

**Genoa Charter Township Board
Regular Meeting and Public Hearing
January 22, 2008 (Tuesday)
6:30 p.m.
AGENDA**

Call to order

Pledge of Allegiance

Call to the Public

Approval of Consent Agenda:

1. Payment of Bills

2. Approval of Minutes: 1-07-08

3. Request of approval to enter into agreements to collect 2008 summer school property taxes with Brighton Area Schools, Hartland Consolidated Schools and Howell Public Schools as submitted by Township Treasurer.

4. Request for approval of poverty guidelines for the 2008 Board of Review.

5. Request to award bid for the snow plowing of Township bike paths.

Correspondence

Member Discussion

Adjournment

CHECK REGISTERS FOR TOWNSHIP BOARD MEETING

DATE: January 22, 2008

| | |
|---|----------------------|
| TOWNSHIP GENERAL EXPENSES; Thru January 7, 2008 | \$171,930.57 |
| January 11, 2008-Bi-Weekly | \$32,658.42 |
| OPERATING EXPENSES; Thru January 7,2008 | \$161,296.83 |
| TOTAL: | <u>\$ 365,885.82</u> |

| <u>Check Number</u> | <u>Vendor No</u> | <u>Vendor Name</u> | <u>Check Date</u> | <u>Check Amount</u> |
|---------------------|------------------|--------------------------------|-------------------|---------------------|
| 23599 | mlgma | Michigan Local Gov't Mgmt Ass | 01/04/2008 | 249.00 |
| 23600 | SOARING | Soaring Eagle Resort | 01/04/2008 | 250.00 |
| 23601 | Administ | Total Administrative Services | 01/11/2008 | 357.67 |
| 23602 | Equitabl | Equivest Unit Annuity Lock Box | 01/11/2008 | 860.00 |
| 23603 | DetMar1 | Detroit Marriott Ren Center | 01/07/2008 | 562.49 |
| 23605 | DetMar4 | Detroit Marriott Ren Center | 01/07/2008 | 140.61 |
| 23606 | DetMar5 | Detroit Marriott Ren Center | 01/07/2008 | 140.61 |
| 23607 | LEDFORD | Jean Ledford | 01/07/2008 | 390.50 |
| 23608 | MORTENSE | H.J. Mortensen | 01/07/2008 | 390.50 |
| 23610 | DetMar2 | Detroit Marriott Ren Center | 01/07/2008 | 421.83 |
| 23611 | SOUPIS | Phil Soupis | 01/09/2008 | 140.00 |
| 23612 | BELLE | Belle Tire | 01/14/2008 | 221.98 |
| 23613 | BRIGFORD | Brighton Ford- Mercury, Inc. | 01/14/2008 | 22,423.00 |
| 23614 | KRENCICK | Mary Krencicki | 01/15/2008 | 50.19 |
| 23615 | Panera B | Panera Bread | 01/15/2008 | 80.43 |
| 23617 | Adamski | Janet Adamski | 01/15/2008 | 235.00 |
| 23618 | Albrant | Shirley Albrant | 01/15/2008 | 30.00 |
| 23619 | ALLES N | Nancy Alles | 01/15/2008 | 190.00 |
| 23620 | assenma | Robert Assenmacher | 01/15/2008 | 180.00 |
| 23621 | ASSENMAC | Diane G. Assenmacher | 01/15/2008 | 235.00 |
| 23622 | BATTIATA | Nancy Battiata | 01/15/2008 | 180.00 |
| 23623 | BaughnD | Donald Baughn | 01/15/2008 | 180.00 |
| 23624 | BEACHD | Diana Beach | 01/15/2008 | 180.00 |
| 23625 | Bhavsar | Janice Bhavsar | 01/15/2008 | 235.00 |
| 23626 | Binder | Donald Binder | 01/15/2008 | 235.00 |
| 23627 | BODALSKI | Mary Lynn Bodalski | 01/15/2008 | 235.00 |
| 23628 | BodalskR | Richard Bodalski | 01/15/2008 | 235.00 |
| 23629 | Bourdrea | Ida Mae Bourdreau | 01/15/2008 | 180.00 |
| 23630 | Brenna | Deborah Brennan | 01/15/2008 | 180.00 |
| 23631 | BRENNAN | Ann Brennan | 01/15/2008 | 225.00 |
| 23632 | DavisR | Richard Davis | 01/15/2008 | 180.00 |
| 23633 | DavisS | Shelagh Davis | 01/15/2008 | 180.00 |
| 23634 | DespotP | Patricia Despot | 01/15/2008 | 180.00 |
| 23635 | DespotW | William Despot | 01/15/2008 | 180.00 |
| 23636 | Doucette | Louis Doucette | 01/15/2008 | 180.00 |
| 23637 | EISSB | Betty Eiss | 01/15/2008 | 180.00 |
| 23638 | FRASHEC | Cheryl Frasheski | 01/15/2008 | 180.00 |
| 23639 | FRASHEK | Kenneth Frasheski | 01/15/2008 | 180.00 |
| 23640 | GODWIN | Carol Godwin | 01/15/2008 | 190.00 |
| 23641 | hipple | Joan Hipple | 01/15/2008 | 180.00 |
| 23642 | HODGEL | Lynette Hodge | 01/15/2008 | 180.00 |
| 23643 | HOGLE B | Betty Lu Hogle | 01/15/2008 | 235.00 |
| 23644 | HOGLE J | John M. Hogle | 01/15/2008 | 180.00 |
| 23645 | HolmesT | Thomas Holmes | 01/15/2008 | 180.00 |
| 23646 | JonesC | Constance Jones | 01/15/2008 | 180.00 |
| 23647 | Kolinsk | Miriam Kolinski | 01/15/2008 | 180.00 |
| 23648 | Kolinski | Tom Kolinski | 01/15/2008 | 180.00 |
| 23649 | LADUKEJ | Jack La Duke | 01/15/2008 | 180.00 |
| 23650 | LADUKJA | Janet La Duke | 01/15/2008 | 180.00 |
| 23651 | Lizak | Jean Lizak | 01/15/2008 | 180.00 |
| 23652 | MahalakC | Carolyn Mahalak | 01/15/2008 | 180.00 |
| 23653 | MahalakK | Keith Mahalak | 01/15/2008 | 180.00 |
| 23654 | MateviaG | Gerald Matevia | 01/15/2008 | 235.00 |
| 23655 | MateviaJ | Joyce Matevia | 01/15/2008 | 235.00 |
| 23656 | Mcclure | Cecelia McClure | 01/15/2008 | 225.00 |
| 23657 | McGrath | Carol McGrath | 01/15/2008 | 180.00 |
| 23658 | MESSING | Arnold Messing | 01/15/2008 | 180.00 |
| 23659 | Miling | Kathleen Miling | 01/15/2008 | 235.00 |
| 23660 | NelsonD | Donna Nelson | 01/15/2008 | 235.00 |
| 23661 | NELSONG | Glenn Nelson | 01/15/2008 | 180.00 |
| 23662 | NEWTON P | Patricia Newton | 01/15/2008 | 180.00 |
| 23663 | Oglesbee | John Oglesbee | 01/15/2008 | 225.00 |

