

**GENOA CHARTER TOWNSHIP BOARD**

**Regular Meeting**

**May 15, 2017**

**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: May 1, 2017
3. Request to approve the Assessor's affidavit of the 2017 millage levies for the Township establishing the millage rate at 0.8061.

**Approval of Regular Agenda:**

4. Public hearing on the Lake Chemung Aquatic Weed Control Special Assessment Project Winter 2017.
  - A. Call to Property Owners
  - B. Call to the Public
5. Discussion of five-year projection for Fund 264 related to revenue and expenditures for both the aquatic weed control program and road improvement projects.
6. Consider approval of a resolution adopting the County's Hazard Mitigation Plan and request that the County Board of Commissioners implement a comprehensive plan for the County.
7. Request to approve replacement of the front and rear apparatus drive aprons and install walkways at Brighton Fire Station 34 by Detroit Concrete Co. at a cost not to exceed \$26,928.
8. Consider approval of an agreement with the Livingston County Road Commission to repave Hacker Road between Grand River and Clark Lake Road with a Township contribution of \$100,000.
9. Consider a request to amend the Snyder v. Genoa Charter Township Consent Judgement as requested by Joseph Yaros; 5679 Richardson Road.

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: May 15, 2017

TOWNSHIP GENERAL EXPENSES: Thru May 15, 2017	\$28,542.54
May 5, 2017 Bi Weekly Payroll	\$92,171.51
OPERATING EXPENSES: Thru May 15, 2017	\$63,679.82
TOTAL:	<u>\$184,393.87</u>



Check Date	Check	Vendor Name	Amount
Bank FNBACK CHECKING ACCOUNT			
04/26/2017	33632	AT&T	43.39
04/26/2017	33633	ICMA	645.48
04/26/2017	33634	OFFICE EXPRESS INC.	54.66
04/26/2017	33635	TRI COUNTY SUPPLY, INC.	236.22
04/28/2017	33636	COMPUTER CABLE CONCEPTS, INC	4,560.00
04/28/2017	33637	MICHAEL ARCHINAL	341.88
05/01/2017	33638	ETHAN MURPHY	50.00
05/01/2017	33639	GFL ENVIRONMENTAL USA INC.	2,500.00
05/01/2017	33640	LEO'S CUSTOM SPRINKLER SERVICE INC	124.00
05/01/2017	33641	MICHIGAN ASSOC. OF PLANNING	135.00
05/01/2017	33642	PERFECT MAINTENANCE CLEANING	565.00
05/01/2017	33643	TARA BROWN	18.59
05/04/2017	33644	ANGELA WILLIAMS	30.17
05/04/2017	33645	BRANDON VANMARTER	75.00
05/04/2017	33646	CONTINENTAL LINEN SERVICE	113.43
05/04/2017	33647	DTE ENERGY	1,058.01
05/04/2017	33648	KNOCK 'EM OUT PEST CONTROL	165.00
05/04/2017	33649	LIVINGSTON COUNTY CLERKS ASSOC	20.00
05/04/2017	33650	NETWORK SERVICES GROUP, L.L.C.	275.00
05/04/2017	33651	TRI COUNTY SUPPLY, INC.	119.42
05/05/2017	33652	AMERICAN AQUA	3,133.00
05/05/2017	33653	BS&A SOFTWARE	3,385.00
05/05/2017	33654	DTE ENERGY	163.62 V
Void Reason: SHOULD NOT HAVE BEEN PUT TOGETHER			
05/05/2017	33655	LAKESIDE SERVICE COMPANY, INC	1,639.00
05/05/2017	33656	LCAA	30.00
05/05/2017	33657	MASTER MEDIA SUPPLY	237.35
05/05/2017	33658	MICHIGAN OFFICE SOLUTIONS	300.79
05/05/2017	33659	PACKERLAND RECORDS MANAGEMENT	50.00
05/05/2017	33660	DTE ENERGY	15.80
05/05/2017	33661	DTE ENERGY	147.82
05/08/2017	33662	COMCAST	323.10
05/08/2017	33663	DTE ENERGY	142.01
05/08/2017	33664	ETNA SUPPLY COMPANY	7,725.00
05/08/2017	33665	GORDON FOOD SERVICE	262.78
05/08/2017	33666	MASTER MEDIA SUPPLY	20.64
<b>FNBACK TOTALS:</b>			
Total of 35 Checks:			28,706.16
Less 1 Void Checks:			163.62
Total of 34 Disbursements:			<u>28,542.54</u>

05/09/2017 02:56 PM  
User: Angie  
DB: Genoa Township

CHECK REGISTER FOR GENOA TOWNSHIP  
CHECK NUMBERS 3159 - 3200

Page: 1/1

Check Date	Check	Vendor Name	Amount
<b>Bank 593FN LAKE EDGEWOOD OPERATING FUND #593</b>			
05/04/2017	3159	BRIGHTON ANALYTICAL , L.L.C.	67.00
05/04/2017	3160	DTE ENERGY	4,281.58
05/08/2017	3161	DTE ENERGY	74.22
05/08/2017	3162	BRIGHTON ANALYTICAL , L.L.C.	144.00
05/08/2017	3163	COMPLETE BATTERY SOURCE	124.94
05/08/2017	3164	DTE ENERGY	358.04
05/08/2017	3165	GENOA TOWNSHIP D.P.W. FUND	10,721.59
<b>593FN TOTALS:</b>			
Total of 7 Checks:			15,771.37
Less 0 Void Checks:			0.00
Total of 7 Disbursements:			15,771.37

05/09/2017 02:55 PM  
User: Angie  
DB: Genoa Township

CHECK REGISTER FOR GENOA TOWNSHIP  
CHECK NUMBERS 3932 - 4200

Page: 1/1

Check Date	Check	Vendor Name	Amount
<b>Bank 592FN OAK POINTE OPERATING FUND #592</b>			
05/02/2017	3932	DTE ENERGY	354.46
05/02/2017	3933	DTE ENERGY	23.79
05/04/2017	3934	DTE ENERGY	2,036.05
05/04/2017	3935	DTE ENERGY	1,675.57
05/08/2017	3936	CONSUMERS ENERGY	228.00
05/08/2017	3937	DTE ENERGY	327.58
05/08/2017	3938	BRIGHTON ANALYTICAL , L.L.C.	44.00
05/08/2017	3939	EJ USA, INC.	723.26
05/08/2017	3940	ETNA SUPPLY COMPANY	579.69
05/08/2017	3941	FERGUSON WATERWORKS #3386	709.00
05/08/2017	3942	GENOA TOWNSHIP D.P.W. FUND	37,788.18
05/08/2017	3943	NORTHWEST PIPE & SUPPLY	321.82
<b>592FN TOTALS:</b>			
Total of 12 Checks:			44,811.40
Less 0 Void Checks:			0.00
Total of 12 Disbursements:			44,811.40

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User: Angie  
DB: Genoa Township

CHECK REGISTER FOR GENOA TOWNSHIP  
CHECK NUMBERS 3969 - 4200

Page: 1/1

Check Date	Check	Vendor Name	Amount
<b>Bank 503FN DPW-UTILITIES #503</b>			
04/27/2017	3969	AK SERVICE DRIVER TESTING, LI	150.00
04/27/2017	3970	STATE OF MICHIGAN	95.00
05/04/2017	3971	JENIFER KERN	111.49
05/08/2017	3972	BELLE TIRE	996.00
05/08/2017	3973	PAETEC	31.85
05/08/2017	3974	RED WING SHOE STORE	428.99
05/08/2017	3975	USA BLUEBOOK	227.29
05/08/2017	3976	VICTORY LANE QUICK OIL CHANGE	65.96
05/08/2017	3977	BLACKBURN MFG. CO.	454.04
05/08/2017	3978	TRACTOR SUPPLY CO.	536.43
<b>503FN TOTALS:</b>			
Total of 10 Checks:			3,097.05
Less 0 Void Checks:			0.00
Total of 10 Disbursements:			3,097.05

**GENOA CHARTER TOWNSHIP BOARD**  
**Regular Meeting**  
**May 1, 2017**

**Minutes**

Supervisor Rogers called the regular meeting of the Genoa Charter Township Board to order at 6:30 p.m., with the Pledge of Allegiance. The following members were present constituting a quorum for the transaction of business: Bill Rogers, Paulette Skolarus, Jim Mortensen, Terry Croft, Diana Lowe, Robin Hunt, and Jean Ledford. Also present were Township Manager, Michael Archinal; Township Attorney, Joe Seward; and approximately 35 persons in the audience.

Call to the Public was made; Paul Rogers of Howell Area Parks and Rec thanked the board for participation in the Marshmallow Drop. Rogers said the Marshmallow Drop went very well. Overall, 552 children were registered for the event. The Moon Glow, fire trucks, and Howell Nature Center were available to families while they waited. Rogers also indicated that he is looking into having the Marshmallow Drop on a fixed day going forward, possibly the first Thursday in April. Rogers also wanted to thank Bordine's for the last minute use of their parking lot to use for shuttling event attendees.

**Approval of Consent Agenda:**

Moved by Mortensen and supported by Lowe to approve all items listed under the Consent Agenda as requested. The motion carried unanimously.

**1. Payment of Bills.**

**2. Request to Approve Minutes: April 17, 2017**

**3. Request for approval of \$3,000 payable to the County for match assistance for the Land and Water Conservation Grant for Phase I funding of Filmore County Park.**

**Approval of Regular Agenda:**

Moved by Lowe and supported by Hunt to approve for action all items on the regular agenda as requested. The motion carried unanimously.

**4. Public hearing on the Lake Chemung Aquatic Weed Control Special Assessment Project Winter 2017.**

**A. Call to Property Owners**

Dan Goebel, 1500 Westwood Dr., expressed his opposition to the project. He informed the board that certain chemicals in the treatment are considered hazardous and can cause cancer.

David Pickett, 1017 Sunrise Park Dr, is in favor of the project but wanted clarification/itemized list of the Lake Chemung Riparian Association (LCRA) treasurers report. He is concerned with costs listed on the project labeled administration and contingency. Ginny Himich, 1125 Sunrise Park Dr, will provide copies of the treasurer's report.

Pam Tynning (Progressive AE) was retained by LCRA to test for new invasive or unforeseen weeds. She spoke briefly about costs related to the project.

John Palmer, 560 Black Oaks Trail, is in favor of the project and appreciates the results.

Michael Suciu (17 year resident), 1071 Sunrise Park Dr, said that the project is a great benefit for the lake at a nominal fee.

Lynn Hewitt, 837 Sunrise Park, is in support of the project. It is a great benefit and she thanked Progressive AE for all their work to facilitate the work done.

Letters from residents in favor of the project from Michael Suciu, John Hull, and William and Mary Legault were received. A letter in opposition of the project from Linda Stead was also received.

**B. Call to the Public was made with no response.**

**5. Request for approval of Resolution No. 3 [approved the project, cost estimates, special assessment district, and causing the special assessment roll to be prepared] for the Lake Chemung Aquatic Weed Control Project Winter 2017.**

Moved by Mortensen and supported by Croft, to approve Resolution No. 3 as requested for the Lake Chemung Aquatic Weed Control Project. The motion carried by roll call vote as follows: Ledford, Croft, Hunt, Lowe, Mortensen, Skolarus and Rogers. Nays – None. Absent – None.

**6. Request for approval of Resolution No. 4 [acknowledging the filing of the special assessment roll, scheduling the second hearing, and directing the issuance of statutory notices] for the Lake Chemung Aquatic Weed Control Project Winter 2017.**

Moved by Skolarus and supported by Lowe, to approve Resolution No. 4 as requested for the Lake Chemung Aquatic Weed Control Project and scheduling the next public hearing for Monday, May 15, 2017 at 6:30 p.m. at the Genoa Township Hall. The motion carried by roll call vote as follows: Ledford, Croft, Hunt, Lowe, Mortensen, Skolarus and Rogers. Nays – None. Absent – None.

**7. Request for approval of a Class C Liquor license [under Michigan Liquor Control Code 1998 Act 58 Section 436.1513 for Cleary University's Johnson Center as requested by Jeffrey Bane, Dean of Hospitality at Cleary University.**

Moved by Hunt and supported by Lowe to approve a Class C Liquor license for Cleary University's Johnson Center as requested by Jeffrey Bane, Dean of Hospitality at Cleary University with the amended section 436.1513a to 436.1513. The motion carried by roll call vote as follows: Ledford, Croft, Hunt, Lowe, Mortensen, Skolarus and Rogers. Nays – None. Absent – None.

**8. Consider a request for relief for a second lot at 830 Sunrise Park for the Sunrise Park Road Paving Special Assessment District (2016).**

Archinal gave a brief history on this parcel. Alexandria Lyttle appealed to the board to allow relief of the SAD 4711-04-400-009 because initial mailings were sent to a PO Box that was listed in the roll but was not the resident's mailing address.

