

**GENOA CHARTER TOWNSHIP  
REGULAR MEETING  
MAY 18<sup>TH</sup>, 2009  
6:30 P.M.**

**AGENDA**

Call to Order:

Pledge of Allegiance:

Call to the Public:

**Approval of Consent Agenda:**

1. Payment of Bills
2. Request to approve minutes: 5-4-09
3. Request for approval to accept Chris Grajek's resignation from the Planning Commission.
4. Request for approval to appoint John McManus to the Planning Commission to complete Chris Grajek's position until the term expires on June 30, 2010.
5. Request for approval to purchase a new truck for the Township.

**Approval of Regular Agenda:**

6. Request for approval of special use application, site plan and environmental impact assessment approval for a 21,000 square foot service center with 3 out-buildings 2 vehicle ports, 3,200 sq. ft. cold storage building and with outdoor storage of equipment and machinery, located on the west side of Grand Oaks Drive, south of Cleary Drive, Howell 48843, Sec. 5, petitioned by Consumers Energy.
  - A. Consider approval of special use application as recommended by the Planning Commission
  - B. Consider approval of site plan as recommended by the Planning Commission
  - C. Consider approval of environmental impact assessment as recommended by the Planning Commission.
7. Request for approval of a fire works display on Big Crooked Lake, July 4<sup>th</sup>, 2009 by Pepper Bergin with the display being launched from the neighboring property owned by Rick Fischer (3751 Highcrest).

8a. Request for approval of an amendment to the Genoa Charter Township Depository Resolution.

8b. Treasurer's report regarding Township investments.

9. Request for approval of Resolution No. 1 (to proceed with the project and direct the preparation of plans and cost estimates) for Fendt Road Improvement Project.

10. Request for approval of Resolution No. 2 (to approve the project, schedule the first hearing and direct the issuance of statutory notices) for Fendt Road Improvement Project.

11. Request for approval for resolution adopting the Articles of Incorporation of the Southeastern Livingston County Recreation Authority (SELCRA).

12. Request for approval of a resolution authorizing execution for the Water Tower Lease Agreement in regards to the Oak Pointe Water Tower.

Correspondence

Member Discussion

Adjournment

CHECK REGISTERS FOR TOWNSHIP BOARD MEETING

DATE: May 18, 2009

TOWNSHIP GENERAL EXPENSES; Thru May 18, 2009	\$123,991.19
May 15 2009 Bi-Weekly Payroll	\$34,387.36
OPERATING EXPENSES: Thru May 13, 2009	\$40,737.00
TOTAL:	\$199,115.55

<u>Check Number</u>	<u>Vendor No</u>	<u>Vendor Name</u>	<u>Check Date</u>	<u>Check Amount</u>
25243	UNEMPLOY	Unemployment Insurance Agency	05/01/2009	9,412.00
25244	ARCHINAL	Michael Archinal	05/04/2009	500.00
25245	HUMPHT	Tesha Humphriss	05/04/2009	500.00
25246	HUNTR	ROBIN HUNT	05/04/2009	41.36
25247	SKOLAR P	Paulette Skolarus	05/04/2009	38.50
25248	PETTYCAS	Petty Cash	05/04/2009	154.68
25249	COLLINS	SHAWN COLLINS	05/05/2009	200.00
25250	HOGLE B	Betty Lu Hogle	05/05/2009	225.00
25251	HOWARD C	Cinthia Howard	05/05/2009	180.00
25252	Sapienza	Kristen Renee Sapienza	05/05/2009	225.00
25253	WHITELAW	LISA WHITELAW	05/05/2009	180.00
25254	GUS'S CA	Gus's Carryout	05/05/2009	81.88
25255	Administ	Total Administrative Services	05/15/2009	446.12
25257	AMER IMA	American Imaging, Inc.	05/18/2009	40.05
25258	ATT& IL	AT&T	05/18/2009	701.71
25259	B S & A	B S & A Software, Inc.	05/18/2009	2,830.00
25260	BLUE CRO	Blue Cross & Blue Shield Of Mi	05/18/2009	9,794.04
25261	BUS IMAG	Business Imaging Group	05/18/2009	4.59
25262	CES	C.E.S.	05/18/2009	240.56
25263	CONSUMER	Consumers Energy	05/18/2009	201.80
25264	COOPERST	Cooper's Turf Management LLC	05/18/2009	1,899.00
25265	Country	Country Lane Florist	05/18/2009	116.55
25266	COXKRIS	Kristi Cox	05/18/2009	150.00
25267	DTE LAKE	DTE Energy	05/18/2009	648.32
25268	EHIM	EHIM, INC	05/18/2009	541.29
25269	ETNA SUP	Etna Supply Company	05/18/2009	5,115.00
25270	FIRESYS	Fire Systems Of Michigan, INC.	05/18/2009	110.55
25271	FONSON	Fonson, Inc.	05/18/2009	4,312.03
25272	GENOADPW	Genoa Township DPW Fund	05/18/2009	7,726.00
25273	GORDONFO	Gordon's Food Services	05/18/2009	41.48
25274	ICMA	ICMA	05/18/2009	853.00
25275	LAKESIDE	Lakeside Service Company, Inc.	05/18/2009	104.20
25276	LANGWOR	Langworthy Strader Leblanc	05/18/2009	1,138.32
25277	LIVCP&A	LIVINGSTON CTY PRESS & ARGUS	05/18/2009	571.40
25278	LivCTrea	Livingston County Treasurer	05/18/2009	21.46
25279	MASTER M	Master Media Supply	05/18/2009	471.94
25280	MICHAS	Michigan Assoc. of Planning	05/18/2009	60.00
25281	Miller C	Miller,Canf,Paddock,&Stone,PLC	05/18/2009	941.69
25282	MROCZKA	Laura Mroczka	05/18/2009	159.60
25283	PFBFFER	Pfeffer, Hanniford, Palka	05/18/2009	3,300.00
25284	RUFFC	Connie Ruff	05/18/2009	337.50
25285	SKOLAR P	Paulette Skolarus	05/18/2009	250.57
25286	WASTE MA	Waste Management	05/18/2009	69,124.00

**Report Total: 123,991.19**



Accounts Payable  
Computer Check Register



User: diane

Printed: 05/08/2009 - 14:47

Bank Account: 101CH

Check	Vendor No	Vendor Name	Date	Invoice No	Amount
25255	Administ	Total Administrative Services	05/15/2009		446.12
			Check 25255 Total:		446.12
9721	AETNA LI	Aetna Life Insurance & Annuity	05/15/2009		25.00
			Check 9721 Total:		25.00
9722	EFT-FED	EFT- Federal Payroll Tax	05/15/2009		3,451.80 2,032.50 2,032.50 475.34 475.34
			Check 9722 Total:		8,467.48
9723	EFT-PENS	EFT- Payroll Pens Ln Pyts	05/15/2009		725.12
			Check 9723 Total:		725.12
27256	Equitabl	Equivest Unit Annuity Lock Box	05/15/2009		220.00
			Check 27256 Total:		220.00
9724	FIRST NA	First National Bank	05/15/2009		300.00 895.00 23,308.64

Check 9724 Total:

24,503.64

Report Total:

34,387.36

**First National  
Direct Deposit  
MAY 15, 2009  
Bi-Weekly Payroll**

<u>Employee Name</u>	<u>Debit Amount</u>	<u>Credit Amount</u>
Adam Van Tassell		\$1,064.09
Amy Ruthig		\$973.59
Angela Williams		\$762.17
Carol Hanus		\$1,286.82
Dave Estrada		\$1,019.91
Debbie Hagen		475.64
Deborah Rojewski		\$2,268.99
Diane Zerby		\$699.57
<b>Genoa Township</b>	<b>\$24,503.64</b>	
Greg Tatara		\$2,332.39
Judith Smith		\$1,153.30
Karen J. Saari		\$950.69
Kelly VanMarter		\$436.62
Laura Mroczka		\$1,561.46
Mary Krencicki		\$867.94
Michael Archinal		\$2,479.80
Renee Gray		\$961.59
Robin Hunt		\$1,249.92
Susan Sitner		\$821.47
Tammy Lindberg		\$966.43
Tesha Humphriss		\$2,171.25
<b>Total Deposit</b>		<b>\$24,503.64</b>

EFT #: \_\_\_\_\_  
INTERNET: \_\_\_\_\_  
CHECK BOOK: \_\_\_\_\_

3:02 PM  
05/13/09

**#503 DPW UTILITY FUND**  
**Payment of Bills**  
April 30 through May 13, 2009

<u>Type</u>	<u>Date</u>	<u>Num</u>	<u>Name</u>	<u>Memo</u>	<u>Amount</u>
Check	05/06/2009	1242	NWEA	Registration fees - Tatara & Humphriss	-320.00
Check	05/06/2009	1243	Boyne USA Resorts	MI Water Environment Assoc Mtg - hotel Tatara & Hu	-1,571.58
Check	05/07/2009	1244	HOWELL TRUE VALUE HARDWARE	Customer # 451339	-69.60
Check	05/07/2009	1245	Carol Hanus	Toll free # and internet service	-142.79
Check	05/07/2009	1246	CAVALIER		-21.75
Check	05/07/2009	1247	McDonald Modular Solutions	Invoice # RI125790	-375.00
Check	05/07/2009	1248	Midwest Survey Supply, Inc.	Invoice # 56397	-339.50
Check	05/07/2009	1249	NETWORK SERVICES	Invoice # 9080	-914.00
Check	05/07/2009	1250	SEVERN TRENT ENVIRONMENTAL SERVICES	Inv # 2041142	-28.01
Check	05/13/2009	1251	Master Media	Inv 58145	-63.89
Check	05/13/2009	1252	Water Environment Federation	Greg Tatara - Member ID 1789194	-93.00
Check	05/13/2009	1253	LOWE'S	Acct # 9900 641691 3	-2,460.92
<b>Total</b>					<b>-6,400.04</b>

4:00 PM  
05/13/09

**#504 DPW RESERVE FUND**  
**Payment of Bills**  
April 30 through May 13, 2009

<u>Type</u>	<u>Date</u>	<u>Num</u>	<u>Name</u>	<u>Memo</u>	<u>Amount</u>
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No checks issued

3:01 PM  
05/13/09

**#595 PINE CREEK W/S FUND**  
**Payment of Bills**  
April 30 through May 13, 2009

<u>Type</u>	<u>Date</u>	<u>Num</u>	<u>Name</u>	<u>Memo</u>	<u>Amount</u>
Check	05/13/2009	2038	Pfeffer, Hanniford & Palka	Pine Creek: Services 02/17 - 05/06/09	-500.00
<b>Total</b>					<b>-500.00</b>

2:59 PM  
05/13/09

### #592 OAK POINTE WATER/SEWER FUND

#### Capital Improvement

#### Payment of Bills

April 30 through May 13, 2009

<u>Type</u>	<u>Date</u>	<u>Num</u>	<u>Name</u>	<u>Memo</u>	<u>Amount</u>
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No checks issued

2:58 PM  
05/13/09

### #592 OAK POINTE WATER/SEWER FUND

#### Payment of Bills

April 30 through May 13, 2009

<u>Type</u>	<u>Date</u>	<u>Num</u>	<u>Name</u>	<u>Memo</u>	<u>Amount</u>
Check	05/07/2009	1388	AT & T	04/22 thru 05/21/09	-67.07
Check	05/07/2009	1389	DUBOIS COOPER ASSOCIATES INCORPORATE	Supplies	-2,503.14
Check	05/07/2009	1390	FASTENAL	supplies MIBRG50002	-616.98
Check	05/07/2009	1391	WASTE MANAGEMENT	Acct#389-0000590-1389-6	-92.44
Check	05/07/2009	1392	ALEXANDER CHEMICAL CORPORATION	Sodium Hydrochlorite Inv#0414244	-405.00
Check	05/07/2009	1393	UIS PROGRAMMABLE SERVICES	Inv#530334414	-1,820.36
Check	05/07/2009	1394	CONSUMERS ENERGY	03/31/09 - 04/29/09	-474.51
Check	05/07/2009	1395	DTE ENERGY	Electric Service March - April 09	-6,711.41
Check	05/07/2009	1396	GENOA TWP UTILITY FUND		-11,382.00
Check	05/07/2009	1397	BRIGHTON ANALYTICAL LLC	testing	-134.00
Check	05/07/2009	1398	SEVERN TRENT ENVIRONMENTAL SERVICES,	Invoice # 2041142	-30.25
Check	05/13/2009	1399	DTE ENERGY	Electric Service March - April 09	-260.19
Check	05/13/2009	1400	Pfeffer, Hanniford & Palka	Services Feb 17 - May 6, 09	-1,700.00
<b>Total</b>					<b>-26,197.35</b>

2:57 PM  
05/13/09

### #593 LAKE EDGEWOOD W/S FUND

#### Payment of Bills

April 30 through May 13, 2009

<u>Type</u>	<u>Date</u>	<u>Num</u>	<u>Name</u>	<u>Memo</u>	<u>Amount</u>
Check	05/07/2009	1521	Brighton Analytical L.L.C.	GENOATWP	-134.00
Check	05/07/2009	1522	DTE Energy	Electric Service 03/31/09 - 04/29/09	-305.77
Check	05/07/2009	1523	GENOA TWP-DPW FUND	Fees 1/1/09 - 03/31/09	-2,446.00
Check	05/13/2009	1524	Pfeffer, Hanniford & Palka	Lake Edgewood 02/17 - 05/06/09	-1,200.00
Check	05/13/2009	1525	Consumers Energy	Gas Service 4/7/09 - 5/6/09	-151.47
Check	05/13/2009	1526	DTE Energy	Electric Service 03/31/09 - 04/30/09	-3,402.37
<b>Total</b>					<b>-7,639.61</b>

**GENOA CHARTER TOWNSHIP  
REGULAR MEETING  
MAY 4, 2009  
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, Township Attorney Rick Heikkinen and approximately seven persons in the audience.

A Call to the Public was made with the following response: William Bostock addressed the board concerning a fence permit that was issued in error for property adjoining his home on Lake Chemung. Pictures of the fence were provided to the board in addition to a letter dated May 4, 2009 outlining the request for removal. McCririe – We are working with your neighbor to work out that issue. The permit was issued in error and we will make every effort to correct our mistake. Henry Hague – Their request for a fence was to contain their dogs and this does not meet that objective.

**Approval of Consent Agenda:**

Moved by Hunt, supported by Smith, to approve all items listed under the consent agenda as requested. The motion carried unanimously.

**1. Payment of Bills**

**2. Request to approve minutes: 4-20-09**

**3. Request for approval to remove Mary Krencicki from the list of approved check signers and add Sue Sitner.**

**Approval of Regular Agenda:**

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

**4. Request for approval of a dance entertainment permit to be held in conjunction with a proposed Class C licensed business for Fast Casual L.L.C., (Bennigan's Restaurant) located at 3950 E. Grand River, Howell, MI 48843, Genoa Township, Livingston County, MI.**

Moved by Mortensen, supported by Wildman, to approve the dance entertainment permit as requested. The motion carried by roll call vote as follows: Ayes – Ledford, Smith, Hunt, Wildman, Mortensen, Skolarus and McCririe. Nays – None.

**5. Request for approval of an amendment to the Intech PUD, environmental impact assessment and PUD conceptual plan for property located on the South-west corner of Dorr Road and Sterling Road, Howell 48843, Sec. 15 to allow a proposed 84 bed nursing facility with future office/retail use in later phase, petitioned by Fusco, Shaffer and Pappas, Inc.**

**A. Disposition regarding PUD amendment.**

Moved by Skolarus, supported by Smith, to approve the amended PUD agreement, subject to the following: 1. Exhibit A should only apply to building A. 2. Reference to 173 parking spots will be deleted and 73 parking spots will be allowed for Building B and 45 parking spots for building A. 3. All reference to pole signs will be stricken and the language “internal directional” signs will be used. The motion carried unanimously.

**B. Disposition regarding impact assessment.**

Moved by Ledford, supported by Smith, to approve the impact assessment dated 05/04/09 as submitted. The motion carried unanimously.

**C. Disposition regarding PUD conceptual plan.**

Moved by Smith, supported by Skolarus, to approve the PUD conceptual plan, subject to the following: All previous business park references should be changed to skilled nursing facility. The motion carried unanimously.

**6. Request for approval of PUD final plan for property located on the South-west corner of Dorr Road and Sterling Road, Howell 48843, Sec. 15, to allow a proposed 84 bed nursing facility with future office/retail use in later phase, petitioned by Fusco, Shaffer and Pappas, Inc.**

**A. Disposition regarding PUD Final plan.**

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

1. The following items of the Township Planner’s review letter dated 4-6-09:
  - A. The sidewalk along Dorr Road needs to provide a minimum width to 8 feet.
  - B. The number of Oak Trees on the landscape plan and table must be corrected.
  - C. The TCOD required pedestrian scale ornamental street lighting along all sidewalks and with parking areas.
  - D. The brick on the exterior of the waste receptacle enclosure must match that used for the building.
  - E. A permit is required from MDEQ for the storm water management design.
2. The grading and utility work will be permitted within the 25’ wetland buffer.
3. The following items of the Township Engineers review letter dated 4-8-09:
  - A. It appears the proposed sanitary sewer layout crosses the existing wetland on site: however the wetland permit did not include this work. The petitioner should update the wetland permit to include this crossing.
  - B. The petitioner is proposing to install approximately 1,000 linear feet of retaining wall at this site. The petitioner should submit calculations for the structural analysis of the proposed retaining wall where the retaining wall is within a 1 on 1 influence of a proposed building or parking lot. The petitioner should also add a detail of the proposed wall to the plans.
  - C. An approval letter from the Drain Commissioner’s office should be provided to the Township prior to land use permit issuance.
  - D. Approval from the Livingston County Road Commission for the proposed curb cut onto Dorr Road is required.

- E. Review by the township attorney.
- F. Compliance with the consultant and fire review.
- G. A copy of the certificate of need will be provided from the State of MI.

4. In addition the petitioner will provide a recorded survey document prior to land use issuance designating the existing wetland/drainage area as either a conservation or drainage easement.

The motion carried unanimously.

A letter dated April 28, 2009 was received from Jay Schebel concerning the summary disposition Schebel vs Pinecreek Homeowners Association.

The regular meeting of the Genoa Charter Township Board was adjourned at 7:15 p.m.



