

GENOA CHARTER TOWNSHIP BOARD
Regular Meeting
February 2, 2026

MINUTES

Call to Order

Supervisor Spicher called the regular meeting of the Genoa Charter Township Board to order at 6:30 pm at the Township Hall.

Invocation

Supervisor Spicher led the invocation for the Board and the members of the public.

Pledge of Allegiance

The Pledge of Allegiance was recited.

Roll Call

The following members were present constituting a quorum for the transaction of business: Kevin Spicher, Candie Hovarter, Robin Hunt, Bill Reiber, Rick Soucy, Jodie Valenti, Todd Walker.

Also present was Township Manager Kelly VanMarter, Township Attorney Joe Seward, and 5 people in the audience.

Call to the Public

Mr. Jim Carpenter of 4715 Stillmeadow Drive, spoke in regards to the item for the approval of a proposal from D'Angelo Construction. He stated that they did a great job in the timeframe to fix the break. He noted it is odd that we don't know what is in the infrastructure and suggested that money be put in the budget to conduct a survey to find out where there are other stub pipes. We need to find them and get them fixed before there is another emergency.

The call to the public was closed at 6:33 p.m.

Approval of Consent Agenda:

Ms. Valenti requested that the payment of bills be moved to the Regular Agenda.

Moved by Valenti, seconded by Walker, to approve the Consent Agenda with the moving of the payment of bills to the Regular Agenda. **The motion carried unanimously.**

1. Payment of Bills: February 2, 2026 (Moved to Regular Agenda).

2. Request to approve the January 20, 2026, regular meeting minutes.

Ms. Valenti noted that she believes she should recuse herself from the item, due to a payment to the Brighton Senior Center. She is concerned with a conflict due to her being the Director of the center.

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Supervisor Spicher inquired if there is a conflict, since this agreement was approved by the board prior to Ms. Valenti being on the board.

Attorney Seward stated he did not feel it is a conflict, but it is wise to bring forward and let the board decide if she should recuse herself. He noted that this item will need to be looked at in the future.

Approval of Regular Agenda:

Moved by Hunt, seconded by Soucy, to approve the agenda as modified with the addition of the approval of the bills. **The motion carried unanimously.**

3. Payment of Bills: February 2, 2026 (Moved from Consent Agenda).

It was asked since Ms. Valenti works for the center, does she need to recuse herself every time. Mr. Soucy stated that the payment does not directly affect her income and there would be no conflict. Mr. Walker agreed. Ms. Hunt thanked her for pointing it out and noted a key point was that this was approved prior to her being on the board. The consensus of the Board was that there was no conflict, and Ms. Valenti should vote on this item.

Moved by Walker, seconded by Soucy, to approve the payment of bills dated February 2, 2026. **The motion carried unanimously.**

4. Consideration of a request for approval of a proposal from D'Angelo Construction to perform the repairs on the Oak Pointe water system related to the January 18, 2026, water main break at a cost not to exceed \$27,706.25.

Ms. Hunt stated that Mr. Tatara was going to be here, but we told him he did not need to come after the explanation he provided at the last meeting.

Mr. Soucy noted that this is the amount to be spent in a worst-case scenario, it should come in under. He stated that this is an Oak Pointe issue, not utilities and it would be addressed in some fashion going forward.

Supervisor Spicher stated that they are going to do some camera work to find out what and where it goes and that it is hard to locate the caps if they are deep enough underground. He noted that this is the first one to cause a problem in 30 plus years, since we took over the utilities.

Ms. VanMarter stated that if you compare to infrastructure like Detroit, Genoa's is newer since it was built in the 80's. The township knows where everything is and these are a one off, so it would be difficult to determine if there are enough to do preemptive work.

Mr. Reiber stated this is pop goes the weasel and is 10% of utility budget, and asked if more could be put in budget, in case there are more.

Supervisor Spicher and Ms. VanMarter explained that it would be difficult to budget for, but the Board would be looking at the Oak Pointe budget at the next meeting.

Mr. Walker noted that Mr. Tatara has done a great job managing projects.

Mr. Reiber inquired if there were any other competitive quotes received. Mr. Spicher explained that for this type of work we rely on D'Angelo for the more difficult projects. Mr. Reiber asked if a second quote could be obtained as he believes the policy requires it unless there is a good relationship and Supervisor Spicher stated that this will happen in the spring so there is time, but he doesn't know if they will get anything better. Ms. Hunt stated that D'Angelo was the crew on the emergency so they are familiar with the issue and are the preferred vendor.

