

GENOA CHARTER TOWNSHIP  
Board of Trustees  
Public Hearing and Regular Meeting  
December 3, 2012

**MINUTES**

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

Call to the Public was made with no response.

**Approval of Consent Agenda:**

Moved by Ledford and supported by Smith to approve all items on the consent agenda, correcting the Minutes of the Nov. 19, 2012 meeting by adding Frank Mancuso as being present. The motion carried unanimously.

**1. Payment of Bills.**

**2. Request to approve minutes: November 19, 2012.**

**3. Request for approval of an employee retirement incentive program as recommended by the Administrative Committee.**

**Approval of Regular Agenda:**

**4. Request to consider clarification of the Project description associated with Resolution #3 (Approving Project, Cost Estimates, Special Assessment District and Causing the Special Assessment Roll to be Prepared) for the East and West Crooked Lakes Aquatic Weed Control Improvement Project as discussed at the November 19, 2012 public hearing. The project is to provide aquatic weed control/management through various methods, including, but not limited to, weed harvesting, chemical treatment, dredging, weevils and other biological treatments as determined by the East and West Crooked Lakes Riparian Association.**

McCririe – Comments this evening will be limited to three minutes each.

Skolarus advised the board that notices of the meeting were mailed to 451 parcels. Petitions were received from 248 property owners asking for the creation of a special assessment district. The petitions totaled 55% of the properties within the district. As of this date six letters of

objection were received and two verbal requests from the previous public hearing. Letters of support were also received. Skolarus read the petition and said that one request to withdraw their name from the petition was received today.

A call to the property owners was made with the following response: Jodi Cook – I have two letters of objection to submit for Jodi and Eric Cook. The letters were received. Arnie Messing - Who are the members of the new association? Why was a new association started instead of reviving the old one? The names of the new association board members were provided. Yvonne Balagna – Read a statement asking for a no vote and the proposal language to be changed. Skolarus – The language you asked for at the last meeting is reflected verbatim in item 4 of this evening’s agenda.

Adam Perkowski – How long can petitions be received? Skolarus – There is no time frame. My file has petition dated from July of 2011 until September 2012. Mancuso – That is correct – Act 188 does not limit the time for acceptance of petitions. Perkowski – The slips are included in the district. McCririe – The slips are included they are deeded with tax identification numbers. A letter of objection was received.

Frank Keresztes-Fischer – I am concerned with the use of chemicals downstream. Please consider harvesting. Bob Musch – I sent a letter objecting to this project. Please consider harvesting. David Veese – I work in an environmental district. 2-4-D is used in many common herbicides. Not doing anything is more harmful than the herbicides. The State is not going to allow us to poison the lake.

Jim Delcamp – 2-4-D contains dioxin compounds that are not entirely understood today. Joe Lacelle – Tyrone Lake has many problems because of the use of chemicals. The D.E.Q. has restrictions about its use around wells. The old association should have been revived. Dave Nastwold – Our Lake is sick and the native plants are dying. There is no perfect solution but we must remove the non-native species. If the residents don’t like the leadership then they can elect a new board in August.

Michael Harman – The CLAM 20 minute report was produced by Purdue University. The association board will diligently review alternatives. 2-4-D is not part of this proposal. Nina Cedar – I was secretary of the old association and am now working with the new association. Nina provided six addition letters of support from the following persons: Jeff and Wanda Tanis, E. David and Beth Kailbourne, Jan and Alan Tandrup, Dietland and Jim Lawrence, Cindy and Dave Jonckheere and Ann Tice.

Dr. Besses – we do need to do something about the weeds, but there are too many unanswered questions here. Please place a moratorium until all concerns can be answered. Ellen DelaRosa – Lake Sherwood and Pine lakes have been treated for 20 years. I support weed control. Don Selmi – I have two parcels within the district and whoever started this association I commend them. Deborah Borsvold – I am in support of weed control and chemicals. The weed problem is overwhelming and there are many neighbors who are treating the lake already.

Mike Breazeale – This petition encompasses all forms of weed control. There are many lakes that have used chemicals successfully for years.

Perksowski – What happens in five years? Is \$45.00 still valid if other means are used?