| <u>Check Number</u> | <u>Vendor No</u> | <u>Vendor Name</u> | <u>Check Date</u> | <u>Check Amount</u> |
|---------------------|------------------|--------------------------------|-------------------|---------------------|
| 23664 | Poppy | Kathryn Poppy | 01/15/2008 | 180.00 |
| 23665 | RIETSCH | Pamela E. Rietsch | 01/15/2008 | 235.00 |
| 23666 | RINGUETT | Susan Ringuette | 01/15/2008 | 235.00 |
| 23667 | Ross | Judi A. Ross | 01/15/2008 | 225.00 |
| 23668 | RUFFC | Connie Ruff | 01/15/2008 | 190.00 |
| 23669 | RYNICKE | Antoinette Rynicke | 01/15/2008 | 190.00 |
| 23670 | SALYER E | Edith A. Salyer | 01/15/2008 | 235.00 |
| 23671 | Sapienza | Kristen Renee Sapienza | 01/15/2008 | 235.00 |
| 23672 | SapienzP | Paul Sapienza Jr. | 01/15/2008 | 235.00 |
| 23673 | Sebastia | Paul Sebastian | 01/15/2008 | 225.00 |
| 23674 | SPANGL C | Kay Spangler | 01/15/2008 | 235.00 |
| 23675 | SPANGL P | Paul Spangler | 01/15/2008 | 180.00 |
| 23676 | STEELE | Bonnie Steele | 01/15/2008 | 180.00 |
| 23677 | Tank | Richard Tank | 01/15/2008 | 180.00 |
| 23678 | Vettrain | John Vettraino | 01/15/2008 | 180.00 |
| 23679 | WilkinsC | Claudette Wilkinson | 01/15/2008 | 180.00 |
| 23680 | ADT | ADT Security Services, Inc. | 01/22/2008 | 220.05 |
| 23681 | AMER PLA | American Planning Association | 01/22/2008 | 220.00 |
| 23682 | AmerAqua | American Aqua | 01/22/2008 | 42.00 |
| 23683 | BLUE CRO | Blue Cross & Blue Shield Of Mi | 01/22/2008 | 15,446.62 |
| 23684 | CAVALIER | Cavalier Telephone | 01/22/2008 | 23.41 |
| 23685 | CONSUMER | Consumers Energy | 01/22/2008 | 835.39 |
| 23686 | DTE ENER | DTE Energy | 01/22/2008 | 907.73 |
| 23687 | ETNA SUP | Etna Supply Company | 01/22/2008 | 30,700.00 |
| 23688 | FED EXPR | Federal Express Corp | 01/22/2008 | 42.30 |
| 23689 | GANNETT | Gannett Michigan Newspapers | 01/22/2008 | 299.00 |
| 23690 | GORDONFO | Gordon's Food Services | 01/22/2008 | 104.93 |
| 23691 | GRAINGER | GRAINGER | 01/22/2008 | 384.13 |
| 23692 | HEIKKINE | Heikkinen Law Firm | 01/22/2008 | 3,012.50 |
| 23693 | HI-LINE | Hi-Line | 01/22/2008 | 88.50 |
| 23694 | HWL CHAM | Howell Area Chamber Of Commere | 01/22/2008 | 450.00 |
| 23695 | LANGWOR | Langworthy Strader Leblanc | 01/22/2008 | 1,831.83 |
| 23696 | LivCTrea | Livingston County Treasurer | 01/22/2008 | 231.97 |
| 23697 | LIVON GA | Livonia-garden City Fire Ext | 01/22/2008 | 112.00 |
| 23698 | LOWES | Lowe's | 01/22/2008 | 334.12 |
| 23699 | MAGUIRE | Maguire Mailing Systems | 01/22/2008 | 9.95 |
| 23700 | MASTER M | Master Media Supply | 01/22/2008 | 197.43 |
| 23701 | MPA | Lawrence R. Heslip | 01/22/2008 | 2,231.00 |
| 23702 | NWENERGY | Northwest Energy | 01/22/2008 | 1,109.69 |
| 23703 | PETTYCAS | Petty Cash | 01/22/2008 | 154.71 |
| 23704 | Stand EI | Standard Electric Company | 01/22/2008 | 106.18 |
| 23705 | TRI COUN | Tri County Cleaning Supply Inc | 01/22/2008 | 187.84 |
| 23706 | TRUEVAL | Howell True Value Hardware | 01/22/2008 | 231.48 |
| 23707 | TTMPS | Tetra Tech MPS | 01/22/2008 | 4,310.00 |
| 23708 | Waste M | Waste Management of Michigan | 01/22/2008 | 68,492.00 |
| 23709 | WOOSLE T | Timothy Woosley | 01/22/2008 | 380.00 |
| 23710 | LittleCe | Little Caesars | 01/15/2008 | 165.00 |

Report Total: 171,930.57

**First National
Direct Deposit
January 11, 2008
Bi-Weekly Payroll**

| <u>Employee Name</u> | <u>Debit Amount</u> | <u>Credit Amount</u> |
|-----------------------|---------------------|----------------------|
| Adam Van Tassell | | \$955.59 |
| Amy Ruthig | | \$1,064.57 |
| Angela Williams | | \$446.04 |
| Barb Kries | | \$917.77 |
| Beverly Wilson | | \$1,021.20 |
| Carol Hanus | | \$1,176.68 |
| Cinthia Howard | | \$346.11 |
| Dave Estrada | | \$949.56 |
| Deborah Rojewski | | \$2,170.87 |
| Genoa Township | \$22,419.12 | |
| Greg Tatara | | \$2,362.89 |
| H.J. Mortensen | | \$0.00 |
| Judith Smith | | \$1,033.44 |
| Karen J. Saari | | \$859.05 |
| Kelly VanMarter | | \$1,899.34 |
| Laura Mroczka | | \$1,219.09 |
| Mary Krencicki | | \$334.69 |
| Michael Archinal | | \$2,386.41 |
| Renee Gray | | \$857.05 |
| Robin Hunt | | \$1,186.73 |
| Susan Sitner | | \$399.38 |
| Tammy Lindberg | | \$832.66 |
| Total Deposit | | \$22,419.12 |