Paulette A. Skolarus  
Genoa Township Clerk

(Press/Argus 05/08/2009)



**Memorandum**

To: Township Board  
From: Mike Archinal *MA*  
Date: 5/15/09  
Re: Planning Commission Resignation

Chris Grajek has indicated that he is no longer able to serve on the Planning Commission. Please consider the following action:

**Moved by \_\_\_\_\_, supported by \_\_\_\_\_,  
to accept the resignation of Chris Grajek from the Planning  
Commission.**

**Gary**

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**From:** Chris Grajek [chrisg@closserassociates.com]  
**Sent:** Tuesday, April 07, 2009 3:17 PM  
**To:** gary@genoa.org  
**Subject:** Planning Commission

Gary,

Due to other commitments, it is with regret, that I must resign from the Planning Commission effective immediately. I appreciate the opportunity to serve the community and thank you for the confidence shown me during my time on the commission.


Best regards,

Christopher S. Grajek  
Closser Associates, Inc.  
102 West Washington Street, Suite 224  
Marquette, Michigan 49855  
Tel: 906-228-9133  
Fax: 906-228-9138  
email: [chrisg@closserassociates.com](mailto:chrisg@closserassociates.com)  
Web Site: [www.closserassociates.com](http://www.closserassociates.com)

No virus found in this incoming message.  
Checked by AVG - [www.avg.com](http://www.avg.com)  
Version: 8.5.285 / Virus Database: 270.11.43/2043 - Release Date: 04/07/09 06:41:00

## Memorandum

To: Township Board

From: Mike Archinal 

Date: 5/15/09

Re: Planning Commission Appointment

The vacancy created by Chris Grajek's resignation is proposed to be filled by John McManus. A brief biography of Mr. McManus is included for your perusal. Please consider the following action:

**Moved by \_\_\_\_\_, supported by \_\_\_\_\_,  
to appoint John McManus to the Planning Commission to complete the  
term of Chris Grajek.**

## **National City Corporate Biography**

**John McManus (42)** is the Regional President for National City Bank in South-Central Michigan serving Washtenaw, Livingston, Lenawee, and Jackson Counties. John's responsibilities include leading the 18 branch offices, business bankers, middle market relationship managers, and other team members.

During John's 18 years in banking he has served in many areas of the bank, including Credit Administration, Commercial Lending, and Commercial Real Estate Lending. Prior to accepting his current role, John was a Senior Vice President for Commercial Real Estate Lending in the bank's Mid-Michigan office. John manages the region's foundation budget and works closely with several non-profit organizations including the American Cancer Society's Race for a Cure and has served on the St. Joseph Mercy Hospital Philanthropy Committee.

John is the past President of the Michigan Board of the Risk Management Association and is the current Chairman of the Michigan Bankers Association School of Commercial Lending and Graduate School of Commercial Lending.

John has been involved in several youth athletic causes for the last 10 years, serving as a head coach for various community soccer teams and as a head coach for the Kensington Valley Hockey Association and the Livingston County Hockey Association. John served in the United States Army Reserves for eight years as a commissioned officer. In 1990 John graduated from Eastern Michigan University with a degree in economics and studied finance at the graduate school at Eastern Michigan University's College of Business. John resides in Howell, Michigan with his wife, Tonya and their three children.

**Gary**

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**From:** Mcmanus, John [John.Mcmanus@nationalcity.com]  
**Sent:** Friday, May 08, 2009 9:10 AM  
**To:** gary@genoa.org  
**Attachments:** McManus - Bio.doc; Resume.doc

Gary,

I would like to be considered for a position on the Genoa Township Planning Commission. I have been a resident of Genoa Township for the past nine years and believe I have a great deal to contribute.

I appreciate you considering me for this appointment and I have attached my current resume as well as my bio used by my employer.

Thank you,

John

**John W. McManus**  
Market President  
South Central Michigan

National City, now a part of PNC  
101 S. Main St. (R-FOO-41)  
Ann Arbor, MI 48104

734-995-7775 (office)  
517-281-3632 (cell)  
734-995-7908 (fax)  
[John.McManus@nationalcity.com](mailto:John.McManus@nationalcity.com)  
[www.welcometopnc.com](http://www.welcometopnc.com)

*National City will never ask you to verify your passwords or account information via email*

*The preceding is for discussion purposes only and does not represent a commitment or promise to extend credit to any person or entity. All rates are indicative and subject to market fluctuation without further notice. All extensions of credit shall be made in writing and in accordance with the policies and procedures of National City Bank and applicable laws.*

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\*\*\*National City made the following annotations  
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This communication is a confidential and proprietary business communication. It is intended solely for the use of the designated recipient(s). If this communication is received in error, please contact the sender and delete this communication.  
=====

No virus found in this incoming message.  
Checked by AVG - [www.avg.com](http://www.avg.com)  
Version: 8.5.287 / Virus Database: 270.12.21/2104 - Release Date: 05/08/09 06:34:00

5/14/2009

**Memorandum**

TO: Michael Archinal

FROM: Adam VanTassell

DATE: May 13, 2009

RE: Township truck purchase

The Township truck lease is ending in June of this year. Per the agreement signed with GMAC, if the Township wishes to purchase the truck outright the cost will be \$13,404.77.

However, with the current favorable pricing incentives the Township should consider the option of a substantial upgrade to the current Township truck for a relatively nominal additional cost. This proposal could go in lockstep with the Township's desire to bolster its image by expanding upon the recent purchases of white Ford F150s for the Utility Department to create a Township "fleet" look. I have obtained a quote from Brighton Ford for a white F150 that will service Staff needs for \$18,448.30. I would also recommend the spray-in liner for an additional \$460.00, bringing the total to \$18,908.30. Please see the attached quote. I would recommend forgoing the Logo option as the Township logo design is scheduled to change and instead recommend arrangements for the current logo to be transferred to the new truck. As for the current Township truck, this would then be turned in as per the lease agreement.

cc: Township Board  
file



Disclaimer: This window sticker is only representative of the information contained on an actual window sticker, and may or may not match the actual window sticker on the vehicle itself. Please see your retailer for further information.

**Vehicle Description**

VIN 1FTRF14WX9K B58096

**F-150**  
**2009 F150 4X4 SS R/C**  
**4.6L 2V EFI V8 ENGINE**  
**ELECTRONIC 4-SPD AUTO O/D**

**Exterior**  
 OXFORD WHITE CLEARCOAT  
**Interior**  
 STONE INTERIOR VINYL 40/20/40

**Standard Equipment INCLUDED AT NO EXTRA CHARGE**

**Price Information**  
**STANDARD VEHICLE PRICE**      **MSRP**  
 \$26,010

**EXTERIOR**

- . FRONT TOW HOOKS
- . INTERVAL WIPERS
- . LOCKING REMOVABLE TAILGATE W/ LIFT ASSIST
- . REAR SOLAR TINTED GLASS
- . SPARE TIRE & WHEEL LOCK

- . MAINT FREE BATTERY W/SAVER
- . MANUAL WINDOWS&DOOR LOCKS
- . MECHANICAL SHIFT-ON-THE-FLY
- . OUTBOARD MNTD REAR SHOCKS
- . POWER RACK&PINION STEERING
- . STABILIZER BAR, FRONT
- . TIRE PRSURE MONITORING SYS
- . TRAILER SWAY CONTROL

**INTERIOR**

- . AIR CONDITIONING
- . BLACK VINYL FLOOR COVERING
- . DAY-NIGHT REAR VIEW MIRROR
- . TILT STEERING WHEEL

**SAFETY/SECURITY**

- . 4-WHEEL DISC BRAKES W/ABS
- . ADVANCETRAC W/ROLL STABILITY CONTROL
- . AIRBAGS, FRONT SIDE SEAT
- . REAR HIGH MOUNT STOP LAMP
- . SAFETY CANOPY
- . SECURILOCK ANTI THEFT IGN

**FUNCTIONAL**

- . 2 SPD MANUAL TRANSFER CASE
- . 4 PIN TRAILER WIRING
- . AUXILIARY POWER POINT
- . CARGO BOX TIE DOWN HOOKS
- . EASY FUEL CAPLESS FILLER
- . FAIL-SAFE COOLING SYSTEM
- . FULLY BOXED FRAME

**WARRANTY**

- . 3YR/36,000 BUMPER / BUMPER
- . 5YR/60,000 POWERTRAIN
- . 5YR/60,000 ROADSIDE ASSIST

**Optional Equipment**

- 2009 MODEL YEAR
- OXFORD WHITE CLEARCOAT
- STONE VINYL 40/20/40
- PREFERRED EQUIPMENT PKG.502A
- .XL SERIES
- .FLOOR CARPET DELETE
- .MANUAL BLACK MIRRORS
- 4.6L 2V EFI V8 ENGINE
- ELECTRONIC 4-SPD AUTO O/D
- LT245/70R17D BSW ALL-TERRAIN
- 3.73 RATIO LIMITED SLIP AXLE
- 6950# GVWR PACKAGE
- JOB #2 ORDER
- TRAILER TOW PACKAGE
- XL PLUS PACKAGE
- .CRUISE CONTROL
- .AM/FM STEREO/CLOCK/SINGLE CD

300  
300  
300  
395

TOTAL VEHICLE & OPTIONS      27,355  
 DESTINATION & DELIVERY      975.00  
**TOTAL MSRP**      **\$28,330**

Disclaimer: Option pricing will be blank for any item that is priced as 0 or "No Charge".

#18448.30  
 + 460.00  
 + 150.00  
 = 19058.30  
 pray in liner logo

**Vehicle Engine Information**

Actual mileage will vary with options, driving conditions, driving habits and vehicle's condition. Results reported to EPA indicate that the majority of vehicles with these estimates will achieve between 11 and 17 mpg in the city and between 14 and 22 mpg on the highway. For Comparison Shopping all vehicles classified as **Standard Pickup** have been issued mileage ratings from 08 to 16 mpg city and 12 to 21 mpg highway.



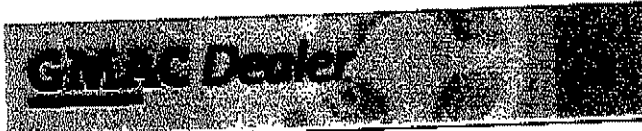
Estimated Annual Fuel Cost: \$ 4,100



Ford Extended Service Plan is the ONLY service contract backed by Ford and honored by over 5,100 Ford and Lincoln-Mercury retailers. Ask your retailer for prices and additional details or see our website at [www.Ford-ESP.com](http://www.Ford-ESP.com)

SmartLease Quote

Fax 810-227-3420



Kelli Morland  
WALDECKER CHEVROLET INC.  
PDN 67121

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02/25/2009 9:14 AM

SALES SUPPORT & CREDIT : AFTERMARKET : USED VEHICLE ACQUISITION : BUSINESS SUPPORT : EDUCATION & STATEMENTS : MY SHORTCUTS

SmartLease Quote

Quote Type:

Dealer Purchase Amount:

Amount(s) Good Until:

Early Termination : Dealer Buyout for  
lease in lease

\$13,404.77 (includes a security deposit  
reduction of \$375.00)

Mar 8, 2009

Account Information

Account Number: 024-9089-83665  
 Customer Name: Genoa Township  
 Vehicle Description: N05 CHEVROCOLORADO  
 VIN: 1GCDT196568184755  
 Account Type: SmartLease  
 Eligible Quote Type: Early Termination

As described in the Joint Marketing Agreement between your dealership and GMAC, the information on this page should not be disclosed or used except as necessary to market, promote or endorse GMAC financing or leasing or as otherwise permitted by law.

- GMAC must receive a signed copy of the Application of Credits Letter for the security deposit of \$375.00
- Verification that the vehicle was resold to the lessee is required.
- This quote will expire on 03/08/2009.
- All recalls must be completed prior to selling the vehicle.

ACCOUNT INFORMATION	CUSTOMER PAYMENT INFORMATION
Contract Date:	03/09/2005
Contract Term:	39 Months
Scheduled End Date:	06/08/2009
Residual Value:	\$12,830.00
Fixed Purchase Price:	\$13,330.00
Contracted Payment Amount:	\$363.20
Security Deposit:	\$375.00
After Market Products:	

[NEW ACCOUNT](#) | [PRINT PREVIEW](#) | [NEW QUOTE](#) | [VEHICLE RETURN DOCS](#)  
[PURCHASE FOR INVENTORY DOCS](#) | [PURCHASE FOR CUSTOMER DOCS](#)

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## MEMORANDUM

**To:** Township Board  
**From:** Michael Archinal  
**Date:** 5-18-09  
**Re:** Consumers Energy Special Use

Please consider the following actions:

**A. Moved by \_\_\_\_\_, supported by \_\_\_\_\_, to approve the special use application, subject to the following:**

1. That the storage of items higher than the 6' fence line will be confined to the rear portion of the property, preferably behind the cold storage building and will be limited to gas pipes. This recommendation is made because the proposal is consistent with section 19.03 of the township ordinance regarding special uses. It is also consistent with the industrial zoning of the property and also provides a needed service to the public.

**B. Moved by \_\_\_\_\_, supported by \_\_\_\_\_, to approve the Environmental Impact Assessment with attachments A,B, & C.**

**C. Moved by \_\_\_\_\_, supported by \_\_\_\_\_, to approve the site plan subject to the following:**

1. The rendering and samples will become Township property following the Board meeting.
2. A combination of evergreen and deciduous trees shall be provided along the north property line as determined by staff sufficient to screen views of the rear overhead doors on the building from the adjacent parking lot
3. A combination of evergreen and deciduous trees in a number as determined by staff shall be provided to the east of the outdoor storage area to screen any views from Grand Oaks;
4. The requirements spelled out by the Township Engineer in her letter of May 5, 2009 will be complied with; and
  - A. Particular attention should be paid to item three in the letter regarding the new drainage easement being recorded prior to the land use permit being issued;
  - B. Approval by the Road Commission will be required;
5. Dust control measures will be taken will be added to the site plan.

**APPLICATION FOR SPECIAL LAND USE  
GENOA TOWNSHIP**

APPLICANT NAME\* & ADDRESS: Trey Neubauer-DeMaria Building Co. 3031 W. Grand Blvd. Ste 624

OWNER NAME\* & ADDRESS: Mike Smith Consumers Energy One Energy Plaza Detroit, Mi 48202  
Jackson, Mi 49201

SITE ADDRESS: (tbd) Grand Oaks PARCEL #(s): 44, 45, 46, 012

APPLICANT PHONE: (313) 903-8700 OWNER PHONE: (734) 513-6275

Location and brief description of site and surroundings:

West side of Grand Oaks between Grand River and cleary (south of ice arena).

Proposed Use:

Consumer's Energy Service Center offices and support garage.

Describe how your request meets the Zoning Ordinance General Review Standards (section 19.03):

- a. Describe how the use will be compatible and in accordance with the goals, objectives, and policies of the Genoa Township Comprehensive Plan and subarea plans, and will promote the Statement of Purpose of the zoning district in which the use is proposed.

This utility service center will provide service to the citizens and businesses in the township while being sensitive to the environmental features of the property.

- b. Describe how the use will be designed, constructed, operated, and maintained to be compatible with, and not significantly alter, the existing or intended character of the general vicinity.

The proposed architectural design is compatible with the surrounding properties and the intended use for the new facility.

- c. How will the use be served adequately by essential public facilities and services such as highways, streets, police and fire protection, drainage structures, water and sewage facilities, refuse disposal and schools?

No extraordinary conditions will be required.

- d. Will the use involve any uses, activities, processes, or materials potentially detrimental to the natural environment, public health, safety, or welfare by reason of excessive production of traffic, noise, vibration, smoke, fumes, odors, glare, or other such nuisance? If so, how will the impacts be mitigated?

N/A

c. Does the use have specific criteria as listed in the Zoning Ordinance (sections 3.03.02, 7.02.02, & 8.02.02?)  
If so, describe how the criteria are met.

Outdoor aggregate(s) will be stored in a 3 sided structure with a concrete slab.  
The surrounding area will be minimally utilized. This storage area is set back  
app. 700ft. from Grand Oaks

I HEREBY CERTIFY THAT ALL INFORMATION AND DATA ATTACHED TO AND MADE PART OF THIS APPLICATION ARE TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE AND BELIEF. I AGREE TO DESIGN, CONSTRUCT AND OPERATE, AND MAINTAIN THESE PREMISES AND THE BUILDINGS, STRUCTURES, AND FACILITIES WHICH ARE GOVERNED BY THIS PERMIT IN ACCORDANCE WITH THE STATED REQUIREMENTS OF THE GENOA TOWNSHIP ZONING ORDINANCE, AND SUCH ADDITIONAL LIMITS AND SAFEGUARDS AS MAY BE MADE A PART OF THIS PERMIT.

THE UNDERSIGNED Trey Neubauer STATES THAT THEY ARE THE FREE OWNER\* OF THE PROPERTY OF PROPERTIES DESCRIBED ABOVE AND MAKES APPLICATION FOR THIS SPECIAL LAND USE PERMIT.

BY: Trey Neubauer - DeMaeda Project Manager

ADDRESS: 3031 W. Grand Blvd. (Suite 624), Detroit, MI 48202

\*Submit a letter of Authorization from Property Owner if application is signed by Acting Agent.

<b>Contact Information</b> - Review Letters and Correspondence shall be forwarded to the following: <u>or freymede@mae2abuild.com</u>		
<u>1) Trey Neubauer</u>	<u>of DeMaeda Building Co</u>	<u>at (313) 870 2810</u>
<small>Name</small>	<small>Business Affiliation</small>	<small>Fax No.</small>

Note: This application must be accompanied by a site plan review application and the associated site plan review submittal requirements. (The Zoning Administrator may allow a less detailed sketch plan for a change in use.)

<b>FEE EXCEEDANCE AGREEMENT</b>	
As stated on the site plan review fee schedule, all site plans are allocated two (2) consultant reviews and one (1) Planning Commission meeting. If additional reviews or meetings are necessary, the applicant will be required to pay the actual incurred costs for the additional reviews. If applicable, additional review fee payment will be required concurrent with submittal to the Township Board. By signing below, applicant indicates agreement and full understanding of this policy.	
SIGNATURE: <u>Trey Neubauer</u>	DATE: <u>3/5/09.</u>
PRINT NAME: <u>Trey Neubauer</u>	PHONE: <u>(313) 903 8100</u>
ADDRESS: <u>3031 West Grand (Ste 624) Detroit MI 48212</u>	

**GENOA CHARTER TOWNSHIP  
PLANNING COMMISSION  
PUBLIC HEARING  
MAY 11TH, 2009  
6:30 P.M.**

**AGENDA**

**CALL TO ORDER:** At 6:30 p.m., the Genoa Township Planning Commission meeting was called to order. Present constituting a quorum were Chairman Doug Brown, Barbara Figurski, Diana Lowe, Dean Tengel, Lauren Brookins, and James Mortensen. Also present were Jeff Purdy, of LSL, Tesha Humphriss, Township Engineer, and Mike Archinal, Township Manager.

