in anticipation of the above contractual obligation, with the principal maturities on May 1st of each year, commencing with the year 1990, corresponding to the principal amount of the above installments, and there shall also be paid to the Genoa-Oceola Sanitary Sewer Drain No. 1 Drainage District in addition to said principal installments, on April 1st and October 1st of each year, commencing on October 1, 1990, as accrued interest on the principal amount remaining unpaid, an amount sufficient to pay all interest due on the next succeeding interest payment date (May 1st and November 1st respectively) on said Genoa-Oceola Sanitary Sewer Drain No. 1 Drainage District bonds from time-to-time outstanding. Interest due May 1, 1990, has been capitalized. From time-to-time as the Genoa-Oceola Sanitary Sewer Drain No. 1 Drainage District is billed by the paying agent or agents for the bonds to be issued for their services as paying agent, or registering bonds, and as other costs and expenses accrue to the Genoa-Oceola Sanitary Sewer Drain No. 1 Drainage District from handling of the payments made by the LOCAL UNITS or from other administrative actions of the Genoa-Oceola Sanitary Sewer Drain No. 1 Drainage District taken in connection with the System, the Genoa-Oceola Sanitary Sewer Drain No. 1 Drainage District shall notify the LOCAL UNITS of the amount of paying agency fees and other costs and expenses and the LOCAL UNITS shall, within thirty (30) days from such notification, remit to the Genoa-Oceola Sanitary Sewer Drain No. 1 Drainage District sufficient funds to meet such paying agency fees and other costs and expenses.

Based on current estimates, the share of each LOCAL UNIT in the cost of the System is calculated as follows:

<u>GENOA</u>	<u>OCEOLA</u>
<u>80.9%</u>	<u>19.1%</u>

The LOCAL UNITS agree that in consideration on the division of ownership rights and costs in the System on the above basis, the aforesaid debt service payments and other costs and expenses will be billed the Genoa-Oceola Sanitary Sewer Drain No. 1 Drainage District 80.9 % to GENOA; and 19.1 % to OCEOLA, and the LOCAL UNITS will pay such charges in such proportions.

All parties agree that as between Genoa-Oceola Sanitary Sewer Drain No. 1 Drainage District and the LOCAL UNITS, the proportions will remain fixed for the life of the bonds, regardless of any arrangements between the LOCAL UNITS for transfer of capacity rights, or otherwise. If requested by either LOCAL UNIT, the Genoa-Oceola Sanitary Sewer Drain No. 1 Drainage District will mail to the AUTHORITY copies of all billings, notices, schedules and other data provided for herein.

Should cash payments be required from the LOCAL UNITS to meet additional costs of constructing the System, each LOCAL UNIT shall, upon written request by the Genoa-Oceola Sanitary Sewer Drain No. 1 Drainage District, furnish to the Genoa-Oceola Sanitary Sewer Drain No. 1 Drainage District written evidence of this agreement and ability to provide its share of such additional cash payments, and the Genoa-Oceola Sanitary Sewer Drain No. 1 Drainage District may elect not to proceed with the acquisition or financing of the System until such written evidence satisfactory to the Genoa-Oceola Sanitary Sewer Drain No. 1 Drainage District has been received by it. The LOCAL UNITS shall pay to the Genoa-Oceola Sanitary Sewer Drain No. 1 Drainage District such additional cash payments within thirty (30) days after written request for such payment has been delivered by the Genoa-Oceola Sanitary Sewer Drain No. 1 Drainage District to the LOCAL UNITS in the original proportions herein agreed to.

The Genoa-Oceola Sanitary Sewer Drain No. 1 Drainage District has furnished the LOCAL UNITS with a complete schedule of maturities of principal and interest thereon, and the Genoa-Oceola Sanitary Sewer Drain No. 1 Drainage District shall also: (A) At least thirty (30) days prior to April 1st of each year, advise the LOCAL UNITS, in writing, of the exact amount of principal and interest due on the bonds on the next succeeding May 1st, and payable by the LOCAL UNITS on April 1st as hereinabove provided; and (B) At least thirty (30) days prior to October 1st of each year, advise the LOCAL UNITS, in writing, of the exact amount of interest due on the bonds on the next succeeding November 1st and payable by the LOCAL UNITS on October 1st as hereinabove provided.

If either LOCAL UNIT fails to pay its share of any principal installment or interest when due, the amount not so paid shall be subject to a penalty in addition to interest, of one percent (1%) thereof for each month or fraction thereof that the same remains unpaid after the due date.

11. Each LOCAL UNIT may pay in advance any of the payments required to be made by this contract and to the fullest, and the LOCAL UNIT shall receive an appropriate reduction in its share of future debt service payments.

12. It is specifically recognized by the LOCAL UNITS that the debt service payments required to be made by them pursuant to the terms of Section 10 of this contract, are to be pledged for and used to pay the principal of and interest on the bonds to be issued by the Genoa-Oceola Sanitary Sewer Drain No. 1 Drainage District as provided by this contract and authorized by law, and each LOCAL UNIT covenants and agrees that it will make all required payments to the Genoa-Oceola Sanitary Sewer Drain No. 1 Drainage District promptly and at the times specified herein without regard to whether the System is actually completed or placed in operation.

13. After completion of the System and payment of all costs thereof, any surplus remaining from the proceeds of sale of the bonds shall be shared by the LOCAL UNITS in the proportions herein agreed upon, and such shares shall be used by the LOCAL UNITS for either of the following purposes, at the option of and upon request made by resolution of the legislative body of the appropriate LOCAL UNIT, to wit: (A) For additional sewer improvements in the System, or (B) Credited by the Genoa-Oceola Sanitary Sewer Drain No. 1 Drainage District toward the next payments due the Genoa-Oceola Sanitary Sewer Drain No. 1 Drainage District by such LOCAL UNIT hereunder.

14. This contract shall remain in full force and effect for a period of twenty (20) years from the date hereof, or until such earlier time as the bonds issued by the Genoa-Oceola Sanitary Sewer Drain No. 1 Drainage District are paid in full. After such period or such time as the bonds are paid, whichever occurs first, this contract shall be terminated and ownership of the System, its lands, pumps, sewerlines, appurtenances, account receivables, and contractual rights shall automatically revert to the AUTHORITY for the benefit of the LOCAL UNITS. In any event, the obligations of the LOCAL UNITS to make debt service payments required by Section 10 of this contract shall be terminated at such time as all of said bonds are paid in full, together with any deficiency or penalty thereof.

15. The contract shall insure to the benefits of, and be binding upon the respective parties hereto, and their successors, provided, however, no assignment of said contract may be made without consent of all parties to this contract.