EFT #: _____
INTERNET: _____
CHECK BOOK: _____

Accounts Payable
Computer Check Register



User: angie
Printed: 01/07/2008 - 10:10
Bank Account: 101CH

| Check | Vendor No | Vendor Name | Date | Invoice No | Amount |
|--------------------|-----------|--------------------------------|------------|------------|--|
| 23601 | Administ | Total Administrative Services | 01/11/2008 | | 357.67 |
| Check 23601 Total: | | | | | 357.67 |
| 9450 | AETNA LI | Aetna Life Insurance & Annuity | 01/11/2008 | | 25.00 |
| Check 9450 Total: | | | | | 25.00 |
| 9451 | EFT-FED | EFT- Federal Payroll Tax | 01/11/2008 | | 3,661.07 1,933.35 1,933.35 452.16 452.16 |
| Check 9451 Total: | | | | | 8,432.09 |
| 9452 | EFT-PENS | EFT- Payroll Pens Ln Pyts | 01/11/2008 | | 564.54 |
| Check 9452 Total: | | | | | 564.54 |
| 23602 | Equitabl | Equivest Unit Annuity Lock Box | 01/11/2008 | | 860.00 |
| Check 23602 Total: | | | | | 860.00 |
| 9453 | FIRST NA | First National Bank | 01/11/2008 | | 275.00 2,425.00 19,719.12 |

Check 9453 Total:

22,419.12

Report Total:

32,658.42

2:35 PM
01/15/08

#592 OAK POINTE WATER/SEWER FUND
Payment of Bills
January 7 - 15, 2008

| Type | Date | Num | Name | Memo | Account | Amount |
|--------------------|------------|-----|--------------------------------------|------------------------------------|-------------------------------|-------------------|
| Check | 01/09/2008 | 900 | CLEARWATER SYSTEMS | R/O unit | 103 · CASH - FNB NEW CHECKING | -1,099.00 |
| Check | 01/09/2008 | 901 | CONSUMERS ENERGY | gas charges-11/27-12/27/07 | 103 · CASH - FNB NEW CHECKING | -1,207.78 |
| Check | 01/09/2008 | 902 | DTE ENERGY | 11/28/07-01/02/08 | 103 · CASH - FNB NEW CHECKING | -6,202.21 |
| Check | 01/09/2008 | 903 | FONSON, INC. | repairs | 103 · CASH - FNB NEW CHECKING | -1,745.11 |
| Check | 01/09/2008 | 905 | DTE ENERGY | Electric Service-11/28/07-12/31/07 | 103 · CASH - FNB NEW CHECKING | -1,578.55 |
| Check | 01/15/2008 | 907 | BRIGHTON ANALYTICAL LLC | lab teats | 103 · CASH - FNB NEW CHECKING | -90.00 |
| Check | 01/15/2008 | 908 | DUBOIS COOPER ASSOCIATES INCORPORATI | supplies | 103 · CASH - FNB NEW CHECKING | -3,322.70 |
| Check | 01/15/2008 | 909 | FASTENAL | supplies | 103 · CASH - FNB NEW CHECKING | -31.85 |
| Check | 01/15/2008 | 910 | KENNEDY INDUSTRIES INC. | pump-service | 103 · CASH - FNB NEW CHECKING | -6,859.80 |
| Check | 01/15/2008 | 911 | MPA TRUCKING | SNOW PLOWING 12/16-12/31/07 | 103 · CASH - FNB NEW CHECKING | -390.00 |
| Check | 01/15/2008 | 912 | SEVERN TRENT ENVIRONMENTAL SERVICES, | Maintenance for Jan.2008 | 103 · CASH - FNB NEW CHECKING | -27,071.59 |
| Check | 01/15/2008 | 913 | VELOCITY PUMPS | pump rebuilds | 103 · CASH - FNB NEW CHECKING | -2,362.50 |
| Check | 01/15/2008 | 914 | TETRA TECH, INC. | OP Sewer-#200-12736-08006 | 103 · CASH - FNB NEW CHECKING | -274.80 |
| Check | 01/15/2008 | 915 | UIS PROGRAMMABLE SERVICES | service rendered 12/23/07 | 103 · CASH - FNB NEW CHECKING | -212.00 |
| TOTAL | | | | | | -52,447.89 |
| | | | | | | 52447.89 |
| | | | | | | 148347.39 |
| | | | | | | 12949.44 |
| Grand Total | | | | | | 161296.83 |

2:38 PM
01/15/08

#592 OAK POINTE WATER/SEWER FUND
Payment of Bills
January 7 - 15, 2008

| Type | Date | Num | Name | Memo | Account | Amount |
|--------------|------------|-----|--|---|------------------------|--------------------|
| Check | 01/09/2008 | 904 | CRAMPTON ELECTRIC CO., INC. | Lift Station # 60 | 104 · Cash - FNB - CIP | -280.00 |
| Check | 01/10/2008 | 906 | Genoa Twsp OP Oper Capital Improvement | to zero out this fund-opening new account | 104 · Cash - FNB - CIP | -148,067.39 |
| TOTAL | | | | | | -148,347.39 |

2:19 PM
01/15/08

#593 LAKE EDGEWOOD W/S FUND
Payment of Bills
January 7 - 15, 2008

| Type | Date | Num | Name | Memo | Amount |
|--------------|------------|------|--|---|------------------|
| Check | 01/09/2008 | 1235 | DTE Energy | Electric Service 11/29/07-12/29/07 | -664.14 |
| Check | 01/15/2008 | 1236 | Brighton Analytical L.L.C. | lab costs | -67.00 |
| Check | 01/15/2008 | 1237 | Consumers Energy | Gas Service-12/03/07-01/05/08 | -850.62 |
| Check | 01/15/2008 | 1238 | DTE Energy | Electric Service 11/28/07-12/28/07 | -3,146.63 |
| Check | 01/15/2008 | 1239 | MPA TRUCKING & SNOW PLOWING | snow plowing & salting12/26/07-12/31/07 | -248.00 |
| Check | 01/15/2008 | 1240 | PVS NOLWOOD CHEMICALS, INC | Aluminum Sulfrate | -776.80 |
| Check | 01/15/2008 | 1241 | SEVERN TRENT ENVIRONMENTAL SERVICES, INC | January-2008 maintenance | -7,196.25 |
| TOTAL | | | | | 12,949.44 |

2:51 PM
01/15/08

#595 PINE CREEK W/S FUND
Payment of Bills
January 7 - 15, 2008

Type Date Num Name Memo Amount

No checks paid

Genoa Charter Township Election Commission
Special Meeting
January 07, 2008
6:25 P.M.

