

GENOA CHARTER TOWNSHIP BOARD
Regular Meeting
December 17, 2018
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: December 3, 2018
3. Request for approval to enter into agreements to collect 2019 summer property taxes for the Brighton Area Schools, Hartland Consolidated Schools, Howell Public Schools, and the Livingston Educational Service Agency as submitted by the Township Treasurer.
4. Request Board approval to adjust the Refuse Special Assessment Roll, #X0012, and to adjust 2018 Winter tax roll accordingly for parcel numbers 11-03-405-246, 11-12-100-010 & 11-22-301-009.

Approval of Regular Agenda:

5. Presentation from the Deputy Drain Commissioner regarding options for maintenance on the Genoa and Oceola Drain.
6. Resolution to approve Instructions for Poverty Exemption, Guidelines for Poverty Exemption Application, and Poverty Exemption Worksheet.
7. Introduction and first reading of an ordinance declining authorization of medical marihuana facilities and prohibiting all marihuana establishments within the Township pursuant to the Michigan Regulation and Taxation of Marihuana Act of 2018.

Correspondence
Member Discussion
Adjournment

<p>*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.</p>
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CHECK REGISTERS FOR TOWNSHIP BOARD MEETING

DATE: December 17, 2018

TOWNSHIP GENERAL EXPENSES: Thru December 17, 2018	\$72,040.39
December 14, 2018 2018 Bi Weekly Payroll	\$90,486.40
OPERATING EXPENSES: Thru December 17, 2018	\$24,608.64
TOTAL:	<u>\$187,135.43</u>

Check Date	Check	Vendor Name	Amount
Bank FNBCK CHECKING ACCOUNT			
11/28/2018	34900	DELTA DENTAL	3,764.70
11/28/2018	34901	GUARDIAN	2,481.03
11/28/2018	34902	WAL-MART COMMUNITY	225.12
11/29/2018	34903	ETHICAL EXTERIORS	37,160.00
11/29/2018	34904	WELLNESS IQ	164.00
12/04/2018	34905	APEX SOFTWARE	705.00
12/04/2018	34906	CONSUMERS ENERGY	224.59
12/04/2018	34907	COUNTRY LANE FLORIST	52.89
12/04/2018	34908	MICHIGAN ASSESSOR'S ASSOC	270.00
12/04/2018	34909	MMRMA	13,476.90
12/04/2018	34910	NETWORK SERVICES GROUP, L.L.C.	200.00
12/04/2018	34911	PERFECT MAINTENANCE CLEANING	565.00
12/05/2018	34912	BRANDON VANMARTER	300.00
12/05/2018	34913	BUSINESS IMAGING GROUP	1,031.44
12/05/2018	34914	COOPER'S TURF MANAGEMENT LLC	2,755.00
12/05/2018	34915	DTE ENERGY	54.41
12/05/2018	34916	ELECTION SOURCE	3,775.00
12/05/2018	34917	LIVINGSTON COUNTY CLERK, ELECTION	3,910.98
12/07/2018	34918	DTE ENERGY	165.83
12/07/2018	34919	MARY KRENCICKI	14.17
12/07/2018	34920	PRINTING SYSTEMS	224.56
12/07/2018	34921	WELLNESS IQ	168.00
12/10/2018	34922	GORDON FOOD SERVICE	351.77

FNBCK TOTALS:

Total of 23 Checks:	72,040.39
Less 0 Void Checks:	0.00
Total of 23 Disbursements:	72,040.39

Check Register Report For Genoa Charter Township
 For Check Dates 12/14/2018 to 12/14/2018

Check Date	Bank	Check Number	Name	Check Gross	Physical Check Amount	Direct Deposit	Status
12/14/2018	FNBCK	EFT292	FLEX SPENDING (TASC)	1,303.47	1,303.47	0.00	Open
12/14/2018	FNBCK	EFT293	INTERNAL REVENUE SERVICE	20,734.59	20,734.59	0.00	Open
12/14/2018	FNBCK	EFT294	PRINCIPAL FINANCIAL	4,436.00	4,436.00	0.00	Open
12/14/2018	FNBCK	EFT295	PRINCIPAL FINANCIAL	1,415.11	1,415.11	0.00	Open
Totals:				27,889.17	27,889.17	0.00	
				Number of Checks: 004		Dir. Dep.	
Total Physical Checks:						62,597.23	
Total Check Stubs:				4			
							\$90,486.40