McCrie – The association must work within their projected costs as referenced in their letter of Nov. 5, 2012 from the Lake and Land Management Corp. (PLM). Joe Lacelle - If the program is still working, then why are they still spraying? I question the validity of the association. Yvonne Balagna – I am a lawyer and I have legal question and concerns regarding the validity of the notice.

Doug Brown – There is a problem of legitimacy here. I was also elected as a trustee to the previous association board. The meetings were not consistent. The new association was formed by eight people who were not elected. I am for weed control but there is no proposed process at this time. Tom Rafferty – We researched alternatives. More than half the people want to do something. We are working with the D.N.R. and will continue to do more research.

Craig Lesley – I am for the weed control and would complement Mike Breazeale for taking action.

A call to the public was made with the following response: Mike Bauer – We are Aquatic Weed Control and I do harvesting. I took a million pounds of weeds out of the lakes. There are more ways of treating our lakes than with chemicals.

Mortensen – 20% of the people in this area objected to this district. The petitions do not define the process. There are competing associations. I will vote no. Rowell – People are passionate about this project, however 55% signed the petition and I feel the petition text was unclear in that the subsequent mailing only focused on chemical application. Hunt – I voted no at the last meeting but that was just because I felt there was a need to re-define the project.

Moved by Smith and supported by Hunt to clarify the Project description associated with Resolution #3 for the special assessment district. The project is to provide aquatic weed control/management through various methods, including, but not limited to, weed harvesting, chemical treatment, dredging, weevils and other biological treatments as determined by the East and West Crooked Lakes Riparian Association. The motion carried as follows: Ayes – Smith, Hunt, Rowell, Skolarus and McCrie. Nay – Mortensen. Abstain – Ledford.

**5. Request for approval of Resolution No. 5 (confirming the special assessment roll) for the East and West Crooked Lake Aquatic Weed Control Project.**

Moved by Skolarus and supported by Smith to approve resolution No. 5 with the following conditions: The project shall not move forward without first obtaining written approval of the Livingston County Drain Commissioner’s Office. The board will add language to the resolution stating that the petitions are sufficient. The motion carried as follows: Ayes – Smith, Hunt, Skolarus and McCrie. Nays – Rowell and Mortensen. Abstain – Ledford.

**6. Request for approval of Resolution #121203 to transfer ownership of the Genoa-Oceola Sanitary System from Livingston County to the Genoa-Oceola Sewer and Water Authority.**

Moved by Ledford and supported by Mortensen to approve the resolution as requested by Greg Tatara. The motion carried by roll call vote as follows: Ayes – Ledford, Smith, Hunt, Rowell, Mortensen, Skolarus and McCririe. Nays – None.

**7. Presentation regarding the financing of the Consolidation of the Oak Pointe and Genoa-Oceola Wastewater Treatment Plants.**

Greg Tatara, Utility Director, Tesha Humphriss, Utility Engineer, and Jim Kiefer, Bond Counsel with Dykema Law Firm presented a synopsis of the consolidation project between the Oak Pointe Wastewater Plant and the Genoa-Oceola Wastewater Plant. The project background, benefits, and scope were presented by Greg Tatara. Jim Kiefer then presented the evaluated financing mechanisms and rationale for why Capital Improvement Bonds are the preferred financing mechanism. Tesha Humphriss presented the project schedule along with a table demonstrating that this project should be cost neutral for the average residential home currently in compliance with the potassium chloride ordinance. Finally, Jim Kiefer presented the next steps to occur in the project, which is the Genoa Township Board approving in January a:

- 1) Design Contract
- 2) Resolution authorizing the publication of a notice of intent to issue bonds
- 3) Reimbursement Resolution.

Once design and a financing place is in place, the final financing step will be for the Genoa Township Board to pass a bond authorization resolution. In addition, an agreement will have to be approved between the Genoa-Oceola Authority and Genoa Township.

No formal action was taken by the board.

**8. Request for approval of bid awards for a freeway oriented Township Park sign.**

Moved by Mortensen and supported by Smith to award the following bids: Vantage Construction \$17,280.00, Green Panel \$ 4,480.00 and Huron Signs \$16,953.00 for construction of the Township Park Sign. The motion carried with Rowell opposed.

Correspondence was reviewed and the meeting was adjourned at 8:50 p.m.