Lynn Hewitt, 837 Sunrise Park, told the board that when she visited Lyttle at her home to talk about the SAD she was told Lyttle was busy staining her deck.

Moved by Skolarus and supported by Ledford to approve relief of the SAD related to parcel 4711-04-400-009 contingent upon Alexandria Lyttle signing an affidavit to not build a permanent residence on the property. The SAD will be reimbursed by fund 261. The motion carried unanimously.

**9. Request for review of Fourth Amended Articles of Incorporation for the Howell Area Parks and Recreation Authority.**

Paul Rogers, Howell Area Parks and Recreation Authority, outlined the Fourth Amended Articles of Incorporation and its benefits. Moved by Lowe and supported by Croft to accept and place on file the Fourth Amended Articles of Incorporation for the Howell Area Parks and Recreation Authority. The motion carried unanimously.

**10. Discussion of proposed Mountain Road improvements with payment due on the Winter 2017 tax bills and construction to be completed in 2018.**

Mortensen would like to see budget sheets for fund 264 next board meeting. It was the consensus of the board that a six year assessment would be granted since the first year would be paid in advance.

**11 Request for approval of Resolution No. 170501 authorizing the Genoa Charter Township Clerk to sign the grant agreement with the Michigan Department of State for the purchase of new voting equipment utilizing Federal HAVA and State appropriated funding.**

Moved by Lowe and supported by Skolarus, to approve Resolution No. 170501 authorizing the Clerk to sign the grant agreement with the Michigan Department of State for the purchase of new voting equipment utilizing Federal HAVA and State appropriated funding as requested. Costs and maintenance sheets will be attached to the resolution and included with the minutes. The motion carried by roll call vote as follows: Ledford, Croft, Hunt, Lowe, Mortensen, Skolarus and Rogers. Nays – None. Absent – None.

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

Moved by Skolarus and supported by Lowe to enter into a closed session at 7:50 p.m. The motion carried by roll call vote as follows: Ledford, Croft, Hunt, Lowe, Mortensen, Skolarus and Rogers. Nays – None. Absent – None.

The closed session of the board was adjourned and the regular meeting was reopened at 8:15 p.m.

Moved by Lowe and supported by Mortensen to add an item 13 to the agenda as follows: Request for approval of a contract with Karleen Shafer to prepare the cemetery for Memorial Day by removing the fallen and dead trees, tree stumps, leaves at a cost not to exceed \$6,000.00. The amended agenda was voted on and carried unanimously



**13. Request for approval of a contract with Karleen Shafer to prepare the cemetery for Memorial Day by removing the fallen and dead trees, tree stumps, leaves at a cost not to exceed \$6,000.00.**

Moved by Ledford and supported by Skolarus to approve the request for the Chilson Hills Cemetery cleanup not to exceed \$6,000.00. The motion carried unanimously.

The regular meeting of the Genoa Charter Township Board was adjourned at 8:22 p.m.



Tara Brown, Deputy Clerk  
Genoa Charter Township



Paulette A. Skolarus, Clerk  
Genoa Charter Township

**MICHIGAN LIQUOR CONTROL CODE OF 1998 (EXCERPT)**  
Act 58 of 1998

**436.1513 Licenses; issuance to governing board of college or university; restrictions and prohibition; sale of alcoholic liquor on hotel premises located on land owned by central Michigan university or Wayne state university; conditions; nontransferability; fee; "college," "university," and "conference center" defined.**

Sec. 513. (1) The commission may issue to the governing board of a college or university, without regard to the quota provisions of section 531, a license to sell alcoholic liquor for consumption on the premises of a conference center operated by the governing board. Licenses granted under this subsection may be used only for the sale of alcoholic liquor at regularly scheduled conference center activities. The sale of alcoholic liquor to unscheduled patrons or at unscheduled events is prohibited under this subsection.

(2) Subject to the provisions of section 531, the commission may issue a license to a private entity for the sale of alcoholic liquor for consumption on the premises of a hotel located on land owned by central Michigan university if both of the following circumstances exist:

(a) The land is leased or subleased at fair market value to a private entity that owns, leases, or subleases the hotel building and its fixtures.

(b) The hotel and land are located within an industrial, research, or commercial development park established by the governing board of central Michigan university.

(3) Subject to the provisions of section 531, the commission may issue a license to a private entity for the sale of alcoholic liquor for consumption on the licensed premises of a restaurant located on land owned by Wayne state university if both of the following circumstances exist:

(a) The land is leased or subleased at fair market value to a private entity that owns, leases, or subleases the licensed premises for the operation of a restaurant.

(b) The restaurant is located within an area designated for industrial, research, or commercial development by the governing board of Wayne state university.

(4) Licenses issued pursuant to this section are nontransferable, and the licensee shall pay the fee required under section 525.

(5) As used in this section:

(a) "College" or "university" means a 2-year or 4-year state supported institution of higher education.

(b) "Conference center" means a building or portion of a building, other than a student residence hall or student center, which has meeting rooms, banquet areas, social halls, overnight accommodations, and related facilities for special activities scheduled by the college or university, which in the judgment of the commission, has been regularly used for conferences and lodging of guests. The convocation center and the corporate education center at eastern Michigan university, the Kirkhof and Eberhard centers at Grand Valley state university, the Bernhard center at western Michigan university, the Wadsworth center at Michigan technological university, the West complex at Saginaw Valley state university, the conference center at Big Rapids, the applied technology center at Grand Rapids and the FSU-GR conference center of Ferris state university, Grand Rapids junior college, the Waterman campus center at Schoolcraft college, the Mendel center at Lake Michigan community college, the McGregor memorial conference center at Wayne state university, the Michigan state university management educational center, the Superior dome at northern Michigan university, the Walker Cisler center at Lake Superior state university, the Marie Prahll college center at Mott community college, the John T. Parsons and Frank L. Stulen Michigan technical education center, the Gerald and Frances Oleson center, the Dennon museum center, and the Great Lakes campus at northwestern Michigan college, the farmhouse at Delta college, the Oakland community college culinary studies institute, and the performing arts and cultural center complex at Macomb community college are considered conference centers for the purposes of this act.

History: 1998, Act 58, Imd. Eff. Apr. 14, 1998;—Am. 1998, Act 400, Imd. Eff. Dec. 17, 1998;—Am. 1998, Act 416, Imd. Eff. Dec. 21, 1998;—Am. 2000, Act 344, Imd. Eff. Dec. 27, 2000;—Am. 2002, Act 725, Imd. Eff. Dec. 30, 2002;—Am. 2004, Act 141, Imd. Eff. June 15, 2004;—Am. 2007, Act 11, Imd. Eff. May 24, 2007;—Am. 2009, Act 48, Imd. Eff. June 18, 2009.

**Livingston County  
Summary Cost Years 1-10  
Vendor: HART Intercivic**

	State Funded Components Yrs 1-5	Additional Components Yrs 1-5	Service & Maint Yrs 6 - 10 PER YEAR COST	Total 5 Year Cost of Service & Maint	Total 10 Year Cost
County Clerk's allocation	\$ -	\$75,440.00	\$3,228.00	\$16,140.00	\$91,580.00
Brighton City allocation	\$ -	\$6,050.74	\$3,684.00	\$18,420.00	\$24,470.74
Howell City allocation	\$ -	\$5,865.56	\$2,880.00	\$14,400.00	\$20,265.56
Brighton Twp. allocation	\$ -	\$2,066.67	\$6,944.00	\$34,720.00	\$36,786.67
Cohoctah Twp. allocation	\$ -	\$495.19	\$804.00	\$4,020.00	\$4,515.19
Conway Twp. allocation	\$ -	\$495.19	\$804.00	\$4,020.00	\$4,515.19
Deerfield Twp. allocation	\$ -	\$5,680.37	\$2,076.00	\$10,380.00	\$16,060.37
Genoa Twp. allocation	\$ -	\$2,897.42	\$9,020.00	\$45,100.00	\$47,997.42
Green Oak Twp. allocation	\$ -	\$2,066.67	\$6,944.00	\$34,720.00	\$36,786.67
Hamburg Twp. allocation	\$ -	\$11,381.48	\$7,324.00	\$36,620.00	\$48,001.48
Handy Twp. allocation	\$ -	\$5,865.56	\$2,500.00	\$12,500.00	\$18,365.56
Hartland Twp. allocation	\$ -	\$1,280.93	\$3,304.00	\$16,520.00	\$17,800.93
Howell Twp. allocation	\$ -	\$5,865.56	\$2,880.00	\$14,400.00	\$20,265.56
Iosco Twp. allocation	\$ -	\$680.37	\$1,608.00	\$8,040.00	\$8,720.37
Marion Twp. allocation	\$ -	\$6,050.74	\$3,304.00	\$16,520.00	\$22,570.74
Oceola Twp. allocation	\$ -	\$11,280.93	\$4,912.00	\$24,560.00	\$35,840.93
Putnam Twp. allocation	\$ -	\$6,050.74	\$3,304.00	\$16,520.00	\$22,570.74
Tyrone Twp. allocation	\$ -	\$11,050.74	\$4,108.00	\$20,540.00	\$31,590.74
Unadilla Twp. allocation	\$ -	\$495.19	\$804.00	\$4,020.00	\$4,515.19
<b>County Totals:</b>	\$ -	\$161,060.00	\$70,432.00	\$352,160.00	\$513,220.00
					\$513,220.00

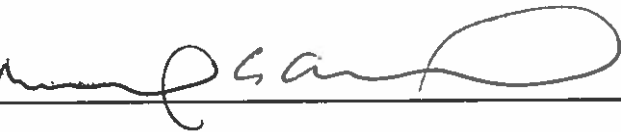
**CALCULATIONS WILL CHANGE AS JURISDICTIONS ADD ADDITIONAL TABULATORS**

TO: Honorable Board of Trustees

FROM: Debra L. Rojewski, Assessor 

DATE: May 15, 2017

RE: 2017 Millage Rate

Manager's Signature:  \_\_\_\_\_

I have enclosed the 2017 Genoa Township Millage Rate that will be used to calculate the amount of taxes to be collected for each parcel in Genoa Township for the Winter Taxes of 2017. There has been a change in the millage from .8121 to .8061.

Michigan State Law requires the Township to approve the millage rate for each tax year.

I would recommend the following motion:

Moved by \_\_\_\_\_, supported by  
\_\_\_\_\_

To approve the Assessor's affidavit of the 2017 Millage levies for Genoa Township, establishing the Millage Rate at 0.8061.

**2017 Tax Rate Request (This form must be completed and submitted on or before September 30, 2017)**

**MILLAGE REQUEST REPORT TO COUNTY BOARD OF COMMISSIONERS**

Carefully read the instructions on page 2.

This form is issued under authority of MCL Sections 211.24e, 211.34 and 211.34d. Filing is mandatory; Penalty applies.

County(ies) Where the Local Government Unit Levies Taxes <b>LIVINGSTON</b>	2017 Taxable Value of ALL Properties in the Unit as of 5-22-17 <b>1,098,394,394</b>
Local Government Unit Requesting Millage Levy <b>GENOA CHARTER TOWNSHIP</b>	For LOCAL School Districts: 2017 Taxable Value excluding Principal Residence, Qualified Agricultural, Qualified Forest, Industrial Personal and Commercial Personal Properties.

This form must be completed for each unit of government for which a property tax is levied. Penalty for non-filing is provided under MCL Sec 211.119. The following tax rates have been authorized for levy on the 2017 tax roll.

(1) Source	(2) Purpose of Millage	(3) Date of Election	(4) Original Millage Authorized by Election Charter, etc.	(5) ** 2016 Millage Rate Permanently Reduced by MCL 211.34d "Headlee"	(6) 2017 Current Year "Headlee" Millage Reduction Fraction	(7) 2017 Millage Rate Permanently Reduced by MCL 211.34d "Headlee"	(8) Sec. 211.34 Truth in Assessing or Equalization Millage Rollback Fraction	(9) Maximum Allowable Millage Levy *	(10) Millage Requested to be Levied July 1	(11) Millage Requested to be Levied Dec. 1	(12) Expiration Date of Millage Authorized
ALLOC	OPERATING	N/A		.8121	.9927	.8061	1.0000	.8061		.8061	

Prepared by <b>DEBRA L. ROJEWSKI</b>	Telephone Number <b>810-227-5225</b>	Title of Preparer <b>ASSESSOR</b>	Date <b>MAY 15, 2017</b>
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**CERTIFICATION:** As the representatives for the local government unit named above, we certify that these requested tax levy rates have been reduced, if necessary to comply with the state constitution (Article 9, Section 31), and that the requested levy rates have also been reduced, if necessary, to comply with MCL Sections 211.24e, 211.34 and, for LOCAL school districts which levy a Supplemental (Hold Harmless) Millage, 380.1211(3).