MINUTES

Clerk Skolarus called the special meeting of the Election Commission to order at 6:25 p.m. The following Commission members were present constituting a quorum for the transaction of business: Paulette Skolarus, Jean Ledford and Steve Wildman. Also present were township board members Gary McCririe, Robin Hunt, Todd Smith and Jim Mortensen, Township Manager Mike Archinal and two persons in the audience.

Moved by Ledford, supported by Wildman, to approve the Agenda as submitted. The motion carried unanimously.

1. Consideration and recommendation of election officials scheduled to work the Presidential Primary on January 15, 2008.

Moved by Ledford, supported by Wildman, to recommend to the township board all election officials as submitted. The motion carried unanimously.

The special meeting of the Election Commission was adjourned at 6:28 p.m.

Genoa Charter Township Board
Regular Meeting and Public Hearing
January 7, 2008
6:30 P.M.

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, Todd Smith, Jean Ledford, Steve Wildman and Jim Mortensen. Also present were Township Manager Michael Archinal and four persons in the audience.

A Call to the Public was made with no response.

Approval of Consent Agenda:

Moved by Hunt, supported by Smith, to approve all items listed under the consent agenda replacing the contract with LSL with consideration of the MTA conference fees as submitted by McCririe. The motion carried unanimously.

1. Payment of Bills

2. Approval of Minutes: 12-17-07

3. Consideration of a recommendation from the Election Commission for approval for all officials scheduled to work the Presidential Primary.

4. Request for approval to purchase a work truck for the Utility Director.

5. Approval of meeting schedule for the 2008-2009 fiscal year.

6. Request for approval of conference fees relating to the MTA conference in Detroit as submitted by McCririe.

Approval of Regular Agenda:

Moved by Ledford, supported by Hunt, to approve for action all items listed under the regular agenda with the addition of a contract for professional planning with LSL. The amended agenda was approved unanimously.

7. Request for approval of a fence contract award for the Township Athletic Complex.

Moved by Mortensen, supported by Smith, to award the contract for construction of the fence to Security Access Control & Fence in the amount of \$11,466.00 for the installation of a permanent netting system and chain link fence on the township hall property as outlined in the memorandum dated 12/14/07 by Archinal. The motion carried unanimously.

8. Request for approval of a resolution authorizing execution of a Livingston Wireless Internet Service Contract with Michtel Communications, L.L.C. as provided.

Moved by Smith, supported by Wildman to approve the resolution with the following changes or considerations to the contract: 1. The public assets license agreement will include an inventory of all buildings we own. 2. This agreement will provide a correct address for the Genoa Township Hall. 3. Section 8.15.1 will delete the word *not* from the second sentence and will add *on the* township's website. 4. Section 5.5 of the Exhibit III (Public Assets License Agreement) will be reviewed by Heikkinen to determine that there is not a blanket policy for an open end use of all facilities and that each provision will be considered by the township board. The motion carried unanimously.

9. Consideration of granting a non-exclusive easement agreement for lot 2 Long Lake Shores Subdivision.

Moved by Ledford, supported by Skolarus, to approve the agreement with the following stipulation: The original parcel will be allowed one dock and since the split of that parcel

didn't exist at the time of the lawsuit, the second parcel will be allowed access for recreational use but will not be allowed boat access. The motion carried unanimously.

10. Request for approval of a final PUD site plan application, impact assessment, and PUD agreement for a proposed 5,200 sq. ft. retail/office building located at 2160 E. Grand River, for the Sherston Office Center as petitioned by William Colley Architect.

A. Disposition of PUD agreement.

Moved by Hunt, supported by Ledford, to approve the PUD agreement, subject to approval by the Township Attorney, both as to this agreement, as well as the underlying easement agreement.

B. Disposition of Impact assessment.

Moved by Ledford, supported by Smith, to approve the Environmental Impact Assessment as revised 10/31/07.

C. Disposition of final PUD site plan.

Moved by Ledford, supported by Wildman, to approve the final PUD site plan subject to the following:

1. The bike path will be installed (at the property owner's expense) along the frontage or alternative agreeable location at a time to be decided by the township and property owners. This agreement will be reviewed by the township attorney and be in recordable form. Further, the sidewalk from the front of the building will be eliminated from the plan;
2. The lighting plan will be as depicted on sheet L-1 and not A-1 and the fixtures will be full cut off and downward directed;
3. The requirements of the Brighton Area Fire Department, as addressed in their November 11, 2007 letter, with a potential revision to paragraph 1-A will be complied with;
4. The requirements of the township engineer as spelled out in their letter dated December 5, 2007 will be complied with and with regard to that letter, particular attention will be paid to paragraph four regarding creation of a maintenance agreement satisfactory to the Township Engineer and Township Attorney. Further, particular attention will be paid to paragraph five regarding channeling storm water overflow to the parking lot. Also, particular attention will be given regarding item seven regarding the proposed sanitary lead connecting into the manhole with an external drop connection;
5. Further notes will be added to the site plan indicating potential permission for the public to use the pavement around the site in lieu of potential addition of the sidewalk from the west end of the driveway to the western end of the property line;

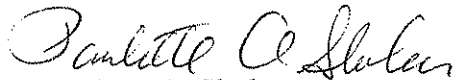
6. A copy of the temporary construction permit provided by Burger King will be provided to the Township Staff;

11. Request for approval of a contract amendment with LSL for professional planning.

Moved by Hunt, supported by Ledford, to approve the contract as submitted. The motion carried unanimously.

Mortensen asked that the board consider a study of the wetland area along Dorr Road. It was the consensus of the board to have a study done of the wetland system along Dorr Road and Grand River. The initial cost will be borne by the township with repayment from any future developer of the site.

The regular meeting of the Genoa Charter Township Board was adjourned at 7:25 p.m.



Paulette A. Skolarus
Genoa Township Clerk

(press/argus 01/11/08)

AGREEMENT FOR COLLECTION OF SUMMER SCHOOL PROPERTY TAXES

2008

AGREEMENT made this 21st day of January, 2008 by and between Brighton Area Schools, with offices located at 125 S. Church St., Brighton, MI 48116 (hereinafter "School District") and the Charter Township of Genoa with offices located at 2911 Dorr Road, Brighton, MI 48116 (hereinafter "Township"), pursuant to 1976 PA 451, as amended, for the purposes of providing for the collection by the Township of a Summer levy of School District property taxes for the year 2008.