**PLEDGE OF ALLEGIANCE:** The Pledge of Allegiance was recited.

**WORK SESSION:** No work session was required.

**APPROVAL OF AGENDA:** Upon motion by Barbara Figurski and support by James Mortensen, the agenda was approved as submitted. **Motion carried unanimously.**

**CALL TO THE PUBLIC:** (*Note: The Board reserves the right to not begin new business after 10:00 p.m.*)

**OPEN PUBLIC HEARING # 1... Review of special use application, site plan and environmental impact assessment approval for a 21,000 square foot service center with 3 out-buildings 2 vehicle ports, 3,200 sq. ft. cold storage building and with outdoor storage of equipment and machinery, located on the west side of Grand Oaks Drive, south of Cleary Drive, Howell 48843, Sec. 5, petitioned by Consumers Energy.**

Michael Smith, Project Manager for Consumers Energy introduced himself and his team to the Commission. John Frances, Darren Murray, Trey Newbauer, Emanuel Colias, Alan Foote and Rick Meyer were introduced as the team members.

Michael Smith presented the project to the Commission. It is expected that 58 employees will work through the service center and the four parcels will total approximately eight acres.

James Mortensen confirms that's the C-101 plan is the plan that will be discussed. Petitioner confirms that it is. James Mortensen requests that they date and sign it this evening.

Jeff Purdy reviews his recommendation with the Planning Commission. The petitioner is requesting that the storage area have a gravel surface. Jeff Purdy indicates that Planning Commission approval is required for this, as well as building materials and colors. Mr. Colias indicates that gas pipe storage, meter boxes, trailers, scrap metal baskets, back hoes, trencher parts, etc., could be stored in the storage area. Tesha Humphriss indicates that the site plans reveal the type of gravel that would be proposed and it is acceptable. The storage area will be roughly 660' from Grand Oaks Drive and the grading is several feet lower. The surrounding fence is 6' with 3 strands of barbed

wire. The only thing that is considered that could exceed the height of the fence is the gas pipe storage racks. The cold storage building would exceed it, as well. The height of the cold storage building is projected to be 24'. Samples of the building materials were submitted to the Planning Commission.

The parking spaces may be reduced from their current size. This is not planned for by the petitioner.

The parking lot must have concrete curbing pursuant to ordinance. The drives leading in are uncurbed. This is to accommodate sheet drainage. The petitioner will be following Tesha Humphriss' recommendations as to the curbing setup.

Jeff Purdy indicates that the non-company vehicular traffic must be addressed. The petitioner indicates that their corporate security standards prohibit most non-company traffic and any that is permitted must be approved. This is acceptable to Jeff Purdy. The petitioner indicates this is not a bill payment center.

The landscaping requirements are met with the frontage and parking lot islands, but petitioner is requesting a waiver as to the rest. Trey Newbauer addresses the Planning Commission regarding landscaping. No inventory of the existing landscaping on the north line exists. Because of the detention pond and landscaping, the petitioner believes that the requirements cannot be met. Chairman Brown indicates that usually, existing vegetation is allowed to be used in a landscaping inventory. The petitioner indicates they are planning to add 4 evergreen, 4 canopy trees and 14 shrubs. The petitioner indicates that security cameras are necessary for security and landscaping can interfere with that.

There are some inconsistencies with regard to the light fixtures. The petitioner will provide a cut sheet to the Township.

A MDEQ permit will be required for wetland impacts. The petitioner indicates that the permit has been obtained and will be electronically recorded shortly.

Tesha Humphriss discusses the matters outlined in her letter of May 5, 2009.

The petitioner discusses the wetland buffer. The petitioner indicates it is 25' at this time, but there could be a disturbance with that once the fence is up. The other wetlands that are being disturbed are mitigated on the west side of the site. The wetland buffers will be monitored and maintained. This is all acceptable to Tesha Humphriss.

Drainage is discussed and the letter from the Drain Commission is referenced. Tesha Humphriss indicates the petitioner is working closely with the Drain Commissioner's office. She believes there are no outstanding issues that will not be resolved. The petitioner indicates there is a letter of approval from the Drain Commission that is being forwarded to the Planning Commission.

The existing easement is being moved, which will affect drainage. The new easements must be recorded. This will be done by the petitioner. There are two easements for the water line and one for the storm sewers.

The petitioner indicates that the survey is being modified and new elevations will be included.

The drawings will be corrected to reflect the tap in the sanitary sewer lead and the grinder pump and elevations were discussed.

The Brighton Fire Department letter was discussed. It would appear that all items are addressed sufficiently with the Fire Department.

The Drain Commissioner's letter was discussed. The petitioner intends to comply with any necessary items required by the Drain Commissioner. It is anticipated that a final review would be next week with them.

The impact assessment was discussed. The petitioner will have to revise the numbers of visitors and employees to address the discrepancy in numbers within the impact assessment.

#### **Planning Commission disposition of petition**

- A. Recommendation regarding special use application.
- B. Recommendation regarding impact assessment.
- C. Recommendation regarding site plan.

**Motion** by James Mortensen that the Township approve the special use application, subject to the following:

1. Approval by the Township Board of the environmental impact assessment and site plan;
2. That the storage of items higher than the 6' fence line will be confined to the rear portion of the property, preferably behind the cold storage building and will be limited to gas pipes. This recommendation is made because the proposal is consistent with section 19.03 of the township ordinance regarding special uses. It is also consistent with the industrial zoning of the property and also provides a needed service to the public.

Support by Barbara Figurski. **Motion carried unanimously.**

**Motion** by Barbara Figurski that the Township Board approve the impact assessment dated March of 2009 with attachments A, B, & C. Support by Diana Lowe. **Motion carried unanimously.**

**Motion** by James Mortensen to recommend to the Township Board approval of the site plan, subject to:

1. The plan must be dated and signed today by a professional engineer in the State of Michigan;
2. Approval of the Township Board of the special use application and environmental impact assessment;
3. The gravel base will be aggregate 21-A of 8" deep with a sub-base of 12" sand;

4. The rendering and samples are acceptable and will become Township property following review by the Township Board;
5. Curbing will be eliminated from the north side of the south drive;
6. A combination of evergreen and deciduous trees shall be provided along the north property line as determined by staff sufficient to screen views of the rear overhead doors on the building from the adjacent parking lot
7. A combination of evergreen and deciduous trees in a number as determined by staff shall be provided to the east of the outdoor storage area to screen any views from Grand Oaks;
8. The lights on the building will be downward directed;
9. The requirements of the Brighton Area Fire Department letter dated May 4, 2009 will be complied with;
10. The requirements spelled out by the Township Engineer in her letter of May 5, 2009 will be complied with; and
  - A. The Planning Commission does approve the activity within the 25' wetland buffer;
  - B. Particular attention should be paid to item three in the letter regarding the new drainage easement being recorded prior to the land use permit being issued;
  - C. Approval by the MDEQ and Road Commission will be required;
  - D. The sanitary sewer will be modified to a duplex grinder pump pursuant to paragraph number nine.

11. Dust control measures will be taken will be added to the site plan.

Support by Barbara Figurski. **Motion carried unanimously.**

A recess was called for five minutes by the Planning Commission Chairman.

**ITEM #2...** Discussion regarding Capital Improvement Plan.

Mike Archinal discussed the Capital Improvement Plan with the Planning Commission. There was a cursory review of some capital improvements.

**Administrative Business:**

- *Planners report presented by LSL Planners*
- *Approval of April 13<sup>th</sup>, 2009 Planning Commission meeting minutes. **Motion** by Barbara Figurski to approve the minutes as corrected. Support by Diana Lowe. **Motion carried unanimously.***
- *Member Discussion*

Motion to adjourn by Barbara Figurski and support by Dean Tengel. **Motion carried unanimously.** Meeting adjourned at 8:15 p.m.



**LSL Planning, Inc.**

Community Planning Consultants

May 5, 2009

Planning Commission  
Genoa Township  
2911 Dorr Road  
Brighton, Michigan 48116

<b>Attention:</b>	Mike Archinal, AICP Township Manager
<b>Subject:</b>	Consumers Energy Service Center – Special Use and Site Plan Review #2
<b>Location:</b>	Grand Oaks Drive– west side of Grand Oaks, south of East Grand River Avenue
<b>Zoning:</b>	IND Industrial District
<b>Applicant:</b>	Trey Neubauer - DeMaria Building Company 3031 West Grand Boulevard, Suite 624 Detroit, MI

Dear Commissioners:

At the Township's request, we have reviewed the special use submittal and revised site plan (cover sheet dated 4/10/09) proposing the development of a service center for Consumer's Energy, including outdoor storage. The site is located on the west side of Grand Oaks Drive, south of East Grand River Avenue, and is currently zoned IND Industrial District. The request has been reviewed in accordance with the Genoa Township Master Plan and Zoning Ordinance.

**A. Summary of Issues**

1. The Township may allow the storage area to remain with a gravel base upon a finding that surrounding properties and the environment will not be negatively impacted.
2. The applicant must demonstrate that the height of equipment stored outside will not exceed the height of the screening provided.
3. Planning Commission approval is required for the proposed architecture, including materials and colors.
4. Parking space size may be reduced to 9' x 18'. Curbing is required on all sides of the parking lot and drive aisles.
5. The applicant must explain how delivery vehicles will access the loading/unloading space.
6. The applicant requests landscaping modifications from side and rear buffer zone, and detention pond requirements.
7. Cut sheets must be provided for all light fixtures. There are minor differences between site plan sheets and the photometric plan as to the location and quantity of light poles.
8. A permit must be obtained from MDEQ for the wetland disturbance/mitigation.

**B. Proposal**

The applicant proposes to develop a new Consumer's Energy service center (21,000 square foot building) with outdoor storage on a vacant 18.48-acre parcel. The Zoning Ordinance lists essential public services and public service buildings as permitted uses, while outdoor equipment/material storage requires special use approval. The specific use standards of Sections 8.02.02(a) and (o) also apply to the request and are reviewed under Section D below.



### C. Special Use Review

The project has been reviewed in accordance with the review standards of Section 19.03.

1. **Master Plan.** The Master Plan and Future Land Use Map identify the site and surrounding properties as Industrial. The Master Plan states of the Industrial classification, "the intent is to develop industrial uses such as research, wholesale and warehouse activities and light industrial operations which manufacture, compounding, process, package, assemble and/or treat finished or semi-finished products from previously prepared material." The proposed operation and outdoor storage area are consistent with this description.
2. **Compatibility.** The adjacent land uses are industrial in nature, including other outdoor storage uses in close proximity. From a practical standpoint, this site seems suitable given the proposed combination of office-service and industrial uses. More specifically, the site provides relatively convenient access from Grand River for the office component, but is also well situated in terms of mitigating the potential impacts of the outdoor storage.
3. **Public Facilities and Services.** Given development in the area surrounding the site, it is anticipated that necessary facilities and services are already in place or can be extended to serve the site. Provided this is the case, the project is not anticipated to create any adverse impacts upon public facilities and services; however, this standard is subject to further review by the Township Engineer.
4. **Impacts.** Provided the specific use requirements for outdoor storage are met, the proposed project is not expected to adversely impact surrounding properties given the industrial nature of the uses in the area.
5. **Mitigation.** The applicant notes that they plan to mitigate the disturbance of a 0.29 acre wetland by creating a 0.5 acre wetland elsewhere on the site. This component of the project is subject to approval by the MDEQ. The applicant notes that they have already applied for a permit from MDEQ. The township may require additional mitigation necessary to minimize or prevent any other negative impacts of the proposed project.

### D. Specific Use Standards

In general, the proposed outdoor storage component of the project complies with the standards of Section 8.02.02(a); however, the following items must be addressed:

- Outdoor storage areas are to be paved and graded and drained so as to properly dispose of stormwater. The applicant proposes to use a gravel surface. The Township Board, following a recommendation from the Planning Commission and Township Engineer, may allow a gravel surface for low intensity activities upon a finding that neighboring properties and the environment will not be negatively impacted.
- All sides of the outdoor storage are to provide a Buffer Zone B. As described in Section E, paragraph 7 below, the applicant requests allowance of existing mature landscaping in lieu of additional required plantings.
- The applicant must demonstrate that the height of all equipment stored will not exceed the height of screening.

The cover letter provided with the revised submittal states that electric and gas regulating equipment and apparatus will be setback at least 30 feet from all property lines. As such, the public service component of the project complies with the standards of Section 8.02.02(o).

**E. Site Plan Review**

1. **Dimensional Requirements.** The site plan complies with the dimensional standards of the Zoning Ordinance for the IND as described below.

District	Lot Size		Minimum Yard Setbacks (feet)				Max. Height	Lot Coverage
	Lot Area (acres)	Width (ft.)	Front Yard	Side Yard	Rear Yard	Parking Lot		
PID	1	150	85	25	40	20 front 10 side/rear	30	40% bldg 85% impervious
Provided	18.5	531.3	145	142 (N) 295 (S)	900+	100 front 65 side	25.3	4.6% bldg 10.22% impervious

2. **Building Elevations.** The building elevations identify the primary material for the main building as split-face CMU. The drawings also identify the use of two different colors of CMU, although a color rendering has not been provided. The vehicle port buildings are also to be constructed of split-face block, while the cold storage building will utilize metal siding. Section 12.01.03 allows industrial buildings to utilize up to 100% split-face block for those building walls visible from a public road or parking lot. The amount of metal siding for the cold storage would normally be limited to 25%; however, it does not appear that this building will be visible from the street or parking lot. Both side elevations contain four overhead doors, but none will be visible from the roadway. The main building also uses metal screen walls around the rooftop mechanical equipment, as opposed to taller parapet walls. Planning Commission approval is required for the proposed architecture, including materials and colors. The applicant has noted they will present material samples at the upcoming meeting.
3. **Parking.** The Zoning Ordinance requires 1 space for each 300 square feet of gross floor area for office uses and 1.5 spaces for each 1,000 square feet of light industrial space, plus 1 space for each corporate vehicle. In total, the project requires 83 spaces, while 85 are provided. This total includes the 4 required barrier free spaces. The parking spaces and drive aisles conform to minimum dimensional requirements; however, as noted in our first review, the parking spaces could be reduced in size from 10' x 20' to 9' x 18'. Curbing is required on all sides of the parking lot and drive aisles; however, the applicant notes that curbing is not proposed "due to the paved areas being sheet drained to the lawn areas."
4. **Loading.** Section 14.08.08 requires 1 loading space for the proposed project, which is to be 500 square feet in area and located in a rear or side yard not directly visible to a public street. The site plan identifies a loading/unloading area adjacent to the north side of the building as well as a loading dock and ramp on the south side of the building adjacent to employee parking. Our only concern is that the loading/unloading area is located past a security gate and it is unclear how short term delivery vehicles will access this space. The applicant needs to explain how the loading area will function to ensure that it will work as intended.
5. **Access Management.** The site plan proposes two driveways along Grand Oaks Drive with full turning movements. The drives are spaced just over 300 feet apart and aligned with adjacent driveways across the street. The access management standards of Article 15 are met.
6. **Pedestrian Circulation.** Unless deemed necessary by the Township, sidewalks are not generally required in an industrial area, such as along Grand Oaks Drive. Internal sidewalks are provided connecting the parking areas to the building.

7. **Landscaping & Greenbelt.** The revised submittal includes a complete landscape plan. The table below summarizes the amount and type of landscaping required by Section 12.02.

Location	Amount of Planting Required	Amount of Planting Provided	Comments
Front Yard greenbelt	14 canopy trees	14 trees	Requirement met
Buffer Zone "B" (N)	6 foot high wall or 3 foot berm; 11 canopy trees; 11 evergreen trees; 43 shrubs	Existing wooded area	(a)
Buffer Zone "B" (S)	6 foot high wall or 3 foot berm; 11 canopy trees; 11 evergreen trees; 43 shrubs	Existing wooded area	(a)
Buffer Zone "B" (W)	6 foot high wall or 3 foot berm; 7 canopy trees; 7 evergreen trees; 27 shrubs	Existing wooded area	(a)
Detention pond (E)	18 canopy OR evergreen trees; 176 shrubs	4 canopy trees; 4 evergreen trees; 14 shrubs; Existing vegetation	(b)
Detention pond (W)	26 canopy OR evergreen trees; 260 shrubs	Existing vegetation	(b)
Parking lot	9 canopy trees; 850 sq. ft. landscaped area	9 trees; 850+ sq. ft. landscaped area	Requirement met

- a. The applicant requests allowance of the existing mature vegetation in lieu of required buffer zone plantings around the outdoor storage area, as well as a waiver from wall/berm requirements due to established topography, as well as the presence of wetlands and a County drain easement.
- b. The applicant requests allowance of the existing mature vegetation in lieu of required detention pond plantings.
- c. There are minor discrepancies between the plan and table for plantings labeled K, L, N and O. These inconsistencies must be corrected.

8. **Waste Receptacle and Enclosure.** The proposed waste receptacle is in the non-required rear yard as required by Section 12.04. In accordance with Section 12.04, details on Sheet A-002 identify the required concrete base pad, as well as a 6-foot tall masonry screen wall with pressure treated wood gates. The revised plans also identify a steel scrap dumpster in the outdoor storage yard outside of required setbacks. Because of its location in the storage yard, the enclosure and base pad standards of Section 12.04 do not apply to this container.

9. **Exterior Lighting.** Sheet E-001 identifies 9 pole mounted light fixtures throughout the parking lot and outdoor storage area. Details identify the use of 22.5-foot tall poles. The plan also shows 10 building mounted fixtures. The pole mounted fixtures are 400-watt metal halide, while the building mounted fixtures include 250-watt metal halide and 32-watt fluorescent. Descriptions of the pole mounted fixtures note they are cutoff fixtures; however, cut sheets have not been provided for any fixtures. This information must be provided.

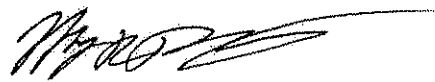
In accordance with Section 12.03, the photometric plan shows a maximum on-site intensity of 8.6 footcandles and readings of 0.0 at all property lines.

Lastly, it should be noted that the light pole location and quantity differ between Sheets C-101, A-001 and E-001. The drawings must be corrected for consistency.

