

GENOA CHARTER TOWNSHIP BOARD
Regular Meeting
December 16, 2024

MINUTES

Call to Order

Supervisor Spicher called the regular meeting of the Genoa Charter Township Board to order with a roll call at 6:30 pm at the Township Hall.

Invocation

Supervisor Spicher led the invocation for the Board and the members of the public.

Pledge of Allegiance

The Pledge of Allegiance was recited.

Roll Call

The following members were present constituting a quorum for the transaction of business: Kevin Spicher, Janene Deaton, Candie Hovarter, Robin Hunt, Bill Reiber, Rick Soucy, and Todd Walker.

Also present was Township Manager Kelly VanMarter, Township Attorney Joe Seward, and 16 people in the audience.

Call to the Public

The call to the public was opened at 6:32 pm.

Mr. Jeff Dhaenens of 5494 Sharp Drive is looking forward to the discussion on the request from the Planning Commission. He trusts Mr. Seward's opinion, but it would be good to get another one.

Mr. Ben Tasich of 3492 Lakewood Shores Drive is a 25-year resident of the community and is here on behalf of Livingston County Essential Transportation. He has spoken to the director of LETS and over 25,000 rides in 2024 originated in Genoa Township. They have given rides to 150,000 people in Livingston County this year. Public transportation is crucial. February 4, 2025 is Rosa Parks Equity Day. All members of the Board are invited to the celebration at 8 am that day. He asked that the Board pass a resolution acknowledging that day as was done in 2024.

Ms. Deb Beattie of 3109 Pineview Trail asked about the new format for the agenda. The items for discussion section was moved from the bottom of the agenda to the beginning of the meeting. She does not see the issue pertaining to the severance package that was discussed at

the last meeting. There is no update regarding the online meetings that was discussed at the last meeting.

Ms. Susan Nickels of 4935 Fairways Drive stated they have faith in who they elected. Regarding the last meeting, a motion can be made to amend the agenda after it's approved. She is looking forward to the discussion regarding the severance package. Back in October the severance package was approved. Her sister is a county clerk, and she has been on a township board for eight years and she said this is unheard of in Michigan; it is not common. As she was reviewing the amendment, she noticed that COBRA is in the policy, and it is to be paid for one year for someone who has worked for 20 years or more. This is a very gracious policy, and it should be reviewed.

Ms. Colleen Quinn of 4042 Brookstone Court has heard that the prior board adopted a very generous parachute package. A severance package of one year of pay. She is uncomfortable with this. She was a Human Resources professional for General Motors and when she retired 11 years ago, they were reducing their severance packages.

Ms. Deb Towles of 3210 Pineview Trail is happy that a discussion will be had regarding the validity of the Latson Road PUD. Many residents think this is expired. She hopes that experts can be hired to determine if it is expired.

Ms. Tracey Pardiac of 4312 Rurik reiterated what others said about the severance package. She wonders if it was a fear thing because the Board was changing and people were afraid employees would be let go. It is very expensive. Another opinion is needed for the PUD.

The call to the public was closed at 6:45 pm.

Items for Discussion:

Supervisor Spicher stated that this section of the agenda is for items that are not typically going to be acted on at the meeting. They will be in the packet, discussed, and then it will provide two weeks for the Board to think about it until it is put on the next meeting's agenda.

1. Staff update on Employee Handbook amendments.

Ms. VanMarter stated that the severance package portion was discussed at the previous meeting. There were concerns with the amounts of the packages. Staff and Human Resources met with some members of the Board and are working on a revised policy that would change the formula, which would reduce the amounts. She anticipates bringing it to the January 6, 2025 meeting.

Ms. Hunt stated that she is the one who stated at the last meeting that the item cannot be added to the agenda for action when there is no backup paperwork to vote on it. She is not an attorney, and she didn't quote the law, but she believes members should be prepared. That was never done before. She agreed with Ms. VanMarter that it was discussed, and the amounts are being reviewed, and it will be brought back before the Board.