Check Date	Check	Vendor Name	Amount
Bank 503FN DPW-UTILITIES #503			
11/27/2018	4489	HOME DEPOT CREDIT SERVICES	2,069.83
11/28/2018	4490	DAVE MILLER	63.59
12/05/2018	4491	BUSINESS IMAGING GROUP	94.38
12/05/2018	4492	MMRMA	9,739.22
12/10/2018	4493	TRACTOR SUPPLY CO.	552.85
12/11/2018	4494	POSTMASTER	160.80
12/11/2018	4495	WINDSTREAM	43.51
503FN TOTALS:			
Total of 7 Checks:			12,724.18
Less 0 Void Checks:			0.00
Total of 7 Disbursements:			12,724.18

Check Date	Check	Vendor Name	Amount
Bank 592FN OAK POINTE OPERATING FUND #592			
11/28/2018	4441	AT&T LONG DISTANCE	40.46
12/04/2018	4442	DTE ENERGY	2,191.82
12/04/2018	4443	DTE ENERGY	2,505.83
12/04/2018	4444	MMRMA	2,171.14
12/10/2018	4445	AT&T LONG DISTANCE	55.63
12/10/2018	4446	BRIGHTON ANALYTICAL , L.L.C.	185.00
12/10/2018	4447	CONSUMERS ENERGY	296.97
592FN TOTALS:			
Total of 7 Checks:			7,446.85
Less 0 Void Checks:			0.00
Total of 7 Disbursements:			7,446.85

Check Date	Check	Vendor Name	Amount
Bank 593FN LAKE EDGEWOOD OPERATING FUND #593			
11/28/2018	3498	BRIGHTON ANALYTICAL , L.L.C.	67.00
11/28/2018	3499	CONSUMERS ENERGY	57.43
12/04/2018	3500	CONSUMERS ENERGY	155.07
12/04/2018	3501	MMRMA	450.00
12/06/2018	3502	DTE ENERGY	3,708.11
593FN TOTALS:			
Total of 5 Checks:			4,437.61
Less 0 Void Checks:			0.00
Total of 5 Disbursements:			4,437.61

Pine Creek Checks
 No A/P checks issued for this Board Packet

GENOA CHARTER TOWNSHIP BOARD
Regular Meeting
December 3, 2018

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, Robin Hunt, Jim Mortensen, Terry Croft, Diana Lowe and Jean Ledford. Also present were Township Manager, Michael Archinal; Township Attorney, Joe Seward; and approximately eleven persons in the audience.

A Call to the Public was made with no response.

Approval of Consent Agenda:

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

1. Payment of Bills.

2. Request to Approve Minutes: November 19, 2018

3. Request for approval of a fireworks display by Ace Pyro on Dec. 31, 2018 at Mt. Brighton.

4. Consider approval of a resolution establishing guidelines for granting of Poverty Exemptions.

5. Consider approval of a resolution for a charitable gaming license as requested by Hornung Elementary P.T.O.

Approval of Regular Agenda:

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

6. Consideration of a recommendation for approval of a special use, site plan and environmental impact assessment for a proposed pet day care center (Dog Town and Kitty City Day Care) within an existing commercial building. The property in question is the former Knights of Columbus banquet hall located at 3557 E. Grand River Avenue in Howell and is petitioned by Paula Vanderkarr.

A. Disposition of Special Use Application

Moved by Lowe and supported by Hunt to approve the special use permit for a pet day care use because it has been found that the request meets the requirements of Section 19.03 of the Township Zoning Ordinance with the following conditions:

1. The owner has acknowledged that this use occupies all the available parking on the site.
2. The noise study provided by a licensed sound engineer indicates that the maximum noise levels will be below ordinance levels from both the inside and outside of the building.
3. Surface water runoff from the play area is prohibited.
4. All requirements of Section 7.02.02 (w) shall be met.

The motion carried as follows: Ayes – Ledford, Croft, Hunt, Lowe, Skolarus and Rogers. Nay – Mortensen.

B. Disposition of Environmental Impact Assessment

Moved by Hunt and supported by Lowe to approve the Environmental Impact assessment revised Dated Nov. 20, 2018 as received. The motion carried as follows: Ayes – Ledford, Croft, Hunt, Lowe, Skolarus and Rogers. Nay – Mortensen.

