

**GENOA CHARTER TOWNSHIP BOARD**  
**Regular Meeting and Public Hearing**  
**February 18, 2013**

**MINUTES**

Supervisor McCririe called the regular meeting and public hearing 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 for the transaction of business: Gary McCririe, Paulette Skolarus, Robin Hunt, Todd Smith, Jean Ledford, Jim Mortensen and Linda Rowell. Also present were Township Manager Michael Archinal, Township Attorney Frank Mancuso and approximately 20 persons in the audience.

A Call to the Public was made with no response.

**Approval of Consent Agenda:**

Moved by Ledford and supported by Smith to approve all items listed under the consent agenda as requested. The motion carried with Rowell abstaining.

**1. Payment of Bills.**

**2. Request to approve minutes: February 4, 2013.**

**3. Request for approval of the Tetra Tech proposal for engineering for Mountain & Mystic as recommended by Archinal.**

**Approval of Regular Agenda:**

Moved by Hunt and supported by Mortensen to approve for action all items listed under the regular agenda. The motion carried unanimously.

**4. Call to the public for the Lake Chemung Aquatic Weed Control Improvement Project.**

Skolarus advised the board that two letters were received with reference to this petition. The first was from John Hull asking the township to proceed with the project. The second letter was from Katie Pasciolla asking the board to consider a different act that would allow parcels with large lots to pay more.

Pam Tynning of Progressive Engineering addressed the board on behalf of Lake Chemung. Tynning – in response to the township’s concerns, the reason for the increase is due to the fact that the cost for services has been fixed for the last five years because the contract that was in effect was a five year contract that did not include a mechanism for any cost increases during the life of the contract. Over the past five years the costs for the various herbicides that we apply to the lake have substantially increased and it has become necessary to use Sonar (a much more costly herbicide to treat for Eurasian Watermilfoil) on a more frequent basis (every three year). Plus, the types of aquatic vegetation in the lake have changed (we now have Stoney Starwort in the lake- a very difficult plant to control) and this has resulted in the need for more aggressive lake management. And, lastly, the costs for our contractors to provide their services have increased

and there is a need to increase the costs we pay to them. And, it has become necessary to include an additional cost in the assessment to maintain the lake management services that the LCRA provides (voluntary membership has declined to the point that the LCRA can no longer maintain their web site, lake monitoring, etc.) so we are including a small fee in the SAD so that we can continue with LCRA necessary services.

A call to the property owners and the public was made with the following response: Michael Durfee – Why are we poisoning our lake? There is a declining fish population and the weeds are caused by fertilizer. McCririe – those concerns need to be raised with your Lake Association. Michael Suciuc – I am supportive of this program and would like to see it continue. Randy Williams – I am concerned that the people who live off the lake are charged the same as those on the lake. There used to be two accesses but now one is not there. I feel like I don't belong. Mancuso – The court has ruled that there is still access. Reference was made to the 1920's plat. Smith – I have been mowing that property for 23 years and the access is 35' wide. Skolarus – Do you boat on the lake? Williams – I have a small fishing boat. Dan Goebel – I am concerned with the additional chemicals. This district is not like the original petition. It is a lot of money to spend that does more harm than good. McCririe – The D.E.Q. regulates what can be put into the lake. Please contact your association for more information. Skolarus – I will check with the assessor's office to determine the benefit in the case of Mr. Williams. Archinal was asked to provide a copy of the court case referenced by Mancuso and a copy of the plat at the next regular meeting of the board.

**5. Request for approval of Resolution #3 (Resolution Approving Project, Cost Estimates, Special Assessment District and Causing the Special Assessment Roll to be Prepared) for the Lake Chemung Aquatic Weed Control Improvement Project.**

Moved by Ledford and supported by Skolarus to approve Resolution #3 as presented. The motion carried by roll call vote as follows: Ayes – Ledford, Smith, Hunt, Rowell, Mortensen, Skolarus and McCririe. Nays – None. Absent – None.

*Note: Archinal will provide a copy of the plat and court ruling for the next regular meeting of the board.*

**6. Request for approval of Resolution #4 (Resolution 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 Improvement Project.**

Moved by Smith and supported by Ledford to approve resolution #4 with the addition of paragraph 5 in the notices to residents. The motion carried by roll call vote as follows: Ayes – Ledford, Smith, Hunt, Rowell, Mortensen, Skolarus and McCririe. Nays – None. Absent – None.

**7. Request for approval of an amendment to the General Fund 101, Future Road Fund 261, Road/Lake Reimbursement Fund 264, and Future Development Parks and Rec Fund 270 for the fiscal year ending March 31, 2013 and review of budgets for the General Fund 101, Future Road Fund 261, Road/Lake Reimbursement Fund 264, Future Development Parks and Rec Fund 270 and Liquor Law 212 for the fiscal year ending March 31, 2014.**

A. Moved by Mortensen and supported by Hunt to approve the amendment to the General Fund budget for the fiscal year ending 03/31/2013. The motion carried unanimously.