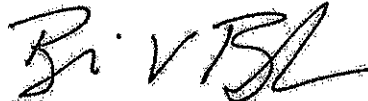
10. **Signs.** Sheet A-001 identifies a 6-foot tall monument sign near the northerly driveway. The sign provides a 10-foot front yard setback and 56 square feet of sign area. The height, setback and size are within that allowed by Article 16. The applicant acknowledges that they must obtain a separate sign permit from the Township.
  
11. **Impact Assessment.** An Impact Assessment (March 2009) is included with the submittal. The Assessment states that the project is not anticipated to create any adverse impacts upon the public services, surrounding land uses or traffic. The site does contain a large wetland area that will be minimally disturbed. Specifically, the project calls for a 0.29 acre wetland to be filled; however, a 0.5 acre wetland will be constructed in its place. These activities are subject to review and approval by MDEQ, for which the applicant has already applied.

Should you have any questions concerning this matter, please do not hesitate to contact our office.

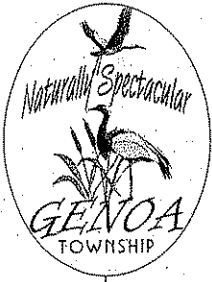
Sincerely,  
LSL PLANNING, INC.



Jeffrey R. Purdy, AICP  
Principal Planner



Brian V. Borden, AICP  
Senior Planner



# Genoa Charter Township

2911 Dorr Road • Brighton, Michigan 48116 • (810) 227-5225 • Fax (810) 227-3420 • www.genoa.org

## Memorandum

**TO:** Genoa Township Planning Commission Members

**DATE:** May 5, 2009

**RE:** Consumers Energy – Grand Oaks  
Site Plan Review #2

As requested, I have reviewed the above referenced site plan dated April 10, 2009, prepared by Sidock Group, Inc. The site is located on the west side of Grand Oaks Drive, across from Cleary Drive. The petitioner is proposing to construct a 21,000 square foot building, three additional buildings for storage, and associated parking lot, drainage, and utility improvements. Please consider the following comments when taking action on this site plan:

### GENERAL

1. The Planning Commission should be aware that the petitioner is proposing modifications to the existing wetlands on site. The Michigan Department of Environmental Quality (MDEQ) regulates activity within the wetland, and the Township Zoning Ordinance regulates activity within the 25-foot wetland buffer. The petitioner has submitted a copy of the wetland permit that has been submitted to the MDEQ. The petitioner is proposing storm water improvements within the wetland buffer, including grading and installation of storm structures such as rip rap and finished end sections. Planning Commission approval is required for the proposed activity within the 25-foot wetland buffer.

### DRAINAGE AND GRADING

2. The Livingston County Drain Commissioner's office is completing the review of the proposed grading, soil erosion and sedimentation control plan, proposed storm sewer layout and structures, storm sewer sizing calculations, and detention pond sizing calculations. An approval letter from the Drain Commissioner's office should be provided to the Township prior to land use permit issuance.
3. This site currently has an easement for conveyance of offsite drainage. Ultimately this easement should be part of the once proposed Branch 3 of the Marion Genoa Drain. The petitioner is proposing to modify the location of this easement as part of the improvements to the site. A new easement should be recorded prior to land use permit issuance.

Supervisor  
Gary T. McCririe

Clerk  
Paulette A. Skolarus

Treasurer  
Robin L. Hunt

Manager  
Michael C. Archinal

#### Trustees

H. James Mortensen • Jean W. Ledford • Todd W. Smith • Steven Wildman

4. The petitioner should add the invert elevation of the proposed finished end section just south of MH-3 to the plans.

#### **TRAFFIC/PAVEMENT**

5. The petitioner has added a note and detail regarding the proposed curb to the plans. However, there is a discrepancy between the note and detail, the note specifies a spillout curb, but the detail shows a collector curb.
6. The petitioner is proposing curbing along the north side only of the southern driveway. I recommend this curbing be eliminated and the curbing start at the southern parking lot area.
7. Approval from the Livingston County Road Commission for the proposed curb cuts onto Grand Oaks is required.

#### **UTILITIES**

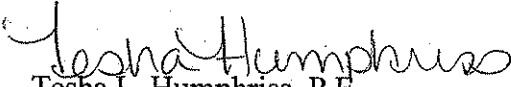
8. The petitioner is proposing to connect the proposed building to both municipal sanitary sewer and water. The petitioner should be aware that tap in fees, as outlined in a Memorandum dated October 21, 2008, are required for the connection to the municipal utilities.
9. The petitioner is proposing to connect to an existing sanitary sewer lead. The following items in regard to this proposed connection should be addressed on the site plan:
  - a. It appears the lead the petitioner is proposing to connect to is shown in the wrong location. There is no southern lead for this site, the southern lead shown on the as built plans is located 39-feet from the MH-266, and is located on the adjacent southern parcel to this site. The petitioner should re-locate the proposed lead to tie into the existing lead shown just south of Cleary Drive.
  - b. An updated profile view of the proposed lead should be added to the plans.
  - c. The material of the sanitary sewer lead should be PVC SDR 23.5.
  - d. The petitioner should be aware that a permit from the Livingston County Building Department will be required for the installation of the sanitary sewer lead.
10. The petitioner is proposing to place pavement for the northern drive over existing water main valves. This driveway should be modified so that all of the valves are completely within the pavement area. The petitioner should also note that a concrete apron will be required around the valve boxes.
11. A 25-foot easement has been shown on the site plan for the publicly owned water main. The petitioner should provide a copy of a recorded easement to the Township.

12. The petitioner should be aware that construction plans and MDEQ permits will be required for the publically owned water main, which includes from the road to the fire hydrant. The petitioner should be aware that the construction plan review process takes a few months. The items below are for the petitioners reference during the construction plan review process, and do not require any action by the Planning Commission:

- a. The construction plans should include details of the proposed water main apparatuses, including the fire hydrant, valves, and the water main restraint schedule.
- b. The petitioner should be aware that tracer wire will be required on the water main.
- c. The petitioner should be aware that a representative of the MHOG Water Authority must be on site during the live tap to the existing water main and during the construction of the publicly owned water main.
- d. The petitioner should be aware that the building department will witness the installation of the private water service and fire suppression line, which begins at the end of the municipal easement.

I recommend the Planning Commission consider the above listed items before acting on this site plan. Please feel free to contact me at the Township, (810) 227 – 5225, with any questions or concerns.

Sincerely,

  
Tesha L. Humphriss, P.E.  
Genoa Township Engineer

Copy: Ken Recker, Livingston County Drain Commissioner's Office



# Brighton Area Fire Department

615 W. Grand River

Brighton, Michigan 48116

810-229-6640 Fax: 810-229-1619

May 4, 2009

Amy Ruthig  
Genoa Township  
2911 Dorr Road  
Brighton, MI 48116

RE: Consumers Energy  
W. side of Grand Oaks between Grand River & Cleary  
Site Plan Review

Dear Amy:

The Brighton Area Fire Department has reviewed the above mentioned site plan. The revised plans were received for review on April 28, 2009. This is a review of a proposed facility with (1) 21,000 square foot service center and (3) out-buildings (2-vehicle ports and 1-3200 square foot cold storage). The plan review is based on the requirements of the International Fire Code (IFC) 2006 edition.

**The plan is recommended for approval.** A complete set of architectural drawings with sprinkler and alarm systems shall be submitted to the Brighton Area Fire Authority along with the Livingston County Building Department once approval is received from Genoa Township.

1. (Complete) The water main size is not indicated on the submittal. Include the new and existing sizes of water main. A hydrant shall be located within 100' of the fire department connection.  
**IFC 912.2**
2. (Complete) Provide the size of the proposed water main and fire protection lead on the submittal (the main should be a minimum of 8" and the fire protection lead 6").
3. (Complete) The composite floor plan does not show the location of the sprinkler riser. Provide a detail which indicates the location (shall be terminated on an exterior wall).
4. (Complete) Provide details on the clear open width of the two gates. In addition, each gate shall be provided with a Knox key for emergency access by the Fire Department.
5. (Complete) Provide a Knox Box on the building near the main door.



6. (Complete) A second hydrant shall be extended to the property on the south side of the building, on the building side.
7. (Complete) Provide the location of the fire department connection. A detail shall be provided indicating an 5" storz connection with a 45° downturn.
8. (Complete, pending assignment from Township) Future project submittals shall include the address and street name of the project in the title block.

**IFC 105.4.2**

9. (Complete, Field Verify) The building shall include the building address on the building. The address shall be a **minimum of 6"** high letters of contrasting colors and be clearly visible from the street. The location and size shall be verified prior to installation.

**IFC 505.1**

Additional comments will be given during the building plan review process (specific to the building plans and occupancy). If you have any questions about the comments on this plan review please contact me at 810-229-6640.

Cordially,



Michael D. O'Brian  
Fire Marshal



# Brian Jonckheere

2300 E. Grand River, Suite 105

Howell, Michigan 48843-7581

(517) 546-0040

Fax (517) 545-9658

April 28, 2009

Ms. Jeannie M. King  
Consumers Energy  
1 Energy Plaza  
Jackson, MI 48201

Re: Howell Consumers Energy Service Center  
Construction Plans  
Southwest 1/4 of Section 5  
Genoa Township

Dear Ms. King:

We received construction plans and drainage calculations for the site referenced above and have reviewed the submitted information for conformance with the "Procedures and Design Criteria for Stormwater Management Systems." My comments on the proposed drainage design are as follows:

1. Drainage Ownership – The plans do not specify the intended ownership of the proposed drainage improvements. I assume that the onsite stormwater management system will be privately owned and maintained by the property owner. A note to this effect should be included with the General Notes shown on Sheet C-101. The proposed relocated enclosure of part of the once proposed Branch 3 of the Marion-Genoa Drain will also remain as the proprietor's responsibility. However, due to its conveying substantial offsite drainage, it should be enclosed in an adequate width drainage easement for the benefit of upstream riparians. Should a new petition be received for the Branch 3 of the Marion & Genoa Drain, this office may approach Consumers or its successor in title regarding assignment of the easement to the drainage district.
2. Overall Drainage Concept – The 18.48-acre project site, which is located on the west side of Grand Oaks Drive north of Toddiem Road, is currently traversed from southeast to northwest by an open drainageway previously proposed to be Branch 3 of the Marion-Genoa Drain. The drainageway flows through a large wetland area occupying the northwest corner of the property. The proposed facility will include a 21,000 square foot service center building together with its associated parking, vehicular storage areas, and material storage areas.

To accommodate the proposed development, approximately 800 feet of the existing open drain is to be relocated and enclosed. The drainage from the site improvements is to be directed to two proposed onsite detention basins that are to discharge into the onsite wetlands area adjacent to the drain.

3. Stormwater Detention – An analysis indicates that the required 100-year storm storage volumes have been correctly computed at approximately 22,500 cubic feet for the northerly basin and 64,400 cubic feet for the southerly basin. These required volumes are based on tributary areas of 2.27 acres and 6.88 acres respectively, using an allowable discharge rate of 0.20 cfs/acre. I find that the first flush volumes for both basins have also been correctly computed. The bankfull volumes, however, appear to have been calculated using a formula of 8170 AC rather than the correct formula of 5160 AC and should be revised accordingly.

Our calculations, using the elevation-versus-contour-area data provided in the design engineer's computations, were unable to confirm the storage elevations shown on the plans for the first flush, bankfull, and 100-year storm events for either basin. This may be a result of the forebay areas/volumes not being included in the tabulated information. I also find that the currently proposed orifice designs for both detention basins will result in discharges that exceed those allowed by L.C.D.C. design criteria and should be revised.

Separate elevation-versus-contour-area data should be provided for the proposed detention basin forebays to confirm that they have been properly sized. I also recommend that the forebays be designed with a permanent two-foot deep sediment sump and a stone trench connection to the detention basin overlaid by a riprap lined overflow spillway. The current design appears to specify a 1¼-inch forebay connection pipe that will be prone to clogging.

4. Drainage Enclosure – The proposed 54-inch diameter drain enclosure at 1.03% will result in a full flow velocity of 12.5 fps, which exceeds the 10 fps maximum allowed in the L.C.D.C. design criteria. The drain design is based on a 10-year storm flow of 200± cfs, which appears conservative because of the use of high CN values with no impact being considered for upstream detention. The existing drain enclosure, that is to be removed immediately downstream of Grand Oaks Drive, incorporated the use of 48-inch RCP at 0.80% with a capacity of 128 cfs and full flow velocity of 10 fps. Its design took into account the capacity of the existing crossings under both Grand Oaks Drive and Victory Drive, which is located downstream. In any case, the proposed enclosure must include a drainage structure located approximately 100 feet west of the centerline of Grand Oaks Drive to pick up the existing surface drainage at the low point along the southerly property line. The drainage plans should also address the following items:
  - a. Sheet C-105 incorrectly identifies the proposed 30-inch drain inlet along the southerly property line as 36-inch diameter.
  - b. The 30-inch inlet end section and the 54-inch outlet end section should be positioned closer to the toe of the embankments. There will be no cover over the ends of the pipes as they are currently shown.

Please note that an M.D.E.Q. wetland permit application has been filed for the proposed drain, detention basins, and mitigation area construction.

5. Onsite Storm Sewers – The proposed storm sewers appear to be properly designed to accommodate the runoff from a 10-year frequency storm over their tributary areas. However, the following storm sewer related items should be addressed on the plans:
  - a. Where the proposed pipe size changes at a drainage structure, the pipe 0.8 points should be matched rather than the inverts.
  - b. Some of the proposed drainage structures such as CB-2 and CB-4 are designed with insufficient cover over the storm sewer pipes. All pipes should have at least two feet of cover. Catch basins with less than three feet of cover should be specified as low head (flattop) type structures.
  - c. Storm sewer pipe sizes should not decrease going downstream. The proposed 24-inch pipe downstream of CB-6 should be revised to 27-inch pipe with a flatter slope and a lower full flow velocity.
  - d. The storm sewer profiles should show all proposed water and sewer crossings. A minimum separation of 18 inches should be provided at all utilities crossings.
6. Grand Oaks Drive Ditch Culverts – While the proposed 24-inch RCP driveway crossings will have sufficient capacity with a slope of 0.60%, the current design dictates the road ditch being excessively deep (5 to 7 feet) at the culvert inlet and outlet points. The proposed 24-inch RCP at 3.45% under the southerly approach will also result in an excessive full flow velocity of 13.5 fps. The proposed Grand Oaks Drive ditch should be redesigned to remedy these issues and to comply with any requirements of the Livingston County Road Commission. The ditch enclosure inverts should be shown on the profile provided on Sheet C-105. I also understand that the Township has other issues with the proposed ditching relating to cover over water mains in this area, and I defer to them regarding the acceptability of the ditch design given the need for cover over the water main.
7. Site Grading – The following grading design issues should be addressed on the plans:
  - a. I note that proposed pavement grades around the westerly vehicle port will direct portions of the surrounding surface drainage toward the structure or down the adjacent embankment slopes. This surface drainage should be directed to the proposed stormwater management system using curbs or additional drainage structures.
  - b. Additional proposed contours should be shown along the southerly property line in the area approximately 100 feet west of Grand Oaks Drive to address the required transition to the existing low area contours.
  - c. The plans should indicate where the proposed MDOT F-2 Curb Detail provided on Sheet C-109 is to be utilized.

8. Storm Sewer Details - The plans should include typical storm sewer structure details and should specify where the proposed M.D.O.T. Outlet Headwall Detail provided on Sheet C-108 is to be utilized.
9. Existing Culverts under Toddiem Road - The plans should indicate the location, diameter, type of pipe and invert elevations of the existing cross culverts located along the adjacent Toddiem Road frontage.
10. Existing Drain Easement - The plans should show the existing 50-foot wide County Drain easement located along the portion of the existing Branch 3 of the Marion-Genoa Drain that is to be relocated. As previously discussed, the Drain Commissioner will agree to abandon this easement once the relocated drain is constructed and the proposed drain easement is recorded.
11. Engineer's Seal - The construction plans should be sealed by the licensed professional engineer responsible for their preparation.

I am withholding approval of the construction plans for the Howell Consumers Energy Service Center until the items mentioned above have been satisfactorily addressed.

Very truly yours,

 (5)

Brian Jonckheere  
Livingston County Drain Commissioner

- c: DeMaria Building Company, John Sterlini  
Environmental Engineers, Paul Lewsley  
Genoa Township, Tesha Humphriss  
Genoa Township, Kelly VanMartin  
Livingston County Road Commission, Kim Hiller  
Sidock Group, Inc., Emmanuel Kollias

## Livingston County Road Commission

8585 Grand Oaks Drive • Howell, Michigan 48843-8575  
Telephone: (517) 546-4250 • Facsimile: (517) 546-9628  
Internet Address: www.livingstonroads.org

May 4, 2009

Mr. Ryan Kidd  
DeMaria Building Company  
3031 W. Grand Blvd.  
Detroit, MI 48202

Re: Consumer's Energy Howell Service Center, Genoa Township, Section 5  
LCRC# C-09-04

Dear Mr. Kidd:

I have completed the review of the revised plans prepared by Sidock Group and dated April 10, 2009 (received by the LCRC on May 1, 2009), for the above-referenced project and have determined the plans to be in substantial compliance with our specifications.

Before a commercial driveway approach permit can be issued, the following items need to be addressed:

1. The selected contractor must submit a certificate of insurance to the LCRC with the following language: "The Board of Livingston County Road Commissioners, the Livingston County Road Commission, and their officers, agents, and employees are listed additional insured parties with respects to General Liability."
2. Written approval from the Livingston County Drain Commissioner's office for the storm sewer system must be submitted to this office prior to the issuance of a commercial approach permit.
3. The remaining permit fees (\$30.00) must be paid.

If you have any questions, please do not hesitate to contact me.

Sincerely,



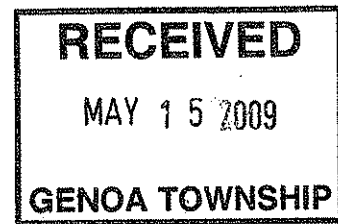
Kim Hiller, P.E.  
Utilities and Permits Engineer

Cc: File

Ms. Tesha Humphriss, Genoa Township  
Mr. Brian Jonckheere, Livingston County Drain Commissioner

commercial approach\T5\C0904c.doc





# **Impact Statement**

## **Consumers Energy Proposed Howell Service Center SW ¼ Section 5 Genoa Township, Michigan**

**Engineers Project No. 09037  
March 2009  
May 2009**



**Sidock Group, Inc.**

**ENGINEERS • ARCHITECTS • CONSULTANTS • PROJECT MANAGERS**

CONSUMERS ENERGY  
PROPOSED HOWELL SERVICE CENTER  
SW ¼ SECTION 5  
GENOA TOWNSHIP, MICHIGAN

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**Appendices**

- Appendix A Figures**
- Appendix B Well Logs**
- Appendix C Endangered Species Assessment**



## **1.0 Preparer**

This Impact Assessment has been prepared by Ms. Carrie Rivette, P.E. and Mr. Bill Frazier, P.E. of Sidock Group, Inc. Ms. Rivette has 15 years experience in civil and environmental engineering and Mr. Frazier has 32 years experience in civil and structural engineering. Both are licensed Professional Engineer in the State of Michigan.

