

GENOA CHARTER TOWNSHIP BOARD

September 19, 2016

Regular Meeting

6:30 p.m.

AGENDA

Call to Order:

Pledge of Allegiance:

Call to the Public (Public comment will be limited to two minutes per person)*:

Approval of Consent Agenda:

1. Payment of Bills.
2. Request to Approve Minutes: September 6, 2016

Approval of Regular Agenda:

3. Consideration of a request to approve the Environmental Impact Assessment (09-13-2016) corresponding to the site plan for proposed site grading on the land located south of the Providence Medical Center project at Latson Road and Grand Oaks Drive. The request is petitioned by Ascension Health for the purpose of raising grade to provide gravity sanitary sewer for future development.
4. Request for approval of a resolution to support the establishment of a Livingston County Transportation Authority.
5. Request for approval of a cemetery purchase.
 - A. Offer to purchase
 - B. Cemetery purchase agreement
 - C. Cemetery Ordinance 160919

Correspondence

Member Discussion

Adjournment

*Citizen's Comments- In addition to providing the public with an opportunity to address the Township Board at the beginning of the meeting, opportunity to comment on individual agenda items may be offered by the Chairman as they are presented.

CHECK REGISTERS FOR TOWNSHIP BOARD MEETING

DATE: September 19, 2016

TOWNSHIP GENERAL EXPENSES: Thru September 19, 2016	\$21,726.52
September 9, 2016 Bi Weekly Payroll	\$78,103.85
OPERATING EXPENSES: Thru September 19, 2016	<u>\$268,571.06</u>
TOTAL:	\$368,401.43

Check Date	Check	Vendor Name	Amount
Bank FNBCK CHECKING ACCOUNT			
09/08/2016	1(E)	MERS - MICH. EMPLOYEES' RETIRE	1,603.38
09/08/2016	33101	APPLIED IMAGING	332.11
09/08/2016	33102	CONTINENTAL LINEN SERVICE	108.02
09/08/2016	33103	COOPER'S TURF MANAGEMENT LLC	1,719.93
09/08/2016	33104	GORDON'S FOOD SERVICES	400.02
09/08/2016	33105	PRINTING SYSTEMS	203.73
09/08/2016	33106	W4 SIGNS	128.90
09/13/2016	33107	AMERICAN AQUA	48.00
09/13/2016	33108	COMCAST	324.57
09/13/2016	33109	CONSUMERS ENERGY	26.51
09/13/2016	33110	LIVINGSTON COUNTY REGISTER OF DEEDS	32.00
09/13/2016	33111	LIVINGSTON COUNTY REGISTER OF DEEDS	26.00
09/13/2016	33112	LIVINGSTON COUNTY REGISTER OF DEEDS	32.00
09/13/2016	33113	LIVINGSTON COUNTY REGISTER OF DEEDS	26.00
09/13/2016	33114	LIVINGSTON COUNTY REGISTER OF DEEDS	29.00
09/13/2016	33115	LIVINGSTON COUNTY REGISTER OF DEEDS	32.00
09/13/2016	33116	MI MUNICIPAL RISK MGMT AUTHORITY	13,134.35
09/13/2016	33117	SEWARD PECK & HENDERSON PLLC	2,985.00
09/13/2016	33118	TETRA TECH INC	535.00

FNBCK TOTALS:

Total of 19 Checks:	21,726.52
Less 0 Void Checks:	0.00
Total of 19 Disbursements:	21,726.52

Payroll ID: 3

Pay Period End Date: 09/02/2016 Check Post Date: 09/09/2016 Bank ID: FNBCK

* YTD values reflect values AS OF the check date based on all current adjustments, checks, void checks

Grand Totals for Payroll:

Pay Code Id	Hours	OT Hours	Cur. Amnt.	YTD Amnt.*	Ded/Exp Id	Cur. Amnt.	YTD Amnt.*
CAR ALLOWANCE	0.00	0.00	480.77	9,134.63	FITW	7,783.58	146,938.30
CELL PHONE REIM	2.00	0.00	709.88	12,487.74	FSADPEP	444.43	7,999.74
DEPUTY CLERK	43.00	0.00	731.00	6,153.28	ILLDPS	6.66	126.54
DPW MED REIM	0.00	0.00	658.48	12,511.12	ILLDPW	7.92	136.62
EL TAXED	0.00	0.00	0.00	1,282.94	ILLTWP	4.07	77.33
ELECTION NO TAX	0.00	0.00	0.00	1,150.00	ILLTWS	4.07	77.33
FLOATER HOLIDAY	8.00	0.00	128.00	2,459.12	LOAN	2,551.41	47,156.49
FUNERAL LEAVE	0.00	0.00	0.00	0.00	LOAN 2	134.58	1,502.17
G1	1,533.75	0.00	37,692.49	655,975.21	MEDDPW	574.58	10,361.78
G2	0.00	34.75	1,084.47	35,094.76	MEDICARE_EE	1,065.31	19,845.94
HOLIDAY PAY	0.00	0.00	0.00	31,689.96	MEDTWP	391.82	7,300.12
IN LIEU MED INS	0.00	0.00	329.24	6,584.80	MIPF	646.21	12,537.24
LIQUOR LAW	0.00	0.00	315.18	5,988.42	OPTDPC	3.20	60.80
LONGEVITY	0.00	0.00	0.00	0.00	OPTDPS	4.49	85.31
ON CALL	0.00	32.00	992.48	13,504.82	OPTDPW	37.33	709.27
OVERTIME	0.00	0.00	0.00	1,451.90	OPTWPC	0.80	15.20
PERSONAL PAYOUT	0.00	0.00	0.00	4,737.75	OPTWPS	0.84	15.96
PERSONAL TIME	102.75	0.00	2,399.93	40,314.93	PRINCF	1,095.00	19,605.00
PLANNING MINUTE	0.00	0.00	0.00	300.00	ROTH	555.00	10,495.00
REGULAR PAY	756.50	0.00	14,215.06	247,288.88	SITW	2,910.05	54,393.21
SALARY	357.00	0.00	13,267.13	265,312.52	SOCSEC_EE	4,556.41	84,858.45
SELCRA	0.00	0.00	0.00	1,344.00			
TRAINING	0.00	0.00	0.00	0.00			
UNIFORM ALLOW	0.00	0.00	0.00	3,534.00			
VACATION PAY	140.00	0.00	3,247.53	56,750.94			
VACATION PTIME	0.00	0.00	0.00	8,215.68			
ZBA MINUTES	0.00	0.00	0.00	0.00			
ZBA PER DIEM	0.00	0.00	0.00	1,008.00			

Gross Pay This Period	Deduction Refund	Ded. This Period	Net Pay This Period	Gross Pay YTD	Dir. Dep.
76,251.64	0.00	22,777.76	53,473.88	1,424,275.40	52,880.20

Check Register Report For Genoa Charter Township
 For Check Dates 09/09/2016 to 09/12/2016

Check Date	Bank	Check Number	Name	Check Gross	Physical Check Amount	Direct Deposit	Status
09/09/2016	FNBCK	12267	BUTTERMORE, JESSICA	770.00	593.68	0.00	Open
09/12/2016	FNBCK	EFT9	FLEX SPENDING (TASC)	1,090.64	1,090.64	0.00	Cleared
09/09/2016	FNBCK	EFT12	INTERNAL REVENUE SERVICE	19,027.02	19,027.02	0.00	Cleared
09/12/2016	FNBCK	EFT10	PRINCIPAL FINANCIAL	1,650.00	1,650.00	0.00	Cleared
09/12/2016	FNBCK	EFT11	PRINCIPAL FINANCIAL	2,685.99	2,685.99	0.00	Cleared
Totals:				Number of Checks: 005	25,223.65	25,047.33	0.00
Total Physical Checks:			1				
Total Check Stubs:			4				

3:12 PM

#595 PINE CREEK W/S FUND
Payment of Bills
 August 31 through September 12, 2016

Type	Date	Num	Name	Memo	Amount
------	------	-----	------	------	--------

no checks issued

3:08 PM

#592 OAK POINTE WATER/SEWER FUND
Payment of Bills
 August 31 through September 12, 2016

Type	Date	Num	Name	Memo	Amount
Bill Pmt -Check	08/31/2016	3709	Genoa Twp Oak Pointe Sewer Bond	Payment on Sewer Bond	-105,118.66
Bill Pmt -Check	09/02/2016	3710	CONSUMERS ENERGY	GAS SERVICE	-85.62
Bill Pmt -Check	09/02/2016	3711	DTE ENERGY	Electric bill	-5,957.10
Bill Pmt -Check	09/08/2016	3712	DTE ENERGY	Electric bill	-84.68
Total					-111,256.06

3:11 PM

#593 LAKE EDGEWOOD W/S FUND
Payment of Bills
 August 31 through September 12, 2016

Type	Date	Num	Name	Memo	Amount
Bill Pmt -Check	09/02/2016	3016	DTE Energy	Electric Bills 6-30-16 to 8-1-16	-55.73
Bill Pmt -Check	09/08/2016	3017	DTE Energy	Electric Bills 6-30-16 to 8-30-2016	-3,636.43
Total					-3,692.16

3:06 PM

#503 DPW UTILITY FUND
Payment of Bills
 August 31 through September 12, 2016

Type	Date	Num	Name	Memo	Amount
Bill Pmt -Check	08/31/2016	3710	Greg Talara	Car Allowance September 2016	-500.00
Bill Pmt -Check	08/31/2016	3711	HUMPHRISS	Car Allowance September 2016	-250.00
Bill Pmt -Check	08/31/2016	3712	MWEA	D. Miller Membership dues 9-2016 to 9-20-17	-70.00
Bill Pmt -Check	08/31/2016	3713	Staples Credit Plan	Supplies	-2,655.84
Bill Pmt -Check	08/31/2016	3714	TalentWise Inc	Back Ground Check	-77.00
Check	08/31/2016	3715	Genoa Township	Reimburse Township for DPW Expense-Payroll a	-150,000.00
Bill Pmt -Check	09/08/2016	3716	State of Michigan (2)	Robin Witjes-	-70.00
Total					-153,622.84

Draft
GENOA CHARTER TOWNSHIP BOARD
Regular Meeting & Public Hearing
September 6, 2016

MINUTES

Supervisor McCririe called the regular meeting of the board to order at 6:30 p.m. The Pledge of Allegiance was then said. The following board members were present constituting a quorum for the transaction of business: Gary McCririe, Paulette Skolarus, Linda Rowell, Jim Mortensen, Todd Smith and Jean Ledford. Also present were: Township Manager Michael Archinal; Township Attorney Joe Seward and approximately 15 persons in the audience.