16. This contract shall become effective upon the final date of its execution, and approval by the legislative bodies of the LOCAL UNITS and the AUTHORITY, and by the Genoa-Oceola Sanitary Sewer Drain No. 1 Drainage District, and when duly executed by the Supervisor and Clerk of each LOCAL UNIT, the Chairman and Secretary of the AUTHORITY, and by the Chairman and Secretary of the Genoa-Oceola Sanitary Sewer Drain No. 1 Drainage District.



GENOA TOWNSHIP BOARD  
Regular Meeting  
July 1, 1991  
7:30 p.m.

AGENDA

Call to the Public.

Pledge of Allegiance.

Approval of Agenda.

Call to the Public.

Administrative Business:

- A. Correspondence.
- B. Approval of Minutes: 06-17-91 Regular Meeting.
- C. Approval of Bills.

1. Consideration of contract for refuse removal and disposal with Mister Rubbish: Mr. Steve Dawdy.
2. Request for final approval of the preliminary plat for a 10 lot industrial subdivision to be located on approximately 64 acres on the east and west side of Grand Oaks West, south of Grand River to the railroad tracks in Sections 5 & 6: E. P. Associates, Mr. Bob Cook, Mr. John Perrone.
  - A. Consideration of environmental impact assessment (05-08-91).
  - B. Consideration of request for plat approval.
3. Request for review of the environmental impact assessment (06-20-91) corresponding to site plan for a site development (05-22-91) for a special use permit for a proposed day care/nursery and Montessori School, located on the corner of Kellogg Road and Grand River in Section 14: Mr. Gary Brock.
4. Request for review of site plan and corresponding environmental impact assessment for rezoning 24 acres made up of two parcels of 11.5 and 12.5 acres, from A-1 (General Agricultural District) to M-1 (Light Industrial District) or PID (Planned Industrial District) for a proposed addition to the Genoa Industrial Park. Section 12. Robert Garbutt.
  - A. Disposition of environmental impact assessment.
  - B. Disposition of rezoning request.
5. Request for review of the environmental impact assessment (05-30-91) corresponding to site plan (06-17-91) for the purpose of grading the site to prepare it for commercial office buildings, including private road and drainage

facilities, located north of I-96 freeway and 1/4 mile west of Grand River Avenue, in Section 24: Mr. Joe DeKroub.

6. Consideration of an operations and maintenance agreement for Lake Edgewood Wastewater Treatment Plant and Water System Operations contract: Mr. Don Lund.
7. Consideration and approval of budgets for the 1991-92 fiscal year.
  - A. General Fund.
  - B. Liquor Law Enforcement.
  - C. Debt Service Funds.
  - D. Township General Appropriations Act.
8. Discussion of recommendation by the committee established to address the private road maintenance agreement.
9. Discussion and consideration of BACOG Agreement.
10. Consideration of amendment to the land transfer agreement, ref. Rider "A".

Standing Reports:

Supervisor  
Treasurer  
Manager

Clerk  
Trustees  
Attorney

Adjournment.

GENOA TOWNSHIP BOARD  
Regular Meeting  
July 1, 1991

MINUTES

A regular meeting of the Genoa Township board was called to order by Clerk Skolarus at 7:30 p.m. at the Genoa Township Hall. The Pledge of Allegiance was then said.

The following board members were present and constituted a quorum for the transaction of business: Paulette Skolarus, Margaret Park, Douglas Brown, Robert Hajdu, John Esbrook, and David Johnson. Also present: Jim Stornant, Township Zoning Administrator; and approximately 20 persons in the audience.

Skolarus suggested that Brown act as chairman for the meeting. Moved by Esbrook, supported by Park, to appoint Brown as acting chairman. The motion carried.

Moved by Skolarus, supported by Johnson, to table items 1, 4, and 5 at the petitioner's request; to also table the decision on BACOG until Murray returns. The motion carried.

A Call to the Public was made with L. Butkowitz responding. Butkowitz asked the board to subordinate the sewer assessment lien on his property to allow the sale of his home on Lake Chemung so that an FHA mortgage could be approved. Brown - This board has formally discussed the subordination of liens almost one year ago. At that time, and upon the recommendation of our attorney, it was determined to be in the best interest of the community that Genoa Township not subordinate to mortgage lenders.

Under correspondence, a letter was received from Joseph A. Malik requesting inclusion in the sewer district accommodating Hughes Road. Moved by Hajdu, supported by Esbrook, to include the Malik property (11-03-301-046) in the special assessment district for sewers. The motion carried.

Moved by Johnson, supported by Park, to allow no additional applicants with vacant property, into either the Genoa Oceola or Tri-Lakes Sewer Districts. This action taken after the close of the sale of bonds and effective July 1, 1991. Further, that this policy procedure be placed in the district files. The motion carried.

Moved by Esbrook, supported by Park, to approve the Minutes of the 06-17-91 regular meeting as submitted. The motion carried.

Moved by Esbrook, supported by Hajdu, to approve for payment vouchers P-3321 thru P-3366, and 8432 thru 8466. The motion carried.

A call to the public was made with no response. Moved by Skolarus, supported by Hajdu, to approve the environmental impact assessment (05-08-91) for the final preliminary plat approval as reported immediately below, and recommended by the Planning Commission for E. P. Associates. The motion carried.

Moved by Hajdu, supported by Johnson, to approve a request for final approval of the preliminary plat for a 20 lot industrial subdivision to be located on approximately 78.39 acres on the east and west side of Victory Drive, south of Grand River to the railroad tracks in Sections 5 & 6: E. P. Associates, Mr. Bob Cook, Mr. John Perrone and Mr. Pete Weiss (Boss Engineering). The motion carried.

A call to the public was made with no response. Mr. Steve Gravlin, representing Mr. Gary Brock, addressed the board concerning the special use permit for the day school. Mr. Dan Lenzi and Andrea Lenzi will be co-owners and partners in the school facility. Moved by Johnson, supported by Park, to approve the environmental impact assessment (06-20-91) corresponding to site plan for a site development (05-22-91) for a special use permit for a proposed Day School, located on the corner of Kellogg Road and Grand River in Section 14 for Mr. Gary Brock. Further, that this use is granted to the purchasers at such time as they finalize the purchase of the property, and that the special use permit shall continue until such time as the Lenzis give away, sell, or terminate the use of their property. Before the motion was finalized it was amended by Johnson, supported by Park, to approve the special use permit until the Lenzis terminate ownership interest in the property or discontinue their interest in the operation of the Day School facility either individually or as Little Hornbook Day School. The motion carried.

Moved by Skolarus, supported by Park, to table consideration of an operations and maintenance agreement for Lake Edgewood Wastewater Treatment Plant and Water System Operations contract until the petitioner can provide the board with a line by line item for the increase request. The motion carried.