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It was noted that an additional bid could be obtained; however, the policy does have a clause of using trusted vendors and this vendor is used a lot by MHOG because of the quality of their work. Mr. Reiber stated he believes the policy states anything over \$25,000 might need three (3) quotes. Further discussion pointed out that Oak Pointe pays into the fund for repairs.

Moved by Reiber, seconded by Horvarter, to table the decision until such time there are two other quotes. **The motion failed with a roll call vote (Reiber - Yes; Horvarter - Yes; Valenti - Yes; Walker - No; Hunt - No; Soucy- No; Spicher - No).**

Prior to the vote, Ms. Hunt noted that she is familiar with the company and since they were the ones who did the work during the emergency, they already know what is needed to fix it and other vendors will not.

Moved by Soucy, seconded by Walker, to approve a proposal from D'Angelo Construction to perform the repairs on the Oak Pointe water system related to the January 18, 2026, water main break at a cost not to exceed \$27,706.25. **The motion carried with a roll call vote (Reiber - No; Walker - yes; Hunt - yes; Valenti - No; Horvarter - No; Soucy- yes; Spicher - yes).**

5. Consideration of Resolution 260202A to establish a six (6) month temporary Moratorium on the Acceptance and Approval of Applications for Data Centers and Cryptocurrency Mining Facilities within Genoa Charter Township. (Roll Call)

Ms. VanMarter presented the report, noting that the moratorium would give time to amend the Zoning Ordinance, determine where the centers would best located and determine what mitigation would be needed for them.

Ms. Valenti inquired if the moratorium applies only to new projects and applications, to which Ms. VanMarter replied that there currently are no applications but there is one development agreement that a data center is a permitted use and the attorneys have advised that the moratorium can't apply to such uses within development agreements. Mr. Reiber inquired as to where the development agreement is located and was told it is on Latson Road. After further discussion Attorney Seward, explained that if the PUD is found to be enforceable, the owner would have a vested right for up to a 200,000 square foot building for a data center as a permitted use. If they go above that, they would have to get special land use approval. He also noted they have to go through site plan and environmental approvals prior to building. Supervisor Spicher asked if a moratorium was placed on this one, if the township would most likely be found to be in breach of contract and was told yes. Mr. Reiber inquired if there was anything to prevent them for going longer on the moratorium. Ms. VanMarter explained that you can only go the time it takes to do the research and courts have been very strict on this. She noted that the approved process is six (6) months, with a six (6) month extension. Mr. Walker stated that you cannot put in a moratorium to block a project, only to put reasonable rules in place. Mr. Reiber asked for clarification that in six (6) months the township can extend it and after that we are done and was told yes. Supervisor Spicher stated that something has to be put in the Zoning Ordinance. Mr. Soucy stated that the Planning Commission will need to put something together for the Board to vote on. Ms. VanMarter noted staff is currently doing the research and should meet the deadline. Supervisor Spicher noted that the whole ordinance is being looked at and there would be opportunities to address everything. Ms. Horvarter asked if this is with solar farms and windmills with the State having authority and was told that they are not a utility so they are under local control.

Moved by Soucy, seconded by Horvarter, to approve Resolution 260202A to establish a six (6) month temporary Moratorium on the Acceptance and Approval of Applications for Data Centers and Cryptocurrency Mining Facilities within Genoa Charter Township. **(Roll Call) The motion carried unanimously with a roll call vote (Valenti - yes; Horvarter - yes; Reiber - yes; Hunt - yes; Walker - yes; Soucy- yes; Spicher - yes).**

Prior to the vote, Mr. Jeff Dhaenens of 5494 Sharp Drive, stated that he understands the data center, but reality is crypto currency mining is taking place all over.

6. Consideration of Resolution 260202B honoring the retirement of Cindy Overby. (Roll Call)

Ms. VanMarter stated that Cindy has been an employee since 2014 and her last day is Friday. She noted that she will be greatly missed. Ms. Hunt noted she has worked with Cindy for many years, that she is a great asset to the township and will be missed. Mr. Soucy noted that he had read the resolution to Cindy this morning and she was deeply touched.

