

**GENOA CHARTER TOWNSHIP BOARD
Regular Meeting
September 18, 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 Attorney Joe Seward, Township Manager Kelly VanMarter, and 15 persons in the audience.

The Pledge of Allegiance was recited.

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

Mr. and Mrs. Colleen and Tim Quinn of 4042 Brookstone are both precinct delegates. They are concerned with the proposed PUD development. It would cause the township to lose its rural and natural character. They do not want to see urban sprawl. They are concerned there will be a battery plant built here. She asked the board to reject the proposal.

Ms. Susan Nichols of 4935 Fairways is a precinct delegate. This development is large and will take away their country living. When it was originally rezoned, all of the people at the meeting asked that it not be approved and it unanimously passed. The board needs to follow what their constituents want.

Mr. Jeremy Waldorf is a second generation Genoa Township resident. He and his family enjoy the area where they live. He is against the PUD.

Ms. Jayne Locke at 3401 Pineview Trail is a precinct delegate. She represents up to 3,000 residents. She has not met anyone who is a proponent of this development. The Open Meetings Act was violated at the meeting in June of 2020. If this is not undone, it will come out in litigation.

Leslie, who lives on Chilson Road, stated she lives one house away from the CHI site. What they say on their website and what they say to the Board are different. She is concerned with this project. It will impact her, her family, and her neighbors. If it has to be approved, there needs to be conditions placed on it.

Ms. Linda Holland of 3023 Pardee Road urged the Board to continue to litigate against CHI. She would like this area to be preserved.

Mr. Andy Warner of 3453 Lakewood Shore Drive is against the Latson Road PUD. He urged the Board to listen to what their constituents are saying when they speak at the meetings. This will change the nature and character of Genoa Township.

Mr. Ben Tasich of 3492 Lakewood Shores Drive stated he believes in progress, growth and development but does not agree with this rezoning and what is being proposed to be built. Changes need to be in harmony with the environment and the residents.

The call to the public was closed at 6:48 pm.

Approval of Consent Agenda:

Ms. Hunt requested to have Item #2 moved to the regular agenda.

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

1. Payment of Bills: September 18, 2023

- 2. ~~Request to approve August 21, 2023 regular meeting minutes.~~** (Moved to regular agenda)

Regular Agenda

Ms. Skolarus requested to have “expiring November 20, 2024” added to Item #12 on the agenda.

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

- 2. Request to approve August 21, 2023 regular meeting minutes.**

Ms. Hunt noted a change needed under Item #9 of the minutes.

Moved by Hunt, supported by Lowe, to approve the August 21, 2023 regular meeting minutes as amended. **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 opened at 6:52 pm.

Mr. Bob Shaw of 5277 Leelanau Court has coordinated this project for the homeowner's association. He thanked the township and encouraged them to approve the resolution.

Mr. Doug Moore of 3776 Crystal Valley Drive is here on behalf of the Board of Trustees for the homeowner's association. He thanked the Township for their support and looks forward to this project's approval and completion.

The call to the property owners was closed at 6:53 pm.

The call to the public was opened at 6:53 pm with no response.

4. Request for approval of Resolution #5 Confirming the Special Assessment Roll for the Crystal Valley Subdivision Road Improvement Special Assessment Project (Summer Tax 2024). (roll call).

Moved by Skolarus, supported by Croft, to approve Resolution #5 Confirming the Special Assessment Roll 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 from the Township Clerk for approval of the July 20, 2023 recommendations of the Election Commission for the per diems and hourly rates for temporary election officials.

Ms. Skolarus provided clarification on the receiving board for the nine days prior to the election date. There will only be a receiving Board at the end of the nine days and not each night.

Moved by Lowe, supported by Ledford, to approve the July 20, 2023 recommendations of the Election Commission for the per diems and hourly rates for temporary election officials as presented. **The motion carried unanimously.**

6. Request for approval of Resolution #5A to amend Resolution #5 for the Timberview Private Drive Road Improvement Project to levy the project on the Winter 2023 tax bill. (roll call)

Ms. Hunt stated that this amendment is being requested to allow the assessment to begin on the 2023 winter tax bill and levy over ten years.