Skolarus addressed the board concerning a recommendation by her committee for review of the private road maintenance agreement. The recommendation was approved as a policy guideline in dealing with major maintenance of private roads. The matter was again referred to committee for finalization with Heikkinen.

Moved by Skolarus, supported by Johnson, to approve the budget for the 1991-92 fiscal year for the General Fund, increasing Private Road Maintenance Revenue from \$14,000.00 to \$20,000.00, with all other items remaining as recommended. The motion carried.

Moved by Park, supported by Johnson, to approve the budget for Liquor Law Enforcement for the 1991-92 fiscal year as presented. The motion carried.

Moved by Esbrook, supported by Hajdu, to approve the budgets for the Debt Service Funds as recommended for the following: Road Debt Service, Genoa Oceola Debt Service, Lake Edgewood Debt Service, Homestead Debt Service and Pine Creek Debt Service. The motion carried.

Moved by Skolarus, supported by Esbrook, to table action on the Township General Appropriations Act until Heikkinen is able to comment. The motion carried.

Moved by Hajdu, supported by Park, to amend the land transfer agreement, ref. Rider "A" with the City of Brighton to include the approximately 1/2 acre of land not originally transferred with the district. This action is taken at the request of township engineer's letter of June 13, 1991, and includes the legal description as submitted with Riders A and B. Further that Heikkinen review the land transfer agreement and the Riders to determine that the correct legal description of the parcel is in place. The motion carried.

The meeting was adjourned at 10:40 p.m.

Respectfully submitted,



Paulette A. Skolarus  
Genoa Township Clerk

(BA, LCP 07-10-91)

GENOA TOWNSHIP BOARD  
Public Hearing  
July 15, 1991  
7:30 p.m.

AGENDA

Call to Order.

Pledge of Allegiance.

Approval of Agenda.

1. General Fund Budget Hearing related to spending in the 1991-1992 Fiscal Year.
  - A. Call to the public.
2. Genoa Township Appropriations Act presentation determining powers and duties of the Genoa Township officers.
  - A. Call to the Public.

Adjournment.

GENOA TOWNSHIP BOARD  
Regular Meeting  
(immediately following Public Hearing)

Call To Order.

Approval of Agenda.

Call to the Public.

Administrative Business.

- A. Correspondence.
- B. Approval of Minutes: 07-01-91
- C. Approval of Bills.
  1. Consideration of approval of the revised environmental impact assessment corresponding to site plan for a proposed special use permit for a drive-thru donut and coffee shop, located at the intersection of Chilson and Brighton Roads, in Section 33: Mr. Dewey Thomas, Boss Engineering.
  2. Consideration of Adoption of General Fund Budget for 1991-1992 Fiscal Year.

GENOA TOWNSHIP - Regular Meeting - 07-15-91

3. Consideration of Ordinance establishing a Township General Appropriations Act.
4. Consideration of contract for refuse removal and disposal with Mister Rubbish: Mr. Steve Dawdy.
5. Consideration of an operations and maintenance agreement for Lake Edgewood Wastewater Treatment Plant and Water System Operations contract: Mr. Don Lund.
6. Consideration of Request regarding the Special Use Permit approved on 07-01-91: Mr. Gary Brock, Ms. Sharon Cook, Ms. Sue Shawn, Mr. Tom Helm.
7. Request for review of site plan and corresponding environmental impact assessment for rezoning 24 acres made up of two parcels of 11.5 acres and 12.5 acres, from A-1 (General Agricultural District) to M-1 (Light Industrial District) or PID (Planned Industrial District) for a proposed addition to the Genoa Industrial Park. Section 12. Robert Garbutt.
  - A. Disposition of environmental impact assessment.
  - B. Disposition of rezoning request.
8. Request for review of the environmental impact assessment (05-30-91) corresponding to site plan (06-17-91) for the purpose of grading the site to prepare it for commercial office buildings, including private road and drainage facilities, located north of I-96 freeway and 1/4 mile west of Grand River Avenue, in Section 24: Mr. Joe DeKroub.
9. Discussion and consideration of BACOG Agreement.
10. Request for Review of site plan and corresponding environmental impact assessment for proposed three office buildings located behind Farm Credit Building with access on west side Section 5, Maplewood Leasing.
  - A. Recommendation regarding Environmental Impact Assessment
11. Request for Review of site plan and corresponding impact assessment for a proposed Auto Dealership Building for the housing of Mazda and Jeep Eagle Vehicles. Located at the corner of Grand River and Hacker. Section 13, Waldecker Pontiac-Buick Inc.
  - A. Recommendation regarding Environmental Impact Assessment
12. Presentation by Livingston County Republican Party: Mr. John Esbrook, Mr. Joseph Ellis.

GENOA TOWNSHIP - Regular Meeting - 07-15-91

Standing Reports:

Supervisor  
Treasurer  
Attorney

Clerk  
Trustees  
Manager

Adjournment.



GENOA TOWNSHIP BOARD  
Public Hearing  
July 15, 1991

MINUTES

A Public Hearing of the Genoa Township Board was called to order by Supervisor Murray at 7:40 p.m. at the Genoa Township Hall. The Pledge of Allegiance was then said.

The following board members were present and constituted a quorum for the transaction of business: Robert Murray, Paulette Skolarus, Margaret Park, John Esbrook, David Johnson, and Douglas Brown. Also present: Jim Stornant, Township Zoning Administrator; Rick Heikkinen, Township Attorney; and approximately 50 persons in the audience.

The purpose of the public hearing was for presentation of the General Fund Budget related to spending in the 1991-1992 Fiscal Year, and to allow public comment concerning appropriations.

The budget was presented and a call to the public was made with no response.

The Genoa Township Appropriations Act, determining powers and duties of the Genoa Township officers, was reviewed by the board. A call to the public was made with no response.

The public hearing was adjourned at 7:35 p.m.

GENOA TOWNSHIP BOARD  
Regular Meeting  
(immediately following Public Hearing)

The regular meeting of the board was called to order by Supervisor Murray.

Moved by Esbrook, supported by Johnson, to approve the Agenda with the tabling of items 4, 5, 11, 12, and the addition of item 13 - A resolution to Levy Additional Millage. The motion carried.

A call to the public was made with no response.

Moved by Park, supported by Esbrook, to approve the Minutes of the 07-01-91 meeting with the following correction: Pg. 1, para 7 - That applicants will be allowed into the Genoa Oceola and Tri-Lakes Sewer Districts but will not be allowed to join the special assessment roll for the designated districts. The motion carried.