Mr. Reiber stated the timing of the amendment does seem like it was a protective measure because it was very high. Severance packages are not common among other townships and municipalities. There are no other surrounding townships who have severance packages. This township ran many years just fine without severance packages. The township does not need to have this.

Mr. Soucy stated he is in favor of a severance policy. The one that is in the handbook is excessive. He was in the meeting and the amounts have been brought down substantially and the issue will be brought back to the Board at their next meeting.

Moved by Reiber, supported by Hovarter, to move Item #1 Staff Update on Employee Handbook Amendments from Discussion to the Agenda. **The motion carried with a roll call vote (Walker - yes, Reiber - yes, Hunt - yes, Spicher - yes, Deaton - yes, Soucy - no, Hovarter - yes),**

2. Discussion regarding community outreach.

Supervisor Spicher hopes to foster a stronger sense of community with an increased citizen engagement. His ideas are to host a town hall in January with any topics open to discussion as requested by the citizens, increase the Township's social media presence, increased information on the website, host a senior breakfast or event nights such as bingo or movie nights, have veterans' events, dog walk events around the Township property, etc. They could possibly add a Community Outreach position to the staff.

Ms. Hunt agrees it is a great idea. She questioned the Open Meetings Act requirements for these events. Mr. Seward stated it will need to be posted as a public meeting and if there are going to be four or more members present, then minutes need to be recorded and published. If there is not a quorum then there does not need to be minutes. No decisions can be made at these events.

Mr. Reiber is interested in these and would be willing to increase the staff to manage it.

Ms. Hunt would like to have research done on what can and cannot be placed on social media and if comments are allowed.

3. Discussion of a request by the Planning Commission to seek special counsel to obtain a judgment regarding the validity of the Innovation Park Planned Unit Development Agreement.

Ms. VanMarter stated that at the Planning Commission meeting, the item regarding the installation of a small section of entrance roadway on the PUD had public comments that revolved around whether the agreement has expired or not. The Planning Commission made a motion to postpone this item and asked the Board to seek independent counsel to have a judge render a decision on the validity of the agreement which would allow this item to move forward.

Mr. Seward suggested a court should make the decision and it should not be a lawyer's opinion. The Board decides who the attorney is, then they would determine how it should be done. Ms. VanMarter would seek proposals from attorneys and then return to the Board with a proposal for

review and action. The Board agreed to have Ms. VanMarter move forward with seeking proposals.

4. Discussion regarding Master Plan amendment.

Ms. VanMarter stated there are concerns regarding planned land uses for the South Latson Road Corridor. The discussion on these uses was started in 2013 and incorporated into the Master Plan in 2023. Many residents have concerns about the Master Plan for this area. She suggested moving forward to seek proposals to reopen the Master Plan to do a special focus study on the I-96/Latson Road Subarea Plan.

Moved by Reiber, supported by Walker, to add item #4 Discussion Regarding Master Plan Amendment to tonight's agenda. **The motion carried unanimously.**

Approval of Consent Agenda:

Moved by Hunt, supported by Reiber, to approve the Consent Agenda moving Item #6 to the Regular Agenda. **The motion carried unanimously.**

5. Payment of Bills: December 16, 2024

~~6. Request to approve the December 2, 2024 regular meeting minutes. (Moved to Regular Agenda)~~

Approval of Regular Agenda:

Moved by Hunt, supported by Deaton, to approve the Regular Agenda with the addition of Item #6. **The motion carried unanimously.**

6. Request to approve the December 2, 2024 regular meeting minutes. (Moved from Consent Agenda)

Mr. Reiber stated that the discussion regarding him requesting to have the severance item added to the agenda and Ms. Hunt stating that it could not be added because the agenda was already approved was not in the minutes. This is important and should be on the record.

The Board and Staff determined the language that should be added regarding this discussion.

Moved by Hovarter, supported by Reiber to approve the December 2, 2024 regular meeting minutes as amended. **The motion carried unanimously.**

7. Consideration of a request to appoint Chris Grajek, Ron Matkin, Lori Merians, and Eric Graetzel (alternate) to the Board of Review with a term ending on December 31, 2026.