A Call to the Public was made with no response.

Approval of Consent Agenda:

Moved by Smith and supported by Rowell to approve all items under the Consent Agenda as requested. The motion carried unanimously.

1. Payment of Bills.

2. Request to Approve Minutes: August 15, 2016

Approval of Regular Agenda:

Moved by Rowell and supported by Mortensen to approve for action all items listed under the Regular Agenda. The motion carried unanimously.

3. Request for approval of Consent and Waiver of contract from Duncan Disposal Systems to Rizzo Environmental Services for Township refuse collection and recycling.

Moved by Ledford and supported by Rowell to approve the Consent Waiver of contract as requested. The motion carried unanimously.

4. Request for approval of a rezoning (Ordinance Z-16-02) involving approximately 63.4 acres located at the southeast corner of Euler Road and McClements Road. The requested rezoning is from Rural Residential (RR) and Public Recreation Facilities (PRF) to Country Estates (CE). The request is petitioned by Joyce Oliveto.

A Call to the Public was made with no response.

Moved by Smith and supported by Skolarus to approve the Rezoning Ordinance Z-16-02 as requested by Joyce Oliveto. The proposed amendment to the Zoning Map is consistent with Section 22-04 of the Township Zoning Ordinance. The motion carried by roll call vote as follows: Ayes – Ledford, Smith, Rowell, Mortensen, Skolarus and McCririe. Nays – None. Absent – Hunt.

5. Request for approval of Planned Unit Development (PUD) agreement, environmental impact assessment and a conceptual PUD plan for the proposed amendments to the Development Agreement located on the south side of Grand River Avenue, west of I-96 exit 141, in Howell. The request is petitioned by Genoa Out lots, LLC.

A. Disposition of amendment to the PUD Agreement (8-22-16)

Moved by Ledford and supported by Smith to approve the PUD agreement subject to the following:

1. Review and approval by the Township Attorney.
2. The PUD Agreement shall be recorded with the Livingston County Register of Deeds.
3. In Exhibit C, all items that have the potential for a drive through shall be subject to item cc, including a., b., c., i., n., q., and x.
4. Out-lots referenced in the agreement should be shown on the PUD Concept plan and should be included as an Exhibit to the agreement.
5. The changes included for out-lot No. 1 shall be eliminated.
6. Out-lot No. 1 shall be considered a Special Use Permit if the drive through use as provided in the existing PUD agreement is altered.

The motion carried by roll call vote as follows: Ayes – Ledford, Smith, Rowell, Mortensen and McCririe. Nay – Skolarus. Absent – Hunt.

B. Disposition of Impact Assessment (8-22-16)

Moved by Smith and supported by Rowell to approve the Impact Assessment received August 22, 2016 provided that the language added to Section E regarding residential uses being located to the east shall be removed.

The motion carried by roll call vote as follows: Ayes – Ledford, Smith, Rowell, Mortensen and McCririe. Nay – Skolarus. Absent – Hunt.

C. Disposition of Conceptual PUD Plan (6-29-16)

Moved by Ledford and supported by Mortensen to approve the Conceptual PUD Plan subject to the plan being updated to depict out-lots as described in the PUD agreement approved in item A. The motion carried by roll call vote as follows: Ayes – Ledford, Smith, Rowell, Mortensen and McCririe. Nay – Skolarus. Absent – Hunt.

6. Request for approval of Planned Unit Development (PUD) agreement, environmental impact assessment and a conceptual PUD plan for the proposed amendments to the Development Agreement located on the northeast corner of the Grand River and Lawson intersection in Howell. The request is petitioned by Grand River/Lawson Associates, LLC.

A. Disposition of amendment to the PUD Agreement (8-22-16)

Moved by Ledford and supported by Mortensen to approve the PUD Amendment received on August 22, 2016 for Grand River/Lawson Associates LLC subject to the following:

1. Review and approval of the Township Attorney.
2. The PUD Agreement shall be recorded with the Livingston County Register of Deeds.
3. In Exhibit B, all items that have the potential for a drive through shall be subject to item aa.
4. In Exhibit B, item w, only parcel 4711-09-200-041 should be eligible for the indoor storage special use.
5. The indoor storage facility as proposed shall be no closer to Grand River than the existing front line of the Tractor Supply building that is already located on the site and shall require a Special Use Permit.

The motion carried by roll call vote as follows: Ayes – Ledford, Smith, Rowell, Mortensen and McCririe. Nay – Skolarus. Absent – Hunt.

B. Disposition of Impact Assessment (8-22-16)

Moved by Smith and supported by Rowell to approve the impact assessment received August 22, 2016 provided that language be added to Section B. Site Description, regarding the proximity of residential land uses east of the subject site. The motion carried by roll call vote as follows: Ayes – Ledford, Smith, Rowell, Mortensen and McCrie. Nay – Skolarus. Absent – Hunt.

C. Disposition of Conceptual PUD Plan (6-29-16)

Moved by Smith and supported by Ledford to approve the revised PUD concept plan to reflect the approved location of the indoor storage plan as long as it supports and agrees with the PUD Agreement. The motion carried by roll call vote as follows: Ayes – Ledford, Smith, Rowell, Mortensen and McCrie. Nay – Skolarus. Absent – Hunt.

7. Consideration of a request from the Howell Area Parks and Recreation Authority for approval of Resolution #160916 [continuation of the Howell Area Parks and Recreation Authority].

Moved by Skolarus and supported by Smith to approve Resolution No. 160916 as requested. The motion carried unanimously.

8. Receive presentation from the Livingston County Transportation Coalition.

Dr. Leo Hanitin presented the board with a proposal for updating the transportation system with in the county. Dr. Hanitin will provide a resolution to the Manager that will be presented to the board at the next regular meeting for consideration. No formal action was taken by the board.

9. Request to enter into closed session to discuss pending litigation pursuant to MCL 15.268 § 8 (e).

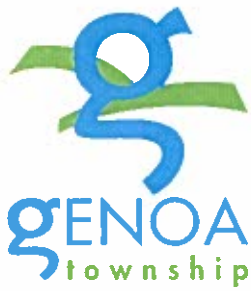
Moved by Smith and supported by Rowell to move into a closed session to discuss pending legislation at 8:08 p.m. The motion carried by roll call vote as follows: Ayes – Ledford, Smith, Rowell, Mortensen, Skolarus and McCrie. Nay – None. Absent – Hunt.

The regular meeting of the board was re-opened at 8:25 p. m. and adjourned.



Paulette A. Skolarus, Clerk
Genoa Charter Township


Gary McCrie, Supervisor
Genoa Charter Township



MEMORANDUM

2911 Dorr Road
Brighton, MI 48116
810.227.5225
810.227.3420 fax
genoa.org

TO: Honorable Board of Trustees

FROM: Kelly VanMarter, Assistant Township Manager/Community Development Director 

DATE: September 14, 2016

RE: Ascension Health Site Grading

MANAGER'S REVIEW: _____

Attached please find the case file for the proposed site grading project for Ascension Health. The applicant requests approval to distribute roughly 60,000 yards of additional fill to raise the elevation of the southern half of the development. The purpose of raising the grade is to provide for gravity fed sanitary sewer service as requested by the Utility Authority and Township Engineers. Procedurally, the Planning Commission has authority over the site plan and issues a recommendation to the Board regarding the Environmental Impact Assessment.

At the September 12, 2016 Planning Commission meeting the site plan was approved and the Commission recommended Board approval of the Impact Assessment. A revised Impact Assessment was received by the applicant on September 13, 2016 which incorporated the Planning Commission comments. Based on the action of the Planning Commission and in response to the revised materials I suggest Board consideration of the following action:

Moved by _____, Supported by _____ to approval the Environmental Impact Assessment dated 09-13-2016 subject to:

1. Any further site plan approvals will require review of the Master Deed, if applicable.
2. All conditions of the Planning Commission regarding the site plan shall be satisfied.

Should you have any questions concerning this matter, please do not hesitate to contact me.

SUPERVISOR

Gary T. McCririe

CLERK

Paulette A. Skolarus

TREASURER

Robin L. Hunt

TRUSTEES

H. James Mortensen

Jean W. Ledford

Todd W. Smith

Linda Rowell

MANAGER

Michael C. Archinal



GENOA CHARTER TOWNSHIP
Application for Site Plan Review

TO THE GENOA TOWNSHIP PLANNING COMMISSION AND TOWNSHIP BOARD:

APPLICANT NAME & ADDRESS: Gary J. Tressel, 555 Hulet Drive, Bloomfield Hills, MI 48302
If applicant is not the owner, a letter of Authorization from Property Owner is needed.

OWNER'S NAME & ADDRESS: Ascension Health

SITE ADDRESS: 1205 Latson Road PARCEL #(s): 4711-09-100-036

APPLICANT PHONE: (248) 454-6373 OWNER PHONE: (248) 849-5773

OWNER EMAIL: Mark.Yagerleander@Ascensionhealth.org

LOCATION AND BRIEF DESCRIPTION OF SITE: _____

Site is located at 1205 South Latson Road between I-96 Freeway
and Grand River Avenue, in the N/E Quadrant of the Interchange

BRIEF STATEMENT OF PROPOSED USE: Medical Office Building with
Mixed Use Retail

THE FOLLOWING BUILDINGS ARE PROPOSED: No buildings proposed with
this application. Owner is seeking approval to place fill on
southern portion of site to prepare it for development with
gravity sanitary sewer service to Latson Road

I HEREBY CERTIFY THAT ALL INFORMATION AND DATA ATTACHED TO AND MADE PART OF THIS APPLICATION IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE AND BELIEF.