**Local School District Use Only. Complete if requesting millage to be levied. See STC Bulletin 3 of 2017 for instructions on completing this section.**

<input checked="" type="checkbox"/> Clerk	Signature	Print Name	Date
<input type="checkbox"/> Secretary		<b>PAULETTE SKOLARUS</b>	<b>MAY 15, 2017</b>
<input checked="" type="checkbox"/> Chairperson	Signature	Print Name	Date
<input type="checkbox"/> President		<b>BILL ROGERS</b>	<b>MAY 15, 2017</b>

Total School District Operating Rates to be Levied (HH/Supp and NH Oper ONLY)	Rate
For Principal Residence, Qualified Ag, Qualified Forest and Industrial Personal	
For Commercial Personal	
For all Other	

\* Under Truth in Taxation, MCL Section 211.24e, the governing body may decide to levy a rate which will not exceed the maximum authorized rate allowed in column 9. The requirements of MCL 211.24e must be met prior to levying an operating levy which is larger than the base tax rate but not larger than the rate in column 9.

\*\* **IMPORTANT:** See instructions on page 2 regarding where to find the millage rate used in column (5).

## Instructions For Completing Form 614 (L-4029) 2017 Tax Rate Request, Millage Request Report To County Board Of Commissioners

These instructions are provided under MCL Sections 211.24e (truth in taxation), 211.34 (truth in county equalization and truth in assessing), 211.34d (Headlee), and 211.36 and 211.37 (apportionment).

**Column 1: Source.** Enter the source of each millage. For example, allocated millage, separate millage limitations voted, charter, approved extra-voted millage, public act number, etc. Do not include taxes levied on the Industrial Facilities Tax Roll.

**Column 2: Purpose of millage.** Examples are: operating, debt service, special assessments, school enhancement millage, sinking fund millage, etc. A local school district must separately list operating millages by whether they are levied against ALL PROPERTIES in the school district or against the NON-HOME group of properties. (See State Tax Commission Bulletin 3 of 2017 for more explanation.) A local school district may use the following abbreviations when completing Column 2: "Operating ALL" and "Operating NON-HOME". "Operating ALL" is short for "Operating millage to be levied on ALL PROPERTIES in the local school district" such as Supplemental (Hold Harmless) Millages and Building and Site Sinking Fund Millages. "Operating NON-HOME" is short for "Operating millage to be levied on ALL PROPERTIES EXCLUDING PRINCIPAL RESIDENCE, QUALIFIED AGRICULTURAL, QUALIFIED FOREST AND INDUSTRIAL PERSONAL PROPERTIES in the local school district" such as the 18 mills in a district which does not levy a Supplemental (Hold Harmless) Millage.

**Column 3: Date of Election.** Enter the month and year of the election for each millage authorized by direct voter approval.

**Column 4: Millage Authorized.** List the allocated rate, charter aggregate rate, extra-voted authorized before 1979, each separate rate authorized by voters after 1978, debt service rate, etc. (This rate is the rate before any reductions.)

**Column 5: 2016 Millage Rate Permanently Reduced by MCL 211.34d ("Headlee") Rollback.** Starting with taxes levied in 1994, the "Headlee" rollback permanently reduces the maximum rate or rates authorized by law or charter. The 2016 permanently reduced rate can be found in column 7 of the 2016 Form L-4029. For operating millage approved by the voters after April 30, 2016, enter the millage approved by the voters. For debt service or special assessments not subject to a millage reduction fraction, enter "NA" signifying "not applicable."

**Column 6: Current Year Millage Reduction Fraction.** List the millage reduction fraction certified by the county treasurer for the current year as calculated on Form 2166 (L-4034), *2017 Millage Reduction Fraction Calculations Worksheet*. The millage reduction fraction shall be rounded to four (4) decimal places. The current year millage reduction fraction shall not exceed 1.0000 for 2017 and future years. This prevents any increase or "roll up" of millage rates. Use

1.0000 for new millage approved by the voters after April 30, 2017. For debt service or special assessments not subject to a millage reduction fraction, enter 1.0000.

**Column 7: 2017 Millage Rate Permanently Reduced by MCL 211.34d ("Headlee") Rollback.** The number in column 7 is found by multiplying column 5 by column 6 on this 2017 Form L-4029. This rate must be rounded DOWN to 4 decimal places. (See STC Bulletin No. 11 of 1999, Supplemented by Letter of 6/7/2000.) For debt service or special assessments not subject to a millage reduction fraction, enter "NA" signifying "not applicable."

**Column 8: Section 211.34 Millage Rollback Fraction (Truth in Assessing or Truth in Equalization).** List the millage rollback fraction for 2017 for each millage which is an operating rate. Round this millage rollback fraction to 4 decimal places. Use 1.0000 for school districts, for special assessments and for bonded debt retirement levies. For counties, villages and authorities, enter the Truth in Equalization Rollback Fraction calculated on STC Form L-4034 as TOTAL TAXABLE VALUE BASED ON CEV FOR ALL CLASSES/TOTAL TAXABLE VALUE BASED ON SEV FOR ALL CLASSES. Use 1.0000 for an authority located in more than one county. For further information, see State Tax Commission Bulletin 3 of 2017. For townships and cities, enter the Truth in Assessing Rollback Fraction calculated on STC Form L-4034 as TOTAL TAXABLE VALUE BASED ON ASSESSED VALUE FOR ALL CLASSES/TOTAL TAXABLE VALUE BASED ON SEV FOR ALL CLASSES. The Section 211.34 Millage Rollback Fraction shall not exceed 1.0000.

**Column 9: Maximum Allowable Millage Levy.** Multiply column 7 (2017 Millage Rate Permanently Reduced by MCL 211.34d) by column 8 (Section 211.34 millage rollback fraction). Round the rate DOWN to 4 decimal places. (See STC Bulletin No. 11 of 1999, Supplemented by Letter of 6/7/2000.) For debt service or special assessments not subject to a millage reduction fraction, enter millage from Column 4.

**Column 10/Column 11: Millage Requested to be Levied.** Enter the tax rate approved by the unit of local government provided that the rate does not exceed the maximum allowable millage levy (column 9). A millage rate that exceeds the base tax rate (Truth in Taxation) cannot be requested unless the requirements of MCL 211.24e have been met. For further information, see State Tax Commission Bulletin 3 of 2017. A LOCAL School District which levies a Supplemental (Hold Harmless) Millage shall not levy a Supplemental Millage in excess of that allowed by MCL 380.1211(3). Please see the memo to assessors dated October 26, 2004 regarding the change in the collection date of certain county taxes.

**Column 12: Expiration Date of Millage.** Enter the month and year on which the millage will expire.

To Board 5/15/17

**Polly**

---

**From:** Katie PASCIOLO <klp1@wowway.com>  
**Sent:** Monday, May 08, 2017 3:09 PM  
**To:** Polly  
**Subject:** Re: Lake Chemung Aquatic Weed Control Project

Hi Polly,

I do not have the numbers with me, but we did receive two notices. I can forward the numbers to you tomorrow. It really is a shame that the calculations are done so unequally, and others that have access to our lake don't pay for it at all.

----- Original Message -----

**From:** Polly <pskolarus@genoa.org>  
**To:** Katie PASCIOLO <klp1@wowway.com>  
**Sent:** Mon, 08 May 2017 14:15:19 -0400 (EDT)  
**Subject:** Re: Lake Chemung Aquatic Weed Control Project

Katie, Thanks for your e-mail. The aquatic weed control project is done under Act 188. This act divides all costs under what they call a benefit basis. This means that a boat dock will pay the same amount as a house on a 150' lot because each will have the same benefit. This is the same act that was used to calculate refuse collection and disposal for all residential properties within the township. It is also used with road assessments. For example with a road project a home on culled-sac may only have 30' of frontage while a home on a corner may have 200' of frontage. Each of these parcels are charged the same amount because each has the same benefit. The only way the distribution could be changed is if new petitions were circulated using a different Public Act. All of the four aquatic weed control projects within the township are done under Act 188. I am not sure if your cottage across the streets is included. Did you receive two notices? Do you have the Tax Identification number for the second parcel?

All of the numbers are included in your notice and they are numeric so it should be easy to identify. I will bring your note to the board with a copy of my response. If you have other questions or concerns I will be happy to schedule a meeting to discuss this district. Sincerely, Polly

Sent from my iPad

On May 8, 2017, at 1:57 PM, Katie PASCIOLO <klp1@wowway.com> wrote:

Hi Polly,

We have received the notice of the public hearing scheduled for next Monday regarding the weed control. We are all for the weed control for the lake, but we have difficulty with how this is being calculated for residential parcels. We do not believe it is fair to just estimate across the board that everyone will pay \$127.13 annually. We do own 2 parcels, one on the lake, the other across the street for parking (hopefully, we aren't getting charged for this one separately). It is a cottage. We are not there for 6 months out of the year. (We already get hit with the sewage fee, as we are being told there is no way to determine how much sewage we have - why not base it along with the electrical fee?? It certainly would be a bit more fair!) We only have a small single story, 1 bath cottage and approx. 30 feet of lake front. Our neighbors on each side have over 2,000 square foot homes with 2 1/2 - 3 baths and 60 feet plus lake front.

Might the township consider residents paying calculated on lake front basis, or property size rather than across the board charge?

We are unable to attend the meeting next Monday, but would certainly like our voices to be heard.

Thank you for your consideration.

5/11/17

Polly Skolarus,

RE. Lake Chemung  
Mtg: May 15, 2017  
Aquatic Weed Control

Dear Polly,  
Since the inception of the Weed Control  
on Lake Chemung, I am opposed to the  
S.A.D. because our weeds have never  
been harvested.

Thank you,

Sandra Jo Monette  
SANDRA Jo. MONETTE  
5988 GLEN Echo DR.  
HOWELL, MI 48843



FUND 264 (Road/lakes SAD) FIVE YEAR PROJECTIONS  
 March 20,2017

GL NUMBER	DESCRIPTION		2017-18 APPROVED BUDGET	2018-19 ACTIVITY FUTURE	2019-2020 ACTIVITY FUTURE	2020-21 ACTIVITY	2021-22 ACTIVITY	2022-23 ACTIVITY
264-000-699-000	OPERATING TRANSFER IN (General Fund) *		300,000	300,000	300,000	300,000	300,000	300,000
264-000-664-000	INTEREST		1,000	1,000	1,000	1,000	1,000	1,000
264-453-672-000	LAKE CHEMUNG SAD-WEED	JULY-17/DEC-21	119,000	64,500	64,500	64,500	64,500	
264-460-672-100	PARDEE LAKE WEED PROJ SAD	DEC-20	25,000	25,000	25,000	25,000		
264-465-672-000	EAST/WEST CROOKED LAKE WEED	JULY-17	18,500	not established				
264-465-673-000	RED OAKS ROADS SAD REVENUE	DEC-22	56,000	56,000	56,000	56,000	56,000	
264-469-677-000	WHITE PINES STREET LIGHT	N/A	800	800	800	800	800	800
264-471-679-000	GRAND OAKS ROAD IMPROVEMENT	DEC-20	138,000	138,000	138,000	138,000		
264-474-682-000	SUNRISE PARK	DEC-20	128,000	128,000	128,000	128,000		
264-475-683-000	HOMESTEAD DRIVE	DEC-20	39,000	39,000	39,000	39,000		
264-475-684-000	SUNDANCE TRAIL	DEC-21	36,000	36,000	36,000	36,000	36,000	36,000
264-475-686-000	E.COON LAKE TRAIL	JULY-21	19,000	19,000	19,000	19,000	19,000	
264-475-658-000	GRAND BEACH	DEC-20	10,000	10,000	10,000	10,000		
264-477-688-001	OAK POINTE HONORS ASSOCIATION	ONE YEAR	30,000					
	TIMBERVIEW			not established				
<b>TOTAL REVENUE</b>			<b>920,300</b>	<b>817,300</b>	<b>817,300</b>	<b>817,300</b>	<b>477,300</b>	<b>337,800</b>

FUND 264 (Road/lakes SAD)

GL NUMBER	DESCRIPTION		2017-18 APPROVED BUDGET	2018-19 ACTIVITY	2019-20 ACTIVITY	2020-21 ACTIVITY	2021-22 ACTIVITY	2022-23 ACTIVITY
264-453-801-000	LAKE CHEMUNG CHEM WEED	JULY-17 DEC-21	55,000	64,500	64,500	64,500	64,500	64,500
264-460-801-000	PROF CON EXP-PARDEE LK WEED	DEC-20	30,000	25,000	25,000	25,000		
264-465-801-000	EAST/ WEST CROOKED LAKE WEED	JULY-17	50,000	not established				
264-467-801-000	TIMBERVIEW		255,000					
264-469-801-000	WHITE PINES STREET LIGHT	YEARLY	800	800	800	800	800	800
264-477-814-000	GRAND BEACH WEED	DEC-20	10,000	10,000	10,000	10,000		
264-477-815-000	OAK POINTE HONORS SAD	ONE YEAR	179,000	received 2016				
264-477-815-001	OAK POINTE HONORS ASSOCIATION	ONE YEAR	30,000					
264-906-956-000	MISC EXPENSE		3,000	3,000	3,000	3,000	3,000	3,000
	WILDWOOD		tentative		596,000			
	MOUNTAIN		tentative	750,000				
	HOLLY/DILLON/MAGNOLIA		tentative	250,000				
TOTAL EXPENDITURES			612,800	1,103,300	699,300	103,300	68,300	68,300
NET OF REVENUE/EXPENDITURES - FUND 264			307,500	(286,000)	118,000	714,000	409,000	269,500
BEGINNING FUND BALANCE			810,432	1,117,932	831,932	949,932	1,663,932	2,072,932
ENDING FUND BALANCE			1,117,932	831,932	949,932	1,663,932	2,072,932	2,342,432

\*Assuming a transfer in of at least \$300,000.00 each year from G.F.