GENOA TOWNSHIP - Regular Meeting - 07-15-91

Moved by Park, supported by Brown to approve for payment vouchers P-3367 thru P-3382, and 8467 thru 8494 with the voiding of 8473. The motion carried.

Mr. Pete Weise, representing Boss Engineering, addressed the board concerning a petition by Mr. Dewey Thomas for a proposed special use permit for a drive-thru donut and coffee shop, located at the intersection of Chilson and Brighton Roads. A revised site plan and soils evaluation was hand delivered to the board by Mr. Weise. Moved by Johnson, supported by Esbrook, to request that Heikkinen and Stornant prepare a draft relative to the terms of the special use permit, and to refer the request for site plan approval back to the Planning Commission for review prior to Township Board action. Further that the petitioner be accommodated for presentation at the August 7th meeting of the Planning Commission. The motion carried with Brown opposed.

Moved by Esbrook, supported by Brown, to approve the adoption of the General Fund Budget for the 1991-1992 fiscal year as presented. The motion carried.

Moved by Skolarus, supported by Johnson, to approve an ordinance establishing a Township General Appropriations Act as presented. The motion carried.

Moved by Johnson, supported by Park, to amend the Special Use Permit (approved on 07-01-91), removing the conditions of ownership, and allowing the permit, subject to conditions set forth in the site plan and environmental impact assessment as submitted by the petitioner. Further, that the permit is to be issued for ten years, as related to the petition by Andrea and Dan Lenzi, and Mr. Gary Brock. The motion carried.

Mr. Bob Garbutt addressed the board concerning a request for review of site plan and corresponding environmental impact assessment for rezoning 24 acres made up of two parcels of 11.5 acres and 12.5 acres, from A-1 (General Agricultural District) to M-1 (Light Industrial District) or PID (Planned Industrial District) for a proposed addition to the Genoa Industrial Park in Section 12. Mr. Garbutt proposed an additional 300' of roadway along Euler Road which would be paid for by Mr. Garbutt. In Addition a 15' high evergreen barrier would be constructed to protect the property immediately adjoining residents to the northwest. A call to the public was made with many residents responding that they were not in favor of the expansion of the park. Following the public response, it was moved by Esbrook, supported by Brown, to deny the environmental impact assessment due to infringement upon the residential area which could adversely effect the health, safety and welfare of residents. Brown asked that the motion be amended to incorporate the Livingston County Planning Commission comments - ref. 06-20-91 letter from Marlia Jenkins which sites the following: 1. The proposed M-1 zoning is not in conformance

GENOA TOWNSHIP - Regular Meeting - 07-15-91

east, north and west. 2. Other industrial sites exist along the Grand River corridor which are planned and zoned for industrial uses and have access to municipal sewers. 3. Genoa Township has established sewer districts which provide modern infrastructure for intensive land uses. It is important to support the development of intensive land uses within the districts in order to make use of the infrastructure investment and in order to increase environmental protection. The motion carried. Ayes - Brown, Esbrook, Park and Johnson. Nays - Murray and Skolarus. Absent - Hajdu.

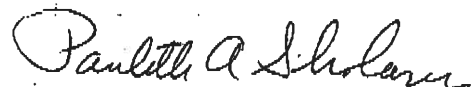
Moved by Brown, supported by Park, to deny the rezoning request for the Garbutt property for the same reasons as stated in denial of the environmental impact assessment. The motion carried. Ayes - Brown, Esbrook, Park and Johnson. Nays - Murray and Skolarus. Absent - Hajdu

Mr. Dale Cooper, representing Joe DeKroub, presented a request for review of the environmental impact assessment (05-30-91) corresponding to site plan (06-17-91) for the purpose of grading the site to prepare it for commercial office buildings, including private road and drainage facilities, located north of I-96 freeway and 1/4 mile west of Grand River Avenue, in Section 24. After lengthy discussion it was moved by Skolarus, supported by Johnson, to allow the petitioner to continue work in accordance with the recommendation by the Planning Commission. Further, to allow the clearing of trees and filling of an area immediately adjacent to the expressway and 66' wide which would provide for a roadway as referenced in the site plan. Further, that grading of the property is not permitted until site plan review, nor is the removal of any additional trees located anywhere within the site (with the exception as noted above in relation to the road access). The motion carried. Ayes - Skolarus, Murray, Johnson and Park. Nays - Esbrook and Brown. Absent - Hajdu.

Moved by Skolarus, supported by Brown, to approve a resolution to levy additional millage pursuant to Public Act 5 of 1982, truth and taxation, section 211.24e, general property tax law, the proposed millage of 1.10925 is hereby established by this resolution for the 1991 tax year. The motion carried.

The regular meeting of the Genoa Township Board was adjourned at 12:00 a.m.

Respectfully submitted,

  
Paulette A. Skolarus  
Genoa Township Clerk

(BA, LCP 07-24-91)

TOWNSHIP GENERAL APPROPRIATIONS ACT  
Genoa Township

AN ORDINANCE TO ESTABLISH A GENERAL APPROPRIATIONS ACT FOR GENOA TOWNSHIP; TO DEFINE THE POWERS AND DUTIES OF THE GENOA TOWNSHIP OFFICERS IN RELATION TO THE ADMINISTRATION OF THE BUDGET; AND TO PROVIDE REMEDIES FOR REFUSAL OR NEGLECT TO COMPLY WITH THE REQUIREMENTS OF THIS ORDINANCE.

The Board of Trustees of Genoa Township ordains:

SECTION 1: TITLE.

This ordinance shall be known as the Genoa Township General Appropriations Act.

SECTION 2: CHIEF ADMINISTRATIVE OFFICER.

The Supervisor shall be the Chief Administrative Officer and shall perform the duties of the Chief Administrative Officer enumerated in this act.

SECTION 3: FISCAL OFFICER.

The Clerk shall be the Fiscal Officer and shall perform the duties of the Fiscal Officer enumerated in this act.

SECTION 4: PUBLIC HEARING ON THE BUDGET.

Pursuant to MCLA 141.412; MCLA 141.413, notice of a public hearing on the proposed budget was published in a newspaper of general circulation on 07-08-91 and 07-10-91 at least six days prior to the public hearing, and a public hearing on the proposed budget was held on July 15, 1991.

SECTION 5: ESTIMATED REVENUES.

Estimated township general fund revenues for fiscal year 1991-92, including an allocated millage of 1.3 mills, subject to adjustment; and various miscellaneous revenues shall total \$1,563,051.

SECTION 6: MILLAGE LEVY.

The Genoa Township Board shall cause to be levied and collected the general property tax on all real and personal property within the township upon the current tax roll an amount equal to 1.3 mills, subject to adjustment, as set forth by the Tax Allocation Board.

SECTION 7: ESTIMATED EXPENDITURES.