BY: _____

ADDRESS: 555 Hulet Drive, P.O. Box 824, Bloomfield Hills, MI 48303-0824

Contact Information - Review Letters and Correspondence shall be forwarded to the following:

1.) Gary J. Tressel of Hubbell, Roth & Clark, Inc. at gtressel@hrc-engr.com
Name Business Affiliation E-mail Address

FEE EXCEEDANCE AGREEMENT

As stated on the site plan review fee schedule, all site plans are allocated two (2) consultant reviews and one (1) Planning Commission meeting. If additional reviews or meetings are necessary, the applicant will be required to pay the actual incurred costs for the additional reviews. If applicable, additional review fee payment will be required concurrent with submittal to the Township Board. By signing below, applicant indicates agreement and full understanding of this policy.

SIGNATURE:  DATE: August 19, 2016
PRINT NAME: Gary J. Tressel PHONE: (248) 454-6373
ADDRESS: 555 Hulet Drive, Bloomfield Hills, MI 48302

**GENOA CHARTER TOWNSHIP
PLANNING COMMISSION
PUBLIC HEARING
SEPTEMBER 12, 2016
6:30 P.M.
MINUTES**

CALL TO ORDER: The meeting of the Genoa Charter Township Planning Commission was called to order at 6:30 p.m. Present were Chairman Doug Brown, Barbara Figurski, James Mortensen, Eric Rauch, John McManus, and Diana Lowe. Absent was Chris Grajek. Also present was Kelly VanMarter, Community Development Director/Assistant Township Manager, Gary Markstrom of Tetra Tech, and an audience of 0.

PLEDGE OF ALLEGIANCE: The pledge of allegiance was recited.

APPROVAL OF AGENDA: **Moved** by Commissioner Figurski, seconded by Commissioner Rauch, to approve the agenda as presented. **The motion carried unanimously.**

CALL TO THE PUBLIC: The call to the public was made at 6:32 pm with no response.

OPEN PUBLIC HEARING #1...Review of Environmental Impact Assessment and Site Plan for proposed site grading on the balance of the land located south of the Providence Medical Center Project at the southeast corner of the Latson Road and Grand Oaks Drive intersection. The request is petitioned by Ascension Health for the purpose of raising grade to provide gravity fed sanitary sewer for future development.

- A. Recommendation of Impact Assessment (8-23-16)**
- B. Disposition of Site Plant (8-24-16)**

Mr. Markstrom reviewed his letter of August 29, 2016. He feels the plan has merit. He would like to ensure that the grading takes into consideration the water main that is going to be extended in this area. Also, if all of the out lots are going to be developed, then the grading should be adjusted so they can be serviced by the gravity-fed sanitary sewer.

The Environmental Impact Assessment should say "MDOT" instead of "MOOT".

Mr. Mark Yagerleander, the Regional Director of Real Estate for Ascension Health, stated they are raising the grade to allow for a gravity-fed sanitary sewer system. With regard to Mr. Markstrom's comments regarding the out lots, they are not sure if they are going to sell the one on the southeast corner as they are still working on the scope of the medical office building.

Mr. Gary Tressel of Hubble, Roth & Clark, Inc. stated they will be bringing in 60,000 tons of dirt fill for the site and are planning to bring the entire site up to the same grade. They will also ensure that the grade accommodates the future water main.

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

Moved by Commissioner McManus, seconded by Commissioner Mortensen, to recommend to the Township Board approval of the Impact Assessment dated 8-23-16 for grading at 1205 Latson Road, conditioned upon the following:

- "MOOT" shall be changed to "MDOT" anywhere it appears in the document.
- Any further approvals, beyond the Flagstar Bank, will require review of the master deed, if applicable. **The motion carried unanimously.**

Moved by Mortensen, seconded by McManus, to approve the Site Plan for grading at 1205 Latson Road conditioned upon the following:

- The requirements stated in the Township Engineer's letter of August 29, 2016 shall be met.
- The requirements stated in the Brighton Area Fire Authority's letter of September 1, 2016 shall be met.
- Approval of the Impact Assessment by the Township Board.

The motion carried unanimously.

Administrative Business:

- Staff Report

Ms. VanMarter stated that the developer of Lake Shore Village Place Phase III contacted her and stated that MSHDA, who is funding this project, has an issue with the natural gas pipeline and access road. They would like to see an Environmental Study. The developer would like to remove this area from the project by a land transfer. She feels this is an amendment to the approved site plan and it should be reviewed by the Planning Commission. The area in question was to be open space.

Commissioner Rauch stated this will change the density of the project.

All Commissioners agreed that if the plan is changed, it must come before the Planning Commission for review and approval.

- Approval of the August 8, 2016 Planning Commission meeting minutes

Moved by Commissioner Figurski, seconded by Commissioner Lowe, to approve the minutes of the August 8, 2016 Planning Commission Meeting as presented. **The motion carried unanimously.**

- Member Discussion

Commissioner Mortensen stated that when the two properties from developer Harvey Weiss were presented to the Township Board, they had some changes that were different than what was approved by the Planning Commission. The Board reached an agreement with Mr. Weiss; however, Mr. Mortensen feels these changes should have been reviewed by the Planning Commission.



September 6, 2016

Planning Commission
Genoa Township
2911 Dorr Road
Brighton, Michigan 48116

Attention:	Kelly Van Marter, AICP Planning Director and Assistant Township Manager
Subject:	Genoa Medical Complex – Site Plan Review #1
Location:	1201 Latson Road – east side of Latson, north of I-96
Zoning:	NR-PUD – Non-Residential Planned Unit Development

Dear Commissioners:

At the Township’s request, we have reviewed the site plan (dated 8/23/16) proposing grading and utility improvements to the former Latson Elementary School PUD site.

The Township previously approved a medical facility (2015) and bank with drive-through lanes (2016) for this PUD.

At this time, the proposed site plan is limited to grading and utilities, which are engineering matters. As such, we do not have any comments to provide, but defer to the Township Engineer for any review comments they may have.

Should you have any questions concerning this matter, please do not hesitate to contact our office. I can be reached by phone at (248) 586-0505, or via e-mail at borden@lslplanning.com.

Respectfully,
LSL PLANNING, A SAFE BUILT COMPANY

Brian V. Borden, AICP
Planning Manager



August 29, 2016

Ms. Kelly Van Marter
Genoa Township
2911 Dorr Road
Brighton, MI 48116

Re: St. John Providence Site Mass Grading Review

Dear Ms. Van Marter:

We have reviewed the site plan application for the remaining land grading to occur on the property owned by Ascension Health that will contain outlots to the south of the St. John Providence medical office building, dated August 24, 2016, from HRC, Inc. The site is located on the east side of Latson Road, just north of the I-96 off ramps on the previous Latson Elementary School site. The petitioner is proposing mass site grading of the southern half of this site so that additional outlot properties can utilize gravity sewer services. Tetra Tech reviewed the documents and offers the following additional comments.

SUMMARY

1. Check grading over unbuilt proposed water main for changes.
2. Verify all lots proposed for gravity sewer service.

SITE PLAN

1. Grading plan should be reviewed against proposed water main that has not been constructed yet as part of the medical facility construction and incorporated prior to installation to avoid potential areas of too little or too much cover above the proposed water main.
2. The site plan shows the proposed grading for the Flagstar Bank lot, as well as for Units 2, 3 and 4. Each outlot is shown to have a highest proposed contour of 1016. A gravity sanitary sewer was projected from the proposed on-site sewers to confirm the ability to service these properties by gravity. Each of the referenced lots appears to be suitable for maintaining a minimum of 4' of cover above the proposed sanitary sewer pipe. However, there is an unlabeled area with a proposed contour of 1016 in the SE corner of the property near the stormwater ponds that appears to represent a future outlot parcel, that may not be able to be served by a gravity sewer as the cover above the pipe would be less than 4 feet at and approaching the site. The lands above the potential

Tetra Tech

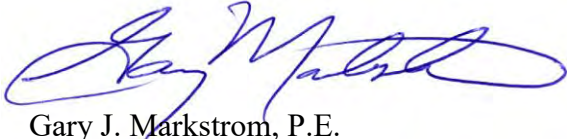
401 South Washington Square, Suite 100, Lansing, MI 48933
Tel 517.316.3930 Fax 517.484.8140 www.tetratech.com

Ms. Kelly Van Marter
Re: St. John Providence Mass Grading Site Plan Review
August 29, 2016
Page 2

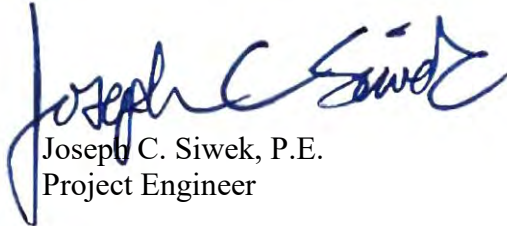
sewer pipe extending to this portion of the site would need to be raised to a minimum contour of 1017 in order to provide gravity sewer service to this area if it is intended as a development parcel.

The petitioner should revise and resubmit the site plan to address the above comments prior to approval.

Sincerely,



Gary J. Markstrom, P.E.
Unit Vice President



Joseph C. Siwek, P.E.
Project Engineer

copy: Gary Tressel P.E., Hubble, Roth & Clark, Inc.



BRIGHTON AREA FIRE AUTHORITY

615 W. Grand River Ave.
Brighton, MI 48116
o: 810-229-6640 f: 810-229-1619

September 1, 2016

Kelly VanMarter
Genoa Township
2911 Dorr Road
Brighton, MI 48116

RE: Providence Mass Grading (Ascension Health)
1205 S. Latson
Genoa Twp., MI

Dear Kelly:

The Brighton Area Fire Department has reviewed the above mentioned site plan. The plans were received for review on August 25, 2016 and the drawings are dated August 23, 2016. The plan submittal is for the mass grading of the site of underground utilities. The site plan was previously approved and this submittal has no effect on that approval. The plan review is based on the requirements of the International Fire Code (IFC) 2012 edition.