Supervisor Spicher stated he reviewed the applications of residents interested in serving on this Board and after he discussed it with the assessing department, he is making these recommendations. He thanked Ms. McCreary for her service on this board.

Moved by Soucy, supported by Walker, to appoint Chris Grajek, Ron Matkin, Lori Merians, and Eric Graetzel (alternate) to the Board of Review with a term ending on December 31, 2026. The motion carried unanimously.

8. Request for approval of Resolution 241216A establishing the 2025 instructions for poverty exemption, guidelines for poverty exemption, poverty exemption application, and poverty exemption worksheet as submitted by Assessor Debra Rojewski. (roll call)

Mr. Soucy asked how many people receive this benefit. Ms. Hunt stated there are six people who have been approved. The guidelines are set by the federal government.

Moved by Hunt, supported by Deaton, to approve the 2025 Instructions for Poverty Exemption, Guidelines for Poverty Exemption, Poverty Exemption Application and Poverty Exemption Worksheet as submitted. **The motion carried unanimously with a roll call vote (Hovarter - yes; Soucy - yes; Deaton - yes; Spicher - yes; Hunt - yes; Reiber - yes; Walker - yes).**

9. Request for approval to enter into agreements to collect 2025 Summer property taxes for the Brighton Area Schools, Hartland Consolidated Schools, Howell Public Schools, and the Livingston Educational Service Agency as submitted by the Township Treasurer.

Ms. Hunt stated this is put before the Board each year. The \$3.00 per parcel fee is standard for Livingston County. Pinckney is not on the list because they collect their taxes in the winter. Mr. Soucy asked how much money is collected for the schools and how much does it cost the Township to do this. Ms. Hunt stated they will collect \$24,498 this year. She is not sure of the administrative costs. The Township has a long-standing agreement with the school districts to collect their taxes. It makes it much easier for the schools and the residents.

Moved by Soucy, supported by Walker, to enter into agreements to collect 2025 summer property taxes for the Brighton Area Schools, Hartland Consolidated Schools, Howell Public Schools, and the Livingston Educational Service Agency as submitted by the Township Treasurer. **The motion carried unanimously.**

10. Request for approval of Resolution 241216B entitled “Resolution Regarding Minimal Tax Overpayments” as submitted by the Township Treasurer. (roll call)

Ms. Hunt stated that she had a discussion with the Township Attorney and is now asking for this item to be tabled this evening.

Moved by Hunt, supported by Walker, to table the approval of Resolution 241216B entitled “Resolution Regarding Minimal Tax Overpayments” as submitted by the Township Treasurer. **The motion carried unanimously.**

11. Request to introduce proposed ordinance number Z-25-01 regarding zoning ordinance text amendments to Article 11, “General Provisions” and to set the meeting date for considering the proposed ordinance for adoption before the Township Board on Monday, January 6, 2025.

Ms. VanMarter stated these proposed zoning ordinance amendments are to allow the Township to get ahead of the Michigan Public Safety Commission’s decision regarding Public Act 233. She noted the Township is currently in an appeal on this Act, but if a developer comes to the Township for this, an ordinance should be in place to address it.

Mr. Reiber asked for a status of the appeal and Ms. VanMarter stated she does not have an update from the attorney.

Moved by Hunt, supported by Walker, to introduce proposed Ordinance Number Z-25-01 and to set the meeting date to consider adoption before the Township Board on Monday, January 6, 2025 for the purpose of considering the proposed Zoning Ordinance text amendment to Article 11 General Provisions. **The motion carried unanimously.**

12. Master Plan

Ms. VanMarter stated that The Planning Commission is the body that initiates any updates to the Master Plan. She is requesting to use Giffels Webster. This would be the most economical way to move forward as they recently did the previous update.