Resolution No. 17-\_\_\_\_\_

**APPROVING THE LIVINGSTON COUNTY  
HAZARD MITIGATION PLAN**

**WHEREAS, Hazard Mitigation is a critical component to a successful community,**

**NOW, THEREFORE, BE IT RESOLVED,** that the Genoa Charter Township Board hereby expresses its support for the establishment of the Livingston County Mitigation Plan and respectfully requests that the Livingston County Board of Commissioners take appropriate steps with the responsibility to plan and implement a comprehensive plan for Livingston County.

**ADOPTED – this 15<sup>th</sup> day of May, 2017**

\_\_\_\_\_  
Bill Rogers, Supervisor

\_\_\_\_\_  
Paulette A. Skolarus, Clerk

**CERTIFICATION**

I hereby certify that the foregoing is a true and complete copy of Resolution No. 17-\_\_\_\_\_,

Adopted by the Genoa Charter Township Board, Livingston County, Michigan, at a regular meeting held on the 15<sup>th</sup> day of May, 2017 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 the 15<sup>th</sup> day of May, 2017

\_\_\_\_\_  
Paulette A. Skolarus, Clerk  
Genoa Charter Township

## Adam VanTassell

---

**From:** Michael O'Brian <mobrian@brightonareafire.com>  
**Sent:** Sunday, May 07, 2017 1:24 PM  
**To:** Adam VanTassell; Michael Evans  
**Subject:** Sta34ConcreteQuotes.pdf  
**Attachments:** ATT00001.txt; Sta34ConcreteQuotes.pdf

Adam

Attached are all the quotes for the apron work at station 34

BAFA will pay for the sidewalk on this

We have the most confidence in the rep from Detroit concrete, they seemed as to know what to do to make this fix

Let us know how you'd like to proceed



# BRIGHTON AREA FIRE AUTHORITY

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

DATE: May 5, 2017  
TO: Chief O'Brian  
FROM: Deputy Chief Evans  
RE: Station 34 Driveway Apron Replacement Quotes

Below are the quotes received from four contractors to replace the front and rear apparatus drive aprons at Station 34, 2755 Dorr Rd., Genoa Twp.

The basis of the quotes were to:

- Remove the existing concrete and asphalt from both the front and rear apparatus drive aprons.
- Make necessary corrections/improvements to the sub-grade.
- Install 8" of reinforced concrete to both areas measuring 44' wide (curb-to-curb) and 36' out from the station on each side.
- Provide necessary asphalt work to make a new smooth transition from the concrete to the asphalt drive.
- Project to be phased between front then rear to keep fire station open and operational during work.
- Additional quotes requested to install two 5' concrete walkways between the parking lot to the existing sidewalk at the rear bay entrance door and also between the rear apron to the existing sidewalk at the rear bay entrance door.

Quotes as submitted:

Submitting Contractor:	Apparatus Aprons:	Sidewalks:
Baruzzini Construction 810-229-8996	\$57,500	No Quote Provided
Detroit Concrete Co. 810-459-2028	\$26,928	\$2,300
Eagle Rock Concrete 248-756-8909	\$24,169	\$1,235
TLS Construction	\$31,150	\$2,650



BRIGHTON  
AREA  
FIRE DEPT.











**PROJECT AGREEMENT**

**JOB NUMBER: \_\_\_\_\_**

This Agreement made and entered into this \_\_\_\_\_ day of \_\_\_\_\_, 2017, by and between the TOWNSHIP of GENOA, Livingston County, Michigan, hereinafter referred to as "TOWNSHIP" and the BOARD OF COUNTY ROAD COMMISSIONERS OF THE COUNTY OF LIVINGSTON, hereinafter referred to as "ROAD COMMISSION."

**WITNESSETH**

The Township has selected the following road to be improved as described below:

**HACKER ROAD  
(GRAND RIVER TO THE SOUTH INTERSECTION WITH CLARK LAKE ROAD)  
APPROXIMATELY 1.1 MILES  
MILL 2.5 OF EXISTING HOT MIX ASPHALT,  
PLACE 4.0" OF NEW HOT MIX ASPHALT, AGGREGATE SHOULDERS,  
ALTOGETHER WITH THE NECESSARY RELATED WORK**

The parties agree as follows:

1. The Engineer's Opinion of Probable Cost is \$500,000. The Township shall pay the Road Commission a portion of the cost of the project as follows: \$100,000 or 20% of the cost of the project.
  - A. The balance shall be paid promptly as invoiced. If an invoice is not paid within 45 days of billing, the Township will pay ten per cent (10%) annual interest on that billed but unpaid.
  - B. The Road Commission shall furnish the Township with a final breakdown of its actual expenses upon completion of the project which will include fringe benefits, rentals and subcontract charges. It is the intention of the parties that one hundred per cent (100%) of the Road Commission's direct contract costs will be paid by the Township. In no event shall the price paid by the Township exceed \$100,000.
  - C. The Road Commission shall furnish the Township with a final breakdown of its actual expenses upon completion of the project which will include fringe benefits, overhead, rentals and subcontract charges. It is the intention of the parties that all of the Road Commission costs, except its administration, will be paid by the Township.
  - D. The Township will not withhold payments because of any set-off, counterclaim, or any other claim which it may have against the Road Commission arising out of this or any other matter. If there is a dispute over the balance due upon completion, the Township will pay the amount claimed by the Road Commission, and such payment shall not be a waiver by the Township of any claims it may have arising from this contract and the completion of the project.
  - E. This agreement is contingent upon the execution of a companion agreement with Brighton Township.
2. All work shall be performed in a good workmanlike manner and in accordance with plans and specifications adopted by the Road Commission.

3. The Road Commission shall hold the Township harmless from any liability arising from the work performed pursuant to this contract.
4. The work will be completed within the current contract year, unless the parties otherwise so agree.

IN WITNESS WHEREOF, the parties have hereunto set their hands and seals the date and year first above written.

**TOWNSHIP OF GENOA**

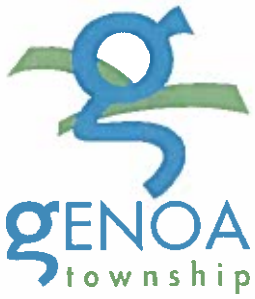
BY: \_\_\_\_\_  
**BILL ROGERS, SUPERVISOR**

\_\_\_\_\_  
**PAULETTE A. SKOLARUS, CLERK**

**BOARD OF COUNTY ROAD COMMISSIONERS  
OF THE COUNTY OF LIVINGSTON**

BY: \_\_\_\_\_  
**MICHAEL CRAINE, MANAGING DIRECTOR**

\_\_\_\_\_  
**TERRY PALMER, ACCOUNTING SUPERVISOR**



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

**MEMORANDUM**

**TO:** Honorable Board of Trustees  
**FROM:** Amy Ruthig, Zoning Official  
**DATE:** May 11, 2017  
**RE:** 5679 Richardson - Request to amend Consent Judgement

Manager's  
Review:

  
ASSISTANT MANAGER

In response to a complaint Township staff witnessed non-permitted construction of a new barn and a deck addition to an existing barn located at 5679 Richardson Road. The current owners (Yaros) purchased the property in 2016. The property is subject to a consent judgement with the Township that was entered into on August 8, 2006. The current owner has indicated awareness with the consent judgement prior to his purchase.

A very abbreviated history of the property involves the conversion by a previous owner of barn on the property into a accessory residence. A neighbor filed a complaint with Township and litigation ensued. The Township and the owner agreed through a consent judgement to allow the illegal non-conforming use to continue under the condition that the accessory residence could not be expanded in any way. See attached copy of the judgement.

Staff informed the property owner in writing that a permit was required for the new barn and that the deck would need to be removed due to it being in violation of the consent judgement. The owner submitted an application for Land Use Permits for both the barn and deck including a narrative for why he believes the deck should be allowed. A copy of this correspondence is attached in the following pages.

After consulting with management and legal counsel it was concluded that the deck did not comply with the Zoning Ordinance standard and further it was re-affirmed that the deck addition to the accessory residence constituted a violation of the judgement. The new barn was found to comply with the Zoning Ordinance therefore a Land Use Permit was issued for the new barn. The owner/applicant was then informed that the deck would need to be removed or the consent judgement would need to be modified. The owner, Mr. Yaros has requested Township Board to amend the consent judgement.

**SUPERVISOR**

Bill Rogers

**CLERK**

Paulette A. Skolarus

**TREASURER**

Robin L. Hunt

**TRUSTEES**

Jean W. Ledford

H. James Mortensen

Terry Croft

Diana Lowe

**MANAGER**

Michael C. Archinal

Attached please find included a memo from the Township Attorney, Joe Seward providing his thoughts on the request. Also included please find a copy of the consent judgement, correspondence from Mr. Yaros, a copy of the land use permit application for the deck and correspondence from staff.

Please contact me if you should have any questions in regards to this matter.

# MEMORANDUM

To: Mike Archinal  
From: T. Joseph Seward  
Re: 5679 Richardson Road  
Date: May 11, 2017

---

Mr. Archinal:

You requested an opinion regarding the recent construction at 5679 Richardson Road. Succinctly, my opinion is that the deck violates the consent judgment.

## Underlying Facts

In 2006 Mark Snyder, the then owner of the property at 5679 Richardson Road brought suit against the Township requesting the ability to maintain two residences on the property at 5679 Richardson Road. On August 8, 2006 the parties reached an agreement that resulted in a consent judgment that provides:

"... that the use of two residences on the property is a non-conforming use, however, the consent order is granted in lieu of a special use permit allowing the non-conforming use to continue."

The consent judgment went on to say that the second residence:

"... shall not be expanded in any way."

Subsequently Joseph Yaros became owner of the secondary premises and built a deck from the property without obtaining a permit. The Township was alerted to this construction and contacted Mr. Yaros who on April 10, 2017 submitted an application for a permit.

## Zoning Ordinance

Other than some specific exceptions not applicable here, the Township's zoning ordinance 11.02.01 limits any lot to just one principal building. The Yaros house is a non-conforming use. Section 11.04.01 sets forth what accessory buildings are allowed. 11.04.01(a) limits any accessory buildings only if they are in connection with or incidental to a principal building. This zoning ordinance precludes this deck as being considered an accessory structure because it is not in connection with or incidental to the principal

building. Thus this ordinance does not provide any relief for the application of a land use permit by Mr. Yaros.

Additionally the structure does not fall within the scope of a deck as regulated by Section 11.04.02. 11.04.02(a) permits decks but only if they are within 25 feet of the rear building line of the principal building. The application by Mr. Yaros shows that this deck is much further than 25 feet from the rear building line of the principal building.

#### Non-Conforming Use - Article 24

Article 24 of the Township's zoning ordinance regulates non-conforming uses. Section 24.05.01 provides that a non-conforming use cannot be expanded to occupy any land outside such building. Here, the non-conforming use is the second residential house. The deck occupies land outside the building and therefore violates the ordinance. Section 24.05.01 precludes the deck constructed by Mr. Yaros.

#### Consent Judgment

The language of the August 8, 2006 consent judgment recognizes that the Yaros property is a non-conforming use and that it shall not be expanded. The Township's zoning ordinances do not allow for the construction of the deck. Case law makes clear that a violation of a zoning ordinance constitutes a nuisance per se. The Michigan Court of Appeals most recently reaffirmed this concept in *Gutwein v. Kahle*, a decision of the Michigan Court of Appeals dated January 26, 2017. The court's statement reads:

"A structure constructed in violation of a zoning ordinance is a nuisance per se."

Furthermore, the courts enforce M.C.L. 125.3407, the Zoning Enabling Act, by having the structure that is in violation of the ordinance abated which in this case would be the removal of the deck. See *City of Brighton vs. Bonner*, a 2014 decision of the Michigan Court of Appeals.