The only concern regarding the submitted plan is that access to construction equipment staging and on-site facilities be maintained for emergency vehicles at all times.

Additional comments will be given during the building plan review process (specific to the building plans and occupancy). The applicant is reminded that the fire authority must review the fire protection systems submittals (sprinkler & alarm) prior to permit issuance by the Building Department and that the authority will also review the building plans for life safety requirements in conjunction with the Building Department. If you have any questions about the comments on this plan review please contact me at 810-229-6640.

Cordially,

A handwritten signature in black ink, appearing to read "R. Boisvert".

Capt. Rick Boisvert, CFPS
Fire Inspector

IMPACT ASSESSMENT
ASCENSION HEALTH – PARCEL 11-09-100-039
SITWORK/LAND BALANCING
GENOA TOWNSHIP, LIVINGSTON COUNTY, MI
AUGUST 23, 2016, Revised – September 13, 2016
HRC NO. 20160030

The following assessment follows the requirements of Section 18.07 "Written Impact Assessment Requirements" of the Genoa Township Zoning Ordinance

A. Prepared for

Ascension Health
18000 West Nine Mile Road
Suite 1200
Southfield, Michigan 48034

Prepared by:
Hubbell, Roth & Clark Inc., Consulting Engineers
555 Hulet Drive, P.O. Box 824
Bloomfield Hills, Michigan 48303-0824

B. Description of the site including improvements, natural feature, and location.

The 14.57 acre former Latson Elementary School site (1201 S. Latson Road) is located northeast of the new I-96 interchange at Latson Road. The previous buildings have been removed from the site with the exception of minor sanitary structure and related pipe which will be removed as part of the development of the first phase Ambulatory Care Facility on the site. There are two (2) existing commercial drives located on the west side of the site at the Grand Oaks intersection and at the northwest corner of the site. The concrete drives have been constructed for three lanes each.

The site is relatively flat and gently slopes from the Northwest to the Southeast eventually surface draining into the MDOT R.O.W. for I-96 and the west bound Latson Road off ramp. The elevations range from 1017 at the Grand Oaks drive entry to 994 at the southeast corner of the parcel.

Existing on-site utilities include an 8" sanitary sewer along Latson Road. An 8" public water main is located approximately 15 feet south of the north property line. There are existing stormwater catch basins that previously conveyed runoff to the southern portion of the property.

Adjacent properties include:

North - Genoa Place Apartments - Zoned - HDR

East - Genoa Place Apartments - Zoned - HDR

South - MDOT - I-96

West - Lowes Home Centers - Zoned – NRPUD

C. Impact on Natural Features:

The site is relatively flat gently sloping from the NW to the SE. USDA Soil conservation Service "Soil Survey of Livingston county, Michigan", indicates native soils consist of:

1. MoB - Miami loam, 2-6 percent slopes. Surface runoff is slow, permeability is moderate and erosion hazard is slight.

Vegetative cover for the includes low grasses and beginning succession growth. There are no canopy trees present on the parcel.

The national wetland inventory indicates no regulated wetland areas exist on the site.

D. Impact on stormwater management and description of soil erosion control measures during construction.

Surface runoff during construction will utilize BMPs and methods set forth by The Livingston County Drain Commissioner. These methods will include temporary and permanent seeding, mulching/blanketing, silt fence, silt sacks.

Construction may include periods of dust, vibration noise and smoke but will be controlled to the extent possible. Dust will be controlled using appropriate dust suppression measures.

The proposed sitework/land balancing will include the placement of approximately 60,000 cubic yards of offsite fill to prepare the site for future building. The Stormwater detention basin has been sized for the entire build out and will include a slow release into the MDOT R.O.W. This has been designed to current Stormwater management requirements (100-year event). Runoff will be collected in a site-wide-piped system and delivered to the basin where the first flush will be treated in a forebay before entering the storage facility.

E. Impact on surrounding land use: Description of proposed usage and other man made facilities: how it conforms to existing and potential development patterns. Effects of added lighting, noise or air pollution which would negatively impact adjacent properties.

This parcel is identified as Regional Commercial in Master Plan and be developed as a Nonresidential Planned Unit Development. The first phase is planned s a 3 story, 60,000 SF medical office building located on the northern portion of the site is under construction. This building will house physician offices and medical support services related to medical practice. The offices are compatible with normal business hours associated with retail or other allowable uses within the NRPUS classification. The second (approximately - 10,000 SF) and third phases (approximately - 40,000 SF) are planned to be medical related facilities and may include additional medical office floor space as well as an outpatient surgical center. All of these services are consistent with similar and allowable uses within the NRPUD designation. The configuration of the medical portion of the development shields the main parking area from the adjacent residential uses. The site plan includes generous buffers between the adjacent uses to provide adequate separation from adjoining properties.

The south portion of the site will be developed to include allowable uses such as retail, restaurants or financial services. These uses generally operate within normal business hours between 8 AM and 10 PM. The locations of these facilities places later hour businesses further from the adjacent residential development. In addition, the location of these services is well suited to the I-96 access thus reducing additional traffic impacts further north on Latson Road. The second building will be the Flagstar Bank, which has received site plan approval and is seeking Engineering approval. The sitework/land balancing that the application is requesting will prepare the site for future uses and also allow gravity sanitary sewer service to the Southern portion of the site.

F. Impact on public facilities and services.

The future outlot uses within the development will support its share of the service cost through appropriate taxing methods.

G. Impact on public utilities.

The future outlot development will be served by public water and sewer systems currently located on the site. Per the South Latson Utility Study Prepared by Tetra Tech, the existing systems have sufficient capacity to serve the anticipated development.

H. Storage or handling of hazardous materials.

All hazardous wastes related to medical services will comply with current health requirements and include required emergency planning procedures and protocols. No other hazardous waste related uses are planned for the site

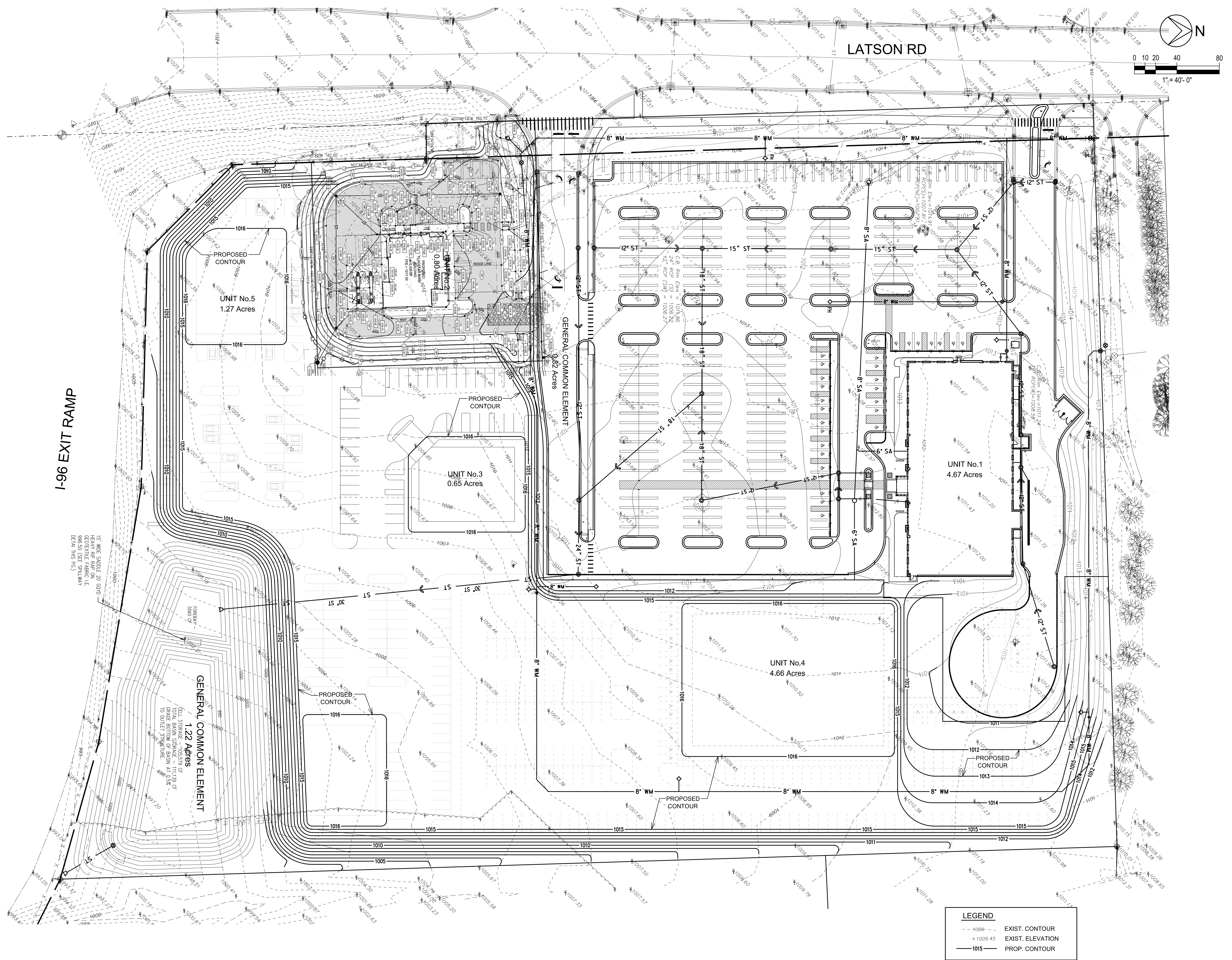
I. Traffic Impact Study.

The traffic report will be furnished as a part of future site plans for the outlots as they request approval for their specific uses.

J. Historical and Cultural Resources.

There are no historical or culturally significant features related to this site.