Estimated township general fund expenditures for fiscal year 1991-92 for the various township activities and shall total

1,424,760.00.

SECTION 8: ADOPTION OF BUDGET BY LINE ITEM.

The Board of Trustees of Genoa Township adopts the 1991-92 fiscal year general fund budget by line item. Township officials responsible for the expenditures authorized in the budget may expend township funds up to, but not to exceed, the total appropriations authorized for each line item. No transfers of line item appropriations shall be made without prior board approval by budget amendment or transfer use from the contingency line item account.

SECTION 9: APPROPRIATION NOT A MANDATE TO SPEND.

Appropriations will be deemed maximum authorizations to incur expenditures. The fiscal officer shall exercise supervision and control to ensure that expenditures are within appropriations, and shall not issue any town order for expenditures that exceed appropriations.

SECTION 10: PERIODIC FISCAL REPORTS.

The fiscal officer shall transmit to the board at the end of each of the first three quarters and at the end of each month occurring during the fourth quarter, a report of financial operations, including, but not limited to:

- a) A summary statement of the actual financial condition of the general fund at the end of the previous quarter (month);
- b) A summary statement showing the receipts and expenditures and encumbrances for the previous quarter (month) and for the current fiscal year to the end of the previous quarter (month);
- c) A detailed list of actual receipts to date for the current fiscal year compared with actual receipts for the prior fiscal year; and any revisions in revenue estimates resulting from collection experience to date.
- d) The budget figures will be included in the periodic fiscal report.

SECTION 11: LIMIT ON OBLIGATIONS AND PAYMENTS.

No obligation shall be incurred against, and no payment shall be made from any appropriation account unless there is a sufficient unencumbered balance in the appropriation and sufficient funds are or will be available to meet the obligation.

SECTION 12: BUDGET MONITORING.

Whenever it appears to the Chief Administrative Officer, the Fiscal Officer, or the Township Board that the actual and

probable revenues in any fund will be less than the estimated revenues upon which appropriations from such fund were based, and when it appears that expenditures shall exceed appropriations, the Chief Administrative Officer or the Fiscal Officer shall present to the township board recommendations to prevent expenditures from exceeding available revenues or appropriations for the current fiscal year. Such recommendations shall include proposals for reducing appropriations, increasing revenues, or both.

SECTION 13: VIOLATIONS OF THIS ACT.

Any obligation incurred or payment authorized in violation of this ordinance shall be void and shall subject and responsible official (s) or employees to disciplinary action as outlined in P.A. 621 (1978) and the Genoa Township Employee Handbook.

SECTION 14: BOARD ADOPTION.

Motion by Skolarus, supported by Johnson, to adopt the foregoing ordinance. Upon roll call vote the following voted Aye:

The following voted Nay:

The Supervisor declared the motion carried and the ordinance duly adopted on the 17th day of June, 1991.

*Paulette A. Skolarus*  
Paulette A. Skolarus  
Genoa Township Clerk

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To	ERIO	From	MARY
Co.	BREDERNITZ	Co.	GENOA TWSP
Dept.		Phone #	227 5225
Fax #	546 3552	Fax #	227 3420

Resolution to Levy Additional Millage

Pursuant to Public Act 5 of 1982, truth and taxation, section 211.24e, general property tax law, the proposed millage of 1.10925 is hereby established by this resolution for the 1991 tax year.

Regular Board Meeting: July 15, 1991

GENOA TOWNSHIP BOARD  
Regular Meeting  
October 7, 1991  
7:30 P.M.

AGENDA

Call to Order.

Pledge of Allegiance.

Approval of Agenda.

Call to the Public.

Administrative Business:

A. Correspondence.

B. Approval of Minutes: 09-16-91 Public Hearing  
09-16-91 Regular Meeting

C. Payment of Bills.

1. Consideration of approval of a proposed amendment to the zoning ordinance governing the Township of Genoa: Mr. Brad Strader.
2. Consideration of approval of a zoning map for Genoa Township: Mr. Brad Strader.
3. Consideration of a request by Gary and Teresa Pingley of 4389 Filbert to amend the assessment roll for the Tri-Lakes Sewer District to include one residential unit identified as property Tax No. 11-27-105-029.
4. Consideration of final approval of the final plat for a 20 lot industrial subdivision to be located on approximately 64 acres on the east and west side of Grand Oaks West, south of Grand River to the railroad tracks in Sections 5 & 6 & 7.  
E. P. Associates, Mike Boss, Mr. John Perrone.

Standing Reports:

Supervisor  
Treasurer  
Manager

Clerk  
Trustees  
Attorney

Adjournment.



**MINUTES**

**Genoa Township Board  
Regular Meeting  
October 7, 1991**

A regular meeting of the Genoa Township Board was held on October 7, 1991 at Genoa Township Hall, 2980 Dorr Road, Brighton, Michigan. The following board members were present and constituted a quorum for the transaction of business:

Doug Brown  
John Esbrook  
Robert Hajdu

David Johnson  
Robert Murray  
Margaret Park

Also present: Township Manager, Jim Stornant and approximately 12 persons in the audience.

**Call to Order**

The Regular Meeting of the Genoa Township Board was called to order by Supervisor Robert Murray at 7:30 p.m.

**Approval of Agenda**

**MOTION BY ESBROOK, SUPPORTED BY JOHNSON, TO APPROVE THE AGENDA FOR THE OCTOBER 7, 1991 REGULAR MEETING OF THE GENOA TOWNSHIP BOARD AS PRESENTED.**

Voice vote: Motion carried unanimously.

**Call to the Public**

There was no response.

**Administrative Business:**

**A. Correspondence**

**B. Approval of Minutes: 09-16-91 Public Hearing**

**MOTION BY HAJDU, SUPPORTED BY PARK, TO APPROVE THE GENOA TOWNSHIP BOARD SEPTEMBER 16, 1991 REGULAR MEETING MINUTES WITH THE FOLLOWING CORRECTIONS:**

- Page 1, Paragraph 3: Change "\$276,000.00 potential equivalent users" to "276,000 potential equivalent users"
- Page 1, Paragraph 3: Change "D. Park asked..." to "D. Park of B&V Construction asked..."

Genoa Township Board  
Regular Meeting - October 7, 1991  
Page 2

Voice vote: Motion carried unanimously.

Approval of Minutes: 09-16-91 Regular Meeting

MOTION BY PARK, SUPPORTED BY ESBROOK, TO APPROVE THE GENOA TOWNSHIP BOARD SEPTEMBER 16, 1991 REGULAR MEETING MINUTES WITH THE FOLLOWING CORRECTIONS:

- Page 2, Paragraph 1: Change "...meter in the Pine Creek facility" to "...meter serving the Pine Creek facility"
- Page 3, Paragraph 11: Change "...motion carried" to "...motion carried with Park opposed"

Voice vote: Motion carried unanimously. (Hajdu abstained.)