Moreover, the public policy of our state is for the gradual elimination of a non-conforming use. The Michigan Court of Appeals stated in *Township of Blair v. Grand Lamaroci North Corporation*, a 2011 decision:

"A zoning ordinance permitting the continuation of a non-conforming use is meant to avoid the imposition of a hardship upon the property owner. However, the limitation on non-conforming uses contemplates the gradual elimination of the non-conforming use. ... The construction of a new non-conforming building or additions to existing non-conforming uses is not permitted." [p. 2 of the Opinion]



### Conclusion

The construction of the deck is not permitted by the Township's zoning ordinance. Thus it constitutes a non-conforming use on an already non-conforming use. Michigan statute and case law sets for the public policy that a non-conforming use cannot be expanded and that additional non-conforming use is not permitted and should be abated. That is consistent with the language of the consent judgment which specifically says the non-confirming use shall not be expanded. Therefore it is my opinion that the deck that was constructed constitutes a non-conforming use and is therefore a nuisance per se. Furthermore, it expands the non-conforming use which is not allowed by law. Should the Township decide to take action to have the deck removed, such action would be upheld by the court system.

Should the Board be requested to allow the deck to exist and should the Board decide to allow the continued existence of the deck, the parties would have to go to court and obtain a modification of the consent judgment. The procedure would be to file a motion seeking to amend the consent judgment. Although the parties may agree to change the terms of the consent judgment, the court is not obligated to amend the consent judgment.

/gg

COVER LETTER

Date: April 19, 2017

To: Zoning Department

From: Joseph Yaros, 5679 Richardson Rd., Howell, MI, Parcel No. 4711-32-400-018

Re: Residential Land Use Permit, Unattached Uncovered Deck

Enclosed please find the corrected request for a Residential Land Use Permit for an "unattached uncovered deck".

On April 10, 2017 I mistakenly submitted a request for a "Detached Accessory Structure" at the suggestion one of the zoning inspectors; after review, the permit was verbally denied due to:

1. (Sec. 11.04.01(f)(f1) Required Setback for a Detached Accessory building and Structure; also
2. *MARK SNYDER vs GENOA CHARTER TOWNSHIP*, Consent Judgment dated August 8, 2006; May continue to maintain two residences on the property; the second residence could not be expanded in any way.

Therefor it was the opinion of the Zoning Department and legal that, I would need an Amendment to the Consent Judgment "to expand in any way" to build a Detached Accessory Structure which did not meet the required setback regulations. (11.04.01(f)(f1).

FACT FINDING

Each request is unique and with keeping with the rules and making sure my intent is only to be compliant with the Zoning Ordinance to the best of my ability.

I familiarized myself with the Township Ordinance Articles 11 and Articles 24, and the Consent Judgment. Whereas, resubmitting a Residential Land Use Permit with the correct TYPE OF IMPROVEMENT.

"UNATTACHED UNCOVERED DECK"

(Sec. 11.04) ACCESSORY BUILDING AND STRUCTURES

(Sec. 11.04.02) DECKS

- a) Attached or *Unattached uncovered decks* and porches without a roof, walls or other form of enclosure shall be permitted to extend a *maximum* of twenty five feet from the rear building line of the principal building, *\*(refer to tax accessor RESIDENTIAL)* provided they shall be at least four feet from any side lot line and ten feet from any rear lot line "Covered or enclosed decks and porches with a roof or wall shall be considered to be part of the principal building for purposed of determining setbacks.

I could not find ANY MINIMUM measurement regulating an “unattached uncovered deck” from the rear of the nonconforming residential building or principal building; the “unattached uncovered deck” is permitted per the reference in the above regulation and cited in (Sec. 11.04.01) as an ...exception regarding Unenclosed decks as noted in Section 11.04.02 et al

According to (Sec 11.04.02 (a): Only if the “unattached deck” was covered or enclosed would it be considered part of (expanded in any way) the principal building et al.

Because there is a hardship and practical difficulty of the terrain slope of the land and the placement of the existing nonconforming residential building, the proposed unattached uncovered deck would serve as a fire escape in the rear of the residence as well as it enhances the nonconforming residential building, yet does not expand the non-conforming use to the building.

As an “unattached uncovered deck” I would be complying with the Consent Judgment “not to expand” and or according to (Sec 11.04.02 (a) not part of the building.

This project on five acres, zoned Country Estates is not a detriment to my neighbors either, but only a continued improvement to this previously foreclosed blighted parcel.

2. The Consent Judgment Ordered, that the parties recognize the use of two residences on the Property is non-conforming use and allowed the non-conforming use to continue.  
The Court also further ordered that the second, accessory residence on the property shall not be expanded in any way;

The Court selectively was inferring to and citing only portions of (Sec. 24.04.08) Expansion of a Nonconforming Residential Building, and the Court prohibited portions of that regulation only. There were no other Ordinances prohibited, excluded or cited in this Consent Judgment which is relevant to addressing the matter or issue at hand.

To comply with the Consent Judgment, “the unattached uncovered deck” has no bearing on the existing footprint or is it “part of” the nonconforming residential building.

Upon purchasing this foreclosed property in March 2016, it was my due diligence that brought the Consent Judgment dated August 8, 2006 to the attention of the Tax Assessor. This Consent Judgment was in a file at the township for ten years.

WHEREAS,

Previously the Building information 1152 sq ft Barn, General Purpose (Agricultural) estimated TCV was \$29,470.

\*Today, per the Tax Assessor, the Building information 1152 sq ft (Residential) Estimated TCV \$88,810.

IN CLOSING,

Due to your Department's expertise in these matters, if I need a variance, please advise.

In the event the Zoning Department refuses my corrected request for a permit for an "unattached uncovered deck" for the same "verbalized" reason, as the mistaken "Detached Accessory Structure permit request;

"I need an Amendment to this Consent Judgment due to: "not be expanded in any way".

This legal opinion and summary of facts should be presented in writing. The opinion as an Exhibit (discovery) would be entered with the Motion for an Amendment for an "unattached uncovered deck" to prevent a frivolous Motion with the Court.

Your anticipated cooperation is appreciated.

  
Joseph Yaros

TRUE COPY  
44TH Circuit Court  
County Clerk's Office

STATE OF MICHIGAN  
IN THE CIRCUIT COURT FOR THE COUNTY OF LIVINGSTON

MARK SNYDER,  
Plaintiffs,

-vs-

Case No. 06 -22178-CH  
Hon. David J. Reader

GENOA CHARTER TOWNSHIP  
Defendants.

Dale E. Cooper [P12200]  
Julie E. Kretschmer [P68624]  
COOPER & RIESTERER, PLC  
Attorneys for Plaintiffs  
7960 Grand River Road, Suite 270  
Brighton, MI 48114-7332  
810.227.3103

Richard A. Heikkinen (P14835)  
Attorney for Defendant  
110 N. Michigan Ave.  
Howell, MI 48843  
(517) 546-1434

06-08-08  
33

CONSENT JUDGMENT

At a session of said Court, held in the Courthouse,  
In the City of Howell, County of Livingston,  
State of Michigan, on 8/8/08

PRESENT: DAVID J. READER P-27877  
HONORABLE DAVID J. READER

This matter having come before the Court as a consent Judgment to reconcile a property matter, and the Court being advised in the premises:

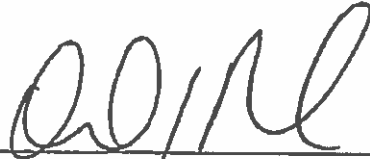
IT IS HEREBY ORDERED that the Plaintiff, Mark Snyder and his successors and assigns may continue to maintain two residences on the property commonly known as 5679 Richardson Road, located in Genoa Township, Livingston County, Michigan (the "Property").

IT IS FURTHER ORDERED that the parties recognize that the use of two residences on the Property is a non-conforming use, however, this Consent Order is granted in lieu of a special use permit allowing the non-conforming use to continue.

IT IS FURTHER ORDERED that the second, accessory residence on the property shall not be expanded in any way.

IT IS FURTHER ORDERED that there shall be no costs or attorney fees awarded to either party.

THE ENTRY OF THIS JUDGMENT RESOLVES THE LAST PENDING CLAIM AND CLOSES THIS CASE.



HONORABLE DAVID J. READER

Approved as to form and content:

*DALE COOPER per TX approval*  
DALE E. COOPER (P12200) *by [unclear]*  
Attorney for Plaintiff *8/8/06*

*Richard A. Heikkinen*  
RICHARD A. HEIKKINEN (P14835)  
Attorney for Defendant  
*8/7/06*

## LEGAL DESCRIPTION OF PROPERTY

the following described premises Situated in the Township of Genoa, County of Livingston, State of Michigan:

### PARCEL 4:

Part of the South 1/2 of the Northwest 1/4 of the Southeast 1/4 of Section 32, T2N, R5E, Genoa Township, Livingston County, Michigan, described as follows: Beginning at a point in the centerline of Richardson Road and the North and South 1/4 line North 00 degrees 39' 55" East, 1658.55 feet from the South 1/4 corner of said Section 32; thence North 00 degrees 39' 55" East, 332.89 feet along the centerline of Richardson Road and the North and South 1/4 line; thence South 89 degrees 57' 20" East, 683.28 feet; thence South 00 degrees 39' 55" West, 334.44 feet; thence North 89 degrees 49' 30" West, 683.26 feet along the centerline of a 66 foot wide private road easement used for ingress and egress to the point of beginning.



<b>1. PROJECT INFORMATION</b>					
Site Address: <u>5679 RICHARDSON, HOWELL MI 48843</u>					Acreage: <u>5.5</u>
<b>2. OWNER/CONTRACTOR INFORMATION</b>					
Owner Name: <u>JOSEPH YAROS</u>			Phone No.: <u>313 590 1443</u>		<input type="checkbox"/>
Owner Address: <u>5679 RICHARDSON</u>		City: <u>HOWELL</u>	State: <u>MI</u>	Zip: <u>48843</u>	
Contractor name: <u>SAME</u>			Phone No.: _____ <input type="checkbox"/>		
Contractor Address: _____		City: _____	State: _____	Zip: _____	
<b>3. TYPE OF IMPROVEMENT</b>					
<b>A. Principal Structure</b> <input type="checkbox"/> New Single Family <input type="checkbox"/> New Multiple Family <input type="checkbox"/> Addition to Existing Building <input type="checkbox"/> Grading/Site Work <input type="checkbox"/> Other: _____					
<b>B. Accessory Structure</b> <input type="checkbox"/> Fence <input type="checkbox"/> Deck <input checked="" type="checkbox"/> Detached Accessory (garage, shed, pole barn) <input type="checkbox"/> Pool/Hot Tub <input type="checkbox"/> Other: _____					
<b>4. PROPOSED SETBACK AND DIMENSIONAL INFORMATION</b>					
<b>A. Proposed Principal Structure Setbacks (in feet)</b>					
Front: _____ (measured from front property line, right-of-way line or private road easement, whichever is less)					
Rear: _____	Least Side: _____	Side: _____	Water/Wetland: _____		
<b>B. Proposed Accessory Structure Setbacks (in feet)</b>					
Front: <u>22</u>	Least Side: <u>145.26</u>	Side: <u>187</u>	Rear: <u>447.26</u>	Water/Wetland: <u>NO</u>	Distance from Principle Structure: <u>447</u>
<b>C. Proposed Building/Improvement Dimensions</b>					
Size of Building/Improvement: <u>140</u> square feet			Height: <u>7'</u> feet		
<b>6. SIGNATURE OF APPLICANT</b>					
I hereby certify that all information attached to this application is true and accurate to the best of my knowledge. I certify that the proposed work is authorized by the owner of record and that I have been authorized by the owner to make this application as the authorized agent. The owner and applicant agree to conform to all applicable ordinances of Genoa Township. Any modification to location, size or dimensions must be approved by Genoa Township. A Land Use Permit is valid for a period of 12 months from the date of issue. In signing of this application, I am permitting an official representative of Genoa Charter Township to do on-site inspections. I acknowledge that private covenants and restrictions are potentially enforceable by private parties.					
Applicant is: <input checked="" type="checkbox"/> Owner <input type="checkbox"/> Contractor <input type="checkbox"/> Lessee/Renter <input type="checkbox"/> Architect/Engineer <input type="checkbox"/> Other:					
Signature of Applicant:			Printed Applicant name: <u>JOSEPH YAROS</u>		Date: <u>4/10/2017</u>
<b>FOR OFFICE USE ONLY</b>					
<b>FLOODPLAIN</b>					
Floodplain: _____		Panel #: _____		Zone #: _____	
<b>ASSESSING APPROVAL</b>					
<input type="checkbox"/> Approved <input type="checkbox"/> Disapproved		Approved by: _____		Date: _____	
<b>ZONING APPROVAL</b>					
<input type="checkbox"/> Approved <input type="checkbox"/> Disapproved		Parcel I.D. No.: _____		Zoning: _____	
<input type="checkbox"/> Approved <input type="checkbox"/> Disapproved		Approved by: _____		Date: _____	
<b>Comments/Conditions:</b>					
Date picked up: _____					
ZBA	Case #/Approval date: _____		Conditions: _____		
<b>3. FEES</b>					
Land Use:	\$ _____	Water/Sewer:	\$ _____	Meter:	\$ _____