USER NAME = gmw Date = 8/23/16 DESTROY FILE = P:\20160030\20160030\20160030\GENOVA\GENOVA\GENOVA\GENOVA\GENOVA.dwg DRAWN = RCH/GJM CHECKED = GJT APPROVED = TEB DATE = 8/23/16 TIME = 23-AUG-2016 10:58:33

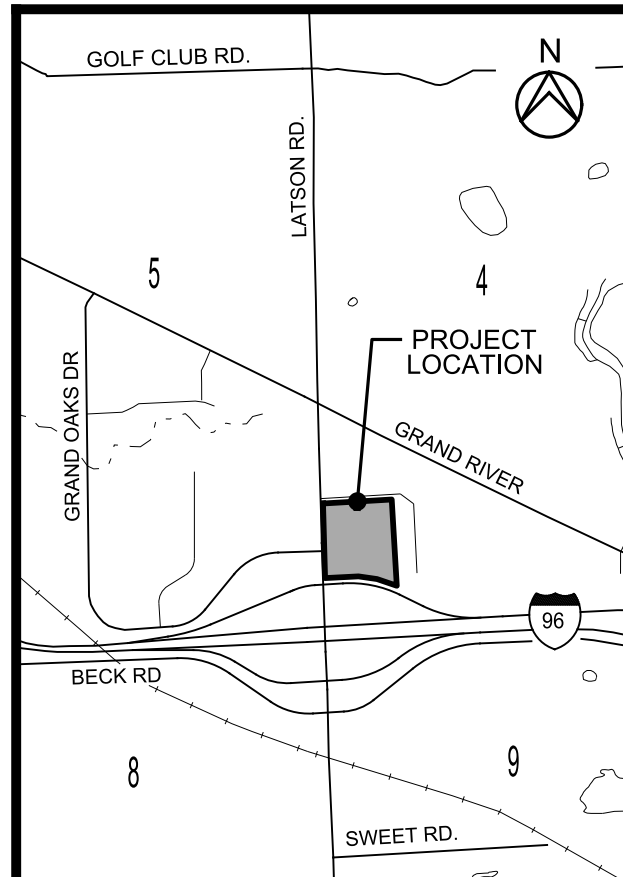


LEGEND	
- - -	EXIST. CONTOUR
+1009.45	EXIST. ELEVATION
—1015—	PROP. CONTOUR



HRC
HUBBELL, ROTH & CLARK, INC
 CONSULTING ENGINEERS SINCE 1915
 555 HULET DRIVE P.O. BOX 824
 BLOOMFIELD HILLS, MICH. 48303-0824
 PHONE: (248) 454-6300
 FAX (1st. Floor): (248) 454-6312
 FAX (2nd. Floor): (248) 338-2592
 WEB SITE: <http://www.hrc-engr.com>

DATE	PLANNING COMMISSION APPROVAL
08-23-16	
DATE	ADDITIONS AND/OR REVISIONS
DESIGNED	GJT
DRAWN	RCH/GJM
CHECKED	GJT
APPROVED	TEB

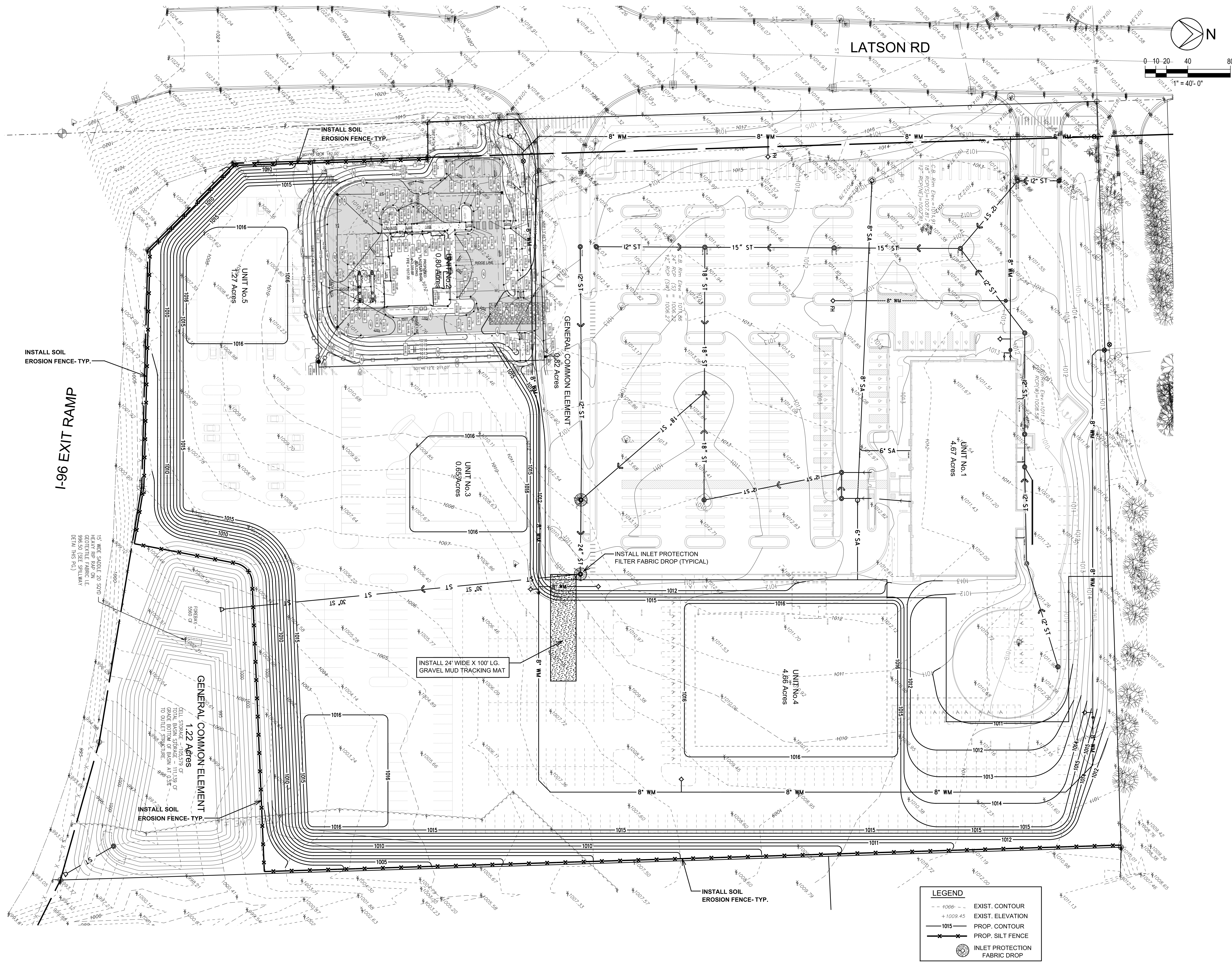


St. John Providence Health System
GENOVA TOWNSHIP MEDICAL COMPLEX
 1201 LATSON ROAD
 HOWELL, MI 48843
 GENOVA TOWNSHIP, LIVINGSTON COUNTY MICHIGAN

PROPOSED MASS GRADING PLAN
 HRC JOB NO. 20160030 SCALE 1" = 40'
 DATE AUGUST 2016 SHEET NO. C-1 OF

© 2016 Hubbell, Roth & Clark, Inc. All Rights Reserved

USER NAME = gmw Date = 20160803 11:11:11 AM Project Path = I:\Projects\2016\20160030\GENOVA\GENOVA_Soil_Erosion.dgn
 Design File = I:\Projects\2016\20160030\GENOVA\GENOVA_Soil_Erosion.dgn
 Plot File = I:\Projects\2016\20160030\GENOVA\GENOVA_Soil_Erosion.dwg
 Date = 23-AUG-2016 10:53:53



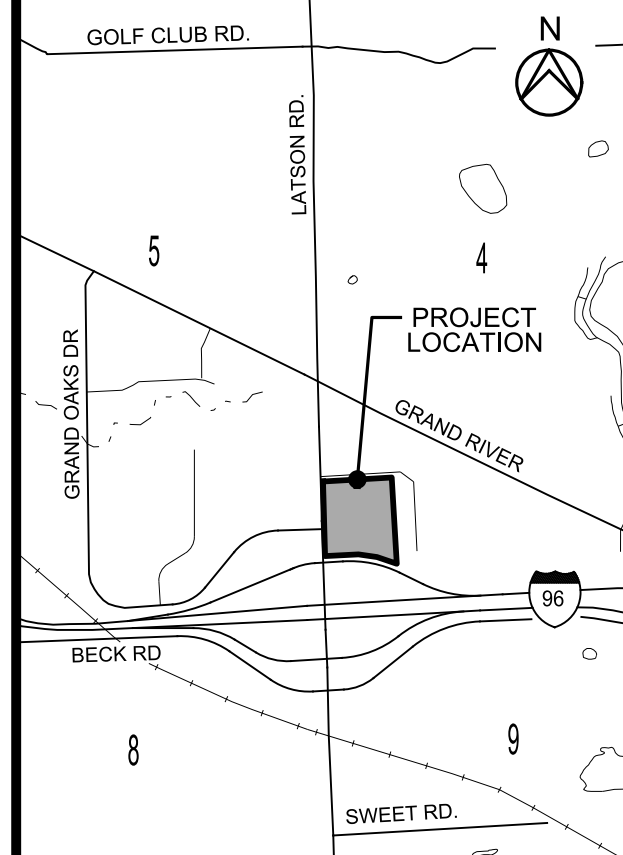
LEGEND	
	EXIST. CONTOUR
	EXIST. ELEVATION
	PROP. CONTOUR
	PROP. SILT FENCE
	INLET PROTECTION FABRIC DROP



HRC
HUBBELL, ROTH & CLARK, INC
 CONSULTING ENGINEERS SINCE 1915
 555 HULET DRIVE P.O. BOX 824
 BLOOMFIELD HILLS, MICH. 48303-0824
 PHONE: (248) 454-6300
 FAX (1st Floor): (248) 454-6312
 FAX (2nd Floor): (248) 338-2592
 WEB SITE: <http://www.hrc-engr.com>

DATE	ADDITIONS AND/OR REVISIONS
08-23-16	PLANNING COMMISSION APPROVAL

DESIGNED	GJT
DRAWN	RCH/GJM
CHECKED	GJT
APPROVED	TEB



St. John Providence
 Health System
**GENOVA TOWNSHIP
 MEDICAL COMPLEX**
 1201 LATSON ROAD
 HOWELL, MI 48843
 GENOVA TOWNSHIP, LIVINGSTON COUNTY MICHIGAN

