

**GENOA TOWNSHIP
Election Board
June 2, 2003**

MINUTES

Skolarus called a regular meeting of the Election Board to order at 7:00 p.m. at the Genoa Township Hall. The following board members were present constituting a quorum for the transaction of business: Paulette Skolarus, Robin Hunt and Gary McCririe. Also present were 8 persons in the audience.

Moved by McCririe, supported by Hunt, to approve the Agenda as presented. The motion carried unanimously.

1. Discussion of change to Precinct 2, moving of polling place from Cleary College to Three Fires Middle School on Crooked Lake Road as recommended by Skolarus.

Skolarus advised the board that the growth in the number of registered voters had grown beyond the capacity at Cleary College. Rick Terres of Howell Public Schools had agreed to allow the township to use their facility at Three Fires Middle School. Under the law any changes to polling places needed to occur before 210 days before the next election. Skolarus asked for a recommendation to the Township Board to allow the change for precinct 2.

A. Recommendation to board.

Moved by Hunt, supported by McCririe, to approve the change as requested. The motion carried unanimously.

The meeting of the Election Board was adjourned at 7:02 p.m.

**GENOA TOWNSHIP
Regular Meeting
June 2, 2003**

MINUTES

Supervisor McCririe called the regular meeting of the Genoa Township Board to order at 7:00 p.m. The Pledge of Allegiance was then said. The following board members were present constituting a quorum for the transaction of business: Gary McCririe, Paulette Skolarus, Robin Hunt, Todd Smith, Anthony Combs, Jim Mortensen and Jean Ledford. Also present were Township Manager Michael Archinal, Township Attorney Rick Heikkinen and approximately 20 persons in the audience.

Moved by Mortensen, supported by Ledford, to approve the Agenda, adding a request by Todd Smith for a fire works display and correcting item 8. The motion carried unanimously.

A call to the public was made with no response.

1. Public Hearing on an amendment to the General Fund Budget for fiscal year 2002/03 and discussion of the 2003/04 General Fund Budget.

A. Call to the public.

A call to the public was made with no response.

B. Disposition of 2002/03 budget amendment.

Moved by Ledford, supported by Mortensen, to amend the general fund budget as submitted. The motion carried unanimously.

C. Disposition of salaries for the elected officials.

Moved by Mortensen, supported by Ledford, to approve salary increases of \$1,500.00 annually for the elected officials.

D. Disposition of 2003/04 General Fund Budget.

Moved by Hunt, supported by Combs, to approve the General Fund Budget for fiscal 2003/04 as submitted. The motion carried unanimously.

2. Consideration of requests for a permit to allow a fire works display.

A. Mark and Kelly Lasagna.

Moved by Ledford, supported by Smith, to approve a resolution allowing a fire works display on 07/05/03 contingent upon receipt of a copy of the pending insurance policy. The motion carried unanimously.

B. Todd Smith.

Moved by Skolarus, supported by Combs, to approve a resolution allowing a fire works display on one date between 07/03/03 to 07/07/03 contingent upon receipt of an insurance policy covering the event and the necessary documentation from the Fire Marshall. The motion carried with Smith abstaining.

3. Request for approval of the site plan (04/08/03) and impact assessment (05/27/03) for proposed a 4,680 sq. ft. office building located in Sec. 13, on the southwest side of Grand River Ave., between Bendix Rd. and Hacker Rd., petitioned by Donald J. McCluskey, as discussed by the Planning Commission 04/14/03.

A. Disposition of impact assessment.

Moved by Ledford, supported by Mortensen, to approve the impact assessment contingent upon the following:

1. Page 6, Item K shall be changed to read “Pole mounted site lighting that is proposed will be downward directed.
2. Page 6, Item L, the following will be added, “The lighting will not exceed ½ foot-candle at the property line as per Township ordinance.
The motion carried unanimously.