C. Disposition of Site Plan.

Moved by Hunt and supported by Lowe to approve the site plan dated May 24, 2018 with the following conditions:

1. The scope of parking lot repairs as indicated by the owner shall be approved by the Township Engineer prior to issuance of a land use permit.
2. Surface water runoff from the play area is not permitted. The petitioner should provide documentation to the satisfaction of the Township Engineer on how they plan to manage surface water runoff in the outdoor play area including documentation on the underlying soil and its suitability for infiltration prior to issuance of a land use permit. If soil will not be suitable for downward infiltration, additional containment may be required to prevent illicit discharge.
3. Payment of all site plan review fee overages must be made prior to issuance of land use permit.
4. A cross access easement or agreement shall be provided by the property owner prior to issuance of Certificate of Occupancy. The form of this conveyance shall be approved by the Township Attorney.
5. The property owner shall authorize allocation of the assessed REU's to this user by signing the tap fee memorandum where indicated prior to issuance of the land use permit.
6. The pole sign may remain until either it is replaced by redevelopment or two years from today (whichever comes first).

The motion carried as follows: Ayes – Ledford, Croft, Hunt, Lowe, Skolarus and Rogers. Nay – Mortensen.

7. Consideration of a recommendation for approval of an environmental impact assessment for a proposed addition and parking lot expansion to the existing Community Bible Church located at 7372 W. Grand River Avenue in Brighton and is petitioned by Community Bible Church.

A. Disposition of Environmental Impact Assessment

Moved by Skolarus and supported by Ledford to approve the Environmental Impact Assessment dated Oct. 3, 2018 provided all conditions of the Planning Commission are satisfied. The motion carried unanimously.

8. Introduction and first reading of an ordinance declining authorization of medical marijuana facilities and prohibiting all marihuana establishments within the Township pursuant to the Michigan Regulation and Taxation of Marihuana Act of 2018.

Moved by Skolarus and supported by Ledford to introduce the first reading of the ordinance related to Marijuana establishments within the township scheduling the 2nd hearing for Dec. 17, 2018 at the Genoa Charter Township Hall at 6:30p.m. The motion carried unanimously.

Correspondence and Board Discussion:

The actions of the State legislature were discussed relative to bills introduced in the Senate and House of Representatives regarding sand and gravel mining operations and less restrictive roles in the conservation of wetlands. Skolarus will draft letters for board members with possible individual action.

The regular meeting of the Genoa Charter Township Board was adjourned at 7:10 p.m.



Paulette A. Skolarus, Clerk
Genoa Charter Township Board

Memo

To: Genoa Township Board
From: Robin Hunt, Treasurer
Date: 12/13/2018
Re: 2019 Summer Tax Collection

I have placed on the Consent Agenda the following item for your consideration:

Request for approval to enter into agreements to collect 2019 summer property taxes for the Brighton Area Schools, Hartland Consolidated Schools, Howell Public Schools, and the Livingston Educational Service Agency as submitted by the Township Treasurer.

As in the past several years, the agreements with the Hartland and Brighton School Districts will be to collect the Operating (Non-Homestead) Levy of their School Tax on the Summer Tax Bill. The agreement with Howell Schools will be to collect the Operating (Non-Homestead) Levy as well as half of their Debt Levy to all parcels on the Summer tax roll. Pinckney Schools does not levy any school tax on the Summer tax roll. Livingston Educational Services Agency (LESA) will collect their full levy for Brighton, Hartland & Howell on the Summer bill and their full levy on the Winter bill for Pinckney Schools.

The agreements, as in the past, will be at a fee of \$3.00 per parcel for this collection.

Please let me know if you have any questions. Thank you!

Genoa Charter Township
2911 Dorr Road
Brighton, MI 48116
810-227-5225

Memo

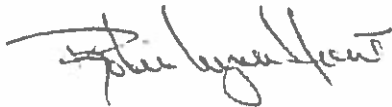
To: Genoa Township Board
From: Robin L. Hunt, Township Treasurer
Date: 12/12/2018
Re: Corrections to Special Assessment Roll X0012 & 2018 Winter Tax Roll

In the process of transitioning to Advanced Disposal for the Township Refuse & Recycling pickup it has come to our attention that the following corrections need to be made to the Special Assessment roll as well as the levy to the 2018 winter tax roll.


Please consider Board Approval to make corrections to special assessment roll #X0012 to be levied on the 2018 winter tax bill with the corresponding administration fee:

- Parcel #4711-03-405-246 – Remove Special Assessment #X0012 - \$(131.00)
Trailer removed from property
- Parcel #4711-12-100-010 – Increase to Special Assessment #X0012 - \$262.00
Three homes on property only charged for one
- Parcel #4711-22-301-009- Increase to Special Assessment #X0012 - \$131.00
Two homes on property only charged for one

Please let me know if you have any questions. Thank you for your consideration.




MEMORANDUM

TO: Township Board
FROM: Michael Archinal 
DATE: 12/13/2018
RE: Presentation By The Livingston County Drain Commissioner Regarding
Maintenance Of The Genoa-Oceola Drain.