SOIL EROSION AND SEDIMENTATION CONTROL PLAN	
HRC JOB NO. 20160030	SCALE 1" = 40'
DATE AUGUST 2016	SHEET NO. SE-1 OF

© 2016 Hubbell, Roth & Clark, Inc. All Rights Reserved

TIME = 23-AUG-2016 16:04

PCN_TBL = I:\MS198\Printing\ublock.plt

CLR_TBL = I:\MS198\data\hrc\color2.tbl

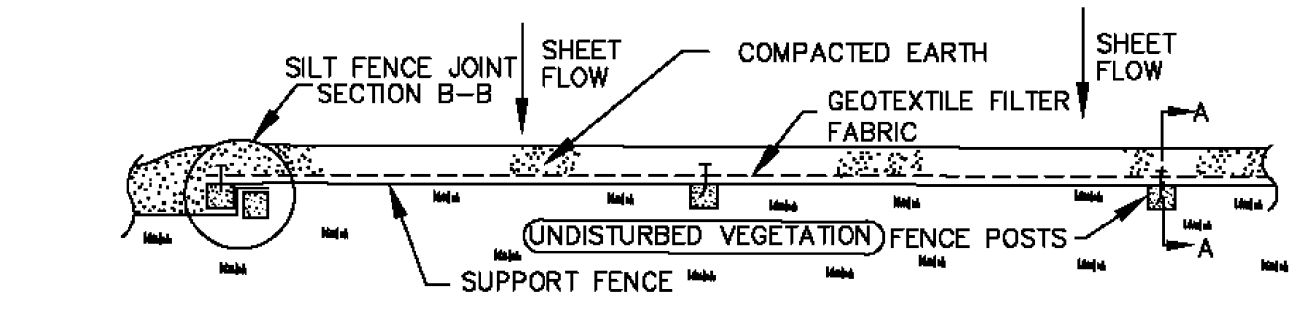
DEFE = \\LWPL01\Biband

DESIGN FILE = K:\201600\20160030\C\C_001_Tree_Protection_Det01.dgn

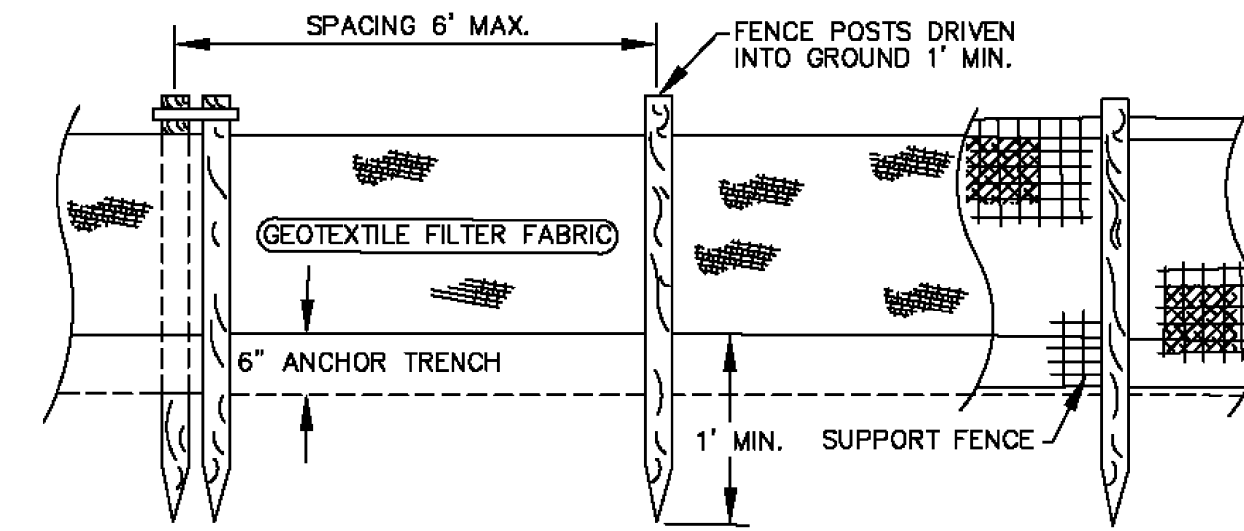
USER NAME = gmmk

SEQUENCE OF CONSTRUCTION

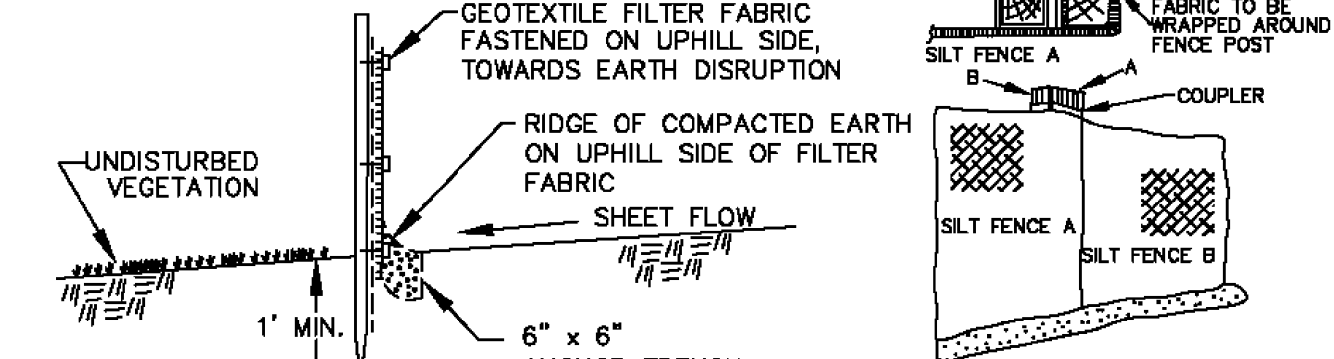
1. Establish Approved Soil Erosion Control Measures and Mud Tracking Mat. All Soil Erosion Measures must be Maintained throughout Construction.
2. Strip Vegetation and Topsoil from Construction area. (Topsoil Stockpiled On-Site to be ringed with additional Fabric Silt Fence).
3. Rough Grade Proposed Site.
4. Remove All Temporary Soil Erosion Control Measures once the Site is stabilized.



PLAN VIEW



FRONT VIEW

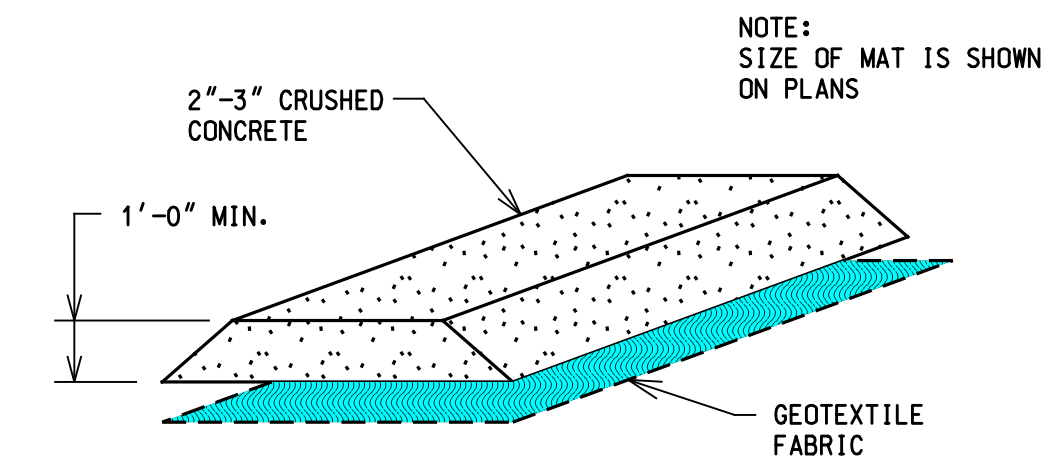


SECTION A-A

SECTION B-B

SILT FENCE DETAIL

NO SCALE



GRAVEL MUD TRACKING MAT DETAIL

NO SCALE

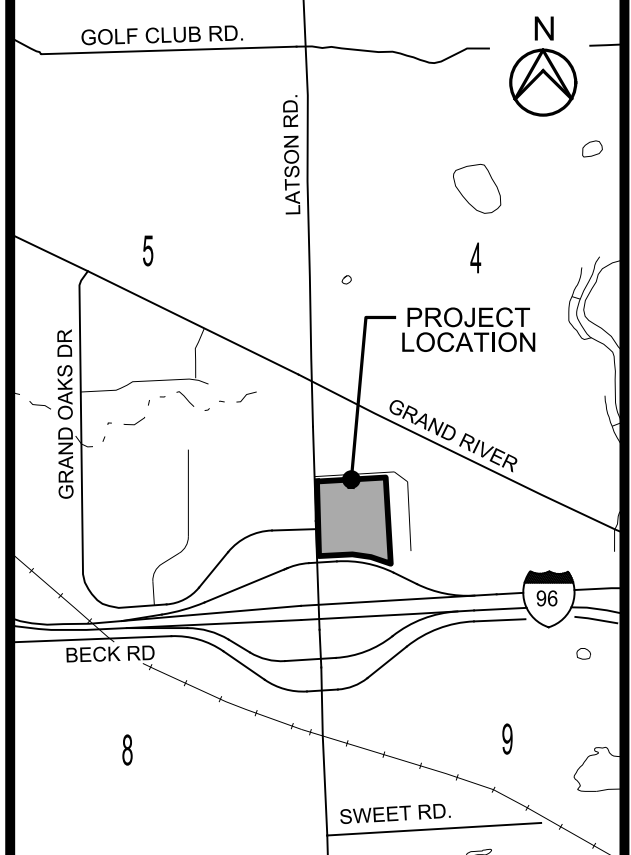


HRC
HUBBELL, ROTH & CLARK, INC
 CONSULTING ENGINEERS SINCE 1915
 555 HULET DRIVE P.O. BOX 824
 BLOOMFIELD HILLS, MICH. 48303-0824
 PHONE: (248) 454-6300
 FAX (1st Floor): (248) 454-6312
 FAX (2nd Floor): (248) 338-2592
 WEB SITE: <http://www.hrc-enr.com>