B. Moved by Mortensen and supported by Ledford to approve the amendment to the Future Road Fund budget for the fiscal year ending 03/31/2013. The motion carried unanimously.

C. Moved by Mortensen and supported by Hunt to approve the amendment to the Road/Lake Reimbursement Fund budget for the fiscal year ending 03/31/2013. The motion carried unanimously.

D. Moved by Mortensen and supported by Smith to approve the amendment to the Parks and Recreation Fund budget for the fiscal year ending 03/31/2013. The motion carried unanimously.

**8. Review and receipt of nine month analysis of all funds as submitted by Palka.**

The board received the analysis. No formal action was taken.

**9. Request for approval of Resolution 130218 authorizing publication of Notice of Intent to issue bonds and allowing for the reimbursement of certain expenditures from bond proceeds.**

Utility Director Greg Tatara addressed the board with the following summary:

- The existing treatment technology for the Oak Pointe WWTP is antiquated
- There are numerous violations, primarily associated with Sodium & Chloride Violations
- Remove a source of groundwater contamination impacting Township residents
- The Township does not wish to inspect individual residences or enforce water softener restrictions on individual homes
- This project has been a goal of the Township since 2005
- This project will consolidate 2 wastewater treatment plants into one, which has support from the State, is an opportunity to consolidate energy, labor, and services, and improve the quality of treated wastewater effluent discharged in the Township.

A call to the public was made with the following response: Jim Delcamp – There are other viable options with regard to this project. Please review the Eco Water System and look at Hamburg Township’s method of enforcement and inspection program. A 12 page letter defining Mr. Delcamp’s plan was provided in the board packet.

McCririe – We did try to enforce going into the homes of our residents and have been denied access. We are concerned with the contamination impacting our residents and need to address this matter with a permanent solution.

Moved by Skolarus and supported by Ledford to approve Resolution 130218 as requested by Tatara. The motion carried by roll call vote as follows: Ayes – Ledford, Smith, Hunt, Rowell, Mortensen, Skolarus and McCririe. Nays – None. Absent – None.

**10. Request for approval of the 2013/2014 System Labor and Equipment Percentage Allocation and the DPW Budget for FY Ending 2014.**

Moved by Smith and supported by Mortensen to approve the System Labor and Equipment percentage and the DPW budget for the fiscal year ending 03/31/2014 as requested by Tatara. The motion carried unanimously.

**11. Request for approval of the FY 2014 Operating Budgets for the Lake Edgewood Sewer System, the Oak Pointe Sewer System and the Oak Pointe Water System.**

Moved by Smith and supported by Mortensen to approve the Operating Budgets for the Lake Edgewood Sewer System, Oak Pointe Sewer System and Oak Point Water System as requested by Tatara. The motion carried unanimously.

**12. Request for approval of 1% rate increase to the Lake Edgewood Sewer System effective date of June 1, 2013.**

Moved by Smith and supported by Skolarus to approve a 1% increase to the Lake Edgewood Sewer System as Requested. The motion carried unanimously.

**13. Consider funding from the Howell Area Parks Recreation Authority.**

Moved by Smith and supported by Ledford to fully fund (\$100,000.00 annually) Howell Area Parks and Recreation Authority with a 1-year contract and to reserve the rights to withdraw should the authority seek millage, further, with the understanding that the Recreation Authority will mail brochures offering recreational programs to all township residents. The motion carried unanimously.

Moved by Smith and supported by Rowell to send a formal letter to SELCRA asking for inclusion in the authority under guidelines to be determined by the board after an invitation is received. The motion carried as follows: Ayes – Ledford, Smith, Hunt, Rowell, Mortensen and McCririe. Nay – Skolarus.

**14. Consider request to enter into closed session for discussion pending litigation pursuant to Section 8(e) of the 1976 Open Meetings Act.**

Moved by Smith and supported by Hunt to move to closed session to discuss pending litigation at 8:33 p.m. The motion carried by roll call vote as follows: Ayes – Ledford, Smith, Hunt, Rowell, Mortensen, Skolarus and McCririe. Nays – None. Absent – None.

The closed session was adjourned and the regular meeting was opened at 8:45 p.m.

Moved by Skolarus and supported by Smith to direct Attorney Mancuso to dismiss the lawsuit pending against the Mr. Wagoner. The motion carried unanimously.

The regular meeting and public hearing of the board was adjourned at 8:50 p.m.

Paulette A. Skolarus  
Genoa Charter Township Clerk

(Press/argus 02/22/2013)