## **2.0 Location**

The subject site is the proposed Consumers Energy Howell Service Center. The site consists of 18.48 acres situated in the southwest ¼ of Section 5 of Genoa Township, Michigan. The site survey, prepared by Rowe, is presented in Appendix A.

As shown on the survey, the only structures located on the site are drainage structures on the eastern portion of the site. A drainage ditch extends from the central portion of the site to wetlands on the northwestern portion of the site.

An aerial photograph of the site prepared by Wetland Coastal Resources is presented in Appendix A. Site access is provided by Grand Oaks Drive to the east. Livingston County Hockey Association borders the site to the north and Burkhart Products, Inc. borders the site to the south. No structures are apparent within 100 feet of the western property boundary.

## **3.0 Impact on Natural Features**

The Consumers Service Center site is being developed to provide minimal impact on the wetlands that are located on the site. The proposed buildings are all located near Grand Oaks Ave in order to reduce building in the large area of wetlands that are located at the west end (back area) of the site. There is currently a small area of wetland located within the building and parking area that was created when the county drain outlet was constructed. This area is approximately .29 acres and will be filled. This area will be mitigated with a new .5 acre wetland constructed at the rear of the site adjacent to the existing wetlands. Delineated and impacted wetlands and proposed mitigation area are depicted on Figure 3 in Appendix A. In addition, an application for the wetlands mitigation has been submitted to the MDEQ on behalf of Consumers Energy by King & MacGregor Environmental, Inc. of Grand Rapids, Michigan.

Approximately five (5) acres in the northwestern portion of the site are heavily wooded. Only the eastern 65 feet of the wooded area is expected to be impacted by the project as shown on Figure 3 in Appendix A. No mature trees (trunk greater than 8" in diameter) are situated in this area.

Well logs for the properties to the north and south of the subject site are included in Appendix B. As shown on the logs, groundwater in the area is situated approximately 170 to 180 feet below grade in shale. Both logs indicate layers of sand and clay above the shale. Soils at the site are depicted on the well logs in Appendix B and also shown on Figure 1 in Appendix A.

The only surface water at the site is an approximately 60-foot long channel that was created by the discharge from the county drain on the site.

According to the endangered species assessment tool on the Michigan Department of Natural Resources website, "No unique natural features are known to occur" at or near the subject site. A copy of the information is presented in Appendix C. During the site reconnaissance, only indications of typical woodland wildlife were noted.

#### **4.0 Impact on Stormwater Management**

Currently, groundwater at the site, in addition to stormwater from the area, discharges to the wetlands in the northwestern portion of the site.

Figure 3 in Appendix A depicts the proposed changes to the stormwater collection system at the site. The county drain will be relocated to run along the southern boundary of the site and then run diagonally across the site to drain into the same wetland that it currently drains. The new outlet will be approximately 500 feet south of the existing outlet.

Water, sanitary sewer and site utilities will be accessed along Grand Oaks Ave. and this construction will not impact the existing wetlands.

Site drainage has been designed in accordance with Livingston County Drain Commissioner standards. Areas adjacent to and north of the service center building will drain directly to a first flush basin. The first flush basin is sized to accommodate the first half inch of rainfall and allow the sediment, etc. to settle out. From the first flush basin the water will drain over a spillway into a detention basin. This basin has been sized to reduce the 2 and 10 year flows to below predeveloped conditions and the 100 year storm to discharge at .2 CFS per acre of drainage area.

All other areas of the developed site will be collected into a storm sewer that will discharge to a first flush basin. From this basin the storm water will flow over a spillway into a detention basin. This basin has also been sized to reduce the 2 and 10 year flows to below predeveloped conditions and the 100 year storm to discharge at .2 CFS per acre of drainage area.

During construction erosion control measures will be in place in accordance with the Drain Commissioner standards to protect the wetlands from sediment. All

disturbed areas will be seeded and sloped areas will have erosion control blankets to protect the seeded areas until vegetation has been established.

### **5.0 Impact on Surrounding Land Uses**

The subject site is intended for use by Consumers Energy as a regional service center to service its natural gas customers in the Howell and Brighton area. The site must be relocated from its current location due to the Latson Road interchange planned by the Michigan Department of Transportation.

Site activities will consist of offices for customer inquiries and service calls, truck storage and an equipment maintenance garage. The office area will operate from 7 am to 4 pm, with indoor lighting estimated to be from 7 am to 5 pm.

The outdoor operations are 24 hours a day to provide emergency services. Outdoor lighting will be via photo cell. All outdoor lighting will be dark sky compliant.

Given that the only noise generated at the site will be from vehicle traffic and repairs inside the garage, noise levels at the property boundaries will meet the required maximum of 65 decibels.

The proposed structures will be one-story in height and will not obstruct views or sunlight from neighboring properties.

The future land use map included in Genoa Township's Master Plan is presented in Appendix A. As shown on the map, the site is currently intended for Industrial use. Current Zoning is also industrial. As such, the proposed site usage conforms to zoning and the Master Plan.

During construction, water will be utilized as need to control dust emissions at the site. During hot, dry weather conditions, site evaluation for water application will be evaluated more often. In addition, dust will be swept from paved areas where it collects to prevent additional dust emissions.

### **6.0 Impact on Public Facilities and Services**

Site employees will consist of 24 primarily office employees and 40 employees associated with maintenance and response. An estimated 5 visitors per day are expected.

Given that the operations are moving from one area of the township to another, there will be no significant impact on schools, recreation, police, fire or emergency services.

## **7.0 Impact on Public Utilities**

The site will be connected to municipal water and sanitary sewer. Current line sizing in the area is adequate to accommodate the site for both water and sanitary sewer.

Given the connection to municipal water, no additional water conditioning will be performed at the site.

Stormwater handling is as noted above in Section 4.0

## **8.0 Storage and Handling of Any Hazardous Materials**

The only hazardous materials that will be utilized onsite are thermostats, AA and D batteries, used oil and anti freeze. The thermostats are encased in a Ziploc bag and then stored in 55 gallon drums until there is significant quantity for disposal. Used oil and anti-freeze is stored in a double-walled 250-gallon aboveground storage tank. The tank is pumped out by a licensed waste hauler for offsite disposal. Spent batteries are sent to a recycling facility. Storage, handling and disposal of hazardous materials at the site will meet all applicable State, Federal and local regulatory requirements.

## **9.0 Traffic Impact Study**

Traffic at the site will consist of 24 workers and visitors that will arrive and leave during potentially peak hours (from 7 am to 5 pm). The remaining 40 maintenance and response workers and 5 visitors will be distributed throughout the day. As such, there will be less than 50 trips in any given hour, and peak hours will not generate an excess of more than 50 directional trips per hour. As such, impact on the surrounding roads will be negligible and a Traffic Impact Assessment or Statement is not required.

## **10.0 Historic and Cultural Resources**

No structures will be demolished as a result of this project. As such, no historic or cultural resources will be affected.

## **11.0 Special Provisions**

There are no deed restrictions or restrictive covenants on the site and it is not subject to any master deeds or association bylaws.

## **12.0 Sources**

Figure 1 in Appendix B is the survey performed by Rowe in 2008.

Figure 2 in Appendix B was taken from the February 27, 2009 wetland report by King & MacGregor Environmental, Inc.

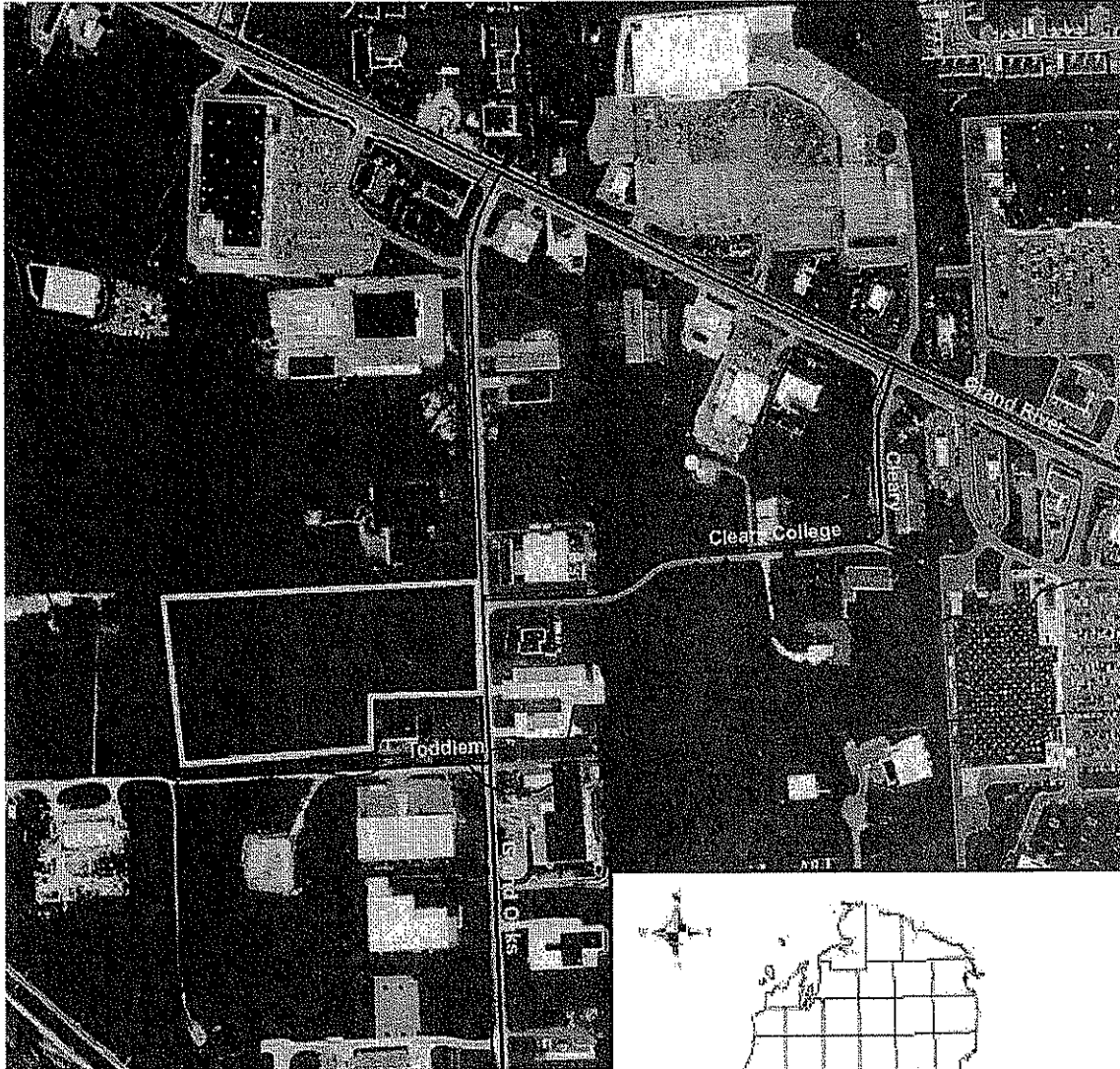
The Future Land Use Map in Appendix A was taken from the Master Plan, Genoa Charter Township, Livingston County, Michigan, Adopted by the Genoa Township Planning Commission, May 22, 2006, Adopted by the Genoa Township Board, June 19 2006.

### **13.0 Previous Impact Assessments**

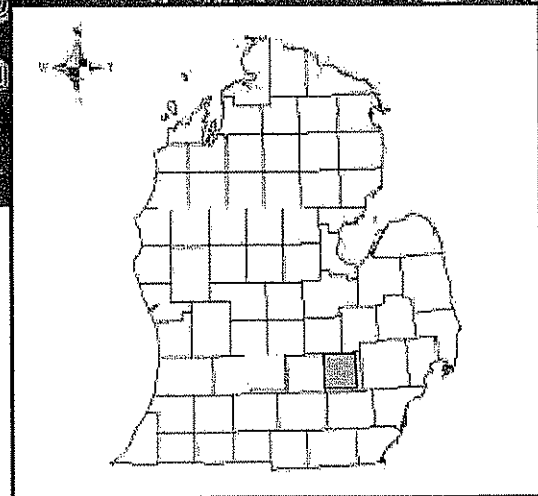
No previous Impact Assessment has been performed for the subject site.

*Appendix A*  
*Figures*



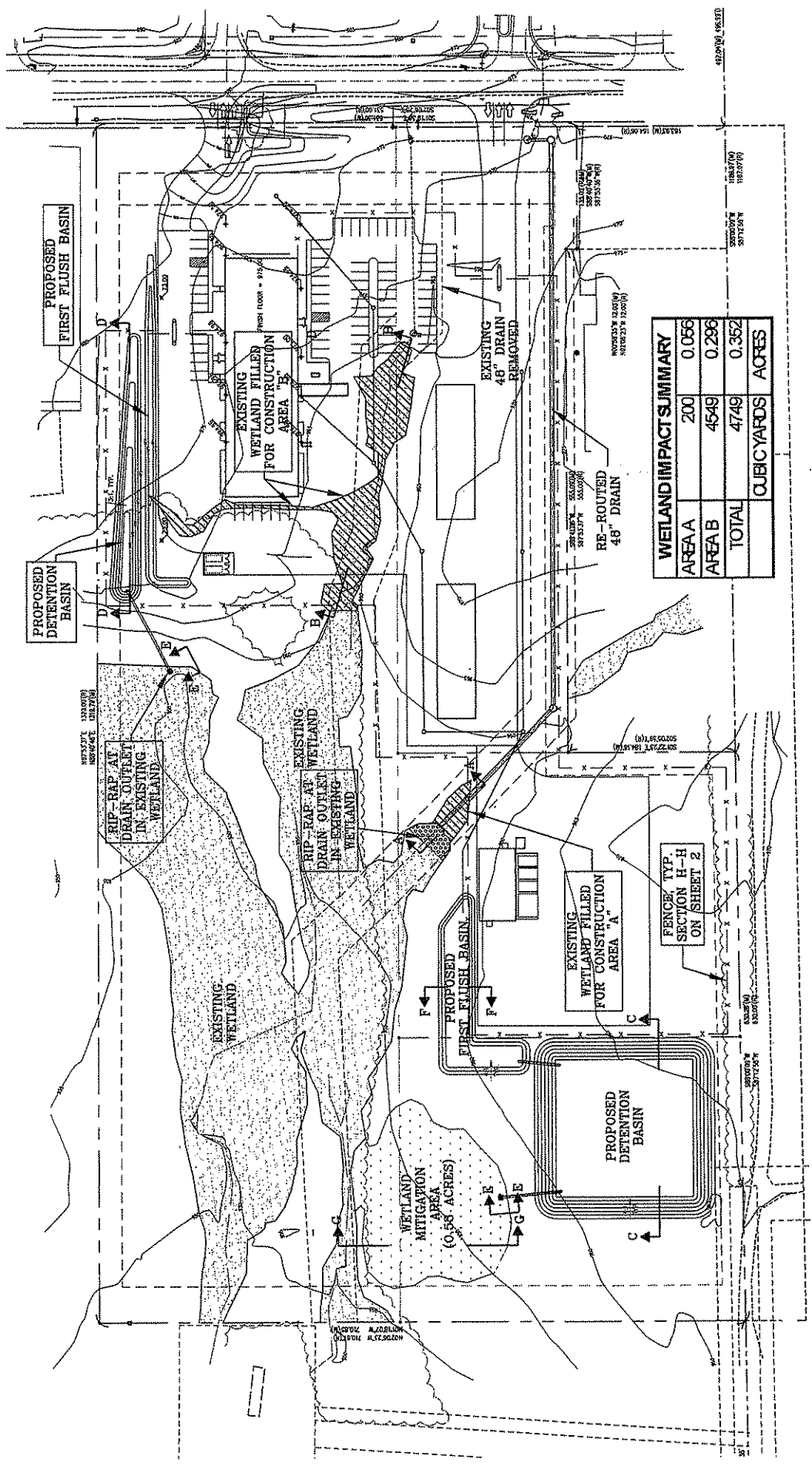


**Site Location Map**

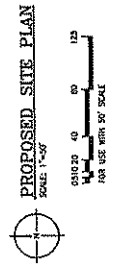


	<p><b>Wetland and Coastal Resources, Inc.</b> 5801 W. Michigan Ave Lansing, MI 48917</p>	<p><b>Consumers Energy</b> <b>Wetland Delineation</b></p>	<p>FIGURE NO <b>2</b></p>
--	--	---	-------------------------------





WETLAND IMPACT SUMMARY		
AREA A	200	0.056
AREA B	4549	0.296
TOTAL	4749	0.352
		ACRES



**SG** Sidcock Group, Inc.

REGISTERED PROFESSIONAL ENGINEER  
STATE OF CALIFORNIA LICENSE NO. 45678  
REGISTERED PROFESSIONAL LAND SURVEYOR  
STATE OF CALIFORNIA LICENSE NO. 12345

Job Number 09037	Plan Name PLANT	Sheet 3	Date Plotted 9/26/09
			By EPJ



***Appendix B***  
***Well Logs***



# WATER WELL AND PUMP RECORD

Completion is required under authority of Part 127 Act 368 PA 1978.

Well ID: 47000007526

Failure to comply is a misdemeanor.