The parties agree as follows:

1. The Township agrees to collect 100% of the total school non-homestead operating property taxes as certified by the School District for levy on July 1, 2008 on property located within the Township. Interest earned on said taxes will be retained by the township.
2. The School District agrees to pay Township costs of assessment and collection as follows:

\$ 3.00 per parcel

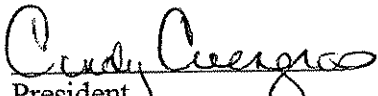
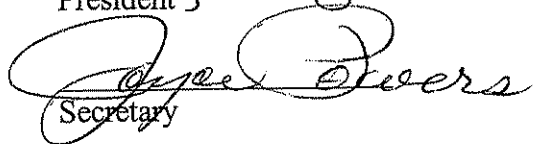
It is understood that the tax rate as spread by the Township would also reflect the sum of 100% of the taxes of the Livingston Education Service Agency.

3. No later than May 31, 2008 the School District shall certify to the Township Supervisor the school millage to be levied on property for summer collection in 2008.
4. The Township Treasurer shall account for and deliver summer school tax collections as follows:
 - a. Summer Tax collections shall be paid to the School District within ten (10) business days from the 1st and 15th of each month via electronic transfer (wire transfer, ACH, etc.)

Signature authorized by Board
of Education Resolution of
_____, 2008

Signature authorized by Board
of Trustees Resolution of
_____, 2008

SCHOOL DISTRICT


President

Secretary

TOWNSHIP

Supervisor

Clerk



January 19, 2008

Ms. Paulette A. Skolarus, Clerk
Genoa Township
2980 Dorr Road
Brighton, MI 48116

Re: 2008 Summer Tax Collection

Dear Ms. Skolarus,

Attached please find a copy of our annual summer tax collection resolution recently passed by the Board of Education. This resolution authorizes collection of the school district's taxes this next summer. Through its resolution, the Board has determined to collect 100% of the 18 mills non-homestead and 50% of the debt millage.

In past years we have paid a per parcel fee for this collection. The fee was paid to offset your costs that were incurred for collecting the summer school tax.

Our proposal is to pay \$3.00 per parcel in consideration for your collection of this summer tax.

I have attached an agreement which reflects the proposed per parcel fee.

I can be reached at 517-548-6230 if you have any questions.

Sincerely,

Richard P. Terres
Associate Superintendent
for Business

RPT/dw

enc.

cc: Treasurer

Board Of Education Offices
411 N. Highlander Way | Howell, Michigan 48843 | p: 517 548 6200 f: 517 548 6229 | www.howellschools.com

ANNUAL SUMMER TAX RESOLUTION

Howell Public Schools

A (regular/special) meeting of the Board of Education of Howell Public Schools (the "District") was held in the Board of Education Room on the 14th day of January 2008, at 6:00 o'clock p.m.

The meeting was called to order at 6:00 o'clock, p.m., by President Westmoreland.

Present: Fondriest, Pratt, Westmoreland, Shumaker, Day, Yenshaw

Absent: Literski arrived at 7:30 P.M.

The following preamble and resolution were offered by Member Yenshaw and supported by Member Literski:

WHEREAS:

1. This Board of Education previously adopted a resolution to impose a summer property tax levy to collect all of the non-homestead school property taxes, and one-half debt service, upon property located within the school district and continuing from year to year until specifically revoked by this Board of Education; and
2. The Revised School Code, as amended, requires formal action of the Board of Education every year to continue the summer tax levy.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. This Board of Education, pursuant to the Revised School Code, as amended, hereby invokes for 2008 and 2009 its previously adopted ongoing resolution imposing a summer tax levy of all the non-homestead school property taxes, and one-half debt service, and continuing from year to year until specifically revoked by this Board of Education, and requests each city and/or township in which this district is located (and in which a local school district or city is concurrently imposing a summer tax levy¹) to collect those summer taxes.

2. The Superintendent, school business official, or his/her designee, is authorized and directed to forward to the governing body of each city and/or township in which this district is located (and in which a local school district or city is concurrently imposing a summer tax levy¹) a copy of this Board's resolution imposing a summer property tax levy on an ongoing basis and a copy of this resolution requesting that each such city and/or township agree to collect the summer tax levy for 2008 and 2009 in the amount specified in this resolution. Said resolutions and the request to collect the 2008 and 2009 summer tax levy shall be forwarded so that they are received by the appropriate governing bodies.

¹ To be used only by ISD's at their discretion.


3. The Superintendent, school business official, or his/her designee, is authorized and directed to negotiate on behalf of this District with the governing body of each city and/or township in which the District is located for the reasonable expenses for collection of the District's summer tax levy that the city and/or township may bill under MCL 380.1611 or MCL 380.1612. Any such proposed agreement shall be brought before this Board of Education for its approval or disapproval.

4. All resolutions and parts of resolutions insofar as they conflict with the provisions of this resolution are hereby rescinded.


Ayes: Members Fondriest; Pratt, Westmoreland, Shumaker, Day, Yenshaw, Litercki

Nays: Members

Resolution declared adopted


Secretary, Board of Education

The undersigned, duly qualified and acting Secretary of the Board of Education of Howell Public Schools, hereby certifies that the foregoing constitutes a true and complete copy of a resolution adopted by said Board of Education at a (regular/special) meeting held on Jan., 2008, the original of which is part of the Board's minutes. The undersigned further certifies that notice of the meeting was given to the public pursuant to the provisions of the "Open Meetings Act" (1976 PA 267, as amended).


Secretary, Board of Education

HARTLAND CONSOLIDATED SCHOOLS

Scott Bacon, Assistant Superintendent for Business and Operations

9525 E. Highland Road
Howell, Michigan 48843



Telephone (810) 626-2120
Fax (810) 626-2121

December 14, 2007

Robin Hunt, Treasurer
Township of Genoa
2911 Dorr Road
Brighton, MI 48116

Dear Ms. Hunt,

As we did in 2007, Hartland Consolidated Schools has determined to impose a summer property tax levy in 2008 of 100% of annual school district **non-homestead property taxes only**. Our debt retirement will continue to be collected in December. Enclosed is a copy of a resolution of the Board of Education of Hartland Consolidated Schools, Livingston County, Michigan.

The Board of Education requests that the Township of Genoa collect the district's **summer school non-homestead property taxes**. I am assuming the cost will be \$3.00 per parcel, as it was this past summer.

Please confirm your willingness to collect in the summer and your acceptance of the proposed fee. I can be reached at (810) 626-2120 if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Scott Bacon".

Scott Bacon
Assistant Superintendent
for Business and Operations

enc.

Hartland Consolidated Schools, Livingston County, Michigan (the "District")

A special meeting of the board of education (the "Board") of the District was held in the Boardroom of the Educational Support Service Center, in the District, on the 26 day of November, 2007, at 7 o'clock in the p.m.

The meeting was called to order by Kevin Kaszyca, President.