C. Payment of Bills

MOTION BY PARK, SUPPORTED BY BROWN, TO APPROVE FOR PAYMENT VOUCHERS P-3491 THRU P-3531 , AND 8604 THRU 8638 WITH THE EXCEPTION OF VOUCHERS 8605 AND 8610 UNTIL THEY CAN BE CLARIFIED.

Voice vote: Motion carried unanimously.

1. Consideration of approval of a proposed amendment to the zoning ordinance governing the Township of Genoa: Mr. Brad Strader.
2. Consideration of approval of a zoning map for Genoa Township. Mr. Brad Strader.

Mr. Strader reviewed the changes to the zoning map suggested by the Township and included on the map that was reviewed by County Planning.

Mr. Strader reviewed the changes to the zoning map not viewed by County Planning:

1. The land surrounding the proposed apartments at Grand River and Latson Road is left as Agricultural.
2. The corner at Nixon and Chilson has been rezoned in the past and was changed to Rural Residential to maintain consistency.
3. The Elk's Club on Grand River Avenue should be placed in a public recreation district.

**Genoa Township Board**  
**Regular Meeting - October 7, 1991**  
**Page 3**

4. City of Howell boundary is corrected and the land shown as Industrial to conform with the existing uses.
5. City of Brighton boundary is corrected North of the Railroad tracks on Challis Road.
6. 5 acres on Challis Road owned by Mr. Rogers will be changed to Agricultural to allow a horse.

Mr. Strader discussed the changes that have been made to the proposed zoning ordinance since the last Township Board Meeting. The board agreed to add letter E. "PUD development must have on site sanitary sewer or connect to a sanitary sewer system" to Section 10.02 of the proposed Township Zoning Ordinance. Mr. Strader indicated that he has revised the Agricultural District to allow greenhouses as a special use per the suggestion of Jim Stornant.

Mr. Strader addressed the comments of the Livingston County Planning Department. He suggested that the Township take the suggestion of adding "special Land Use Permit may also be required" to the home occupations requirement in Section 3.3006.

The County Planning Department thinks that 40 acres minimum for a PUD is too high, the board agreed to stay with 40 acres and pointed out that owners could combine parcels to create a PUD and that the Township can take a look at clustering in the future.

The county suggested that in the wetland protection section the wording be changed from "may" to "will result in a stop-work order if the Township is aware of any tampering with a wetland." The board agreed.

Mr. Strader suggested that Section 5.04 items A & B be combined so that the acreage requirements apply to all livestock as intended. The board agreed.

Mr. Strader indicated that Mr. Stornant and Mr. Zemaitis have inquired about adding controls to the number and frequency of garage sales a resident can have in a year. Supervisor Murray said that he preferred to look into the matter with the Township Attorney and to consider a separate ordinance. The Board agreed.

**Genoa Township Board**  
**Regular Meeting - October 7, 1991**  
**Page 4**

Mr. Don Lane asked if the zoning changes would affect his tax structure. Supervisor Murray indicated that a zoning change alone will not change his taxes, property owners are taxed on the use not the zoning of their property.

Ms. Judy Prentis, representing her mother-in-law owner of 3.5 acres West of the Texan restaurant, indicated that they were unaware the property was to be rezoned from Commercial to Office Service and that they want to keep the property commercial. She said that they are between Chem-Trend (zoned industrial) and the Texan restaurant (office). Mr. Strader indicated that allowing the parcel to remain commercial would preserve transitional zoning. Supervisor Murray asked Mr. Strader to look into the situation with the Township staff and if the property is currently zoned commercial change the Zoning Map. If it is not currently zoned commercial, leave the Zoning Map as is.

Mr. Phil Lang, Pineview Trail, indicated to the Board that he thinks the rezoning in his neighborhood is a good idea as it will allow him to split his 10 acre parcel into 2 five acre pieces.

Mr. Dave Park, B&V Construction, asked about the Birkenstock property at Grand River and Bendix. He would like to see it zoned for 1/2 and 1 acre lots. Mr. Strader said that until there is sewer that parcel should be left to 5 acres and the petitioner should address the Township Board formally on the subject of rezoning. He added that it is not the intention of the Township to rezone the entire Township to the ultimate development of the property. Mr. Park agreed to make a formal rezoning request to the Board.

Supervisor Murray suggested that the Board approve the zoning ordinance with the following additions: Livingston County Road Commission comments on Private Road standards, the change to combine items A & B regarding livestock in the Agricultural districts, addition of the qualifying condition to the PUD zoning that requires sewer service; and approve the Zoning Map with the changes as noted and with the provision that the Prentis property and the parcel on either side of Victory Oil Change be verified as currently zoned commercial property before the Map is changed.

**MOTION BY ESBROOK, SUPPORTED BY PARK, TO ADOPT THE ZONING ORDINANCE WITH THE ACCOMPANYING MAP UPON THE CONTINGENCIES NOTED (CONSIDERATION OF THE PRESENT**

Genoa Township Board  
Regular Meeting - October 7, 1991  
Page 5

ZONING OF THE TWO PROPERTIES IN QUESTION) TO BE EFFECTIVE 30 DAYS FROM THE DATE OF PUBLICATION.

Voice vote: Motion carried unanimously.

3. Consideration of a request by Gary and Teresa Pingley of 4389 Filbert to amend the assessment roll for the Tri-lakes Sewer District to include one residential unit identified as property Tax No. 11-27-105-029.

Ms. Park indicated that the property has been investigated by the Township and that there is only one septic system to serve the 2 buildings on the property, once the existing septic system is abandoned there will be no sewer service to the second building.

MOTION BY BROWN, SUPPORTED BY JOHNSON, TO AMEND THE TRI-LAKES SEWER SPECIAL ASSESSMENT ROLL TO ONE (1) RESIDENTIAL EQUIVALENT USER FOR PROPERTY IDENTIFIED AS 11-27-105-029 OWNED BY GARY AND TERESA PINGLEY.

Voice vote: Motion carried unanimously.

4. Consideration of final approval of the final plat for a 20 lot industrial subdivision to be located on approximately 64 acres on the east and west side of Grand Oaks West, south of Grand River to the railroad tracks in Section 5 & 6 & 7. E.P. Associates, Mike Boss, Mr. John Perrone.