I am waiting to receive information on this agenda item. I will forward it to you when I receive it.

MEMORANDUM

TO: Township Board
FROM: Michael Archinal 
DATE: 12/13/2018
RE: Poverty Exemption Guidelines

At the last Board meeting you approved Poverty Exemption Guidelines. The State of Michigan requires that this action must be done by resolution with a roll call vote. I inadvertently placed the item on the 12/3/2018 Consent Agenda. Even though the Consent Agenda passed unanimously, because a roll call vote is required, it must be an action item. For this reason the item is back on your agenda for your consideration this evening.

Memo

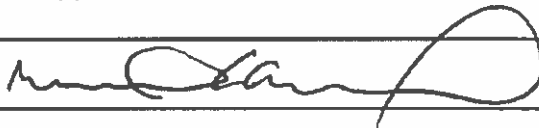
To: Genoa Township Board

From: Debra L. Rojewski

Date: 11/2/2018

Re: Instructions for poverty exemption, guidelines for poverty exemption, Poverty Exemption application and Poverty Exemption worksheet.

Manager Review: _____



I would like the Genoa Township Board to adopt these guidelines for the 2019 Board of Review. The township is required to adopt guidelines that set income levels for our poverty exemption guidelines. The State of Michigan also requires that poverty exemption guidelines are established by the townships local assessing unit and we shall include an asset level test. An asset level test means the amount of cash, fixed assets or other property that could be used or converted to cash for use in payment of property taxes.

The income levels the township is using were supplied by the State of Michigan. I have attached the income levels which are the Federal Poverty Guidelines supplied to us from the State of Michigan. If you have any further questions feel free to contact me.

Please consider the following action:

Moved by _____, supported by _____, to

Approve the 2019 Instructions for poverty exemption, guidelines for poverty exemption, Poverty exemption application and Poverty exemption worksheet as submitted.

**RESOLUTION # 18
GENOA CHARTER TOWNSHIP
COUNTY OF LIVINGSTON, MICHIGAN**

**RESOLUTION ESTABLISHING GUIDELINES FOR GRANTING OF POVERTY
EXEMPTIONS FROM PROPERTY TAXES PURSUANT TO MCL 211.7u AND
ESTABLISHING BEGINNING DATE FOR THE BOARD OF REVIEW**

At a regular meeting of the Board of Trustees of Genoa Charter Township, County of Livingston, State of Michigan, held on December 3, 2018 the following Resolution was moved, supported and adopted.

RECITALS:

WHEREAS, P.A. 390 of 1994, which amended Section 7u of Act 206 of the Public Acts of 1893, as amended by Act 313 of the Public Acts of 1993, being section 211.7u of the Michigan Compiled Laws. requires the governing body of the assessing unit to determine and make available to the public the policy and guidelines for granting of poverty exemptions under MCL 211.70;

NOW, THEREFORE BE IT RESOLVED that to be eligible for a poverty exemption pursuant to MCL 211.7u in the Township of Genoa, a person must be the owner and must occupy the property as a homestead, as defined, for which the exemption is requested; file a completed and notarized application; file copies of federal and state income tax returns for all persons residing in the homestead, including property tax credit forms and/or Statement of Benefits Paid from Michigan Department of Social Services or Social Security Administration; meet local (Genoa Charter Township) poverty income standards;

BE IT FURTHER RESOLVED that the applicant must have an annual household income less than the amounts shown in Attachment A;

BE IT FURTHER RESOLVED that the applicant must have an annual taxable and/or non-taxable dividend income less than \$500;

BE IT FURTHER RESOLVED that the applicant's asset level, excluding the homestead, may not exceed \$10,000;

BE IT FURTHER RESOLVED that the applicant may not have ownership interest in any real estate other than the homestead;

BE IT FURTHER RESOLVED that a poverty exemption may be granted for only one year at a time;

BE IT FURTHER RESOLVED that for the 2019 tax year the Genoa Charter Township Board of Review will begin its proceedings on Tuesday, March 5, 2019;

BE IT FURTHER RESOLVED that the board of review shall request identification of the applicant and/or proof of ownership of the homestead under consideration for poverty exemption;

BE IT FURTHER RESOLVED that the board of review may request from the applicant any supporting documents which may be utilized in determining a poverty exemption request;

BE IT FURTHER RESOLVED that the completed poverty exemption application must be filed after January 1, but before the day prior to the last day of the board of review in the year for which exemption is sought;

BE IT FURTHER RESOLVED that the board of review shall administer an oath wherein the applicant testifies as to the accuracy of the information provided;

BE IT FURTHER RESOLVED that the board of review may deviate from the established policy and guidelines only for substantial and compelling reasons. The applicant will be notified, in writing, the reasons for deviating from the policy and guidelines for poverty exemption;

BE IT FURTHER RESOLVED that to conform with the provisions of P.A. 390 of 1994, this resolution is hereby given immediate effect.