Present: Members Kaszyca, Kessel, McPherson-Brown, Aberasturi, Sinelli, Dumond

Absent: Members Jankowski

The following preamble and resolution were offered by Member Kessel and supported by Member Aberasturi:

WHEREAS, this Board by resolution of December 12, 2005, determined to impose a summer tax levy to collect all of annual school property taxes, including debt service, upon property located within the school district, beginning with 2006 and continuing from year to year until specifically revoked by the Board.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. This Board, pursuant to 1976 PA 451, as amended (the "Revised School Code"), hereby invokes for 2007 its previously adopted ongoing resolution imposing a summer tax levy of all of annual school property taxes, including debt service, upon property located within the District and continuing from year to year until specifically revoked by this Board and requests each city and/or township in which this District is located to collect those summer taxes.

2. The Superintendent or designee is authorized and directed to forward to the governing body of each city and/or township in which this District is located a copy of this Board's resolution imposing a summer property tax levy on an ongoing basis and a copy of this resolution requesting that each such city and/or township agree to collect the summer tax levy for 2008 in the amount as specified in this resolution. Such forwarding of the resolutions and the request to collect the summer tax levy shall be performed so that they are received by the appropriate governing bodies before January 1, 2008.

3. Pursuant to and in accordance with Section 1613(1) of the Revised School Code, the Superintendent or designee is authorized and directed to negotiate on behalf of this District with the governing body of each city and/or township in which the District is located for the reasonable expenses for collection of the District's summer tax levy that the city and/or township may bill under MCLA 380.1611 or MCLA 380.1612. Any such proposed agreement shall be brought before the Board for its approval or disapproval.

4. All resolutions and parts of resolutions insofar as they conflict with the provisions of this resolution be and the same are hereby rescinded.


Ayes: Members Kaszyca, Kessel, McPherson-Brown, Aberasturi, Sinelli, Dumord

Nays: Members None

Motion declared adopted.


Secretary, Board of Education

The undersigned, duly qualified and acting Secretary of the Board of Education of Hartland Consolidated Schools, Livingston County, Michigan, hereby certifies that the foregoing constitutes a true and complete copy of a resolution adopted by said Board of Education at a special meeting held on November 26, 2007, the original of which is part of the Board's minutes. The undersigned further certifies that notice of the meeting was given to the public pursuant to the provisions of the "Open Meetings Act" (Act 267, PA 1976, as amended).


Secretary, Board of Education

JJS/keh

Memo

To: Genoa Township Board

From: Debra L. Rojewski

Date: 1/18/2008

Re: Poverty Guidelines

I would like the Genoa Township Board to adopt these guidelines for the 2008 Board of Review. If you have any further questions feel free to contact me.

Please consider the following action:

Moved by _____, supported by _____, to

Approve the 2008 Board of Review Poverty Guidelines as submitted.

**2008
POVERTY GUIDELINES**

| | 2008 FEDERAL | 1.2000 MULTIPLIER | GENOA TOWNSHIP |
|-----------|-----------------|----------------------|-------------------|
| 1 PERSON | 10,210 | 1.20 | 12,252 |
| 2 PERSONS | 13,690 | 1.20 | 16,428 |
| 3 PERSONS | 17,170 | 1.20 | 20,604 |
| 4 PERSONS | 20,650 | 1.20 | 24,780 |
| 5 PERSONS | 24,130 | 1.20 | 28,956 |
| 6 PERSONS | 27,610 | 1.20 | 33,132 |
| 7 PERSONS | 31,090 | 1.20 | 37,308 |
| 8 PERSONS | 34,570 | 1.20 | 41,484 |
| 9 PERSONS | | 1.20 | - |

MEMORANDUM

TO: Township Board
FROM: Michael Archinal; Manager *MA*
DATE: 1/18/08
RE: Walk/Bike Path Snow Clearing

Please find attached an estimate from Cooper's Turf Management for removing snow from the recreational paths along Brighton and Bauer Roads and at the Township Hall. We have noted increased use of this infrastructure during the winter months. The paths along Brighton and Bauer Roads are three miles in length. The path at the Township Hall is .66 miles in length. Up until this time we have described the use of these paths as seasonal.

These paths represent a significant investment and are receiving increasing year around use. I witnessed pedestrian use immediately after the significant New Year's Eve snow storm. I believe it is now appropriate to keep the paths clear during the winter months.

The prices in the attached estimates are reflective of the fact that we do not expect the paths to be cleared immediately after a storm. In driving the sites with the contractor we noted that the Road Commission will tend to furrow road snow along the curb or ditch line after their first two or three passes. Up to two or three days after a significant storm the plows will push the snow further off the road edge, often onto the walk/bike paths. For this reason our expectation will be for a reasonable delay in clearing the paths after a significant event. Because we do not expect immediate service the contractor can prioritize the use of his personnel and we receive a better price.

I have discussed this matter with Counsel. By actively clearing the paths we may expose ourselves to increased liability. I recommend that this is the cost of doing business when we decide to install these paths. I recognize there will be an incremental increase in exposure to liability by keeping the paths usable however, facilitating year around use is appropriate public policy. For this reason the recommendation is that approval be contingent upon provision by the contractor of his general liability policy in a form acceptable to the Township Attorney.

We have used Cooper's for several years for snow removal and grass cutting around our water and sewer utilities. We have been very pleased with their performance. Please consider the following action:

Moved by _____, supported by _____, to approve the proposal from Cooper's Turf Management for walk/bike path snow removal subject to the provision, by the contractor, of a general liability policy in a form acceptable to the Township Attorney.



PO BOX 501 HOWELL, MI. 48844-0501
 810.735.7669 OR 517.548.6653

Estimate

| | |
|----------|------------|
| Date | Estimate # |
| 1/4/2008 | 5049 |

| |
|---|
| Name / Address |
| GENOA TOWNSHIP ATTN: MIKE 2911 DORR ROAD BRIGHTON, MI. 48116 |

| | |
|------------------|---------|
| Terms | Project |
| due upon receipt | |

| Qty | Description | Rate | Total |
|-----|--|--------|--------|
| | SNOW PLOWING WALKING PATHS (APPROX. 1/2 MILE IN LENGTH) AT GENOA TOWNSHIP HALL AT 2", PER TIME | 150.00 | 150.00 |
| | ADD TO PLOW PRICE IF 8+", PER TIME | 50.00 | 50.00 |
| | SALTING PER APPLICATION, IF DESIRED | 75.00 | 75.00 |

| |
|--------------------------|
| Approval Signature _____ |
|--------------------------|