Mr. Pete Weiss, Boss Engineering, addressed the Township Board on behalf of the petitioners. He indicated that the concerns of the Township Engineer had been addressed: the security bond for completion cost of the road has been posted with the Livingston County Road Commission (financial sheet provided to the Board), the escrow for the monuments and irons has been deposited with the Township and the plat has been revised to correct the mathematical errors. Mr. Weiss indicated that Gary Markstrom, McNamee, Porter & Seeley has seen and approved the final plat revision.

Supervisor Murray indicated that the concerns of the Township have been addressed with the proper securities being posted.

MOTION BY JOHNSON, SUPPORTED BY HAJDU, TO APPROVE THE FINAL PLAT FOR THE GRAND OAKS WEST 20-LOT INDUSTRIAL PARK LOCATED IN SECTIONS 5,6 & 7 IN GENOA TOWNSHIP.

Voice vote: Motion carried unanimously.

Genoa Township Board  
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Page 6

Standing Reports:

MOTION BY BROWN, SUPPORTED BY HAJDU, TO REIMBURSE UP TO TWO MEMBERS OF THE PLANNING COMMISSION FOR TIME SPENT AT QUARTERLY JOINT TOWNSHIP PLANNING COMMISSION MEETINGS, AT THE SUGGESTION OF JOHN ESBROOK.

Voice vote: Motion carried unanimously.

Adjournment

MOTION BY PARK, SUPPORTED BY JOHNSON, TO ADJOURN.

Voice vote: Motion carried unanimously.

Meeting adjourned at 9:25 p.m.

Respectfully submitted,



Alisa J. Theil  
Acting Recording Secretary

GENOA TOWNSHIP BOARD  
Regular Meeting  
October 21, 1991  
7:30 p.m.

AGENDA

Call to the Order.

Pledge of Allegiance.

Approval of Agenda.

Call to the Public.

Administrative Business:

- A. Correspondence.
- B. Approval of Minutes: 10-21-91 Regular Board Meeting.
- C. Payment of Bills.

1. Consideration of approval of the environmental impact assessment (10-15-91) corresponding to site plan (10-15-91) for a proposed 168 units of multiple family housing, located approximately 400 feet south of Grand River and east of Latson Road in sections 4 & 9: Genoa Place Apartments, Management Resources Development.
2. Consideration of approval of the environmental impact assessment (07-13-91) corresponding to site plan (07-10-91) for a proposed site for 54 mobile homes, located west of Hacker Road off Grand River Avenue, in the Brighton Village Mobile Home Park, in Section 13: Austin E. Lynch.
3. Review of Audited Financial Report and suggestions regarding financial policies, accounting procedures and internal controls dated June 30, 1991 for Genoa Township Funds: Mr. Herb Wagner, Mr. Eric Schobert.
4. Request for appointment to the Howell Parks and Recreation Commission for a representative from Genoa Township.
5. Discussion of BACOG Agreement.

Standing Reports:

Supervisor  
Treasurer  
Manager

Clerk  
Trustees  
Attorney

Adjournment.

GENOA TOWNSHIP BOARD  
Regular Meeting  
October 21, 1991

MINUTES

A regular meeting of the Genoa Township Board was called to order by Supervisor Murray at 7:30 p.m. at the Genoa Township Hall. The Pledge of Allegiance was then said.

The following board members were present and constituted a quorum for the transaction of business: Robert Murray, Paulette Skolarus, Margaret Park, John Esbrook, Robert Hajdu, Douglas Brown and David Johnson. Also present: Jim Stornant, Township Manager; Rick Heikkinen, Township Attorney; and approximately 6 persons in the audience.

Moved by Esbrook, supported by Hajdu, to approve the Agenda correcting the date under administrative business for approval of the Minutes to read 10-07-91. The motion carried.

A Call to the Public was made with no response.

Under correspondence: It was requested that Stornant research a report of waste from oil production being hauled from Brighton Township into Genoa Township, and a request by the Genoa Tri-Lakes Riparian Association for identification of permits related to pond construction at Oak Pointe.

Genoa Township will again have an annual leaf collection drop off at the township hall. Scheduled collection dates are October 26 & 27 and November 9 & 10. Residents are encouraged to use the 50 gallon paper recycling bags but plastic bags will be accepted.

Moved by Johnson, supported by Brown, to approve the Minutes of the 10-07-91 Regular Meeting with the following correction: The Minutes of the 09-16-91 meeting with reference to 276,000 potential equivalent users is determined to be 286. The motion carried with Skolarus abstaining.

Moved by Hajdu, supported by Esbrook, to approve for payment vouchers P-3532 thru P-3550, and 8639 thru 8668. The motion carried.

A presentation was made by Mr. Rex Welty with regard to the approval of Genoa Place Apartments. Tom Brakey and Ken Fowler were determined to be owners/managers of the development. Murray suggested that Management Resources discuss a contribution for the development of Latson Road considering that over 1000 cars per day would be using Latson Road as the main entrance into the development. Also, it was requested of Heikkinen that the transfer agreement, as related to the public water service, be completed as soon as possible, and that



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Heikkinen communicate with the developer's attorney to draw up such an agreement.

Moved by Skolarus, supported by Brown, to approve the environmental impact assessment (10-15-91) corresponding to site plan (10-15-91) for a proposed 168 units of multiple family housing, located approximately 400 feet south of Grand River and east of Latson Road in sections 4 & 9: Genoa Place Apartments, Management Resources Development, with the following corrections: Pg.2, para 2, deleting "with a secondary access to be provided off of Grand River Avenue"; Pg., para 1, adding "...Department of Public Health "and Genoa Township requirements." Further, that the following restrictions, as requested by the Planning Commission, be included in this approval:

- Water and internal utilities being approved and inspected by the township engineers and accompanied by a bond or letter of credit with the township to ensure development/construction of a Class 1 water system.
- Petitioner will provide a bond or letter of credit to the township to ensure that landscaping will be completed as per the agreement between the petitioner and the township.
- Petitioner will provide a substantial temporary fence between the site and the adjacent school property during construction.
- Reference to a "Second Exit" or access onto Grand River will be struck from the environmental impact statement.

The motion carried.