DATE	ADDITIONS AND/OR REVISIONS
08-23-16	PLANNING COMMISSION APPROVAL

DESIGNED	HRC
DRAWN	HRC
CHECKED	GJT
APPROVED	TEB

V:\201600\20160030\C\C_001_Tree_Protection_Det01.dgn



St. John Providence Health System

GENOA TOWNSHIP MEDICAL COMPLEX

1201 LATSON ROAD HOWELL, MI 48843

GENOA TOWNSHIP, LIVINGSTON COUNTY MICHIGAN

SOIL EROSION CONTROL DETAILS AND NOTES

HRC JOB NO. 20160030	SCALE NO SCALE
DATE AUGUST, 2016	SHEET NO. SD-1 OF

© 2016 Hubbell, Roth & Clark, Inc. All Rights Reserved

RESOLUTION NO. _____

**SUPPORTING CREATION OF A LIVINGSTON
COUNTY TRANSPORTATION AUTHORITY**

- WHEREAS,** Public transportation is a critical component to a successful community; and,
- WHEREAS,** The only public transit service available in the County is the Livingston Essential Transportation Service (LETS); and,
- WHEREAS,** LETS lacks the financial capacity to meet all the needs of the transit dependent in Livingston County to access core essential services; and,
- WHEREAS,** There is no regularly scheduled transit service within Livingston County nor to surrounding counties; and,
- WHEREAS,** In excess of 55% of our working citizens drive out of the county to access their place of employment; and,
- WHEREAS,** The county has limited and often dangerous bicycle and pedestrian access to future transit connections; and,
- WHEREAS,** Many county-based employers are experiencing difficulty getting workers to their employment sites due to the lack of public transportation; and,
- WHEREAS,** Other regions are receiving substantial Federal and State grants to improve their public transportation systems; and,
- WHEREAS,** Livingston County is unable to access all the grants available because it lacks local matching dollars; and,
- WHEREAS,** High quality public transportation is a very important factor in promoting and sustaining economic development; and,
- WHEREAS,** The planning and implementation of a comprehensive public transportation system requires careful planning with significant public input and support; and,
- WHEREAS,** Many counties and regions across the state and nation have achieved major improvements in public transportation by establishing public transportation authorities in their areas;

NOW, THEREFORE, BE IT RESOLVED, that the Genoa Charter Township Board hereby expresses its strong support for the establishment of a Livingston County Transportation Authority and respectfully requests that the Livingston County Board of Commissioners take appropriate steps to enable the establishment of such an authority with the responsibility to plan and implement a comprehensive multi-modal transportation plan for Livingston County.

ADOPTED this 19th day of September, 2016.

GARY MCCRIRIE, SUPERVISOR

PAULETTE SKOLARUS, CLERK

CERTIFICATION

I hereby certify that the foregoing is a true and complete copy of Resolution No.____, adopted by the City Council of the City of Howell, Livingston County, Michigan, at a regular meeting held on the 19th day of September, 2016 and that the meeting was held and the minutes therefore were filed in compliance with Act No. 267 of the Public Acts of 1976.

IN WITNESS WHEREOF, I have hereto affixed my official signature this ____ day of _____, _____.

By: _____
Genoa Charter Township Clerk

September 15, 2016

To: Genoa Charter Township Board

From: Polly Skolarus, Clerk

Subject: The purchase of cemetery plots

Attached are three separate documents related to the purchase of cemetery parcels from St. George Lutheran Church Cemetery.

- Genoa Township "Offer to Purchase
- Genoa Charter Township Cemetery Purchase Agreement
- Genoa Charter Township Cemetery Ordinance

All of these documents were initially drafted by my office. They were then sent to Mr. Joe Seward for review and approval. Mr. Seward made a couple changes to the first drafts and then returned them to my office.

I am asking for the board's approval of the "Offer to Purchase" which is for \$40,000.00 and also approval of a check in that amount for the purchase of 122 plots within St. George Lutheran Church Cemetery.

The "Cemetery Purchase Agreement" would be used between my office and any person asking to purchase a cemetery plot in our portion of the St. George Lutheran Church Cemetery. The new cemetery would be named the Genoa Township Herbst Road Cemetery and signage would be purchased for identification.

The Township Zoning Ordinance (160919) will relate to the new Genoa Township Herbst Road Cemetery as well as the Chilson Hills Cemetery.

Thank you, Polly

**Genoa Charter Township
Offer to Purchase**

This offer to purchase 122 burial sites in the Saint George Lutheran Church Cemetery located on Herbst Road in Genoa Charter Township, Brighton, MI 48116 is made this 19th day of September 2016 by Genoa Charter Township (the "Buyer") and St. George Lutheran Church/Cemetery (the "Seller").

The Buyer wishes to submit an offer to purchase 122 burial sites from the Seller under the terms stated below:

1. Real Property located within the St. George Lutheran Cemetery as follows:

Lots 1001 through 1031

1101 through 1131

1201 through 1212

1301 through 1312

1401 through 1412

1501 through 1512

1601 through 1612

In total 122 burial sites located within the Saint George Lutheran Cemetery located on Herbst Road in Genoa Charter Township, Brighton, MI 48116.

2. The total purchase price of \$40,000.00 (the "Purchase Price") that is to be paid in full on the date of final sale by authorization of the Genoa Charter Township Board and approved by the St. George Church Cemetery Board.
3. By accepting this Offer to Purchase, Seller agrees to all terms of the Offer to Purchase including providing perpetual care to all of the above listed burial sites.

Signed: _____ Date: _____

Saint George Lutheran Church

Signed: _____ Date: _____

Paulette A. Skolarus, Clerk
Genoa Charter Township

GENOA CHARTER TOWNSHIP
CEMETERY PURCHASE
AGREEMENT

2911 Dorr Road
Brighton, MI 48116
(810) 227-5225
www.genoa.org

**GENOA CHARTER TOWNSHIP CEMETERY
PURCHASE AGREEMENT**

This Agreement is entered into this ____ day of _____ 20____, by and between Genoa Charter Township, and _____, hereinafter referred to as Purchaser(s).

WHEREAS, Genoa Charter Township keeps and maintains the Genoa Township Cemetery, hereafter referred to as Cemetery; and

WHEREAS, Cemetery offers for purchase lots designated for burial in the Cemetery; and

WHEREAS, Purchaser desires to enter into this purchase agreement to acquire burial rights for one or more lots in said Cemetery;

NOW, THEREFORE, in consideration of, and incorporating the above recitals and the mutual promises and conditions contained in the Agreement, the receipt and sufficiency of which is hereby willfully acknowledged, the Parties agree as follows:

TERMS

1. **Effective Date:** This agreement shall be effective upon execution of this document by both parties.

2. **Purchase Rights:** This purchase is not a purchase of property. The Cemetery will maintain ownership of all cemetery properties. Upon the purchase of the cemetery burial rights, the purchaser acquires only the "Right of Burial" and perpetual care in the said plot, subject to the rules and regulations of the Cemetery.

3. **Purchase Price:** Burial plots shall be for the following amounts:

- Township Residents and immediate family members: one full burial grave site \$400.00
- Non Residents: one full burial grave site \$600.00

4. **Payment** must be in full at time of sale.

5. **Default/Desertion:** If after a period of 75 years and reasonable attempts to contact family/heirs or upon reliable information that a purchaser has been interred elsewhere, "paid in full" plots will revert back to the Township for use at their discretion.

6. **Interment:**

- One body (single casket in a single vault) may be interred in a single plot
- One body and one cremains in a single plot
- One adult and an infant child in a single casket
- Two cremations in a single plot

7. **Inheritance of Burial Rights:** Heirs may acquire rights to cemetery plots. Heirs must provide legal documentation before rights to plots can be reassigned. New owners are bound to all existing and current fees and regulations. No rights can be transferred with profit. All transfers must be in writing through the Genoa Charter Township to be valid.

8. Saint George Lutheran Church Cemetery will provide perpetual care of the cemetery. This shall include the maintenance of grounds, infrastructure, roads and all other elements. Saint George Lutheran Church Cemetery is responsible for all necessary growth and development within the cemetery. Perpetual care does not include maintenance, upkeep or repair of any marker, monument or headstone unless the damage is a direct result of church or cemetery personnel, this also includes any item placed on the gravesite that is not permanent to the lot such as vases, ornaments, etc.

9. Placement: Markers, monuments and headstones can only be placed under the supervision of the monument company under the direction of St. George Lutheran Church staff. Markers will be placed on the west side of the lot as this is the head end of the burial plot.

10. Monuments: Headstones must be in accordance with the traditional character of the cemetery. Only a single marker per grave will be allowed with the exception of additional appropriate Veterans Markers.

- Maximum dimensions – 30” height – 40” width per site, up to 60” for two adjacent shared sites.
- Footing must exceed monument with a minimum of 4” border around base.
- All monuments require approval of the Sexton/Clerk.
- Monuments, markers and headstones remain property of the family.

11. Flowers/Decoration: All effort must be given to maintain the dignity of the cemetery. Floral Arrangements, fresh or artificial, are permitted if placed in containers that are secured to the headstone or monument. Flowers/Decorations related to the actual burial must be disposed of within 2 weeks. The Township or those providing Perpetual Care retain the right to dispose of flowers/decorations as needed. The cemetery is not responsible for any mementos left on gravesites. There are no permanent plantings allowed in the cemetery. American Flags may be permitted on Veteran’s graves from Memorial Day through Veteran’s Day. Winter holiday decorations must be removed no later than April 15th following the winter holidays.

12. General: Only human remains are allowed to be interred in the cemetery.

13. ALL RULES AND PROVISIONS ARE SUBJECT TO CHANGE OR AMENDMENT AT THE TOWNSHIP’S AND/OR CEMETERY BOARD’S DISCRETION.

14. Governing Law: This Agreement shall be governed by, construed and enforced in accordance with the laws of the State of Michigan and Genoa Charter Township.

