

**GENOA CHARTER TOWNSHIP BOARD**  
**Regular Meeting**  
**August 21, 2023**

**MINUTES**

Supervisor Rogers called the regular meeting of the Genoa Charter Township Board to order at 6:30 pm at the Township Hall. The following members were present constituting a quorum for the transaction of business: Bill Rogers, Robin Hunt, Jean Ledford, Terry Croft, Diana Lowe, and Paulette Skolarus. Absent was Jim Mortensen. Also present were Township Manager Kelly VanMarter, and 19 persons in the audience.

The Pledge of Allegiance was recited.

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

Ms. Jayne Locke of 3401 Pineview Trail commended the Board for the excellent professional work that they do, but she wished it would be done on behalf of the residents. She would like the Board to work for the residents and not the developers. They took an oath of office. The Open Meetings Act was violated in 2020. There is an election in 2024 and the residents will remember. She asked to have the zoning return to what it was before.

Ms. Beverly Hamilton of 4769 Stillmeadow Drive stated that she and her husband Jack moved here five years ago from where they lived before because it had experienced so much growth. They are retired and delighted with the area. They like the wildlife, recreation and pace of life. She does not want the zoning on Latson to be commercial. She is concerned with traffic, a decrease in their property values, and negative effects to the environment.

Mr. Andrew Krause of 5449 Arbor Bay Drive has lived in Brighton for 30 years. Since there are 11 cases pending with the Michigan Tax Tribunal, he would like the assessment for the Pine Creek road maintenance to be removed and not postponed. The vote was taken on a certain dollar amount and it could increase next year. He does not see the amount that the township was going to contribute for the project in the budget. If the project does not go, where does the money go? Does it go as a refund to the residents?

Ms. Tracy Pardiak has lived in this community for more than 45 years. This is a slap in the face to the residents who have invested their lives in this community. The rug was pulled out from under all of them. Ms. Lowe's son was able to build a home on her property. She is happy for her, but they will not have the same right to make a legacy for their children and grandchildren. The greedy out of town developer is not interested in the residents. It is a dereliction of the Board's duty to its residents. They are not backing down ever.

Mr. Terry Zbicz of 4107 Summerhill has lived here 22 years. He does not think Genoa Township is appropriate for dense development. He encouraged the Board to turn down or

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severely modify the proposal. Also the new ordinance will only allow solar farms in industrial zoning. Many universities are doing studies of the mixing of solar and agriculture on the same site and would like to see that put into the ordinance. He does not want farmers to turn their property into industrial zoning.

Ms. Debra Beattie of 3109 Pineview Trail stated she and her husband have lived here for over 30 years. They are disappointed in the vote that was taken to rezone the area of Latson Road. It was during a pandemic and the meeting only lasted 45 minutes. She has trusted the Planning Commission and Board to make good decisions but this is going in the opposite direction of what they want and expect, and she no longer has that trust or confidence in the boards.

Mr. Ben Tasich of 3492 Lakewood Shores Drive is opposed to the PUD proposal on Latson Road. He is for progress and this is the greatest township in this county, but he is afraid this will change the lives of many people. The change needs to be within the Master Plan. There will also be high density residential development on Grand River and Dorr. There is already a possible environmental disaster with the pipeline between two beautiful lakes. He hopes the Board will make a wise decision.

The call to the public was closed at 6:47 pm.

Ms. VanMarter stated there has been a lot of information on social media and some of it has been inaccurate. She encouraged folks to reach out to her with questions. She will be putting information together to publish so the public has the correct information regarding the project.

She thanked the residents for their opinions and is glad when residents are engaged and informed. The Township has always encouraged this.

**Approval of Consent Agenda:**

Ms. Skolarus requested that “The State of Michigan will be paying for the return postage.” be added to her statement under “Member Discussion”.

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

**1. Payment of Bills: August 21, 2023**

**2. Request to approve August 7, 2023 regular meeting minutes**, with the change noted above.

**Regular Agenda**

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

**3. Public Hearing on the proposed Crystal Valley Subdivision Road Improvement Special Assessment Project (Summer Tax 2024).**

- A. Call to the Property Owners**
- B. Call to the Public**

The call to the property owners was made at 6:50 pm.

Mr. Bob Shaw of 5277 Leelanau Ct stated this project discussion began in 2011 and they have worked very hard with township staff and thanked them for putting this together. He encouraged the Board to support this project.

The call to the property owners was closed at 6:51 pm.

The call to the public was made at 6:51 pm with no response.