B. Disposition of site plan.

Moved by Skolarus, supported by Mortensen, to approve the site plan with the following conditions:

1. There shall be a recorded shared access easement with the building and property commonly known as 7900 West Grand River and a copy is to be provided to the Township.
2. The architectural components, including building elevation, general design, materials, and color scheme shall be as currently existing at 7900 West Grand River.
3. Any portion of the detention pond that will be located within the Grand River ROW shall receive prior approval from the Livingston County Road Commission.
4. The petitioner is to provide the Township with a revised photometric grid for all site lighting, demonstrating an intensity of less than ½ foot-candle along the residential property line.
5. All lighting shall be boxed, downward directed, and shielded.
6. Any signage shall receive prior administrative approval by the Township and the construction of such signage shall be similar with the building at 7900 West Grand River.
7. A one-foot vertical to four-foot horizontal slope may be varied due to the natural topography of the site, to decrease the grading onto Lot #9, and the saving of existing trees that provide some light and sound barrier to the existing residents.
8. Petitioner is to provide, during construction, slope stabilization and erosion control measures to be implemented, including mulching blankets and sod with prior design approval of the slope stabilization and erosion control measures approved by the Township Engineer.
9. The petitioner, during construction, is to undertake tree protection measures with the requirement that if any existing trees on Lot #9 die within 12 months of a certificate of occupancy, they will be replaced with a tree of similar height and caliper as specified by the Township staff.
10. Petitioner is to construct the two, four-foot terraces with boulders as designated on the current site plan.
11. The petitioner is to add four additional evergreen trees along the southwest area of the driveway and they shall be staggered for increased screening, and two additional canopy trees are to be added on the site at a location to be determined by the petitioner and Township staff.
12. The parking lot grad may not, in any area, exceed 7% slope.
13. Driveway width of 26-feet shall be approved subject to approval by the Livingston County Road Commission.
14. The site plan shall comply with all of the Township Engineer’s requirements.
15. Two REU’s for municipal sewer and water connection is part of site plan approval.
16. No outdoor waste disposal bins shall be permitted.
17. All additional landscaping required shall be certified as guaranteed by the

owner/developer's landscape architect in writing, with such certification being delivered to Township staff.

The motion carried unanimously.

4. Request for approval of a special use permit, site plan (02/10/03) and impact assessment (03/03/03) for proposed 17,600 sq. ft. sanctuary addition to existing church facility (Brighton Nazarene Church) located at 7679 Brighton Road, Section 25, petitioned by Brivar Construction and discussed by the Planning Commission on May 12, 2003.

A. Disposition of special use permit.

Moved by Ledford, supported by Mortensen, to approve the special use permit for the sanctuary in a residential district with the following conditions:

1. The petitioner shall replace the 16 trees that have died or been removed along the east property line.
2. The petitioner will add three additional Austrian Pine trees to the east property line.
3. The petitioner shall maintain the tree line along the east property line.
4. The petitioner shall include the skate park rules on the liability waiver required for admittance.
5. The lights shall be turned off at 11:00 p.m.
6. The petitioner shall maintain not less than two signs prohibiting outdoor skating.
7. No commercial activities shall be allowed in regard to the use of the skate park nor shall such activities be delegated, assigned, or leased by the petitioner.
8. The petitioner shall provide a security guard to patrol the parking lot area on the days the skate park is open between the hours of 9:00 p.m. and 12:00 a.m.

The motion carried unanimously.

B. Disposition of impact assessment.

Moved by Skolarus, supported by Combs, to approve the impact assessment as presented. The motion carried unanimously.

C. Disposition of site plan.

Moved by Combs, supported by Ledford, to approve the site plan with the following conditions:

1. The brick face colors and accents shall be as presented to the Planning Commission at its April 14, 2003 meeting.
2. Architectural colored renderings of the elevations shall be as provided to the Planning Commission at its April 14, 2003 meeting.
3. The petitioner will endeavor to obtain a waiver of the Livingston County Drain Commissioner's fencing requirement for the detention pond area.
4. Absent the petitioner obtaining that waiver, the petitioner shall provide a black ornamental fence around the perimeter of the pond and in front of the fence a hedgerow with the hedges spaced to provide minimal visual impact of the fencing and detention area.
5. The current sign will remain as is with any changes requiring a new sign permit.
6. The proposed new septic system must be approved by the Livingston County Health

Department.