Import ID: 47027505405

<b>Tax No:</b>	<b>Permit No:</b>	<b>County:</b> Livingston	<b>Township:</b> Genoa
<b>Well ID: 47000007526</b>		<b>Fraction:</b> SW¼ U¼ U¼	<b>Section:</b> 5
Elevation: 997 ft		<b>Town/Range:</b> 02N 05E	<b>WSSN:</b> 2023247
Latitude: 42.58616972		<b>Source ID/Well No:</b>	
Longitude: -83.88542892		Distance and Direction from Road Intersection: 2023247;1 GRAND OAKS ICE ARENA	
<b>Well Owner:</b> Livingston Co. Hockey Ass.			
<b>Well Address:</b> 970 GRAND OAKS DR HOWELL MI 48843		<b>Owner Address:</b> 970 GRAND OAKS DR HOWELL MI 48843	

<b>Drilling Method:</b> Cable Tool	<b>Pump installed:</b> Yes	<b>Pump Installation only:</b> No
<b>Well Depth:</b> 206.00 ft.	<b>Well Use:</b> Other	<b>HP:</b>
<b>Well Type:</b> New	<b>Date Completed:</b> 10/2/1982	<b>Pump Type:</b> Submersible
<b>Casing Type:</b> Unknown	<b>Manufacturer:</b> Other	<b>Pump Capacity:</b> 0.00 GPM
<b>Casing Joint:</b> Welded	<b>Model Number:</b>	<b>Id of Well:</b>
<b>Diameter:</b> 6.00 in. to 172.00 ft. depth	<b>Length of Drop Pipe:</b> 147.00 ft.	
<b>Bore Diameter 1:</b>	<b>Diameter of Drop Pipe:</b>	
<b>Bore Diameter 2:</b>	<b>Draw Down Seal Used:</b> No	
<b>Bore Diameter 3:</b>	<b>Pressure Tank installed:</b> No	
<b>Height:</b> 1.00 ft. above grade	<b>Pressure Tank Type:</b>	
<b>Casing Fitting:</b> Drive shoe	<b>Manufacturer:</b>	<b>Tank Capacity:</b> Gallons
	<b>Model Number:</b>	
	<b>Pressure Relief Valve Installed:</b> No	
<b>Static Water Level:</b> 49.00 ft. Below Grade(Not Flowing)	<b>Formation Description</b>	<b>Thickness</b>
<b>Yield Test Method:</b> Unknown		<b>Depth to Bottom</b>
<b>Measurement Taken During Pump Test:</b>	Brown Clay	8.00
87.00 ft. after 48.00 hrs. pumping at 42.00 GPM	Brown Clay & Sand	24.00
	Brown Sand Coarse	23.00
<b>Abandoned Well Plugged:</b> No	Gray Sand Heaving/Quick	3.00
<b>Reason for not plugging Well:</b>	Blue Clay & Sand	63.00
	Blue Clay	21.00
<b>Abandoned well ID:</b>	Blue Clay & Sand	17.00
<b>Screen Installed:</b> No	Gravel & Clay Coarse	2.00
<b>Well Intake:</b> Bedrock Well	Blue Clay	11.00
<b>Filter Packed:</b>	Blue Shale	34.00
<b>Screen Diameter:</b>		
<b>Screen Material Type:</b>		
<b>Slot:</b>		
<b>Blank:</b>		
<b>Fittings:</b>		
<b>Well Grouted:</b> Yes	<b>Grouting Method:</b> Unknown	
<b>No. of Bags:</b>	<b>Additives:</b> None	
<b>Grouting Materials:</b>	<b>Other:</b> From 0.00 ft. to 0.00 ft.	
<b>Well Head Completion:</b>	<b>Pitless adapter</b>	
<b>Nearest source of possible contamination:</b>	<b>Geology Remarks:</b> 1. [BROWN CLAY] [8] [8] 2. [BROWN CLAY & SAND] [32] [24] 3. [BROWN COARSE SAND] [55] [23] 4. [GRAY QUICK SAND] [58] [3] 5. [BLUE CLAY & SAND] [121] [63] 6. [BLUE CLAY] [142] [21] 7. [BLUE CLAY & SAND] [159] [17] 8. [COARSE GRAVEL & CLAY] [161] [2] 9. [BLUE CLAY] [172] [11] 10. [BLUE SHALE] [206] [34]	
<b>Type:</b> Unknown	<b>Distance:</b> 0.00 ft.	
<b>Direction:</b> Unknown		
<b>Drilling Machine Operator Name:</b>	<b>Contractor Type:</b> Unknown	
<b>Employment:</b> Unknown	<b>Registration Number:</b> 657	
	<b>Business Name:</b>	
	<b>Business Address:</b>	
	<b>WATER WELL CONTRACTOR'S CERTIFICATION:</b>	
	This well was drilled under my supervision and this report is true to the best of my knowledge and belief.	
	<b>Signature of Registered Contractor</b>	<b>Date</b>
<b>General Remarks:</b>		
<b>OTHER REMARKS</b> Well Use: Closed Type 2 Grouting Material 1: Listed as other in Wellkey Pump Manufacturer: F & W		

EQP 2017C (2/2000)

**ATTENTION WELL OWNER: FILE WITH DEED**

2/17/2000 20:51



# WATER WELL AND PUMP RECORD

Completion is required under authority of Part 127 Act 368 PA 1978.

Failure to comply is a misdemeanor.

Import ID: 47027505006

Well ID: 47000007517

Tax No: 011-05-300-013		Permit No:		County: Livingston		Township: Genoa	
<b>Well ID: 47000007517</b>		Fraction: SW¼ SE¼ SW¼	Section: 5	Town/Range: 02N 05E	WSSN:	Source ID/Well No:	
Elevation: 979 ft		Distance and Direction from Road Intersection:					
Latitude: 42.5853441774		Well Owner: Bradhart Products		Well Address: 1100 GRAND OAKS DR. HOWELL MI 48843		Owner Address: 1100 GRAND OAKS DR. HOWELL MI 48843	
Longitude: -83.8866003374							

Drilling Method: Rotary	Pump Installed: Yes	Pump Installation only: No
Well Depth: 185.00 ft.	Pump Installation date:	HP:
Well Use: Other	Manufacturer: Webtrol	Pump Type: Submersible
Well Type: New	Model Number:	Pump Capacity: 0.00 GPM
Date Completed: 8/10/1986	Length of Drop Pipe: 140.00 ft.	Id of Well:
Casing Type: PVC plastic	Diameter of Drop Pipe:	
Casing Joint: Unknown	Draw Down Seal Used: No	
Diameter: 5.00 in. to 181.00 ft. depth	Pressure Tank Installed: No	
Bore Diameter 1:	Pressure Tank Type:	
Bore Diameter 2:	Manufacturer:	Tank Capacity : Gallons
Bore Diameter 3:	Model Number :	
Height: 1.00 ft. above grade	Pressure Relief Valve Installed : No	
Casing Fitting: Drive shoe		
Static Water Level: 22.00 ft. Below Grade(Not Flowing)	<b>Formation Description</b>	<b>Thickness</b>
Yield Test Method: Unknown		<b>Depth to Bottom</b>
Measurement Taken During Pump Test:	Brown Clay & Sand	22.00
0.00 ft. after 0.00 hrs. pumping at 25.00 GPM	Blue Clay	38.00
Abandoned Well Plugged: No	Gray Sand Fine	12.00
Reason for not plugging Well:	Blue Clay	109.00
Abandoned well ID:	Gravel Coarse Water Bearing	3.00
Screen Installed: Yes	Blue Shale	1.00
Well Intake:		
Filter Packed: No		
Screen Diameter: 4.00 in.		
Length: 4.00 ft.		
Screen Material Type:		
Slot: 40.00 in. Set Between 181.00 ft. and 185.00 ft.		
Blank: 1.00 ft. Above		
Fittings:		
Neoprene packer		
Well Grouted: Yes	Geology Remarks: 1. [BR. CLAY & SAND] [22] [22] 2. [BLUE CLAY] [60] [38]	
Grouting Method: Unknown	3. [FINE GRAY SAND] [72] [12] 4. [BLUE CLAY] [181] [109] 5. [COARSE	
No. of Bags:	MUDDY GRAVEL WATER BEARING] [184] [3] 6. [BLUE SHALE ROCK] [185]	
Additives: None	[1]	
Grouting Materials:		
Other: From 0.00 ft. to 25.00 ft.		
Well Head Completion: Pitless adapter		
Nearest source of possible contamination:	Contractor Type: Unknown	
Type	Registration Number: 657	
Distance	Business Name:	
Direction	Business Address:	
Septic tank	150.00 ft. East	
Drilling Machine Operator Name: C. GOFF JR. AND MIKE SPIRL	<b>WATER WELL CONTRACTOR'S CERTIFICATION:</b>	
Employment: Unknown	This well was drilled under my supervision and this report is true to the best of my knowledge and belief.	
General Remarks:	Signature of Registered Contractor	Date
OTHER REMARKS		
Well Use: Listed Type 2 Unconfirmed		
Grouting Material 1: Listed as other in Wellkey		

EQP 2017C (2/2000)

**ATTENTION WELL OWNER: FILE WITH DEED**

2/17/2000 20:51

*Appendix C*  
*Endangered Species Assessment*

Michigan Department of Natural Resources

Michigan.gov

Home | FAQ | Help | Contact MDNR

### ENDANGERED SPECIES ASSESSMENT

Print Map | Save Map | Email Map | Near Map | Enlarge Map

Zoom Out | Zoom In | Re-center | Identify

Powered by MCGI

Livingston Township

Atwood Dr, Victory Dr, Grand River Dr, Toddlem Dr, Cleary College Dr, Grand Oaks Dr, S LANSING RD, S WISCONSIN RD

Street Map | Aerial Photo | Topo Map | Print Map | Leaflet Cover

Search Results For:  
Lat: 42.586407, Lon: -83.486846, TRS: 02N, 05E, 05

No unique natural features are known to occur at or near your site of interest.

To request a formal review of your selected site please click the Request Review button below.

[Request Review](#)

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## **How to set-up Remote VPN access to Sidock servers (Windows Vista clients)**

*(Note: this should be done from a remote network.)*

1. Click on Start and then click on Control Panel.
2. Double-click on Network and Sharing Center.
3. Under Tasks (left side of window), click on Create to a Network.
4. Click on Set-up a connection or network.
5. Click on Connect to a workplace and click on Next<sup>1</sup>.
6. Click on Use my Internet connection (VPN).
7. For Internet address, type in: "mail.sidockgroup.com" (no quotes). For Destination Name, type in a descriptive name (such as Sidock or VPN to Work) and click on Next.
8. The wizard will pop-up with a windows that says "Connect to a workplace". Enter your network logon username (usually first initial followed by last name) and password. Click the box that says "Remember this password". Click on Connect.

To access the shares on the server, once connected via the VPN, do the following:

1. Click on Start.
2. Go to Run and type in: "\\acc-2.sidockgroup.local\data" (no quotes) to access the data share.
3. To see a list of shares, type in: "\\acc-2.sidockgroup.local" (no quotes) instead.

---

<sup>1</sup> If you see: "Do you want to use a connection that you already have?", click No, create a new connection and click on Next.



For 5/18/09 Twp Bdr  
Consumers

# MICHIGAN DEPARTMENT OF ENVIRONMENTAL QUALITY PERMIT

## ISSUED TO:

Consumers Energy  
Attn: Rick E. Comstock  
1945 West Parnall P22-531  
Jackson, MI 49201

Permit No.	09-47-0001-P
Issued	May 11, 2009
Extended	
Revised	
Expires	May 11, 2014

This permit is being issued by the Michigan Department of Environmental Quality (MDEQ) under the provisions of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended (NREPA) and specifically:

- |  |  |
|--|--|
| <input type="checkbox"/> Part 301 Inland Lakes and Streams             | <input type="checkbox"/> Part 315 Dam Safety                           |
| <input type="checkbox"/> Part 325 Great Lakes Submerged Lands          | <input type="checkbox"/> Part 323 Shorelands Protection and Management |
| <input checked="" type="checkbox"/> Part 303 Wetlands Protection       | <input type="checkbox"/> Part 353 Sand Dune Protection and Management  |
| <input type="checkbox"/> Part 31 Floodplain/Water Resources Protection |  |

Permission is hereby granted, based on permittee assurance of adherence to State requirements and permit conditions to:

### Permitted Activity:

**MITIGATION:** Construct 0.53 acre of emergent wetland with associated wetland hydrology to replace the functions and values of the 0.35 acre area of impacted wetland. Place a wetland conservation easement over the 0.53 acre wetland mitigation area.

**CONSTRUCTION:** Relocate a 48-inch diameter tile drain with discharge to wetland. Place approximately 4,749 cubic yards of clean inert fill in approximately 0.35 acres of wetland for construction of the Howell/Brighton Service Center. Construct two upland drain-dry stormwater detention basins with "first flush" treatment that will discharge to wetland and the proposed mitigation area. Place approximately 33 cubic yards of rock riprap for outfall and detention basin discharge stabilization.

**Water Course Affected:** Genoa Drain

**Property Location:** Livingston County, Genoa Township, Section 5

**Subdivision, Lot**                      **Town/Range** 2N, 5E    **Property Tax No.** 11-05-300-012 +

### Authority granted by this permit is subject to the following limitations:

- A. Initiation of any work on the permitted project confirms the permittee's acceptance and agreement to comply with all terms and conditions of this permit.
- B. The permittee in exercising the authority granted by this permit shall not cause unlawful pollution as defined by Part 31, Floodplain/Water Resources Protection of the NREPA.
- C. This permit shall be kept at the site of the work and available for inspection at all times during the duration of the project or until its date of expiration.
- D. All work shall be completed in accordance with the plans and the specifications submitted with the application and/or plans and specifications attached hereto.
- E. No attempt shall be made by the permittee to forbid the full and free use by the public of public waters at or adjacent to the structure or work approved herein.
- F. It is made a requirement of this permit that the permittee give notice to public utilities in accordance with Act 53 of the Public Act of 1974 and comply with each of the requirements of that act.
- G. This permit does not convey property rights in either real estate or material, nor does it authorize any injury to private property or invasion of public or private rights, nor does it waive the necessity of seeking federal assent, all local permits or complying with other state statutes.
- H. This permit does not prejudice or limit the right of a riparian owner or other person to institute proceedings in any circuit court of this state when necessary to protect his rights.
- I. Permittee shall notify the MDEQ within one week after the completion of the activity authorized by this permit, by completing and forwarding the attached, preaddressed post card to the office addressed thereon.
- J. This permit shall not be assigned or transferred without the written approval of the MDEQ.
- K. Failure to comply with conditions of this permit may subject the permittee to revocation of permit and criminal and/or civil action as cited by the specific State Act, Federal Act and/or Rule under which this permit is granted.
- L. Work to be done under authority of this permit is further subject to the following special instructions and specifications:

1. All work shall be completed in accordance with the attached plans and the terms and conditions of this permit.
2. This permit is being issued for the maximum time allowed under Part 301, Inland Lakes and Streams and Part 303, Wetlands Protection, of the Natural Resources and Environmental Protection Act, PA 451 of 1994, as amended, including all permit extensions allowed under the administrative rules R 281.813 and R 281.923. Therefore, no extensions of this permit will be granted. Initiation of the construction work authorized by this permit indicates the permittee's acceptance of this condition. The permit, when signed by the MDEQ, will be for a five-year period beginning at the date of issuance.
3. Prior to initiating construction, authorized by this permit, the permittee is required to provide a copy of the permit to the contractor(s) for review.
4. The property owner, contractor(s), **and any agent involved in exercising this permit** are held responsible to ensure the project is constructed in accordance with all drawings and specifications contained in this permit. The contractor is required to provide a copy of the permit to all subcontractors doing work authorized by this permit.
5. Authority granted by this permit does not waive permit requirements under Part 91, Soil Erosion and Sedimentation Control, of the NREPA, or the need to acquire applicable permits from the County Enforcing Agent (CEA). To locate the Soil Erosion Program Administrator for your county visit [www.deq.state.mi.us/sesca/](http://www.deq.state.mi.us/sesca/).

#### 6. Wetland Mitigation

The permittee shall, as a primary condition of this permit, mitigate the loss of 0.35 acres of wetland, consisting of 0.35 acres of emergent/scrub-shrub wetland. The authorization granted by this permit is contingent upon the completion of mitigation as follows:

- a. A new 0.53 acre wetland area, consisting of 0.53 acres of emergent wetland, shall be created in accordance with plans approved by the MDEQ. Mitigation construction shall be in accordance with the plan submitted by King & MacGregor Environmental, Inc., sheets number 01, and 02, dated March 30, 2009. If the permit conditions modify the mitigation plan, the permit conditions shall take precedence over the mitigation plan.
- b. The mitigation grading, planting, and introduction of hydrology shall be constructed prior to or concurrent with initiating any other permitted activities and shall be completed within 90 days of initial placement of fill as authorized by this permit.
- c. The permittee *shall provide/has provided* a bond or letter of credit to the MDEQ in a form identical to the financial assurance models on the MDEQ's website at [www.michigan.gov/deqwetlands](http://www.michigan.gov/deqwetlands) in the amount of \$26,500.00 to ensure that the replacement wetland is constructed, the conservation easement is recorded, monitoring is completed, and corrective actions are performed as required to comply with the mitigation requirements and conditions of this permit. The financial assurance document *will be/has been* provided and accepted by the MDEQ prior to signature of this permit by the MDEQ.

Prior to the transfer of this permit to another person, the new person must obtain and provide a financial instrument acceptable to the MDEQ in the name of the new person and in the amount required by this permit.

Upon request of the permittee and with the submittal of adequate proofs, the MDEQ may release portions of the financial instrument in accordance with the following guidelines:

50 percent of the financial instrument may be released after the MDEQ concurs that the mitigation grading and planting have been completed, and that proper hydrology has been established for a minimum of two years after construction of the mitigation wetland.

The remaining 50 percent of the financial instrument will be released upon all of the following:

- i. Submittal of all the required monitoring reports,
  - ii. Substantial compliance with the performance standards as outlined in this permit, and
  - iii. Final approval by the MDEQ.
- d. The permittee shall execute a conservation easement *over the mitigation area* as shown on the permit plans in a form identical to the conservation easement model on the MDEQ's website at [www.michigan.gov/deqwetlands](http://www.michigan.gov/deqwetlands). The original executed conservation easement and associated exhibits must be sent to the MDEQ for review and recording within 60 days of the issuance of this permit. Send to: Conservation Easement Coordinator, MDEQ, Land and Water Management Division, P.O. Box 30458, Lansing, Michigan, 48909, with a copy of the executed easement mailed to the District Office's address above.

**An acceptable executed conservation easement must be submitted to the MDEQ by the permittee prior to commencement of any permitted work within regulated areas.**

The conservation easement boundary shall be demarcated by the placement of signs along the perimeter. The signs shall be placed at an adequate frequency, visibility, and height for viewing, made of a suitable material to withstand climatic conditions, and should be replaced as needed. The signs shall include the following language:

WETLAND CONSERVATION EASEMENT  
NO CONSTRUCTION OR PLACEMENT OF STRUCTURES ALLOWED.  
NO MOWING, CUTTING, FILLING, DREDGING OR  
APPLICATION OF CHEMICALS ALLOWED.  
MICHIGAN DEPARTMENT OF ENVIRONMENTAL QUALITY

Except as otherwise provided by this permit or approved in writing by the MDEQ, the following activities are prohibited in perpetuity within the mitigation area: alteration of topography, creation of paths, trails, or roads; placement of fill, dredging, or excavation; drainage of surface or groundwater; construction or placement of any structure; plowing, tilling, or cultivating the soils or vegetation; cutting, removal, or alteration of vegetation; including the planting of non-native plant species; construction of unauthorized utility or petroleum lines; storage or disposal of garbage, trash, debris, abandoned equipment; accumulation of machinery or other waste materials; use or storage of off-road vehicles; placement of billboards or signs; or the use of the wetland for the dumping of storm water (except as otherwise allowed in this permit).