**4. Request for approval of Resolution #3 Approving the Project Cost Estimates, Special Assessment District and causing the Special Assessment Roll to be prepared for the Crystal Valley Subdivision Road Improvement Special Assessment Project (Summer Tax 2024). (Roll Call)**

**Moved** by Lowe, supported by Hunt, to approve Resolution #3 approving the Project Cost Estimates, Special Assessment District and causing the Special Assessment Roll to be prepared for the Crystal Valley Subdivision Road Improvement Special Assessment Project (Summer Tax 2024). **The motion carried unanimously with a roll call vote (Ledford - yes, Croft - yes, Hunt - yes, Lowe - yes, Skolarus - yes, and Rogers - yes).**

**5. Request for approval of Resolution #4 Acknowledging the filing of the Special Assessment roll, Scheduling the Second Hearing for September 18, 2023, and Directing the Issuance of Statutory Notices for the Crystal Valley Subdivision Road Improvement Special Assessment Project (Summer Tax 2024). (Roll Call)**

**Moved** by Hunt, supported by Croft, to approve Resolution #4 acknowledging the filing of the Special Assessment roll, Scheduling the Second Hearing for September 18, 2023, and Directing the Issuance of Statutory Notices for the Crystal Valley Subdivision Road Improvement Special Assessment Project (Summer Tax 2024). **The motion carried unanimously with a roll call vote (Ledford - yes, Croft - yes, Hunt - yes, Lowe - yes, Skolarus - yes, and Rogers - yes).**

**6. Consideration of recommendations for approval of a special use application, environmental impact assessment and sketch plan to allow for used vehicle sales. The property in question is located at 7949 Grand River Avenue, located west of Hacker Road. The request is petitioned by Aric Wilson.**

- A. Disposition of Special Use Application**
- B. Disposition of Environmental Impact Assessment (7-19-23)**
- C. Disposition of Sketch Plan (7-19-23)**

Mr. Wilson provided a review of his proposal. He would like to open an auto dealership selling specialized vehicles. The property is in good condition and he will keep it that way.

**Moved** by Hunt, supported by Lowe, to approve the Special Use Application for Aric Wilson to allow for used vehicle sales at 7949 Grand River Avenue, with the following conditions:

- The lighting located on the exterior of the building will be brought into compliance with the township ordinance prior to land use permit issuance.
- The petitioner will meet all requirements of the Brighton Area Fire Authority and Township Engineer.
- There shall be no more than three display vehicles parked in the front lot and on hard surfaces only.
- Petitioner shall ensure that any parking spaces will be in compliance with township ordinance and will be submitted to Township staff for approval prior to land use permit issuance.

**The motion carried unanimously.**

**Moved** by Croft, supported by Hunt, to approve the Environmental Impact Assessment dated July 19, 2023 to allow for used vehicle sales at 7949 Grand River Avenue as submitted. **The motion carried unanimously.**

**Moved** by Hunt, supported by Lowe to approve the sketch plan dated August 16, 2023 with the following conditions:

- Petitioner shall ensure that any parking spaces will be in compliance with township ordinance and will be submitted to Township staff for approval prior to land use permit issuance.
- The fence gate shall be updated so it is opaque and the rear parking lot cannot be seen from the front.
- The lighting located on the exterior of the building will be brought into compliance with the township ordinance prior to land use permit issuance.

**The motion carried unanimously.**

**7. Presentation and request to receive and place on file the Fiscal Year 2022-2023 Township Audit as presented by Maner Costerisan.**

Mr. Tyler Baker of Maner Costerisan provided a review of their audit for the Fiscal Year 2022-2023, including the auditor's report, total assets, total liabilities, total net position, defined pension liability, and total revenues, expenditures, fund balance and the change since the prior fiscal year for both the general and utilities funds. He noted there were no issues receiving information from staff during the audit process.

**Moved** by Ledford, supported by Lowe, to receive and place on file the Fiscal Year 2022-2023 Township Audit as presented by Maner Costerisan. **The motion carried unanimously.**

**8. Request from the Township Clerk for approval of the July 20, 2023 recommendations of the Election Commission for the following:**

- A. Approval of workers for the November 7, 2023 Howell Schools Special Election.**

- B. Approval of the combination of Polling Precincts and Polling Places for elections scheduled in 2024.**
- C. Approval of per diems and hourly rates for temporary election officials.**
- D. Approval to conduct early voting elections for the 2024 election season at the Genoa Township Hall.**

Ms. Skolarus explained how elections will change in 2024 due to the new law. There will be nine days of early voting prior to each election, which will require the Absentee Voter Counting Board and the Receiving Boards to work more hours.