PO BOX 501 HOWELL, MI. 48844-0501
 810.735.7669 OR 517.548.6653

Estimate

| | |
|----------|------------|
| Date | Estimate # |
| 1/4/2008 | 5050 |

| |
|---|
| Name / Address |
| GENOA TOWNSHIP ATTN: MIKE 2911 DORR ROAD BRIGHTON, MI. 48116 |

| | |
|------------------|---------|
| Terms | Project |
| due upon receipt | |

| Qty | Description | Rate | Total |
|-----|--|--------|--------|
| | WALKING PATHS ALONG BAUER ROAD AND BRIGHTON ROAD (APPROX. 3 MILES) | | |
| | SNOW PLOWING PER PUSH | 495.00 | 495.00 |
| | ADD TO PLOW PRICE IF 8+", PER TIME | 125.00 | 125.00 |
| | SALTING PER APPLICATION, IF DESIRED | 175.00 | 175.00 |

| |
|--------------------------|
| Approval Signature _____ |
|--------------------------|



HOWELL HIGH SCHOOL
400 Wright Road
Howell, MI 48843
R. Morrison Borders, Jr., Assistant Principal

Phone: 517-540-8300
Fax: 517-552-0106
www.howellschools.com

GENOA TOWNSHIP

JAN 08 REC'D

RECEIVED

*At Howell Public Schools,
we commit all our
energy and resources
in support of our students
while they're with us,
so that they will shine
in the world when
they leave us.*

To Genoa Township,

On behalf of the students, staff and community of Howell High School, we would like to thank you for your donation of the Spirit Rock. Our students love the rock and are truly excited about it. In fact, within the first hour that the rock was in place, we received numerous comments from students about their excitement in regards to the new rock. Thank you again for your generous donation.

Sincerely,

William Smith
Principal

Morrison Borders
Assistant Principal

December 27, 2007

Summary:

Genoa Charter Township, Michigan; General Obligation

Primary Credit Analyst:

Nancy DeNapoli, Chicago (1) 312-233-7013; nancy_denapoli@standardandpoors.com

Secondary Credit Analyst:

Helen Samuelson, Chicago (1) 312-233-7011; helen_samuelson@standardandpoors.com

Table Of Contents

Rationale

Outlook

Summary:

Genoa Charter Township, Michigan; General Obligation

| Credit Profile | | |
|--|----------------|----------|
| Genoa Charter Twp. genl assess' bonds (Lake Edgewood Wtr Proj) ser 2000 dtd 05/01/2000 due 05/01/2001-2012 2014 2016 2018 2020 | | |
| <i>Unenhanced Rating</i> | A(SPUR)/Stable | Affirmed |
| Genoa Charter Twp (Dorr Road Wtr & Swr Imp Proj) | | |
| <i>Long Term Rating</i> | A/Stable | Affirmed |
| Genoa-Oceola Swr & Wtr Auth GO (MBIA) | | |
| <i>Unenhanced Rating</i> | A(SPUR)/Stable | Affirmed |

Many issues are enhanced by bond insurance.

Rationale

Standard & Poor's Ratings Services affirmed its 'A' underlying rating (SPUR), and stable outlook, on Genoa Charter Township, Mich.'s existing limited-tax GO bonds.

The 'A' rating reflects the township's:

- Access to diverse employment in Livingston County, as well as in nearby Lansing, Ann Arbor and western Oakland County;
- Good reserve levels; and
- Average debt burden at 2.6% of market value.

Above-average debt service carrying charges at 15% and ongoing development pressures are constraining credit factors.

Genoa Charter Township (population 15,901), is in southeastern Livingston County and serves a 34-square-mile area, with a population that grew about 7% since 2002. Given its strategic location with convenient highway access, this bedroom community has residents that commute to the state capital in Lansing; university and hospital employment in Ann Arbor; and automotive-oriented employment in Flint, and the Detroit area. The rate of the township's residential growth has slowed but growth should continue, as there is abundant room for new development, with little more than half of the township developed. Management estimates about 25% of the commercial development area remains available.

Recent tax base growth is mainly due to residential development, although the township has seen some growth in retail and office properties located primarily along one major corridor and along the Interstate 96 expressway. The primarily residential township's taxable value has grown at a brisk 9% average annual rate since 2002, reaching \$1.16 billion in 2007. The fair market value of the district's tax base is \$2.87 billion, or an above-average \$180,652 per capita. Taxpayer concentration is diverse at 5.2% of assessed value. Livingston County's median household effective buying income is high at 142% of the state and 145% of the national averages, reflecting the high value of residential properties, which can exceed \$1 million, and higher income levels.

Genoa Township's financial operations are good with the general fund balances growing the past three fiscal years. The unreserved June 30, 2006, general fund balance was \$1.4 million, or an average 37.8% of expenditures, because of a surplus of about \$76,000 added to the general fund. The township recently changed its fiscal year end to March 31 due to becoming a charter township. The township's March 31, 2007, audit reported a \$317,000 surplus, bringing the unreserved fund balance to \$1.7 million or an above-average 61% of expenditures. Management is expecting a surplus at fiscal-year-end 2008. The township currently levies at its Headlee operating tax rate limit and has a fire levy of 1.25 mills that relieves some of the pressure off the general fund.

Standard & Poor's considers Genoa Charter Township's management practices "standard" under its Financial Management Assessment methodology indicating that the finance department maintains adequate policies in some, but not all, key areas. In budget planning, management looks at historical cost trends going back over 10 years and receives weekly updates from the Michigan Township Association. Quarterly monitoring of budget to actual prompts budget amendment actions with detailed monthly financial reporting to the board. The township does not have a long-term financial plan but has a 10-year comprehensive capital improvement plan containing project costs and funding sources. Investments are reported by the treasurer on a quarterly basis following state statutes. Management's informal target goal is to keep \$1.0 million in reserve.

The township's overall net debt burden is above average at \$4,609 per capita, but moderate at 2.6% of market value. Debt service carrying charges were above average, with annual debt service accounting for 15% of operating expenditures in fiscal 2007. However, this is high because of the rapid amortization of township debt--roughly 83% is repaid within 10 years, and fully retired by 2022. The township does not have additional debt plans at this time.

Outlook

The stable outlook reflects Standard & Poor's expectation of continued balanced financial operations, maintenance of appropriate reserves for contingencies and development needs, and a manageable debt burden. The township's strategic location and participation in the Ann Arbor and Detroit diverse employment bases lend stability to the rating.

Complete ratings information is available to subscribers of RatingsDirect, the real-time Web-based source for Standard & Poor's credit ratings, research, and risk analysis, at www.ratingsdirect.com. All ratings affected by this rating action can be found on Standard & Poor's public Web site at www.standardandpoors.com; under Credit Ratings in the left navigation bar, select Find a Rating, then Credit Ratings Search.