**GENOA TOWNSHIP ASSESSING DEPARTMENT  
REQUIRED LAND USE INFORMATION FORM**  
2911 Dorr Road ❖ Brighton, Michigan 48116  
Phone: (810) 227-5225 ❖ Fax: (810) 227-3420 ❖ www.genoa.org

PERMIT NO. \_\_\_\_\_

<b>1. PROJECT INFORMATION</b>							
Site Address: <i>5679 RICHARD SUN, HOWELL 48843</i>				Parcel I.D. No.: <i>4711-32-400-018</i>		Zoning: <i>CE</i>	
<b>2. TYPE OF IMPROVEMENT</b>							
A. <u>Principal Structure</u> <input type="checkbox"/> Single Family <input type="checkbox"/> Multi-Family <input type="checkbox"/> Addition to Existing Building							
B. <u>Accessory Structure</u> <input type="checkbox"/> Fence <input type="checkbox"/> Deck <input checked="" type="checkbox"/> Detached Accessory (garage, shed, pole barn) <input type="checkbox"/> Sunroom <input type="checkbox"/> Pool/Hot Tub: <input type="checkbox"/> Above ground <input type="checkbox"/> In ground							
C. Total Project Cost: \$ <u><i>2100.00</i></u>							
<b>3. SELECTED CHARACTERISTICS OF IMPROVEMENT</b>							
<b>Building Style</b>		<input type="checkbox"/> Ranch		<input type="checkbox"/> 1.5 Story		<input type="checkbox"/> 2 Story	
<b>Frame</b>		<input type="checkbox"/> Masonry, Wall Bearing		<input checked="" type="checkbox"/> Wood Frame		<input type="checkbox"/> Structural Steel <input type="checkbox"/> Reinforced Concrete	
<b>Exterior</b>		<input type="checkbox"/> Brick		<input type="checkbox"/> Stone		<input type="checkbox"/> Siding <input type="checkbox"/> Wood	
<b>Foundation</b>		<input type="checkbox"/> Basement		<input type="checkbox"/> Crawl		<input type="checkbox"/> Slab	
<b>Area</b>		New Building Square Footage: <i>140 SF</i>			Addition Square Footage:		
<b>Bedrooms</b>		No. of: <i>0</i>					
<b>Bathrooms</b>		No. of Full: <i>0</i>		No. of Half: <i>0</i>		No. of Sinks: <i>0</i> No. of Showers:	
<b>Basement</b>		Walkout: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		Finished: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		Finished Square Footage: <i>0</i>	
<b>Central Air</b>		<input type="checkbox"/> Yes <input type="checkbox"/> No		<b>Basement Baths:</b>		No. of Full:      No. of Half:	
<b>Fireplace</b>		<input type="checkbox"/> Direct Vent		<input type="checkbox"/> Pre-fab		<input type="checkbox"/> Other:	
<b>Garage</b>		<input type="checkbox"/> Attached <input type="checkbox"/> Detached		Height:      feet		Depth:      feet      Width:      feet	
<b>Inground Pool</b>		<input type="checkbox"/> Fiberglass		<input type="checkbox"/> Gunitite		<input type="checkbox"/> Plastic	
<b>Driveway</b>		<input type="checkbox"/> Gravel <input type="checkbox"/> Asphalt		<input type="checkbox"/> Concrete <input type="checkbox"/> Brick		<input type="checkbox"/> Other _____	
<b>Accessory Structure</b>		Height: <i>7'</i> feet		Depth: <i>10</i> feet		Width: <i>14</i> feet	
				<b>Flooring:</b>		<input type="checkbox"/> Concrete <input type="checkbox"/> Dirt <input checked="" type="checkbox"/> Wood	
<b>4. APPLICANT SIGNATURE (below)</b>							
I hereby certify that all information attached to this application is true and accurate to the best of my knowledge. I certify that the proposed work is authorized by the owner of record and that I have been authorized by the owner to make this application as the authorized agent and agree to conform to all applicable ordinances of Genoa Township. I acknowledge that private covenants and restrictions are potentially enforceable by private parties.							
Signature of Applicant: <i>Paul J. Jones</i>				Date: <i>4/10/2017</i>			

revised 2/21/14

# Joseph YARDS

5679 RICHARDSON RD  
PARCEL 4711-32-400-036  
COUNTRY ESTATES

40' SETBACK

147.26'

Proposed  
STRUCTURE

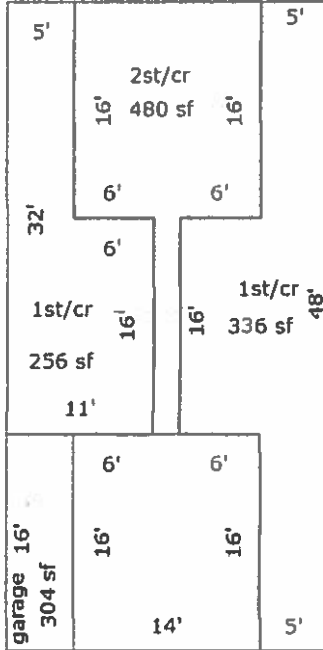
447.26'

212'

Utility (Electric)

Proposed  
10.1' x 14'-  
detached  
structure

EXISTING



112.26'

DRIVE  
WAY

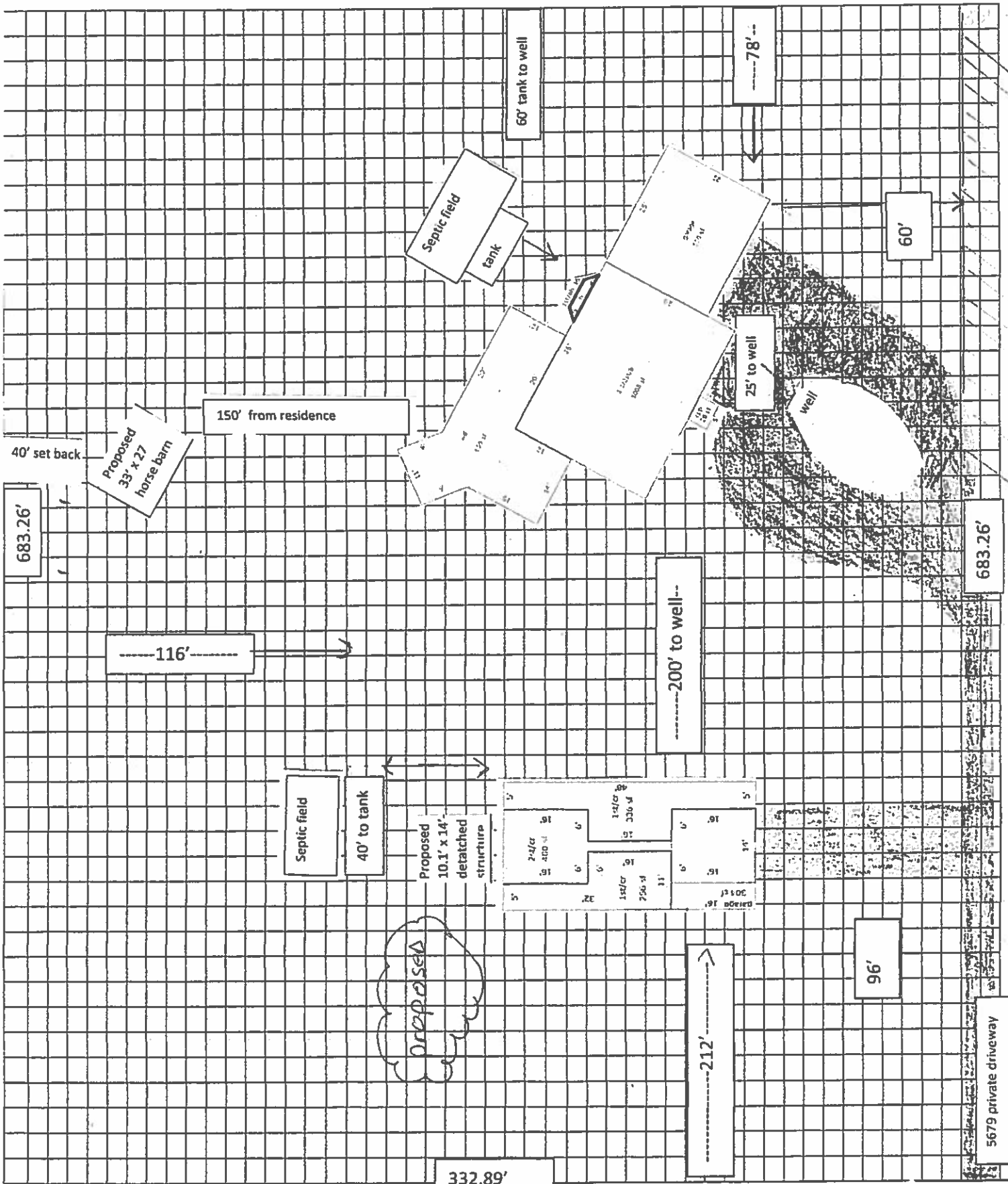
Driveway

33'  
EASEMENT

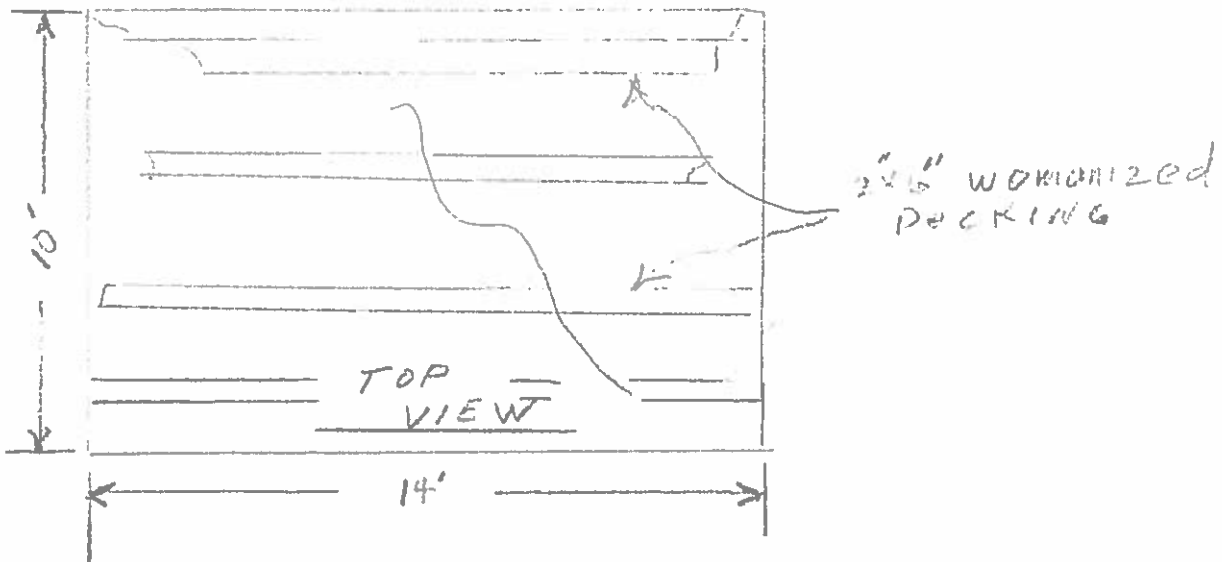
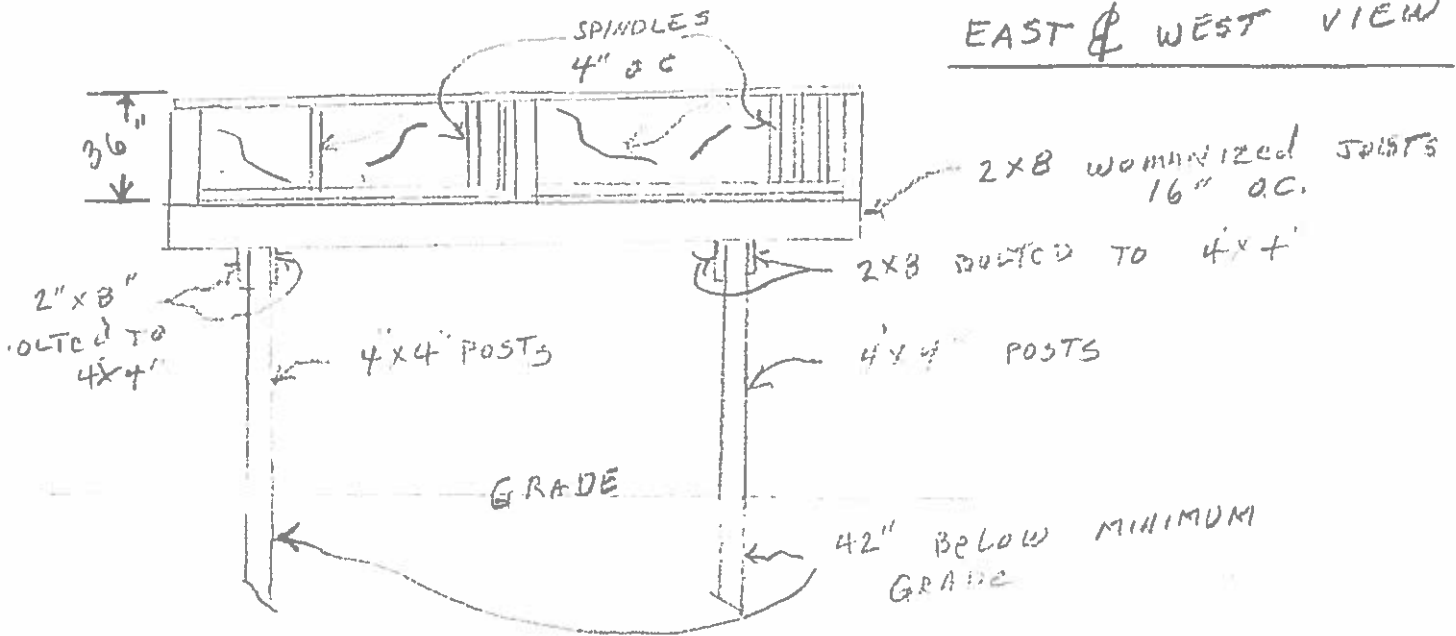
N  
+