- e. The mitigation site shall not be fine graded, but shall be left in a rough grade state (allowing for the establishment of micro-topography). Any planting or seeding of the mitigation site must consist of native Michigan plant materials.
- f. It is recommended that the permittee install a water control structure that can manipulate the water levels in 2-6 inch increments. The failure to install adequate water control structures may lead to the need to re-grade the entire mitigation area should the hydrology establish differently than shown on the approved mitigation plans.

- g. The permittee shall notify the MDEQ's District Office, in writing and within 20 days of completion of each of the following items:
- 1) final grading
  - 2) seeding and plant installation
- h. In the event the permitted activity is begun but not completed, the permittee or owner of record shall remain responsible for completion of the mitigation wetland and associated conditions, as determined by the MDEQ. Such determinations shall be based upon the extent of the disturbance to the existing wetlands.
- i. Should the mitigation wetland fail to become established after two complete growing seasons, or fail to progress satisfactorily towards a self-sustaining wetland system as required by this permit, the permittee shall:
- i. Assess the problem and its probable causes;
  - ii. develop reasonable and necessary corrective measures as a revision to original plans;
  - iii. submit proposed corrective measures to the MDEQ for confirmation and approval within 60 days of identification of the problem; and
  - iv. upon MDEQ approval, implement corrective measures.

Additional mitigation monitoring may be required to evaluate the success of the corrective measures.

#### **Wetland Mitigation Performance Standards**

The following performance standards will be used to evaluate the mitigation wetland:

- a. Construction has been completed in accordance with the MDEQ's approved plans and specifications included in the permit and mitigation plan.
- b. The mitigation wetland is characterized by the presence of water at a frequency and duration sufficient to support a predominance of wetland vegetation and the wetland types specified at the end of the monitoring period.
- c. A layer of high-quality topsoil, from the A horizon of an organic or loamy surface texture soil, is placed (or exists) over the entire wetland mitigation area at a minimum thickness of six (6) inches.
- d. The mitigation wetland shall be free of oil, grease, debris, and all other contaminants.
- e. A minimum of six (6) habitat structures, consisting of at least three (3) types, have been placed per acre of mitigation wetland. At least 50 percent of each structure shall extend above the normal water level. The types of acceptable wildlife habitat structures are:
  - i. Tree stumps laid horizontally within the wetland area. Acceptable stumps shall be a minimum of 6 feet long (log and root ball combined) and 12 inches in diameter.
  - ii. Logs laid horizontally within the wetland area. Acceptable logs shall be a minimum of 10 feet long and 6 inches in diameter.
  - iii. Whole trees laid horizontally within the wetland area. Acceptable whole trees shall have all of their fine structure left intact (i.e., not trimmed down to major branches for installation), be a minimum of 20 feet long (tree and root ball), and a minimum of 12 inches in diameter at breast height (DBH).
  - iv. Snags which include whole trees left standing that are dead or dying, or live trees that will be flooded and die, or whole trees installed upright into the wetland. A variety of tree species should be used for the creation of snag habitat. Acceptable snags shall be a minimum of 20 feet tall (above the ground surface) and a minimum of 12 inches DBH. Snags should be grouped together to provide mutual functional support as nesting, feeding, and perching sites.

- v. Sand mounds at least 18 inches in depth and placed so that they are surrounded by a minimum of 30 feet of water measuring at least 18 inches in depth. The sand mound shall have at least a 200 square foot area that is 18 inches above the projected high water level and oriented to receive maximum sunlight.
- f. The mean percent cover of native wetland species in the herbaceous layer at the end of the monitoring period is not less than:
  - 60 percent for emergent wetland.
  - 80 percent for scrub-shrub wetland.
  - 80 percent for wet meadow wetland.
  - 80 percent for forested wetland.

Extensive open water and submergent vegetation areas having no emergent and/or floating vegetation shall not exceed 20 percent of the mitigation wetland area. Extensive areas of bare soil shall not exceed five percent of the mitigation wetland area. For the purposes of these performance standards, extensive refers to areas greater than 0.01 acre (436 square feet) in size.

The total percent cover of wetland species in each plot shall be averaged for plots taken in the same wetland type to obtain a mean percent cover value for each wetland type. Plots within identified extensive open water and submergent areas, bare soil areas, and areas without a predominance of wetland vegetation shall not be included in this average. Wetland species refers to species listed as facultative and wetter (FAC, FAC+, FACW-, FACW, FACW+, OBL) on the U.S. Fish and Wildlife Service's "National List of Plant Species That Occur in Wetlands" for Region 3.

- g. The mitigation wetland supports a predominance of wetland vegetation (as defined in the "MDEQ Wetland Identification Manual") in each vegetative layer, represented by a minimum number of native wetland species, at the end of the monitoring period. The minimum number of native wetland species per wetland type shall not be less than:
  - 15 species within the emergent wetland.
  - 15 species within the scrub-shrub wetland.
  - 20 species within the wet meadow wetland.
  - 15 species within the forested wetland.

The total number of native wetland plant species shall be determined by a sum of all species identified in sample plots of the same wetland type.

- h. At the end of the monitoring period, the mitigation wetland supports a minimum of:

Three hundred (300) individual surviving, established, and free-to-grow trees per acre in the forested wetland that are classified as native wetland species and consisting of at least three different plant species. Three hundred (300) individual surviving, established, and free-to-grow shrubs per acre in the scrub-shrub wetland that are classified as native wetland species and consisting of at least four different plant species. Eight (8) native wetland species of grasses, sedges, or rushes in the wet meadow wetland.

- i. The mean percent cover of invasive species including, but not limited to, *Phragmites australis* (Common Reed), *Lythrum salicaria* (Purple Loosestrife), and *Phalaris arundinacea* (Reed Canary Grass) shall in combination be limited to no more than ten (10) percent within each wetland type. Invasive species shall not dominate the vegetation in any extensive area of the mitigation wetland.

If the mean percent cover of invasive species is more than ten (10) percent within any wetland type or if there are extensive areas of the mitigation wetland in which an invasive species is one of the dominant plant species, the permittee shall submit an evaluation of the problem to the MDEQ. If

the permittee determines that it is infeasible to reduce the cover of invasive species to meet the above performance standard, the permittee must submit an assessment of the problem, a control plan, and the projected percent cover that can be achieved for review by the MDEQ. Based on this information, the MDEQ may approve an alternative invasive species standard. Any alternative invasive species standard must be approved in writing by the MDEQ.

If the mitigation wetland does not satisfactorily meet these standards by the end of the monitoring period, or is not satisfactorily progressing during the monitoring period, the permittee will be required to take corrective actions.

### **Wetland Mitigation Monitoring**

The permittee shall monitor the wetland mitigation for a minimum of five (5) years following grading, planting, and introduction of hydrology. A monitoring report, which compiles and summarizes all data collected during the monitoring period, be submitted annually by the permittee. Monitoring reports shall cover the period of January 1 through December 31 and be submitted to the MDEQ prior to January 31 of the following year. The permittee shall conduct the following activities and provide the information collected in the monitoring reports:

- a. Measure inundation and saturation at all staff gauges, monitoring wells, and other stationary points shown in the mitigation plan monthly during the growing season. Hydrology data shall be measured and provided at sufficient sample points to accurately depict the water regime of each wetland type.
- b. Sample vegetation in plots located along transects shown in the mitigation plan once between July 15 and August 31. The number of sample plots necessary within each wetland type shall be determined by use of a species-area curve or other approach approved by the MDEQ. The minimum number of sample plots for each wetland type shall be no fewer than five (5). Sample plots shall be located on the sample transect at evenly spaced intervals or by another approach acceptable to the MDEQ. If additional or alternative sample transects are needed to sufficiently evaluate each wetland type, they must be approved in advance in writing by the MDEQ.

The herbaceous layer (all non-woody plants and woody plants less than 3.2 feet in height) shall be sampled using a 3.28 foot by 3.28 foot (one square meter) sample plot. The shrub and tree layer shall be sampled using a 30-foot radius sample plot. The data recorded for each herbaceous layer sample plot shall include a list of all living plant species, and an estimate of percent cover in five (5) percent intervals for each species recorded, bare soil areas, and open water relative to the total area of the plot. The number and species of surviving, established, and free-to-grow trees and surviving, established, and free-to-grow shrubs shall be recorded for each 30-foot radius plot.

Provide plot data and a list of all the plant species identified in the plots and otherwise observed during monitoring. Data for each plant species must include common name, scientific name, wetland indicator category from the U.S. Fish and Wildlife Service's "National List of Plant Species That Occur in Wetlands" for Region 3, and whether the species is considered native according to the Michigan Floristic Quality Assessment (Michigan Department of Natural Resources, 2001). Nomenclature shall follow Voss (1972, 1985, and 1996) or Gleason and Cronquist (1991).

The locations of sample transects and plots shall be identified in the monitoring report on a plan view showing the location of wetland types. Each transects shall be permanently staked at a frequency sufficient to locate the transect in the field.

- c. Delineate any extensive (greater than 0.01 acre in size) open water areas, bare soil areas, areas dominated by invasive species, and areas without a predominance of wetland vegetation, and provide their location on a plan view.

- d. Document any sightings or evidence of wading birds, songbirds, waterfowl, amphibians, reptiles, and other animal use (lodges, nests, tracks, scat, etc.) within the wetland noted during monitoring. Note the number, type, date, and hour of the sightings and evidence.
- e. Inspect the site, during all monitoring visits and inspections, for oil, grease, man-made debris, and all other contaminants and report findings. Rate (e.g., poor, fair, good, excellent) and describe the water clarity in the mitigation wetland.
- f. Provide annual photographic documentation of the development of the mitigation wetland during vegetation sampling from permanent photo stations located within the mitigation wetland. At a minimum, photo stations shall be located at both ends of each transect. Photos must be labeled with the location, date photographed, and direction.
- g. Provide one-time photographic documentation during construction of the placement of at least six (6) inches of high quality soil, from the A horizon of an organic or loamy surface texture soil, across the site.
- h. Provide the number and type of habitat structures placed and representative photographs of each structure type.
- i. Provide a written summary of data from previous monitoring periods and a discussion of changes or trends based on all monitoring results. This summary shall include a calculation of the acres of each wetland type established, a plan view drawing depicting each ecological type, and identification of all performance standards and whether each standard has been met.
- j. Provide a written summary of all the problem areas that have been identified and potential corrective measures to address them.

A qualified individual able to identify plants to genus and species must conduct the wetland monitoring. The MDEQ reserves the right to reject reports with substandard monitoring data.

The MDEQ will determine if the performance standards have been met. If the performance standards have not been met, the MDEQ may require subsequent annual monitoring until final approval from the MDEQ can be granted.

Prior to final written approval of the mitigation by the MDEQ, the permittee shall submit the following:

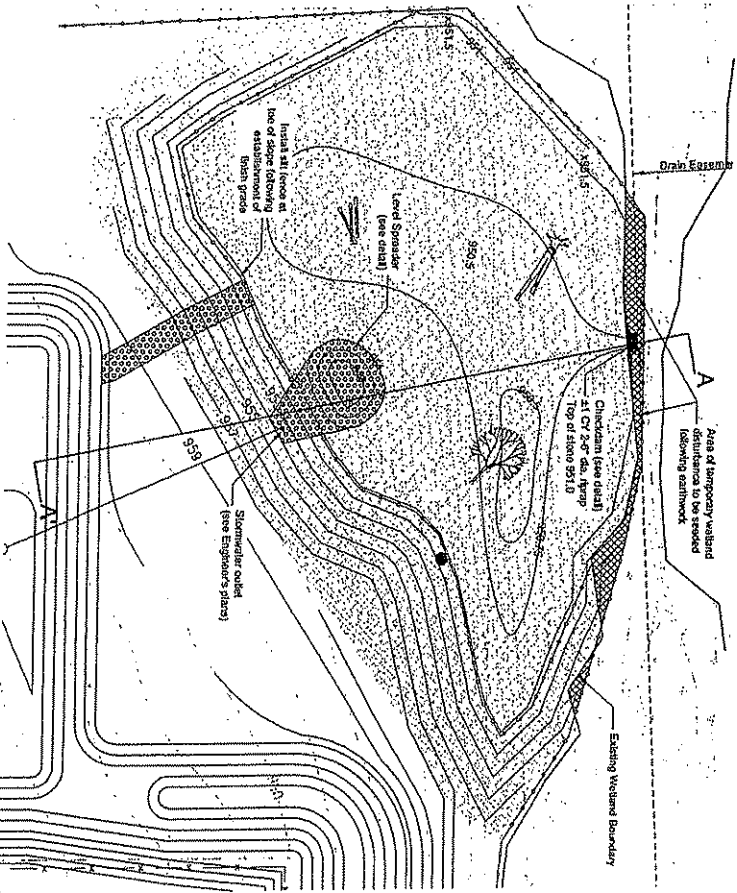
- i. A written statement that the mitigation is complete and request for final approval of the mitigation.
  - ii. A copy of the permit.
  - iii. "As-built" plans and specifications signed and sealed by a registered surveyor or licensed engineer.
  - ii. A surveyed boundary of the established wetland within the mitigation area, including the total acreage of the mitigation wetland and the acreage of each type of wetland created.
  - iii. Complete all monitoring requirements including the submittal of all required monitoring reports.
7. IDENTIFICATION OF NON-WORK AREAS: Prior to the start of construction, all non-work wetland areas shall be bounded by properly trenched filter fabric fence and orange construction fencing to prevent sediment from entering the wetland and to prohibit construction personnel from entering or performing work in these areas. Fence shall be maintained daily throughout the construction process. Upon project completion, the accumulated materials shall be removed and disposed of at an upland site. The erosion barrier shall then be removed in its entirety and the area restored to its original configuration and cover.
8. All fill/backfill shall consist of clean inert material that will not cause siltation nor contain soluble chemicals, organic matter, pollutants, or contaminants. All fill shall be CONTAINED in such a manner so as not to

erode into any surface water, floodplain, or wetland. All raw areas associated with the permitted activity shall be STABILIZED with sod and/or seed and mulch, riprap, or other technically effective methods as necessary to prevent erosion.

9. All storm water sediment/detention basin(s) and outlet(s) shall be designed and constructed to capture and treat (at minimum) the "first flush", the first 0.5 inch of runoff from the contributing drainage area. The basin(s) and outlet(s) shall be designed and constructed in accordance with the Guidebook of Best Management Practice's (BMPs) for Michigan Watersheds, including the use of a perforated riser pipe/stone filter controlled discharge structures. Basin(s) shall be maintained in good working order so as to function properly.
10. No discharge is authorized from the storm water basins until the contributing drainage area is properly stabilized, or proper soil erosion measures are in place, to avoid uncontrolled sediment discharges.
11. All slurry resulting from any dewatering operation shall be discharged through a filter bag located away from wetlands and surface waters and allowed to filter through natural upland vegetation, gravel filters, or other engineered devices for a sufficient distance and/or period of time necessary to remove sediment or suspended particles.
12. This permit is limited to authorizing the construction as specified above and carries with it no assurances or implications that associated wetland or floodplain areas can be developed and serviced by the structures authorized by this permit.
13. No fill, excess soil, or other material shall be placed in any wetland or surface water area not specifically authorized by this permit, its plans, and specifications.
14. The permittee is cautioned that grade changes resulting in increased runoff onto adjacent property is subject to civil damage litigation.
15. In issuing this permit, the MDEQ has relied on the information and data that the permittee has provided in connection with the permit application. If, subsequent to the issuance of this permit, such information and data prove to be false, incomplete, or inaccurate, the MDEQ may modify, revoke, or suspend the permit, in whole or in part, in accordance with the new information.
16. The authority to conduct the activity as authorized by this permit is granted solely under the provisions of the governing act as identified above. This permit does not convey, provide, or otherwise imply approval of any other governing act, ordinance, or regulation, nor does it waive the permittee's obligation to acquire any local, county, state or federal approval or authorization, necessary to conduct the activity.
17. Noncompliance with these terms and conditions, and/or the initiation of other regulated activities not specifically authorized by this permit shall be cause for the modification, suspension, or revocation of this permit, in whole or in part. Further, the MDEQ may initiate criminal and/or civil proceedings as may be deemed necessary to correct project deficiencies, protect natural resource values, and secure compliance with statutes.
18. This permit placard shall be kept posted at the work site, in a prominent location at all times for the duration of the project, or until permit expiration.
19. If any change or deviation from the permitted activity becomes necessary, the permittee shall request, in writing, a revision of the permitted activity and/or mitigation plan from the MDEQ. Such revision requests shall include complete documentation supporting the modification and revised plans detailing the proposed modification. Proposed modifications must be approved, in writing, by the MDEQ prior to being implemented.