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STATE OF MICHIGAN
DEPARTMENT OF ATTORNEY GENERAL



MIKE COX
ATTORNEY GENERAL

P.O. Box 30755
LANSING, MICHIGAN 48909

January 14, 2008

Richard A. Heikkinen
The Heikkinen Law Firm, PC
110 North Michigan Avenue
Howell, MI 48843

Dear Mr. Heikkinen:

RE: Lake Chemung Outdoor Resorts, Inc.

Thank you for your letter of December 27, 2007. The Department of Environmental Quality continues in its efforts to bring Lake Chemung Outdoor Resorts, Inc. into compliance with Part 301. Genoa Township may well have even more restrictive regulations that could be properly enforced. See, *Michigan Boating Industries Associations v Charter Township of Fenton* (Case No. 178328, August 9, 1996), 1996 Mich App LEXIS 1397 (copy enclosed).

Sincerely,

James R. Figgush
Assistant Attorney General
Environment, Natural Resources
And Agriculture Division
P.O. Box 30755
Lansing, MI 48909
517/373-7540

JRF/sjb

Enc.

snrd/ac/open/cases/lake Chemung 05ag/Letter Heikkinen re genoa twp

9 of 11 DOCUMENTS

MICHIGAN BOATING INDUSTRIES ASSOCIATION and LAKE FENTON MARINA, INC., Plaintiff-Appellants, v CHARTER TOWNSHIP OF FENTON, Defendant-Appellee.

No. 178328

COURT OF APPEALS OF MICHIGAN

1996 Mich. App. LEXIS 1397

August 9, 1996, Decided

NOTICE: [*1] IN ACCORDANCE WITH THE MICHIGAN COURT OF APPEALS RULES, UNPUBLISHED OPINIONS ARE NOT PRECEDENTALLY BINDING UNDER THE RULES OF STARE DECISIS.

PRIOR HISTORY: LC No. 92-15416-CZ.

DISPOSITION: Affirmed.

JUDGES: Before: Markey, P.J., and McDonald and M. J. Talbot, JJ.

* Circuit judge, sitting on the Court of Appeals by assignment.

OPINION

PER CURIAM.

Plaintiffs appeal as of right from an August 17, 1994, order granting defendant's motion for summary disposition pursuant to MCR 2.116(C)(10) in this action in which plaintiffs challenge an ordinance enacted by defendant requiring marinas to receive approval by the Fenton Township Planning Commission to increase the number of watercraft allowed to be docked at existing marinas. We affirm.

The trial court did not err in finding the contested ordinance regulating the construction and expansion of marinas within defendant's borders was not preempted by state law. A municipality may not enact an ordinance if the state statutory scheme preempts

the ordinance by occupying the field of regulation the municipality seeks to enter, to the exclusion of the ordinance, even where there is not direct conflict between the two schemes of regulation. *People v Llewellyn*, 401 Mich 314; [*2] 257 NW2d 902 (1977); *John's Corvette Care v Dearborn*, 204 Mich App 616; 516 NW2d 527 (1994). Plaintiffs contend defendant's ordinance number 429 was preempted by the Inland Lakes and Streams Act of 1972 (ILSA) MCL 281.951 et seq.; MSA 11.475(1) et seq.. Plaintiffs do not contend ILSA expressly preempted the field of inland water regulation. Instead, plaintiffs claim ILSA is "clearly all inclusive with respect to construction and operation of marinas."

ILSA provides as follows:

Except as provided by the act, a person without a permit from the department [of natural resources] shall not . . . erect, maintain or operate a marina. [MCL 281.953(c); MSA 11.475(3)(c).]

Defendant's ordinance recognizes the state's power under ILSA by requiring defendant's approval for expansion of marinas "above that allowed by the Department of Natural Resources of the State of Michigan at the time of the adoption of the ordinance." There is

1996 Mich. App. LEXIS 1397, *

no indication the state legislature intended to occupy the field of marina regulation. Thus, although both the state statute and defendant's ordinance [*3] deal with marinas, ILSA did not present a barrier to defendant's more stringent regulation of marina expansion. *Detroit v Qualls*, 434 Mich 340; 454 NW2d 374 (1990); *John's Corvette*, supra. Plaintiffs have failed to support their claim the legislative history of the act, the pervasiveness of the state regulatory scheme, or the need for state-wide uniformity require a finding ILSA pre-empts defendant's ordinance.

We also find no error in the court's finding plaintiffs' claims were not ripe for judicial review. Plaintiffs' failure to seek a permit under the ordinance renders this question unripe for adjudication. A plaintiff must be subject to "a real and immediate threat to protected constitutional rights" in order to have standing to challenge an ordinance. *DSS v Emmanuel Baptist Preschool*, 434 Mich 380; 455 NW2d 1 (1990). The threat of injury must be more than speculative or hypothetical. *Id.* at 410, n 43; *ABATE v Public Service Commission*, 205 Mich App 383; 522 NW2d 140 (1994).

In this case there is no indication the ordinance will ever be applied to plaintiffs. Plaintiffs [*4] have never declared an intent to construct or expand a marina in defendant township. Additionally, there is not indication that, if such construction was proposed, defendant would deny plaintiffs' application for a permit. Plaintiffs' claims of injury are merely speculative and hypothetical. The trial court properly granted de-

fendant's motion for disposition on the basis plaintiffs' claims of violation of their constitutional rights were not ripe for review.

Finally, even had plaintiffs' claims been ripe for review summary disposition would have been properly granted. The ordinance did not violate plaintiffs' equal protection or due process rights. Plaintiffs are not similarly situated with lakefront property owners and defendant's ordinance bears a rational relationship to a legitimate governmental interest. *Doe v Department of Social Services*, 439 Mich 650; 487 NW2d 166 (1992); *Attorney General v Public Service Commission*, 165 Mich App 230; 418 NW2d 660 (1987). In addition the ordinance bore a reasonable relation to a permissible legislative objective, and was a proper exercise of defendant's police powers. *Square Lake Hills Condominium Ass'n v Bloomfield Twp*, 437 Mich 310; [*5] 471 NW2d 321 (1991); *Butcher v Detroit*, 131 Mich App 698; 347 NW2d 702 (1984). Plaintiffs' claim the ordinance violated due process because it did not provide the planning commission with adequate guidelines for determining whether to grant a requested permit under the ordinance is now moot. Following the filing of this lawsuit the ordinance was amended to include standards to be applied by the commission in reaching its decision.

Affirmed.

Costs to defendant.

/s/ Jane E. Markey

/s/ Gary R. McDonald

/s/ Michael J. Talbot