Moved by Soucy, seconded by Hunt, to approve Resolution 260202B honoring the retirement of Cindy Overby. **The motion carried unanimously with a roll call vote (Walker – yes; Reiber – yes; Hunt – yes; Valenti – yes; Horvarter – yes; Soucy – yes; Spicher – yes).**

7. Request for approval of the closed session minutes from January 20, 2026.

A) If necessary, consider motion to enter into closed session under the Open Meetings Act, MCL 15.268(1)(h) to consider material exempt from discussion or disclosure by state or federal statute. (Roll Call, requires 2/3 vote)

Mr. Soucy distributed the minutes to the Board and they were reviewed.

Moved by Ms. Hunt, seconded by Mr. Walker, to approve the Closed Session minutes. **The motion carried unanimously with a roll call vote (Reiber – yes; Hunt – yes; Valenti – yes; Horvarter – yes; Walker – yes; Soucy – yes; Spicher – yes)**

B) Consider motion to adjourn the closed session and reconvene in open session. (Roll Call)

The Board did not adjourn to Closed Session.

Items for Discussion:

8. Review and discussion of second draft budget for the 2026/2027 Fiscal Year.

Ms. Valenti announced a possible conflict since the Senior Center funding is in the Parks and Recreation fund. To which Attorney Seward responded that today is discussion only and there is no a conflict as the Board is not approving the budget. Supervisor Spicher asked if there is a recommendation for when it is time to approve the budget. Attorney Seward explained that Fund 208 is where the Senior Center reimbursement is, and that is where there is a potential conflict. The Board would have to decide if there is enough of a conflict to make her recuse herself. The State's position is that amounts over \$25,000 or if there is a direct benefit are generally considered a conflict. Supervisor Spicher asked if it is determined that there is a conflict, can Fund 208 be separated so that she may vote on rest of budget and was told yes. Mr. Soucy inquired if she gets a bonus or other compensation for how many memberships the center gets. Ms. Valenti responded no, that her entire salary and benefits comes from the Youth Enrichment Program. It was agreed there would be no conflict in light of that information.

Supervisor Spicher asked if everyone is comfortable with the amount that is held in the General Fund. Ms. Hunt asked if the budget would be approved the next time and it was explained that there would be a Public Hearing and then and approval at the following meeting. Ms. Valenti asked if the fund balance was 50% and was told it is a little over that. Supervisor Spicher noted that they did take out the Richardson Road project and there is a \$200,000 election next year. Ms. Hunt stated the road project could be picked up the following year. Ms. Horvarter inquired as to what was being done to the road and was told re-gravel/reconstruction on Richardson from Coon Lake Road to end of the township.

Ms. VanMarter noted that in the Special Assessment Districts fund on page 42, the ending balance is approximately \$356,000 and the township is working with Northshore Commons for a project that would be

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\$400,000. Some additional funds would need to be transferred into this fund. The township loans money to complete projects and it is paid back with 2% interest. Ms. Hunt clarified that private road projects cannot be supported by additional Township contribution. Mr. Soucy and Ms. Hunt noted their agreement with transferring money in to support the project. Mr. Reiber inquired as to where the money comes from and Supervisor Spicher replied, the General Fund. He continued that the fund does replenish itself and the balance will be a larger sum in a few years. He mentions that the Road Commission is getting additional funding from the state and moving forward he will be working with them to see if they have more to contribute. He also noted that MTA put out a reduction in State fund revenue sharing and it will be just over \$26,000 this year.

Mr. Reiber questioned on Estimated Revenues on page 29 of the Budget, how do we get revenue from elections. Mr. Soucy stated that the schools pay for their elections and there is some reimbursement from the State. Supervisor Spicher noted that this is only for early voting. Mr. Reiber ask if it is just to offset some of cost for running their election. Mr. Soucy replied yes, and noted that it will probably cost more like \$165,000.

Ms. Horvarter asked if on school elections is there a contract for them to pay us. Mr. Soucy replied that they have to. Ms. Horvarter then stated she was at a previous meeting where it was discussed that Howell was not paying their bill. Ms. Hunt replied that they were disputing the amount as they thought it was too high. Ms. Horvarter asked who does the billing and was told the Clerk.

Supervisor Spicher stated there are potentially two (2) School elections this year. Ms. Hunt asked if they would be in May and was told yes.

Supervisor Spicher noted it was easiest to pull out Richardson from the road projects, but the Board can decide to do Richardson and remove others, when they approve the budget.