ATTACHMENT A

POVERTY LEVEL GUIDELINES FOR 2019 TAX YEAR

FAMILY UNIT	HOUSEHOLD INCOME
Family of 1:	\$12,140
Family of 2:	\$16,460
Family of 3:	\$20,780
Family of 4:	\$25,100
Family of 5:	\$29,420
Family of 6:	\$33,740
Family of 7:	\$38,060
Family of 8:	\$42,380
For each additional person add:	\$4,320

Clerk's Certificate

The undersigned, being the duly qualified and acting Clerk of Genoa Charter Township, hereby certifies that (1) the foregoing is a true and complete copy of the resolution duly adopted by the Board of Genoa Township at a meeting at which a quorum was present and remained throughout, (2) the original thereof is on file in the records of the Genoa Charter Township, (3) the meeting was conducted, and public notice thereof was given, pursuant to and in full compliance with the open meetings act (Act No. 267, Public Acts of Michigan 1976 as amended) and (4) minutes of such meeting were kept and will be or have been made available as required thereby.

Paulette A. Skolarus, Clerk

Genoa Charter Township

Dated: December 3, 2018

MEMORANDUM

TO: Township Board
FROM: Michael Archinal 
DATE: 12/13/2018
RE: Medical and Recreational Marihuana Ordinance

Because of a formatting error and the potential for future litigation this matter is back for your consideration as a first reading.

**CHARTER TOWNSHIP OF GENOA,
LIVINGSTON COUNTY, MICHIGAN**

**AN ORDINANCE TO PROHIBIT MARIHUANA FACILITIES
AUTHORIZED BY PA 281 OF 2016 AND MARIHUANA ESTABLISHMENTS AUTHORIZED BY THE
MICHIGAN REGULATION AND TAXATION OF MARIHUANA ACT, BALLOT PROPOSAL 18-1 OF 2018**

ORDINANCE NO. _____
DATED: _____, 20__

THE CHARTER TOWNSHIP OF GENOA ORDAINS:

Section I: Name

This Ordinance shall be known and cited as the Genoa Township Prohibition of Marihuana Facilities and Establishments Ordinance.

Section II: Purpose

The purpose of this ordinance is to prohibit any and all marihuana facilities within the geographic boundaries of Genoa Township pursuant to Section 205 of PA 281 of 2016 (MCL 333.27205), as may be amended, and to prohibit any and all marihuana establishments within the geographic boundaries of Genoa Township pursuant to Section 6 of the Michigan Regulation and Taxation of Marihuana Act of 2018 (MCL 333.27956), as may be amended, and to the fullest extent allowed by law.

Section III: Definitions

Words used herein shall have the definitions as provided for in Public Act 281 of 2016 (MCL 333.27101 et. seq.), as may be amended, as well as in the Michigan Regulation and Taxation of Marihuana Act of 2018 (MCL 333.27951 et. seq.) as may be amended.

Section IV: Prohibition

1. All medical marihuana facilities within the boundaries of the Township are prohibited as permitted by Public Act 281 of 2016 (MCL 333.27101 et. seq.).
2. All marihuana establishments within the boundaries of the Township are prohibited as permitted by the Michigan Regulation and Taxation of Marihuana Act of 2018 (MCL 333.27951 et. seq.), as may be amended.

Section V: Severability

The provisions of this ordinance are hereby declared to be severable. If any clause, sentence, word, section or provision is hereafter declared void or unenforceable for any reason by a court of competent jurisdiction, it shall not affect the remainder of such ordinance which shall continue in full force and effect.

Section VI: Repeal

All ordinances or parts thereof in conflict herewith are repealed.

Section VII: Effective Date

This ordinance is effective immediately upon adoption and shall remain in full force and effect until repealed by the Township Board.

On the motion to adopt the Ordinance the following vote was recorded:

Yeas:

Nays:

Absent:

I hereby approve the adoption of the foregoing Ordinance this _____ day of _____, 20__.

Paulette A. Skolarus
Township Clerk

Bill Rogers
Township Supervisor

Township Board First Reading: December 17, 2018
Date of Publication of Proposed Ordinance: December 23, 2018
Township Board Second Reading and Adoption: Proposed January 7, 2019
Date of Publication of Ordinance Adoption: tbd
Effective Date: tbd