5 acres COUNTRY ESTATES

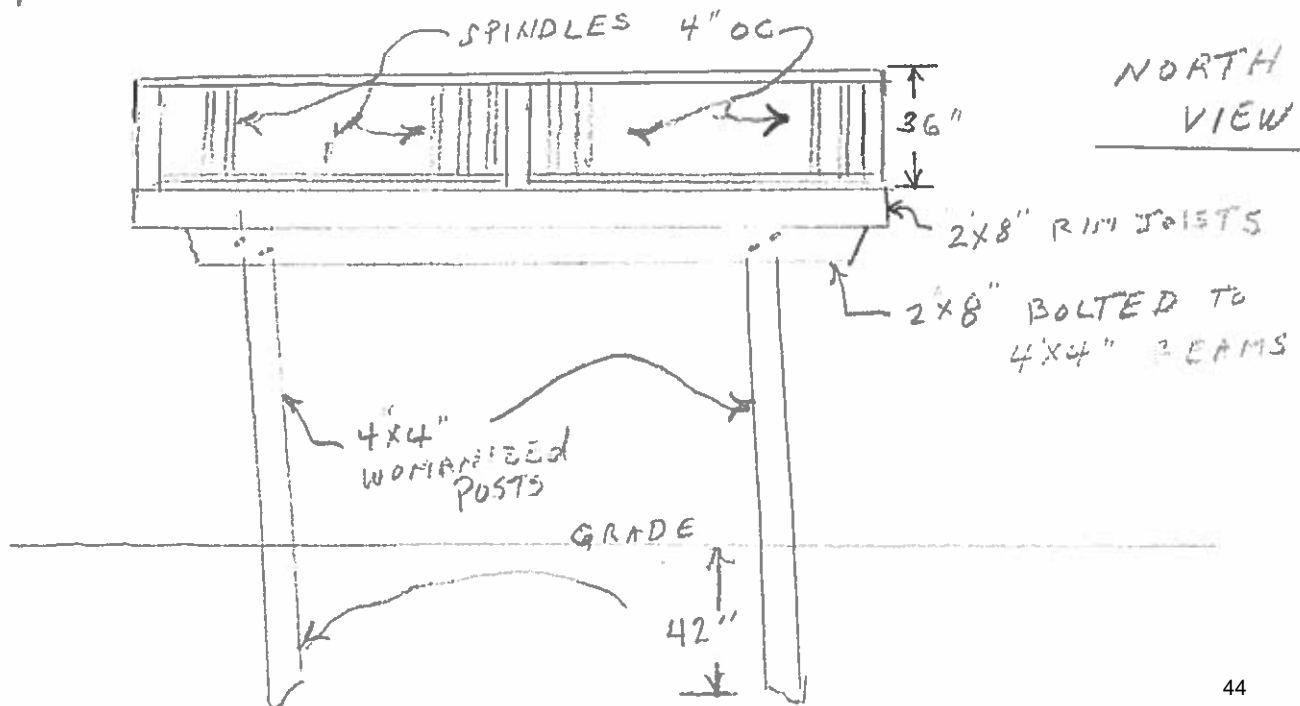
334.44'



EAST & WEST VIEW



NORTH VIEW





**EXHIBIT "A"**

Township of Genoa, County of Livingston; and State of Michigan:

Section 32, Town 2 North, Range 5 East, beginning at a point on C.L. Richardson and the North/South 1/4 line, Section 32, North 0 degrees 39 minutes 55 seconds East, 1658.55 feet from the South 1/4 corner; thence North 0 degrees 39 minutes 55 seconds East 332.89 feet along C.L. and North/South 1/4 line; thence South 89 degrees 57 minutes 20 seconds East 683.28 feet; thence South 0 degrees 39 minutes 55 seconds West 334.44 feet; thence North 89 degrees 49 minutes 30 seconds West 683.26 feet along C.L. of 66 feet easement to point of beginning.

Commonly Known as: 5679 Richardson Rd  
Parcel ID No.: 4711-32-400-018



LIVINGSTON COUNTY MICHIGAN

Department of Public Health  
2300 E. Grand River Ave., Suite 102  
Howell MI 48843-7578  
Phone: 517.546.9850 Fax: 517.546.6995  
Environmental Health  
Phone: 517.546.9858 Fax: 517.546.9853

Environmental Health

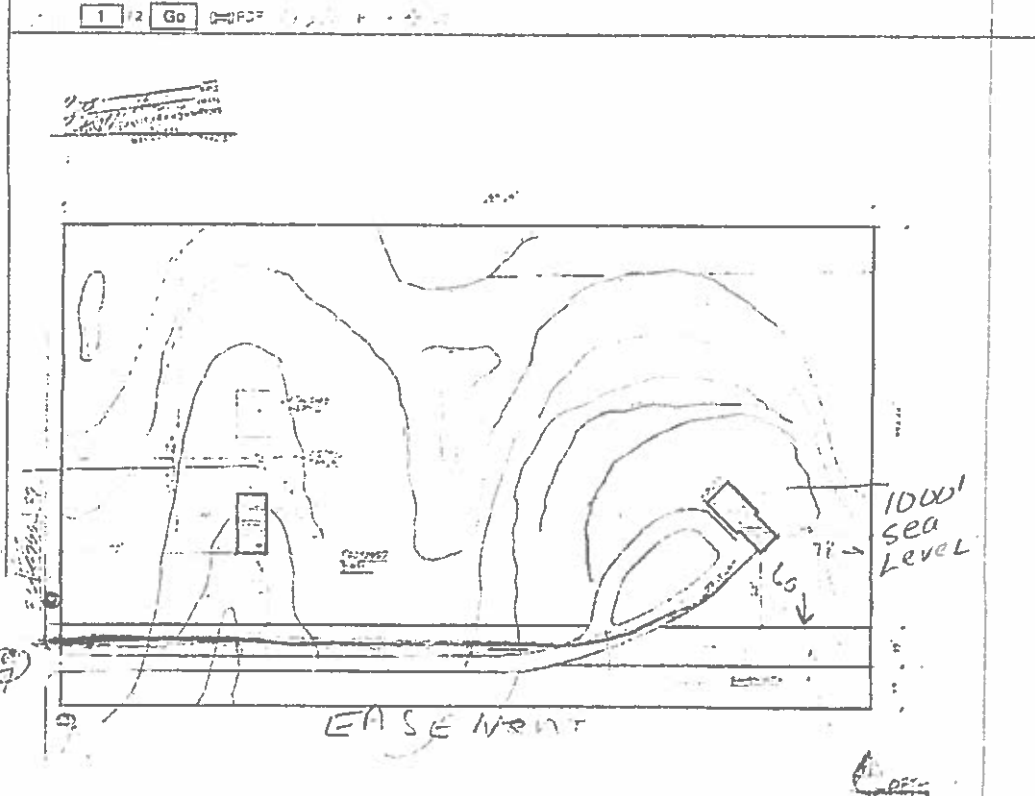
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2/1/2012 8:39:37 PM  
Creation Date  
5/8/2008 12:58:18 PM

Fields  
Template: EH  
TM ADDRESS  
5678 RICHARDSON RD  
TM PARCEL ID  
11-32-400-018  
TM OWNER NAME  
BP

Document Management portal powered by Laserfiche  
WebLink 6.2.0 © 1998-2011



**5679 RICHARDSON RD** HOWELL, MI 48843 (Property Address)

Parcel Number: 4711-32-400-018



**Property Owner: YAROS JOSEPH L**

**Summary Information**

> Residential Building Summary

- Year Built: 1978
- Full Baths: 2
- Sq. Feet: 3,080
- Bedrooms: 4
- Half Baths: 1
- Acres: 5.230

- > Assessed Value: \$119,000 | Taxable Value: \$100,824
- > Property Tax information found

Item 1 of 9 8 Images / 1 Sketch

**Owner and Taxpayer Information**

**Owner**

YAROS JOSEPH L  
5679 RICHARDSON RD  
HOWELL, MI 48843

**Taxpayer**

SEE OWNER INFORMATION

**Legal Description**

SEC 32 T2N R5E BEG AT A POINT ON C.L. RICHARDSON & THE N/S 1/4 LINE, SEC 32, N 0°39'55"E 1658.55 FT FROM S 1/4 COR, TH N 0° 39'55"E 332.89 FT ALONG C.L. & N/S 1/4 LINE, TH S 89°57'20"E 683.28 FT, TH S 0°39'55"W 334.44 FT, TH N 89°49'30"W 683.26 FT ALONG C.L. OF 66 FT EASEMENT TO POB, 5.23AC M/L, PARCEL 4

**Recalculate amounts using a different Payment Date**

You can change your anticipated payment date in order to recalculate amounts due as of the specified date for this property.

Enter a Payment Date

**Tax History**

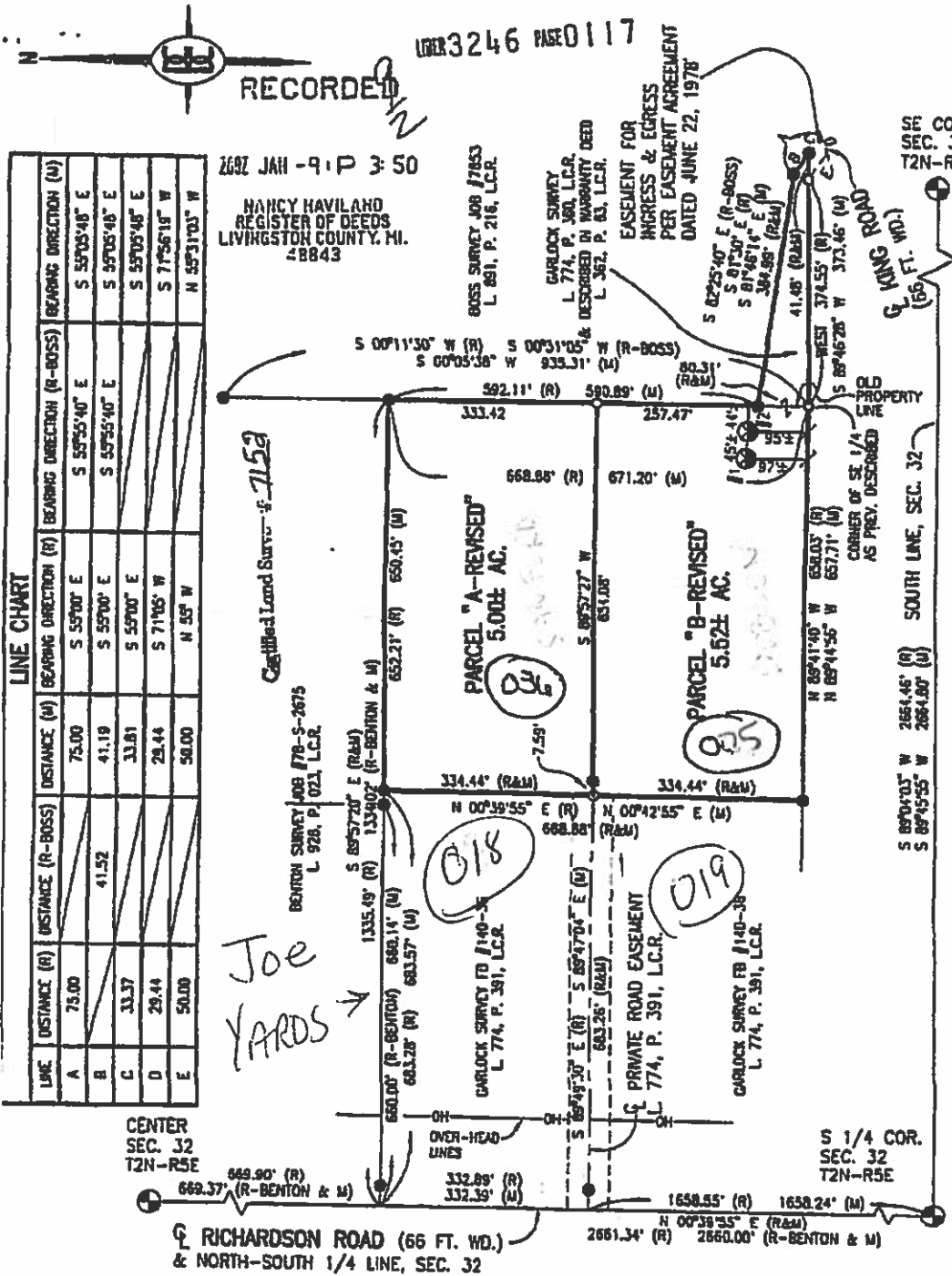
**Note:** On March 1 at 12:00 AM, local taxes become ineligible for payment at the local unit.