7. The petitioner shall connect the church's facilities to the municipal water supply system provided by the City of Brighton.

The motion carried unanimously.

5. Request for approval of the site plan (04/15/03), sketch review, and impact assessment (05/06/03) to transform existing 2,684 sq. ft. building located at 3768 E. Grand River, Sec. 5, from a daycare center to a beauty salon and office space, petitioned by Michael and Lorri Brown, as discussed by the Planning Commission 05/27/03.

A. Disposition of impact assessment.

Moved by Ledford, supported by Skolarus, to approve the impact assessment as submitted. The motion carried unanimously.

B. Disposition of sketch plan.

Moved by Smith, supported by Ledford, to approve the sketch plan with the following conditions:

1. The petitioner shall re-locate, with the permission of the utility owner, the telephone riser for construction of the 5-foot wide sidewalk from Kentucky Fried Chicken to Cleary College Drive. In the event that the petitioner is unable to satisfy the condition of the riser, the sidewalk shall be erected around the riser.
2. The petitioner may need to obtain appropriate easements from Kentucky Fried Chicken; however, the sidewalk must be extended from Kentucky Fried Chicken to Cleary College Drive.
3. The Planning Commission finds that the supplemental landscaping around the existing building is sufficient and shall be in lieu of the requirement to provide a landscape greenbelt along Cleary College Drive as the Planning Commission recognized the decrease in parking that would occur if such landscaping requirement were complied with.
4. The petitioner shall repaint the exterior of the building an earth tone color within 60 days.

The motion carried unanimously.

6. Request for approval of the impact assessment for a proposed 29,827 square foot addition to an existing building located in Section 5, Grand Oaks Industrial Park, on the east side of Grand Oaks Ave., south of Grand River Ave, petitioned by Schonscheck and Kraft Auto Spa as discussed by the Planning Commission July 8, 2002, with site plan approved by the Genoa Township Board on 10/07/03.

The petitioner advised the board that the Department of Environmental Quality tested the emissions in July of 2002 and found the facility in compliance with their standard for allowable emissions. The stack is determined to be 45' off grade and was approved as part of the previous site plan. McCririe informed the petitioner that the laminate process was installed after the fact and is in violation of the township ordinance. Paul Cavanaugh (representing the petitioner) advised the board that Thermal Oxidizer is the best

technology available today to eliminate odors. This process will be used in addition to the carbon filter system that becomes saturated too quickly. This procedure is computer controlled. It will automatically shut the system down if a problem is detected. Brenda Pineau (McNamee Industrial Services) agreed that it was the best technology available today but that there is no guarantee with regard to some carcinogens. The facility will need to be tested after the installation is complete. The Thermal Oxidizer will destroy the percentage that they are guaranteeing related to organic compound. According to the performance guarantee, the VOC concentration will be reduced by a minimum of 99%. The petitioner stated that they would like to go forward with the initial work (application to the county, grading and footings) during the 2003 construction season and would be willing to then halt work to assure the air quality emissions from their facility.

Moved by Skolarus, supported by Smith, to approve the environmental impact assessment and issue a Limited Land Use Permit for review of plans, installation of footings and land balancing conditioned upon the following:

1. The petitioner will return to the Township Board with a progress report with regard to emissions before construction goes beyond the footings and land balancing.
2. A release of claim agreement executed by the petitioner and to the benefit of the township will be drawn up concerning the elimination of all odors with the Thermal Oxidizer before any further construction will be allowed. Township Attorney Rick Heikkinen will review and approve that document.
3. Testing, by other than the manufacturer of the Thermal Oxidizer, will be performed on the emissions by a single firm. The petitioner will submit three qualified testing firms able to perform the emissions test and certify that the system is working. The mutual consent of the Township Engineer, petitioner and supervisor will determine the final firm to be selected to perform the study.
4. No additional laminating machines will be added to this facility without prior approval of the Genoa Township Board.
5. No construction, other than initially approved will take place at this facility under any circumstances.
6. Appendix A (addendum to the impact assessment dated 10/07/02) will be added to the impact assessment along with the letter of May 23, 2003 and any other documents submitted in relation to emission control.
7. The operation will be shut down if odor remains present in the emissions.
8. The petitioner will continue to comply with all local, state and federal emissions requirements.

The motion carried unanimously.

7. Request for approval of other budgets as follows:

A. Debt Service Nos. 854 thru 860, 862 thru 870, 872 thru 873 and 875.

Moved by Mortensen, supported by Ledford, to approve the debt service fund budgets as submitted by Hunt. The motion carried unanimously.

B. Liquor Law #212.

Moved by Ledford, supported by Smith, to approve the Liquor Law budget #212 as submitted. The motion carried unanimously.

C. Future Road Improvements #261.

Moved by Hunt, supported by Smith, to approve the Future Roads Budget as submitted. The motion carried unanimously.

D. Fire Authority #262.

Moved by Hunt, supported by Ledford, to approve an amendment to the Fire Authority budget for fiscal 2002/03 and the budget for 2003/04 as reducing the First National Bank Mortgage from \$600,000.00 to \$500,000.00, adding \$80,760 and reducing additions from \$60,000.00 to \$100.00 as requested by Skolarus. The motion carried unanimously.

E. Road Improvement Advances #264.

Moved by Ledford, supported by Smith, to approve an amendment to the Road Improvement Advances Fund #264 for fiscal 2002/03 and approve the budget for 2003/04 as submitted by Skolarus. The motion carried unanimously.

F. Parks and Recreation #270.

Moved by Mortensen, supported by Ledford, to approve the amendment for the Parks and Recreation Budget for 2002/03 as submitted and approve the 2003/04 budget as requested. The motion carried unanimously.

8. Request for approval of reappointments:

A. Zoning Board of Appeals – Barbara Figurski and Chris Hensick for terms expiring 06/30/06.

Moved by Skolarus, supported by Combs, to approve the recommendation by McCririe. The motion carried unanimously.

B. Planning Commission - Barbara Figurski and Don Pobuda for terms expiring 06/30/06.

Moved by Hunt, supported by Smith, to approve the recommendation by McCririe. The motion carried unanimously.

9. Consideration of a recommendation by the Election Commission to transfer precinct 2 from Cleary University to Three Fires Middle School.

Moved by Smith, supported by Ledford, to approve the recommendation by Skolarus. The motion carried unanimously.

10. Request for approval of the execution of a resolution on behalf of Genoa Township (a consent to partial assignment of the accounts receivable at First National Bank in Howell) as prepared by Heikkinen.

Moved by Ledford, supported by Skolarus, to approve the resolution and partial assignment of funds in the amount of \$500,000.00. Further to authorize an additional check in the amount of \$15,943.00 to Brivar Construction. The motion carried unanimously.

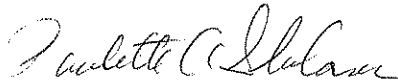
11. Request for approval of a cost sharing agreement with the Livingston County Road Commission to rehabilitate the existing pavement, pave shoulders, construct right-turn lane for a signalized Grand River intersection as requested by the Administrative Committee.

Moved by Skolarus, supported by Hunt, to approve the cost sharing agreement and authorize payment of \$250,000.00 to the Livingston County Road Commission. The motion carried unanimously.

Administrative Business:

Moved by Ledford, supported by Mortensen, to approve the Minutes of the 05/19/03 regular meeting of the board as submitted. The motion carried unanimously.

The regular meeting of the Genoa Township Board was adjourned at 9:15 p.m.



Paulette A. Skolarus
Genoa Township Clerk