Moved by Skolarus, supported by Croft, to approve Resolution #5A to amend Resolution #5 for the Timberview Private Drive Road Improvement Project to levy the project on the Winter 2023 tax bill. **The motion carried unanimously with a roll call vote (Ledford - yes, Croft - yes, Hunt - yes, Lowe - yes, Skolarus - yes, and Rogers - yes).**

7. Consideration of amendments to the Fiscal Year 2023-2024 budget for Fund 202 – "SAD Roads and Lakes" revenue line items to zero (0) line item 202-476-628-005 for Timberview (W17-22) because the project was completed last year and to add a new Department 495 for the Timberview Private Drive Road Improvement project with associated SAD Principal (202-495-628-005) of \$3,795 and SAD Interest (202-495-665-001) of \$759.

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Ms. Skolarus noted that the Board approves budget amendments very often throughout the year. She asked if they can be done on a quarterly basis. Ms. VanMarter stated the auditors requested to have the amendments made as they arise. She can ask the auditors if it can be done differently.

Ms. Hunt and Ms. Lowe would like to continue it as it has been done as it was requested by the auditors.

Moved by Lowe, supported by Croft, to approve amendments to the Fiscal Year 2023-2024 budget for Fund 202 – “SAD Roads and Lakes” revenue line items to zero (0) line item 202-476-628-005 for Timberview (W17-22) because the project was completed last year and to add a new Department 495 for the Timberview Private Drive Road Improvement project with associated SAD Principal (202-495-628-005) of \$3,795 and SAD Interest (202-495-665-001) of \$759. **The motion carried unanimously.**

8. Review of proposed parking lot and pickleball layout and consideration of a request to approve a professional services proposal from Tetra Tech dated August 15, 2023 for engineering services for an amount not to exceed \$8,300 from Fund 208-751-934-006.

Ms. VanMarter provided a review of the proposed project, noting it was approved by the Board earlier this year. One of the existing soccer fields will be converted to a parking lot and pickleball courts. It will also include a connection to a proposed future ring road to the property adjacent to the Township’s property as the Township is working to purchase it.

Moved by Hunt, supported by Lowe, to approve the professional services proposal from Tetra Tech dated August 15, 2023 for engineering services related to the conceptual site plan for additional parking and pickle ball courts dated August 24, 2023 for an amount not to exceed \$8,300 from Fund 208-751-934-006. **The motion carried unanimously.**

9. Request for approval of an amendment to the Agreement for Residential Solid Waste Collection Services to extend the term of the existing agreement from September 30, 2023 to October 31, 2023 to allow the Township Attorney and staff time to review the updated services agreement associated with the Waste Management contract renewal.

Ms. VanMarter stated that the new agreement was received from Waste Management late last week so it was not able to be presented this evening. She asked for a 30-day extension from Waste Management to allow time for her and the Township Attorney to review it and then present it to the Board.

Moved by Croft, supported by Ledford, to approve the Amendment to the Agreement for residential Solid Waste Collection Services dated September 18, 2023 which serves to extend the term of the existing agreement from September 30, 2023 to October 31, 2023 to give staff and counsel time to review the terms of the contract renewal agreement. **The motion carried unanimously.**

10. Consider request to increase the residential parcel cost for solid waste collection services from \$163.00 to \$175.00 and to amend the Fiscal Year 2023-2024 budget for

Fund 101, Revenue Line Item 101-000-631-000 for “Refuse Collection Fees” from \$1,175,000 to \$1,270,000.

Ms. VanMarter stated that she has negotiated and received new rates from Waste Management. The Township contributes to the solid waste service. Based on what was discussed and agreed at the last board meeting, the Township would ask the residents to pay a \$15 per year increase. She noted these costs are always reviewed during the budget approval process each year.

Ms. Skolarus thanked Ms. VanMarter for her work on the negotiations with Waste Management. She would like to see the \$15 increase each year for the next five years.

Ms. Hunt thanked Ms. VanMarter for her work on the contract with Waste Management. She knows she spent a lot of time and worked very hard on it. She is disappointed that there was a delay by Waste Management and that the fees are being approved before the agreement has been approved, but it has to be done tonight in order to have the charges put on the winter tax bill.

Moved by Ledford, supported by Croft, to increase the residential parcel cost for solid waste collection services from \$163.00 to \$175.00 and to amend the Fiscal Year 2023-2024 budget for Fund 101, Revenue Line Item 101-000-631-000 for Refuse Collection Fees” from \$1,175,000 to \$1,270,000. **The motion carried unanimously.**

11. Request to regretfully accept the resignation of Trustee Jim Mortensen and request that the Township Clerk prepare and present to the Board at the next meeting a Resolution honoring Mr. Mortensen for his many years of invaluable service to the Township.