**Moved** by Lowe, supported by Hunt, to approve the workers for the November 7, 2023 Howell Public Schools Special Election. **The motion carried unanimously.**

**Moved** by Hunt, supported by Lowe, to approve the combination of Polling Precincts and Polling Places for elections scheduled in 2024. **The motion carried unanimously.**

Ms. Hunt questioned if the raises will be effective for the November 2023 election. Ms. Skolarus stated, "yes". There was a discussion regarding the daily rate of pay for the receiving board and the option to pay them an hourly rate instead of per diem. There are also different wages for different duties performed by election workers. Supervisor Rogers requested to have a full audit done after the elections of 2024 to determine how much money was spent and how many hours were worked.

**Moved** by Hunt, supported by Lowe, to table the approval of the per diems and hourly rates for temporary election officials. **The motion carried unanimously.**

**Moved** by Lowe, supported by Hunt, to approve to conduct early voting elections for the 2024 election season at the Genoa Township Hall. **The motion carried unanimously.**

**9. Request for approval of Resolution #5B to amend Resolution #5 for the Pine Creek Ridge Road Improvement Special Assessment District to levy the project on the Summer 2024 tax bill rather than the Winter 2023 tax and to extend the interest free pre-payment period from September 14, 2023 to March 1, 2024 for the Pine Creek Ridge Road Improvement Special Assessment District. (Roll Call)**

Ms. VanMarter stated that Mr. Michael Liphardt of 5544 River Ridge Drive submitted a letter of objection to this resolution stating the adjusted cost of the road repair will far exceed the original bid given at the initial meeting and would constitute the need for a new petition.

Ms. VanMarter stated she is requesting this extension due to the cases that are at the Michigan Tax Tribunal regarding this project. Ms. Hunt stated that the funding is not shown in the general fund budget; it is shown in the road budget.

Ms. Skolarus would like to postpone this assessment until the project is approved and the new costs have been received. She will be voting no on this item.

Ms. Hunt has received payoffs from some residents and she will be refunding those payments sending letters to inform asking if they would like a refund.

**Moved** by Hunt, supported by Lowe, to approve Resolution #5B to amend Resolution #5 for the Pine Creek Ridge Road Improvement Special Assessment District to levy the project on the Summer 2024 tax bill rather than the Winter 2023 tax and to extend the interest free pre-payment period from September 14, 2023 to March 1, 2024 for the Pine Creek Ridge Road Improvement Special Assessment District. **The motion carried with a roll call vote (Ledford - yes, Croft - yes, Hunt - yes, Lowe - yes, Skolarus - no, and Rogers - yes).**

**10. Consideration of a recommendation for approval and adoption of Ordinance number Z-23-03 to amend Zoning Ordinance Article 11, Section 11.06 entitled “Solar Energy Systems”. (Roll Call)**

Ms. VanMarter provided a review of the proposed zoning ordinance. It has been recommended for approval by the Planning Commission and reviewed by the County Planning Commission.

Ms. Skolarus requested to have this tabled until the next meeting agenda to review the comments received today and those from the County Planning Commission. Ms. VanMarter stated she has made minor revisions to the proposed ordinance based on the comments from the County Planning Commission.

Ms. Hunt stated Ms. VanMarter, staff, and the Planning Commission worked very hard on this and she is comfortable moving forward with this ordinance.

**Moved** by Hunt, supported by Skolarus, to approve and adopt Ordinance number Z-23-03 to amend Zoning Ordinance Section 11.06 Solar Energy Systems within Article 11 entitled General Provisions. **The motion carried unanimously with a roll call vote (Ledford - yes, Croft - yes, Hunt - yes, Lowe - yes, Skolarus - yes, and Rogers - yes).**

**11. Discussion and review of Waste Management contract renewal.**

Ms. VanMarter stated has been working with Waste Management to renegotiate their contract. Her goal was to maintain the service options that the residents enjoy, continue the level of service currently being received, and the best rates possible.

She provided a history showing what price the residents have paid and what amount the township contributed and provided options for the upcoming contract.

Ms. Hunt stated that in order for these fees to be put on the winter tax bill, she must send them to Livingston County by September 30. There is only one board meeting in September so this must be approved at that meeting.

Ms. Skolarus suggested the township contribute a percentage of the cost instead of a certain dollar amount. A 10 percent contribution was suggested.

Supervisor Rogers asked the board members to review Ms. VanMarter’s options and provide feedback. She will provide the data for a 10 percent township contribution and email that information to the board members. She will have updated information for the board at their next meeting.

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**Member Discussion**

There were no items to discuss this evening.

**Adjournment**

**Moved** by Croft, supported by Ledford, to adjourn the meeting at 8:18 pm. **The motion carried unanimously.**

Respectfully Submitted,

Patty Thomas  
Recording Secretary

Approved:

Paulette Skolarus, Clerk  
Genoa Charter Township

Bill Rogers, Supervisor  
Genoa Charter Township