Moved by Hovater, supported by Soucy, to direct Township Staff to work with the Planning Commission to initiate an update to the 2023 Master Plan with a special focus on the I-96/Latson Road Subarea Plan, with recommendation to use Giffels Webster. **The motion carried unanimously.**

13. Staff update on Employee Handbook amendments.

Ms. Hunt strongly feels it is inappropriate to make a decision on something that is not in the packet and has not been reviewed by the Township Board. The previous motion was to have staff work on this issue and return to the Board. Staff and Board Members met to discuss this, and she would like them to have the opportunity to present their plan to the Board. She reiterated this is not for all employees and only those who are let go without cause.

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Ms. Hovarter stated this was not in the handbook previously. If no one is doing anything wrong, there is nothing to worry about.

Mr. Reiber stated that this never existed in the past. People have been severed before and it was handled on a case-by-case basis. It is a liability to the taxpayers. He wants to be fiscally responsible.

Mr. Seward stated a severance package triggers an employee to have to sign a release so that there is not a lawsuit against the Township if they are let go.

Ms. VanMarter stated that one of the Township's biggest risk is labor laws and personnel. The Township does not want an issue where someone wants to sue because they were let go. She addressed Mr. Reiber's comment that no other townships in the area have severance packages. She stated that Genoa Township is different because in most communities, upper echelon employees have employee contracts. Genoa Township does not have that for all those employees, so they are unique, which is why it is in the handbook.

Ms. Deaton stated that everyone at the Township has been wonderful to work with. Ms. VanMarter is one of the smartest ladies she knows. There were fears that the new board would fire everyone. She has been here on a day-to-day basis, and everyone works hard and there is no immediate need to terminate anyone. The Clerk's Department was a mess, and she would not want to condone that behavior for any other employees and keep them because there is a severance package. If they were to be let go, the Township would have to pay them. If someone isn't going to do their job and they are let go, the taxpayers should not have to pay that employee. Ms. Hunt stated no one in the Clerk's Office would have qualified for severance.

Supervisor Spicher stated that Greg Tatara is concerned how this would affect his department. If one of the communities chose not to continue with the MHOG agreement, he would have to let an employee go because of funding. Mr. Soucy suggested having a clause that if a community leaves MHOG, they will have to pay, which could cover the severance. Maybe there would be two handbooks; one for Township employees and one for MHOG employees.

Mr. Tasich asked to speak. What is the rationale behind a severance package? People who we want to leave early or people who are not doing their job and will be receiving a severance package. Ms. VanMarter stated the current policy would only be for someone that is being let go without cause. They are doing their job fine, but the Township is downsizing, or the employee is asked to leave for no malfeasance, no performance issues, etc. If someone is not doing their job, then they would not qualify for the severance package. It is not a buy-out offer.

Mr. Reiber reiterated his concerns that he stated previously.

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Supervisor Spicher is not in favor of removing it and wants staff to present it to the Board. Mr. Soucy agrees.

Mr. Walker stated Genoa Township was organized in 1837 and has done fine without a severance package. MTA reports that severance packages are not the norm for townships.

Moved by Reiber, supported by Hovarter, to take the severance pay policy out of the Employee Handbook. **The motion carried with a roll call vote (Hovarter - yes; Soucy - no; Deaton - yes; Spicher - no; Hunt - no; Reiber - yes; Walker - yes)**

Member Discussion

Ms. VanMarter stated she received a compliment from a resident regarding the yard waste drop off service this fall. He stated that from the time he left his home in Oak Pointe, went to the Township Hall to drop off his leaf bags, and returned home, it was 18 minutes. He was absolutely thrilled with the service he received.

Ms. Deaton stated she is working on a project that was stopped at the Township. The Big Red Barrel is a program where residents can dispose of prescription medication in a safe way instead of flushing or throwing it in the trash. This will help keep PFAS out of the Township. She does not propose to have a barrel here at the Township Hall but would like to do special collection events at different times throughout the year.

Adjournment

Moved by Hunt, supported by Walker, to adjourn the meeting at 8:10 pm. **The motion carried unanimously.**

Respectfully Submitted,

Patty Thomas
Recording Secretary

Approved: Janene Deaton
Genoa Charter Township

Kevin Spicher, Supervisor
Genoa Charter Township