Supervisor Rogers stated that Mr. Mortensen has served the Township for many years. He is not sure if the resolution will be presented at the next meeting as he would like Jim to be able to attend the meeting when it is being presented.

Ms. Skolarus asked each of the board members to provide her with thoughts about Mr. Mortensen and she can include them in the resolution.

Moved by Skolarus, supported by Lowe, to regretfully accept the resignation of Trustee Jim Mortensen and request that the Township Clerk prepare and present to the Board at the next meeting a Resolution honoring Mr. Mortensen for his many years of invaluable service to the Township. **The motion carried unanimously.**

12. Consider request to remove Jeff Dhaenens from the Planning Commission and nominate and appoint him to serve the remainder of the term of Trustee Mortensen on the Board of Trustees expiring November 20, 2024.

Ms. Susan Nichols of 4935 Fairways asked to speak. She was not aware she was allowed to comment on this issue during the call to the public. She stated that on three occasions Mr. Dhaenens rolled his eyes and smirks and he indirectly called her a racist, She does not feel he is appropriate to serve on the board,

Mrs. Colleen Quinn of 4042 Brookstone agrees with Ms. Nichols.

Ms. Hunt stated that Mr. Dhaenens has served on the ZBA and the Planning Commission and has done a great job. Ms. Lowe stated he has a lot of offer and will be a good fit on the board.

Moved by Lowe, supported by Croft, to remove Jeff Dhaenens from the Planning Commission and nominate and appoint him to serve the remainder of the term of Trustee Mortensen on the Board of Trustees expiring November 20, 2024. **The motion carried unanimously.**

13. Consider request to remove Greg Rassel from the Zoning Board of Appeals and appoint him to the Planning Commission to replace and serve the remainder of the term of Jeff Dhaenens as recommended by the Township Supervisor.

Ms. Hunt stated Mr. Rassel will be an asset to the Planning Commission.

Moved by Hunt, supported by Lowe, to remove Greg Rassel from the Zoning Board of Appeals and appoint him to the Planning Commission to replace and serve the remainder of the term of Jeff Dhaenens expiring June 30, 2025 as recommended by the Township Supervisor. **The motion carried unanimously.**

14. Consider request to remove Craig Fons as the Zoning Board of Appeals alternate and to appoint him to replace and serve the remainder of the term of Greg Rassel on the Zoning Board of Appeals as recommended by the Township Supervisor.

Moved by Croft, supported by Hunt, to remove Craig Fons as the Zoning Board of Appeals alternate and to appoint him to replace and serve the remainder of the term of Greg Rassel on the Zoning Board of Appeals expiring June 30, 2025 as recommended by the Township Supervisor. **The motion carried, with Board Member Skolarus voting “no”.**

15. Closed session to consult with the Township attorney regarding trial or settlement strategy in connection with Catholic Healthcare International, Inc v. Genoa Charter Township; 21-cv-11303 pursuant to MCL 15.268(1)(e).

- A. Consider motion to enter into closed session to consult with the Township attorney regarding trial or settlement strategy pursuant to MCL 15.268(1)(e). (roll call)**
- B. Consider motion to conclude the closed session and return to open session. (roll call)**

Moved by Lowe, supported by Skolarus, to go into closed session to consult with the Township attorney regarding trial or settlement strategy in connection with Catholic Healthcare International, Inc v. Genoa Charter Township; 21-cv-11303 pursuant to MCL 15.268(1)(e). at 7:25 pm. **The motion carried unanimously with a roll call vote (Ledford - yes, Croft - yes, Hunt - yes, Lowe - yes, Skolarus - yes, and Rogers - yes).**

Moved by Ledford, supported by Croft, to exit the closed session and enter the regular meeting at 8:05 pm. **The motion carried unanimously with a roll call vote (Ledford - yes, Croft - yes, Hunt - yes, Lowe - yes, Skolarus - yes, and Rogers - yes).**

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Member Discussion

There were no items to discuss this evening.

Adjournment

Moved by Lowe, supported by Hunt, to adjourn the meeting at 8:06 pm. **The motion carried unanimously.**

Respectfully Submitted,

Patty Thomas
Recording Secretary

Approved:

Paulette Skolarus, Clerk
Genoa Charter Township

Bill Rogers, Supervisor
Genoa Charter Township