Year	Season	Total Amount	Total Paid	Last Paid	Total Due
2016	Winter	\$1,619.53	\$1,619.53	02/27/2017	\$0.00
2016	Summer	\$954.15	\$954.15	08/30/2016	\$0.00
2015	Winter	\$3,300.14	\$3,300.14	01/24/2016	\$0.00
2015	Summer	\$953.23	\$953.23	09/04/2015	\$0.00
2014	Winter	\$3,250.01	\$3,250.01	12/31/2014	\$0.00
2014	Summer	\$938.30	\$938.30	09/15/2014	\$0.00
2013	Winter	\$3,200.84	\$0.00		\$3,200.84 <b>** Read Note Above</b>
2013	Summer	\$960.10	\$960.10	12/30/2013	\$0.00
2012	Winter	\$3,653.90	\$0.00		\$3,653.90 <b>** Read Note Above</b>
2012	Summer	\$911.25	\$911.25	02/05/2013	\$0.00
2011	Winter	\$3,650.27	\$0.00		\$3,650.27 <b>** Read Note Above</b>
2011	Summer	\$944.29	\$944.29	11/29/2011	\$0.00
2010	Winter	\$4,304.03	\$0.00		\$4,304.03 <b>** Read Note Above</b>
2010	Summer	\$997.02	\$997.02	11/08/2010	\$0.00
2009	Winter	\$3,678.92	\$3,678.92	01/15/2010	\$0.00
2009	Summer	\$1,121.70	\$1,121.70	01/15/2010	\$0.00
2008	Winter	\$5,342.37	\$0.00		\$5,342.37 <b>** Read Note Above</b>
2008	Summer	\$1,280.21	\$1,280.21	11/18/2008	\$0.00
2007	Winter	\$6,035.64	\$0.00		\$6,035.64 <b>** Read Note Above</b>
2007	Summer	\$1,279.33	\$1,279.33	07/18/2007	\$0.00
2006	Winter	\$6,605.00	\$742.37	02/09/2007	\$5,862.63 <b>** Read Note Above</b>
2006	Summer	\$1,257.63	\$1,257.63	02/09/2007	\$0.00



# Country Estates 5.23 acre OF LAND

32-400



**LINE CHART**

LINE	DISTANCE (R)	DISTANCE (R-BOSS)	BEARING DIRECTION (R)	BEARING DIRECTION (R-BOSS)	BEARING DIRECTION (M)
A	75.00		S 59°00' E	S 59°55'40" E	S 59°05'48" E
B	41.19	41.52	S 59°00' E	S 59°55'40" E	S 59°05'48" E
C	33.37		S 59°00' E	S 59°00' E	S 59°05'48" E
D	29.44		S 71°05' W	S 71°05' W	S 71°56'18" W
E	50.00		N 95' W	N 95' W	N 95°31'03" W

Joe YARDS →

Certified Land Surveyor # 7152

BENTON SURVEY JOB #78-S-2075  
L 928, P. 021, L.C.R.

PARCEL "A"-REVISED  
5.00± AC.

PARCEL "B"-REVISED  
5.52± AC.

018

019

Part of Tax Code No. 07-32-400-021

I HEREBY CERTIFY THAT I HAVE SURVEYED THE ABOVE DESCRIBED PROPERTY AND THAT THE RATIO OF CLOSURE ON THE UNADJUSTED FIELD OBSERVATIONS OF SUCH SURVEY WAS 1/71,948 AND THAT SAID SURVEY FULLY COMPLIES WITH THE REQUIREMENTS OF PUBLIC ACT NUMBER 132-10.

DESCRIPTION:

PART OF THE SE 1/4, SECTION 32, T2N-R5E, GENOA TOWNSHIP P, LIVINGSTON COUNTY, MICHIGAN

**BOSS ENGINEERING**  
ENGINEERS • SURVEYORS • PLANNERS  
LANDSCAPE ARCHITECTS

3151 E. GRAND AVENUE, TROY, MI 48063  
(313) 484-6233 FAX (313) 484-1170 (313) 484-0233  
E-MAIL: info@bosseng.com

7122 GREENWOOD LANE, SUITE 108  
TROY, MICHIGAN 48063  
(313) 484-8222 FAX (313) 484-8222

CLIENT: PAM RIETSCH

JOB NO. 01429-1

SHEET 1 OF 2

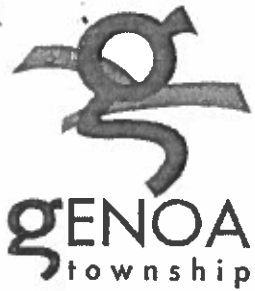
DATE: 10/19/01

FB 306 CREW GD/AS DR. BEK CHKD

SCALE: 1 INCH = 200 FEET

LEGEND:  
○ = IRON SET  
● = IRON FOUND  
⊙ = MONUMENT FOUND  
+ = FENCE  
(R) = RECORDED  
(M) = MEASURED

STATE OF MICHIGAN  
WENDY A. RICHMONDS  
PROFESSIONAL SURVEYOR  
No. 47969



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

313-590-1643

March 2, 2017

Mr. Joseph Yaros  
5679 Richardson Rd  
Howell, MI 48843

Dear: Mr. Yaros

It has come to our attention that there is a barn going up on the property without permits. Building of this barn will need to cease and discontinue until Land Use permits are applied for and approved. A residential land use permit can be found on the Genoa Township website at [www.genoa.org](http://www.genoa.org) under the applications and forms tab.

Also, the new deck put on the second accessory residence will need to be taken down by June 1, 2017. As directed by the consent judgement; the second, accessory residence on the property shall not be expanded in any way. The deck expands this structure. The consent judgement has been included in this letter for your convenience.

Please feel free to call me or come into the office to talk to the zoning official, Amy Ruthig with any questions on permits.

Thank You  
Sharon Stone  
Ordinance Officer  
Genoa Township

**SUPERVISOR**

Bill Rogers

**CLERK**

Paulette A. Skolarus

**TREASURER**

Robin L. Hunt

**TRUSTEES**

Jean W. Ledford

H. James Mortensen

Terry Croft

Diana Lowe

**MANAGER**

Michael C. Archinal

Joseph Yaros  
5679 Richardson Rd  
Howell, MI 48843

CE 5.23 Acres  
- No permits pulled at all





# **Board Correspondence**



925 W. Grand River Ave.  
Howell, Michigan 48843  
517.546.0693  
517.546.6018 Fax  
www.howellrecreation.org

*"Communities coming together to enrich lives by promoting active and healthy lifestyles"*

To: Gary McCririe – Genoa Charter Township Board of Trustees  
From: Paul Rogers – Executive Director – Howell Area Parks & Recreation Authority  
Subject: Howell Area Parks & Recreation Authority Millage  
Date: February 29, 2016

Over the past year the Howell Area Parks & Recreation Authority Board of Trustees have been discussing the possibility of asking for a Recreation Millage within the Authority area for the purposes of providing a stable funding mechanism for the Authority's operating expenses and capital improvements.

To that end at the Authority Board meeting on Tuesday, 2.16.16, the Board of Trustees approved the following ballot language:

**Shall the limitation on the amount of taxes which may be levied against all property in the City of Howell, Howell Township, Marion Township, Genoa Township, and Oceola Township which are contained in the Howell Public School District, be increased by 0.75 mills (\$0.75 per \$1,000 of taxable value) for five (5) years, for the period of January 2017 through January 2022 inclusive, as a new millage for the purpose of funding the operation of and capital equipment, facilities, and improvements for the Howell Area Parks and Recreation Authority as authorized by the Recreational Authorities Act 321 of 2000? If approved and levied the new millage is estimated that 0.75 mil will raise approximately \$1,552,309.50 when first levied in 2017.**

The Board of Trustees also approved placing the millage question on the August 2, 2016 ballot subject to approval by all Participating Members of the Howell Area Parks & Recreation Authority.

We are in the process of developing our plans and actions for the millage campaign, which includes a new facility to meet the demands of the community. The location of this facility is yet to be determined but the plan is to build in a convenient location near the major population growth areas of the Howell Public Schools district.

Thank you for your consideration and I will be at the Board meeting on March 7<sup>th</sup> to answer questions.

Sincerely,

Executive Director  
Howell Area Parks & Recreation Authority

PETITION FOR CLEANING OUT, RELOCATING, WIDENING, DEEPENING  
 STRAIGHTENING, TILING, EXTENDING, RELOCATING ALONG A  
 HIGHWAY OR ADDING A BRANCH DRAIN FOR A COUNTY DRAIN  
 KNOWN AS THE *Genoa No. 1* COUNTY DRAIN

TO THE COUNTY DRAIN COMMISSIONER OF THE COUNTY OF LIVINGSTON:

Your petitioners hereby petition for the Cleaning Out, Relocating, Widening, Deepening, Straightening, Tiling, Extending, or Relocating along a Highway or adding a Branch Drain to improve the flow of a County drain known as the *Genoa No. 1* County Drain. The location of said drain and the portion of said drain proposed to be improved is substantially as shown on the attached map.

Your petitioners further show that said drain improvements are necessary and conducive to the public health, convenience and welfare of properties and residents of *Genoa* Township within the *Genoa No. 1* Drain Drainage District.






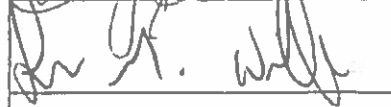
Your petitioners further show that they constitute \_\_\_\_\_ freeholders who are owners of land liable to assessment for benefits for such proposed work.

It is understood that the cost of said proposed drain improvements will be assessed against benefitted properties within the drainage district through special assessments.

This petition is filed pursuant to provisions of Chapter 8 of Act 40, Public Acts of 1956, as amended, M.C.L. 280.191.

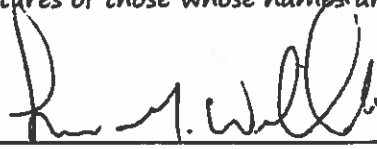
Dated this 3<sup>rd</sup> day of April, 20 17

Signatures and Description of Land Owned

<u>Signature</u>	<u>Printed Name</u>	<u>Address and Tax ID No.</u>
	R F RAEETHER	2650 FISHBECK SECTION 13
	Sheri Barker	4192 Chilson
	Russell Barker	4192 Chilson
	Linda Connolly	4210 Chilson
	CINDY BERENDT	4210 Chilson
	Lee M. Williford	4160 Chilson Rd.

AFFIDAVIT OF CIRCULATOR OF PETITION

I Hereby Certify that I did personally circulate this petition and the signatures to same were made in my presence and are the genuine signatures of those whose names are affixed.

Signature: 

Printed Name of Circulator: Lee M. Williford

Dated: April, 03, 2017.

STATE OF MICHIGAN     )  
  )ss.  
COUNTY OF LIVINGSTON )

on April 3, 2017, before me, a Notary Public in and for said County, personally appeared to me known to be the person described in and who circulated the foregoing petition dated April 3, 2017.



VICKI CALKINS

My Commission expires 6-29-2020

State of Michigan     )  
County of Livingston ) ss.

I, \_\_\_\_\_ hereby certify that I have compared the ownership of property represented by the signatures as signed to the foregoing petition with records in the office of Register of Deeds and find that they are owners in fee simple of the lands described in this petition.

\_\_\_\_\_  
For Livingston County