Ms. VanMarter noted that in addition to adopting the budget, the board will be looking at amendments to the current budget and you will see some additional fund balance when it is brought back. Supervisor Spicher noted the General Fund will be a little higher. Ms. Hunt noted there will be additional revenue also.

Correspondence

Ms. VanMarter stated they had received the Huron River Watershed Report submitted by Dan Kashian. It was a great report and she thanked him for preparing it. Supervisor Spicher stated that it was a good summary of what is being done.

Ms. VanMarter noted they had received notice that the Wow Franchise Cable agreement, is now with Bandit as they bought Wow out.

Ms. VanMarter noted they had received a Letter of Appreciation for Amy Ruthig for the great service and help she provides. Ms. Hunt gave kudos to Amy.

Board Comments

Mr. Soucy explained that going forward there would not be a separate line item for bills on hold, as all bills are on hold and that it creates extra unnecessary work. That we are streamlining the process. Ms. Hunt noted her agreement.

Mr. Soucy informed that going forward the Absentee Voter Application list is being eliminated at the State level and in Genoa. He noted the cost to manage this list is approximately \$7,000 in postage plus other materials and there are approximately 2,100 people on the list. He then presented the letter that will be mailed to the voters on the list, to the Board. Mr. Reiber inquired if the difference is that they will have to submit every election and was told yes. Ms. Valenti asked if any communication would go out or would they just get a ballot. It was explained

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that they would be given instructions on how to get the Absent Voter Ballot and one is that they get on the Permanent Absent Voter list, where they would automatically get a ballot and save over \$7,000. Ms. Valenti then asked if there is a process in place to verify these ballots, to which she was told yes. Supervisor Spicher and Mr. Soucy discussed how many were rejected in last election, approximately 13.

Mr. Reiber and Ms. Hunt asked if a date of the next election could be added and it was explained that if it is the potential school district election it would not apply to all of the 2,100 on the list and would cause confusion.

Mr. Reiber inquired if the survey results are available to which Supervisor Spicher responded that it will be presented at the joint meeting on February 23rd with the Planning Commission and the ZBA, and it will be broadcast for the public. Mr. Reiber noted there is a training in the room that day. It was agreed it would be rescheduled to the following day and be publicized.

Mr. Reiber noted page 51 of the board packet, regarding the health of streams bottoming out and inquired as to how the township can help to replenish. Supervisor Spicher explained that SEMCOG is discussing this and will be here to discuss in March where we will find out when it is going to the Watershed Council and if we need to write letters or anything else to support. Ms. VanMarter stated the Planning Commission has been working on water issues and wetland protections that will promote the health of the river. Mr. Reiber asked if the Board can chip in and help, to which Supervisor Spicher noted they would come to all members at the same time, with what needs to be done.

Mr. Jim Carpenter was allowed to speak. He requested that a Call to Public be added to end of the meeting so they can comment on items discussed on the agenda. He continued that he has the impression that the Board thinks the stub cap is a one-off deal, but have no facts and need to find out what the cost would be to find out what is out there as the cost is already at \$77,000. Mr. Soucy noted that Greg is anticipating the cost to be half of what was approved. Mr. Carpenter continued that it is still \$60,000 because it was an emergency fix, and Greg should approach with what can be done proactively.

Mr. Carpenter then stated that Data center moratorium, you are delusional as a lot of data centers will fit in a building of 200,000 square feet. To be careful saying you have a moratorium, because we already have the possibility of one going in. Supervisor Spicher stated that this is the only location. He continued that they should be careful communicating, as the citizens will get upset, look at Fowlerville. Ms. Hunt explained that it is only an allowable use, it would still have to go through all approvals and is not a given. Mr. Carpenter finished by saying they should agree it is not a moratorium on data centers because one option is already out there and those are the ones that bite ya.

Ms. Deb Beattie of 3109 Pineview Trail was allowed to speak. She stated that putting a moratorium is great, but it doesn't address Latson Road and that is why they are pushing hard to fix ordinances that prevent data centers and other things. She stated that this process has been really slow and they have already given you some ordinances to prevent these things.

Adjournment

Moved by Walker, seconded by Valenti, to adjourn the meeting at 7:58 p.m. **The motion carried unanimously.**

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Respectfully Submitted,

Susan M. Domen
Clerk's Assistant/Elections Coordinator

Approved: Rick Soucy, Clerk
Genoa Charter Township

Kevin Spicher, Supervisor
Genoa Charter Township

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