Moved by Skolarus, supported by Hajdu, to approve the revised and corrected environmental impact assessment (10-21-91), corresponding to site plan (07-10-91) and the "Buffer Zone Landscape Plan" that was provided this evening, for a proposed site for 54 mobile homes, located west of Hacker Road off Grand River Avenue, in the Brighton Village Mobile Home Park, in Section 13, with the following conditions:

- That a recreation area of approximately 40,000 square feet will be created to meet the requirements of the ordinance.
- That construction plans will be provided to the township engineers prior to a land use permit being approved. And that the infrastructure of the sewer line will be reviewed by the township engineers.
- That all new roads will be curbed and guttered, and that existing roads will be resurfaced.
- That the tree line, that will be disturbed by the placement of the cyclone fence, will be tagged. Mr. Ross, the owner of adjacent property, will then work with the developer to preserve those trees which can be saved.
- That either a letter of credit, bond or escrow fund be placed with the township for landscaping and

Regular Board Meeting - October 21, 1991

fencing, and if necessary, funds for the utility inspection by the engineers. *THE MOTION CARRIED.  
AMENDED 4-6-92*

The Audited Financial Report as well as suggestions regarding financial policies, accounting procedures and internal controls were reviewed by the board. The auditing firm of Bredernitz and Wagner has suggested that a quarterly review of the township's accounting records be performed at an estimated cost of \$600.-900. Moved by Hajdu, supported by Esbrook, to approve retaining the services of Bredernitz, Wagner & Co., and the quarterly review by their firm as recommended. The motion carried.

Moved by Brown, supported by Hajdu, to appoint David Johnson to the Howell Parks and Recreation Commission as a representative from Genoa Township. The motion carried.

Moved by Brown, supported by Johnson, to approve the BACOG Agreement and the inclusion of Genoa Township in that membership. The motion carried. Ayes - Murray, Johnson, Brown and Hajdu. Nays - Esbrook and Skolarus. Abstain - Park.

It was the consensus of the board to grant authority to Heikkinen to negotiate the settlement of sewer line easements for the Tri-Lakes Project at an approximate cost of \$5,000.00.

The meeting was adjourned at 10:15 p.m.

Respectfully submitted,

*Paulette A. Skolarus*  
Paulette A. Skolarus  
Genoa Township Clerk

(BA, LCP 10-30-91)

BRIGHTON AREA COUNCIL OF GOVERNMENTS  
(BACOG)  
INTERGOVERNMENTAL AGREEMENT

This Intergovernmental Agreement is entered into by and between Brighton Township, a Michigan municipal government, whose address is 4363 Buno Road, Brighton, Michigan 48116; Genoa Township, a Michigan municipal government, whose address is 2980 Dorr Road, Brighton, Michigan 48116; Green Oak Township, a Michigan municipal government, whose address is 10789 Silver Lake Road, South Lyon, Michigan 48178; Hamburg Township, a Michigan municipal government, whose address is 10405 Merrill Road, P. O. Box 157, Hamburg, Michigan 48139; the City of Brighton, a Michigan municipal corporation whose address is 200 North First Street, Brighton, Michigan 48116; and Brighton Area Schools, a Michigan school district, whose address is 4740 Bauer Road, Brighton, Michigan 48116.

ARTICLE I. STATEMENT OF MISSION, PURPOSE, AND SCOPE

SECTION 1. MISSION. The Brighton Area Council of Governments (BACOG) is a partnership of communities working together to identify and act on issues of mutual concern to improve the security, enrichment and well-being of Brighton area residents and the environment in which we live. This partnership presently includes the Townships of Genoa, Green Oak, Hamburg and Brighton, the City of Brighton, and the Brighton Area Schools.

Recognizing the independence and voluntary participation of our members, BACOG utilizes grants, inter-local agreements and other resources to plan, develop and coordinate programs, services and facilities which can be most efficiently and effectively administered on a multi-community basis. BACOG does not

encourage nor facilitate the revision of community boundaries unless those revisions are supported by the affected municipalities.

By speaking with a united voice, BACOG enables Brighton area communities to acquire the recognition and resources necessary to meet local area needs.

SECTION 2. PURPOSE. BACOG is organized pursuant to the provisions of the Urban Cooperation Act of 1967, being Public Act 7, of the Public Acts of 1967 (Ex. Session) of the State of Michigan, as amended, and shall be an inter-local public agency pursuant to that Act.

This entity is organized exclusively for non-profit charitable, educational, scientific, environmental, and governmental purposes including for such purposes, the receipt of funds from, or the making of distributions to organizations that qualify as exempt organizations under Section 501(C)(3) of the Internal Revenue Code of 1986, as amended, or corresponding sections of any future Federal tax code. In addition, BACOG may accept, administer and disburse funds for various intergovernmental programs and facilities. BACOG will not commit funds or energies to projects or areas of study without unanimous prior approval of the member agencies.

SECTION 3. SCOPE. Included within the scope of purposes of BACOG shall be the following:

A. To implement the mission of BACOG as stated above in Section 1 of this Article.

B. To identify specific governmental service needs and interests of the area and its members, and the existence of Federal and State grant funding programs available to BACOG and individual member public agencies thereof for such community needs;

C. To assist individual member public agencies in dealing with Federal and State governmental agencies with respect to solving mutual problems of the area to insure that BACOG and its individual members obtain their fair share of available State and Federal grants to meet such problems;

D. To prepare and submit applications for grant funds available to BACOG and its members to help solve the governmental service needs of the area;

E. To provide technical assistance to BACOG and members thereof which desire such service in applying for available State and Federal grant funds for use in meeting mutual and individual governmental service concerns.

SECTION 4. DEFINITIONS. Unless otherwise specifically provided in this Inter-Local Agreement, the definitions contained in the Urban Cooperation Act of 1967, as amended, under which BACOG is created shall apply in the interpretation of this Agreement.

#### ARTICLE II. ORGANIZATION

SECTION 1. MEMBERSHIP. Any public agency, as such term is defined in the Urban Cooperation Act of 1967, as amended, may become a member of BACOG upon execution of this Agreement and any amendments made hereto, provided that such membership be approved by current members with their unanimous consent prior to the

effectiveness of such membership by amendment of this Agreement as hereafter provided.

Any participating public agency may withdraw from membership of BACOG at any time upon written notification to the Board of Directors. The withdrawal of any participating public agency shall not terminate financial commitments agreed upon prior to the point of termination. However, the public agency shall not be financially committed to projects undertaken after submission of written notification. The withdrawal of any participating public agency shall not have any effect on the structural provisions of this Agreement as it pertains to the remaining members.

SECTION 2. BOARD OF DIRECTORS. BACOG shall be governed by a Board of Directors which shall be composed of one (1) representative of each member public agency. Each member public agency shall designate its representative. Each Director shall serve at the pleasure of his member agency for such term as is appropriate to the member agency. Any vacancy on the Board arising for any reason shall be filled by appointment within thirty (30) days of the vacancy, for the remainder of the expired term.

A majority of the Board of Directors shall be required to constitute a quorum for the transaction of business and a majority vote at a meeting at which a quorum is present shall be necessary for Board of Directors' actions.

The Board of Directors shall adopt by-laws and rules governing conduct and actions, and shall elect a chairman, vice-chairman, treasurer and such other officers as it deems necessary from the membership. The Board of Directors may appoint citizens' advisory and representatives of general service areas as