15. Entire Agreement: This Agreement contains the entire agreement between the parties and cannot be modified except by a written document signed by both parties.

16. Provisions Separable: The provisions of this Agreement are independent and separable from each other. No provision shall be affected, rendered invalid or unenforceable by virtue of the fact that another provision may be invalid or unenforceable, in whole or in part.

17. Joint & Several Obligations: All agreements, rights and obligations of Purchaser(s) shall be joint and several.

Total amount due for burial sites purchased: _____ X Plot cost \$ _____ = Total Due \$ _____

Location Section: Lot Number (s): _____ Right of Burial: _____

IN WITNESS WHEREOF, the parties hereto cause this Agreement to be executed themselves or by their duly authorized representatives on the dates set forth above and specify the Agreement to be effective on the date this Agreement is executed. Additionally, by said execution purchaser affirms having read the Terms set forth in this document and agrees to abide by all regulations stipulated, and in accordance with the practices of Genoa Charter Township and Saint George Lutheran Church Cemetery.

Purchaser Signature _____ Date: _____

Purchaser Signature _____ Date: _____

Genoa Charter Township _____ Date: _____
Paulette A. Skolarus, Sexton/Clerk

Cemetery – purchase agreement - final

CEMETERY ORDINANCE 160919

GENOA CHARTER TOWNSHIP CEMETERY ORDINANCE

County of Livingston

An ordinance to protect the public health, safety and general welfare by establishing regulations relating to the operation, control, and management of cemeteries owned by the Genoa Charter Township (herein after referred to as "Township"), Livingston County, Michigan; to provide penalties for the violation of said ordinance, and to repeal all ordinances or parts of ordinances in conflict therewith.

GENOA CHARTER TOWNSHIP, LIVINGSTON COUNTY, MICHIGAN, ORDAINS:

Section 1: Title

This ordinance shall be known and cited as the Genoa Charter Township Cemetery Ordinance.

Section 2: Definitions of Cemetery Lots and Burial Spaces

Burial sites shall consist of a land area four (4) feet wide and nine (9) feet in length.

Section 3: Sale of Lots or Burial Spaces

At the time of sale, each burial site shall be assigned the name of a specific person who shall be interred in that cemetery plot upon death. If the owner chooses to assign the site to another person, the Right of Burial will be returned and re-written to accommodate a different person.

All such sales shall grant a Right of Burial only and do not convey any other title to the lot or burial space sold.

Burial rights may only be transferred to those persons eligible to be original purchasers of cemetery lots or burial spaces within the Township and may be effected only by endorsement of an assignment of such burial permit upon the original burial permit form issued by the Cemetery Sexton/Township Clerk (herein after referred to as Sexton/Clerk), approved by said Sexton/Clerk, and entered upon the official records of said Sexton/Clerk. Upon such assignment, approval and record, said Sexton/Clerk shall issue a new burial permit to the assignee and shall cancel and terminate upon such records, the original permit thus assigned.

Section 4: Purchase Price

Grave sites may be purchased for \$400.00 each for township residents. Grave sites may be purchased for \$600.00 each for non-residents. The Township Board, by resolution, may

periodically alter the foregoing fees to accommodate increased costs and needed reserve funds for cemetery maintenance.

Section 5: Grave Opening Charges

Opening and closing of any burial space, prior to and following a burial therein, and including the interment of ashes, shall be at a cost to be determined by the grave-digger who serves the township and sets the fees related to his service.

No burial spaces shall be opened and closed except under the direction and control of the Sexton/Clerk. This provision shall not apply to proceedings for the removal and re-interment of bodies and remains, which matters are under the supervision of the local health department.

Section 6: Markers or Memorials

Markers or memorials must be of stone or other equally durable composition. The Sexton/Clerk must be notified before any stone is placed. No marker (monument) shall be placed nearer than four inches from the lot line. Monuments will not exceed 30" height x 40" in width per site, or 30" height x 60" width if two sites adjacent to each other are purchased.

The use of traditional monuments or markers is mandated and will maintain the existing character of the cemetery.

Any large upright monuments must be located upon a suitable foundation to maintain the same in an erect position. All foundations will be placed with approval of the Sexton/Clerk. The footing or foundation upon which any monument, marker or memorial must be placed shall be constructed in accordance with township approval and at cost to the owner of the burial right. Those persons engaged in placing monuments and markers shall provide planking adequate to protect turf and shall remove materials and equipment immediately upon completion of work. Markers and monuments will not be permitted to be delivered to lots until a proper order for a foundation installation has been placed. All memorials or markers shall be consistent with the character of the existing cemetery. Only one monument, marker or memorial shall be permitted per burial space. Markers and memorials will be placed no closer than 4" from the neighboring burial site.

Section 7: Interment Regulations

One-person may be buried in a burial space except for apparent and infant buried at the same time. A single grave site will provide for the remains of one person (full burial) and a cremation. A single grave site may also provide for the remains of two cremations. A reasonable notice shall be given in advance of the time of any funeral to allow for the opening of the burial space.

The appropriate permit for the burial space involved, together with appropriate identification of the person to be buried therein, where necessary, shall be presented to either the Sexton/Clerk prior to interment. Where such permit has been lost or destroyed, the Sexton/Clerk shall be satisfied, from his or her records, that the person to be buried in the burial space is an authorized and appropriate before any interment is commenced or completed.

All graves shall be located in an orderly and neat appearing manner within the confines of the burial space involved.

Section 8: Ground Maintenance

No grading, leveling, or excavating upon burial space shall be allowed without the permission of the Sexton/Clerk.

No flowers, shrubs, trees or vegetation of any type shall be planted without the approval of the Sexton/Clerk. Any of the foregoing items planted without such approval may be removed by the Township or those providing perpetual care of the cemetery.

Mounds which hinder the free use of a lawn mower or other gardening apparatus are prohibited.

The Township or those providing perpetual care shall have the right and authority to remove and dispose of any and all growth, emblems, displays or containers therefor that through decay, deterioration, damage or otherwise become unsightly, a source of litter or a maintenance problem.

Surfaces other than earth or sod are prohibited.

Winter decorations must be removed from graves no later than April 15th following the Winter Holidays. All grave decorations shall be consistent with the character of the existing cemetery and any decorations inconsistent with the character of the cemetery maybe removed without notice. All refuse of any kind or nature including dried flowers, wreaths, papers, and flower containers may be removed without notice.

Section 9: Forfeiture of Vacant Cemetery Lots or Burial Spaces

Cemetery lots or burial spaces sold after the effective date of the ordinance and remaining vacant 75 years from the date of their sale shall automatically revert to the Township upon occurrence of the following events:

- Notice shall be sent by the Sexton/Clerk by first class mail to the last known address of the last owner of record informing him of the expiration of the 75 year period and that all rights with respect to said lots or spaces will be forfeited if he does not affirmatively indicate in writing to the Sexton/Clerk within 60 days from the date of mailing of the within notice his desire to retain said burial rights.
- Provided that no written response to said notice indicating a desire to retain the cemetery lots or burial spaces in question is received by the Township Clerk from the last owner of record of said lots or spaces, or his heirs or legal representative, within 60 days from the date of mailing of said notice.

Section 10: Repurchase of Lots or Burial Spaces

The Township will repurchase any cemetery lots or burial space from the owner for the original price paid to the Township upon written request of said owner or his legal heirs or representatives provided that the original "Right of Burial" is returned or other documents showing the person identified in section 3 has been or will be buried in a different location.

Section 11: Records

The Township Clerk shall maintain records concerning all burials, issuance of Right of Burial permits, separate and apart from any other records of the township and the same shall be open to public inspection at all reasonable business hours.

Section 12: Cemetery Hours

The cemetery shall be open to the general public from dawn to dusk each day.

No person shall be permitted in the Township cemeteries at any time other than the foregoing hours, except upon permission of the Sexton/Clerk.

Section 13: Penalties

Any person, firm or corporation who violates any of the provisions of the within ordinance shall be guilty of a civil infraction, punishable by a fine of up to \$100.00. (2) Each day that a violation exists, or continues to exist, shall constitute a separate offense

Any proceedings thereunder shall not prevent civil proceedings for abatement and termination of the activity complained of.

Section 14: Severability

The provisions of the within ordinance are hereby declared to be severable and should any provision, section or part thereof be declared invalid or unconstitutional by any court of competent jurisdiction, such decision shall only affect the particular provision, section or part

thereof involved in such decision and shall not affect or invalidate the remainder of such ordinance which shall continue in full force and effect.

Section 15: Disclaimer of Township Liability and Responsibility

Every person who enters, remains in and travels within a Township Cemetery does so at their own risk. The Township is not responsible for any injury, accident or other calamity that might occur to any person present in a Township Cemetery. Furthermore, the Township is not responsible for any damage or vandalism to, theft of or deterioration of any burial monument, headstone, flower urn or other item placed at or near a cemetery plot, burial site or anywhere in a Township cemetery. The purchaser or transferee of any cemetery plot or the equivalent (and all subsequent transferees, assigns, heirs, or beneficiaries) hereby releases, waives, indemnifies and holds harmless the Township for, from and against an injury, damages, causes of action, claims, costs and expenses associated with, relating to the cemetery involved. Such waiver, release and hold harmless provision shall apply not only to the Township, but also as to the Sexton/Clerk and any Township employee, officer, official or agent.

Section 16: Effective Date

This ordinance shall take effect on Oct. 1, 2016. All ordinances or parts of ordinances or Rules and Regulations in conflict herewith are hereby repealed.

The above Ordinance was offered for adoption by _____ and supported by _____

Yeas:

Nays:

Absent:

Certification

I hereby declare that the above is a true copy of an ordinance adopted by the Genoa Charter Township Board at a regular meeting held on September 19, 2016 at 6:30 p.m. at the Genoa Township Hall, pursuant to required statutory procedures

Signed: _____ Date _____

Paulette A. Skolarus, Clerk
Genoa Charter Township

Cemetery – ordinance no 160919