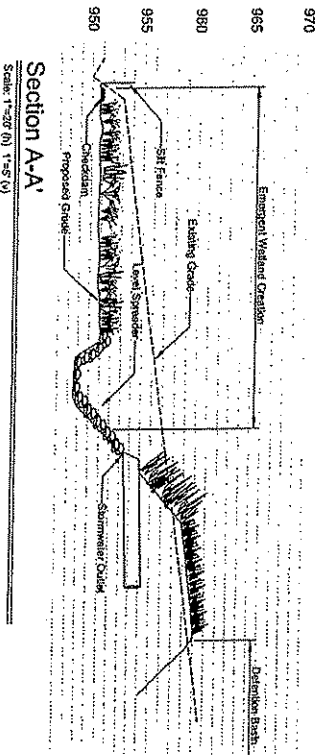






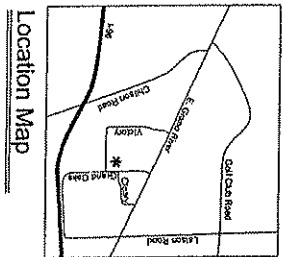
Wetland Mitigation Grading and Planting Plan

0 10' 20' 40'  
SCALE IN FEET



Section A-A'

Scale: 1"=20' (H), 1"=5' (V)

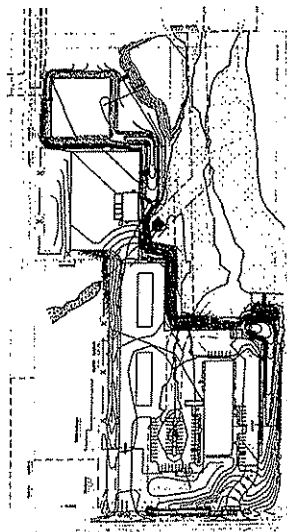


Location Map

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DEQ-LANSING DO  
LAND AND WATER MANAGEMENT



Site Plan

Key

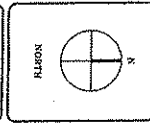
- Emergency Wetland Creation - 0.53 acres
- Upland Buffer - 0.33 acres
- Existing Wetland
- Silt Fence
- Habitat Structure (see specification)
- Conservation Easement Sign

DEQ - LWMD  
File # 09.47.0001-P  
APPROVED PLANS  
Page 1 of 6

Preliminary  
Not for  
Construction

PROJECT NUMBER	09011
SHEET NAME	Grading and Planting Plan
SHEET NUMBER	01

Wetland Mitigation Plan For:  
**Consumers Energy Service Center**  
MDEQ File No. 09-47-0001-P      Genoa Township, Livingston County, Michigan



**King & MacGregor Environmental Inc.**  
2370 Eastman Street  
Livonia, MI 48150  
Tel: 734.461.1100  
Fax: 734.461.1101  
www.kingmacgregor.com



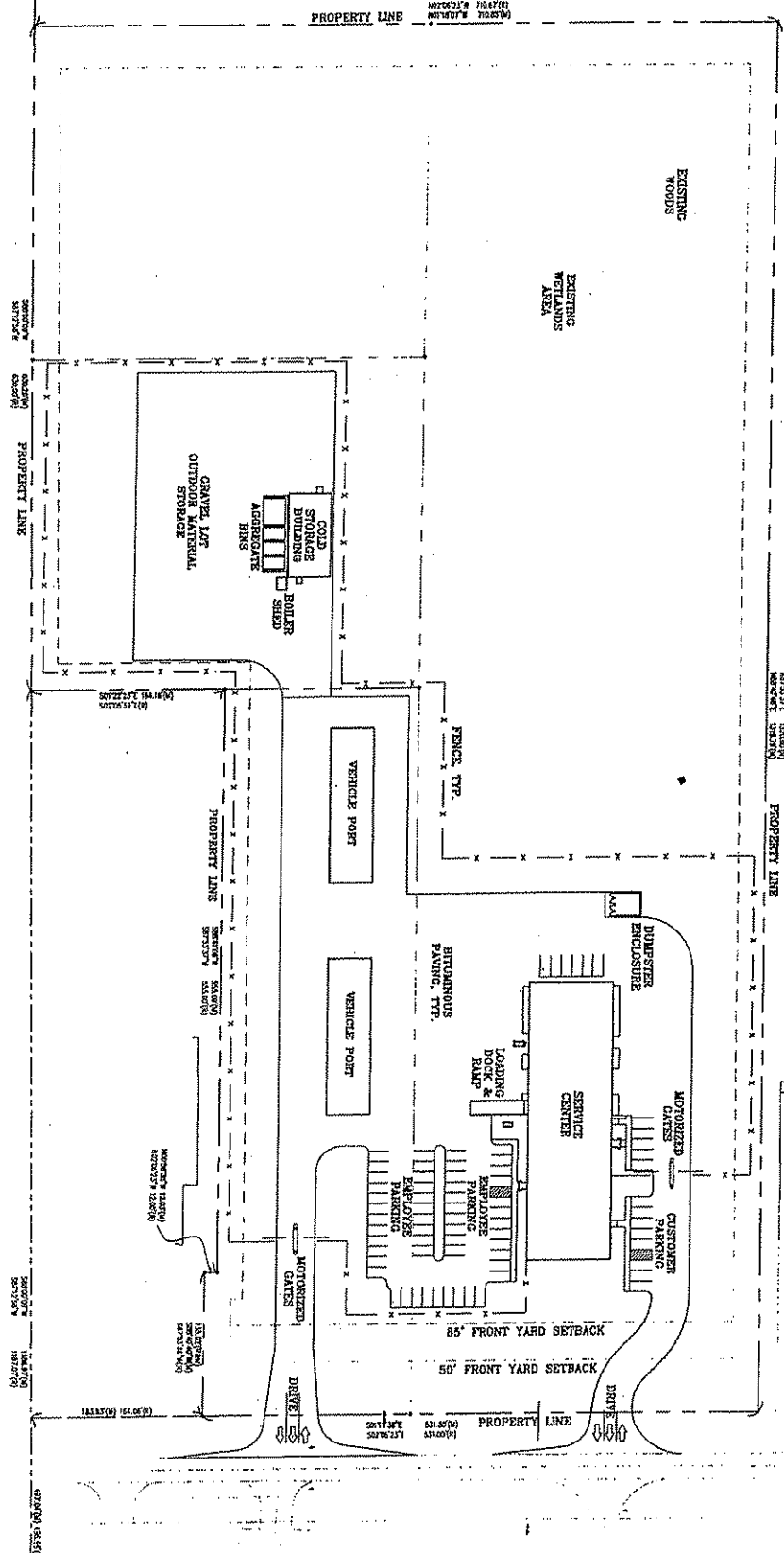
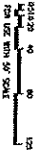
MAR 02 2009

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File # 04-47-0001-P  
APPROVED PLANS  
Page 3 of 6

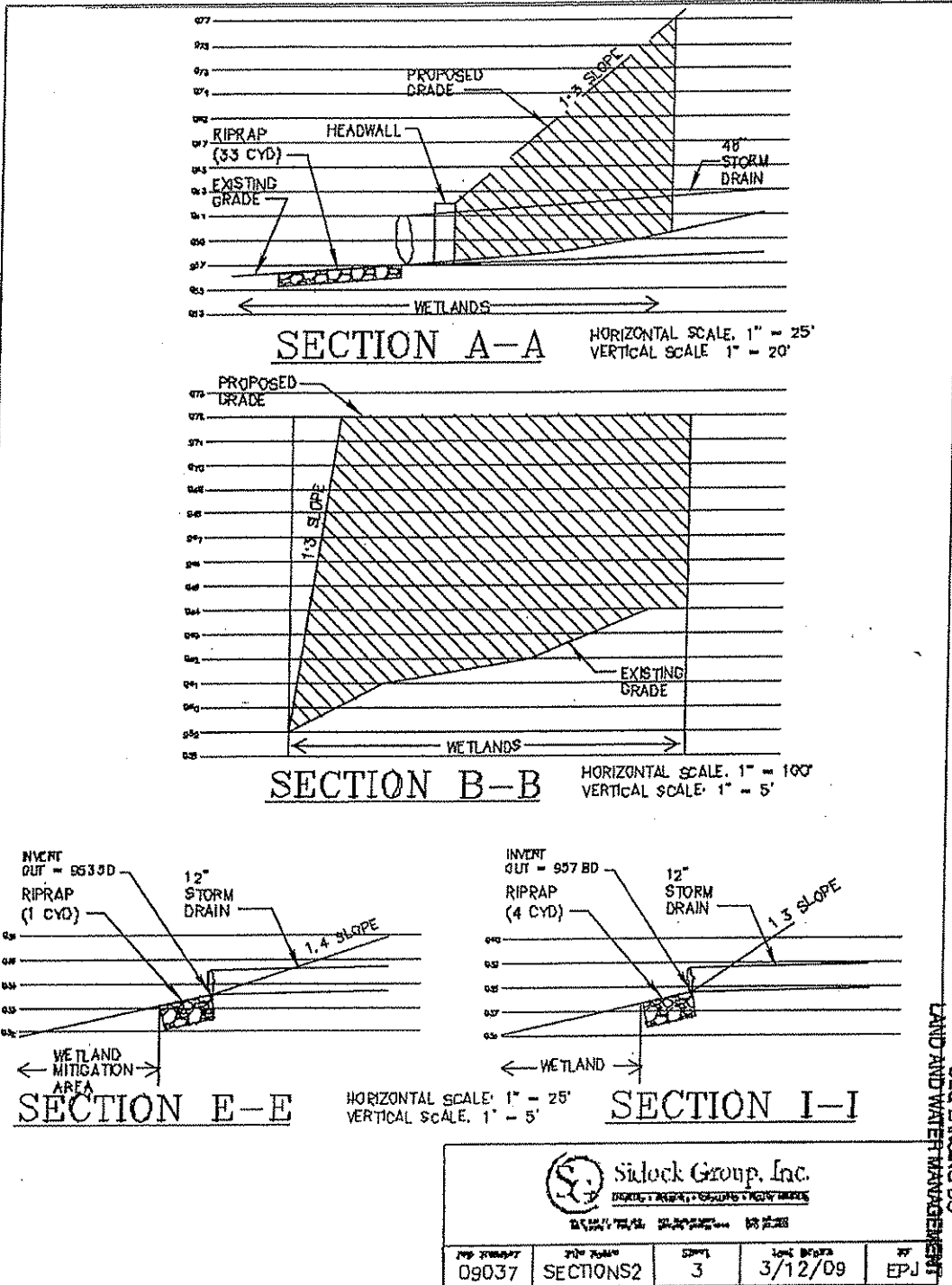
*AK*

PROPOSED SITE PLAN  
Scale 1"=50'



<p>Sidcock Group, Inc. 10000 Sidcock Road, Suite 100 Lansing, Michigan 48203 Tel: (313) 487-1000 Fax: (313) 487-1001 www.sidcock.com</p>				Job Number
				09037
<p>By: [Signature] Title: Professional Engineer No. 9037 Exp. 9/27/09</p>				Plan Number
				PLAN2
<p>By: [Signature] Title: Professional Engineer No. 9037 Exp. 9/27/09</p>				Sheet
				4
<p>By: [Signature] Title: Professional Engineer No. 9037 Exp. 9/27/09</p>				Date
				9/27/09
<p>By: [Signature] Title: Professional Engineer No. 9037 Exp. 9/27/09</p>				Scale
				1"=50'
<p>By: [Signature] Title: Professional Engineer No. 9037 Exp. 9/27/09</p>				Project
				DEO-LWMD
<p>By: [Signature] Title: Professional Engineer No. 9037 Exp. 9/27/09</p>				Drawn
				AK
<p>By: [Signature] Title: Professional Engineer No. 9037 Exp. 9/27/09</p>				Checked
				AK
<p>By: [Signature] Title: Professional Engineer No. 9037 Exp. 9/27/09</p>				Approved
				AK

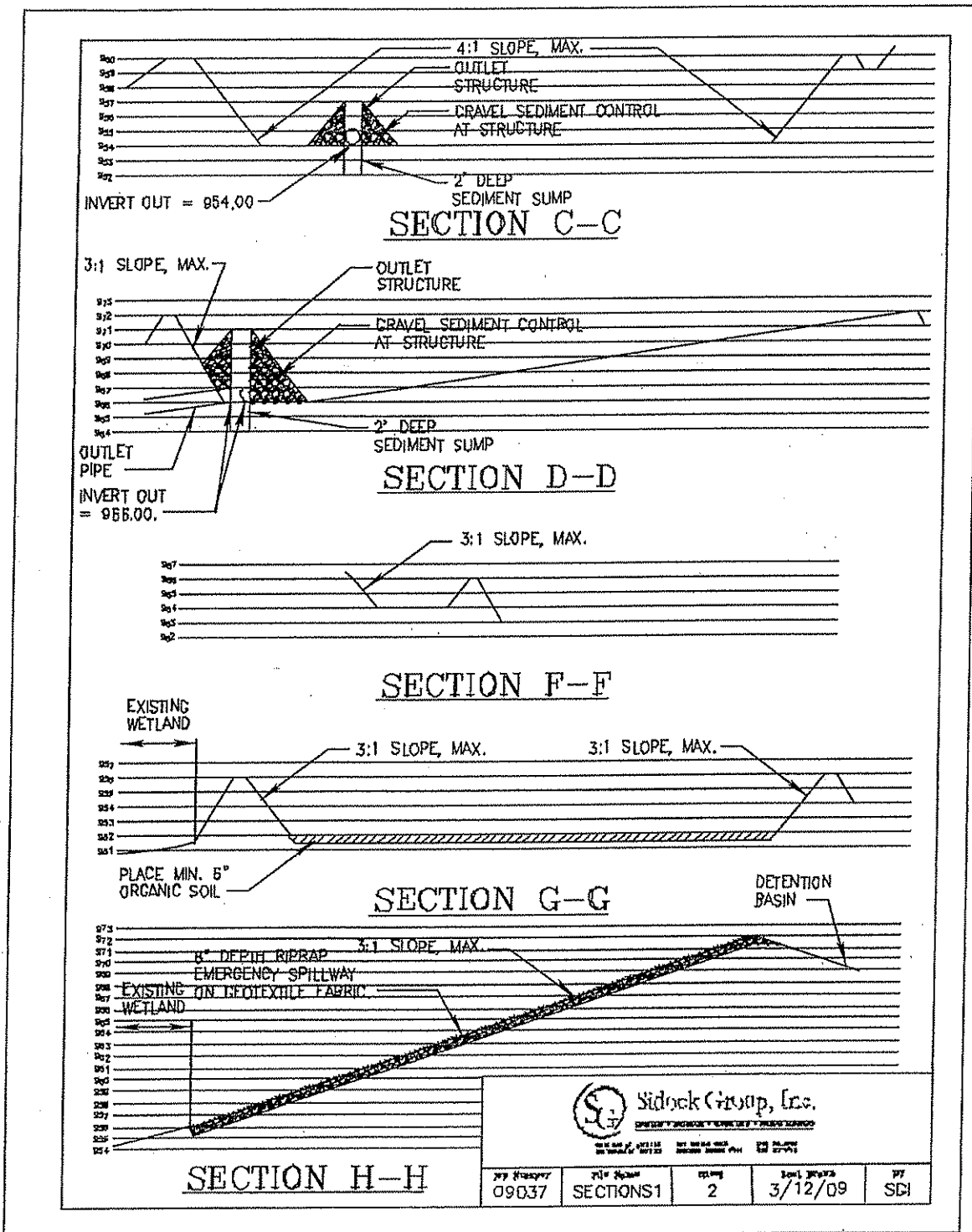




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MAR 12 2009

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 File # 09-47-0001P  
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DEQ-LANSING DO  
 LAND AND WATER MANAGEMENT

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 MAR 12 2009

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 File # 09-42-0001P  
 APPROVED PLANS  
 Page 6 of 6

*F.L.C.*

Amy for 5/18 Twp. Rd. Consumers



## FEATURES & SPECIFICATIONS

**INTENDED USE** — Ideal for use in car lots, street lighting or parking areas.  
**CONSTRUCTION** — Rugged, .063" thick, aluminum rectilinear housing. Formed for weather-tight seal and integrity.

Naturally anodized, extruded, aluminum door frame with mitered corners is retained with (two) .188" diameter hinge pins and secured with (one) quarter-turn, quick-release fastener. Weatherproof seal between housing and door frame is accomplished with an integrally designed, extruded silicone gasket that snaps into door frame and another gasket applied to the housing.

**FINISH** — Standard finish is dark bronze (DDB) polyester powder finish with other architectural colors available.

**OPTICAL SYSTEM** — Reflectors: anodized and segmented for superior uniformity and control. Reflectors attach with tool-less fasteners and are rotatable and interchangeable. Five cutoff distributions available: Type II (roadway), Type III (asymmetric), Type IV (forward throw, sharp cutoff), Type IV (wide, forward throw) and Type V (square symmetrical).

Lens: 0.125" thick, impact-resistant, tempered, glass with thermally applied, silk screened shield.

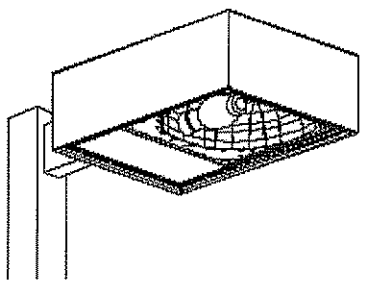
**ELECTRICAL SYSTEM** — Ballast: Constant-wattage autotransformer for 250-400W. Super CWA pulse-start ballast required for 320W and 350W (SCWA option). Ballast is copper wound and 100% factor-tested.

Socket: Porcelain, position-oriented, horizontally mounted, mogul-base socket with copper alloy, nickel-plated screw shell and center contact. UL listed 1500W- 600V.

**INSTALLATION** — Extruded aluminum arm for pole or wall mounting is shipped in fixture carton. Optional mountings available.

**LISTING** — UL Listed (standard), CSA Certified (see Options), NOM Certified (see Options). UL Listed for 25°C ambient temperatures and wet locations. IP65 rated.

Catalog Number	
Notes	Type



# Area Lighting KSF2

**METAL HALIDE**  
250W - 400W  
**HIGH PRESSURE SODIUM**  
200W - 400W  
 15' to 25' Mounting

**Specifications**

\*Weight: 52 lbs (23.6kg)  
 EPA: 2.0 ft.<sup>2</sup> (.28m<sup>2</sup>) (includes arm)  
 Length: 24-19/32 (62.5)  
 Width: 17-25/32 (45.2)  
 Depth: 8-5/16 (21.1)  
 Arm: 4 (10.2)

\*Weight as configured in example below.  
 All dimensions are inches (centimeters) unless otherwise specified. Specifications subject to change without notice.

Mounting Option	Drilling Template
SPxx, RPxx, DA12P	5
WBxx, DA12WB	6
WWxx	7

## ORDERING INFORMATION

For shortest lead times, configure product using **standard options (shown in bold)**.  
 Example: KSF2 400M R3 TB SP04 LPI

Series	Voltage	Mounting	Ballast	Options	Lamp <sup>16</sup>
<b>KSF2</b>	120	<b>Pole type</b>	(blank) <b>Magnetic ballast</b>	<b>Shipped installed in fixture</b>	<b>LPI Lamp included (standard)</b>
<b>Wattage</b>	208 <sup>4</sup>	<b>SP</b> <b>Square pole</b>	CWI Constant wattage isolated	SF Single fuse 120, 277, 347V <sup>10</sup>	<b>L/LP Less lamp</b>
<b>Metal halide</b>	240 <sup>4</sup>	<b>RP</b> <b>Round pole</b>	<b>Pulse Start</b>	DF Double fuse 208, 240, 480V <sup>10</sup>	
<b>250M</b>	277	<b>WB</b> <b>Wall bracket</b>	<b>SCWA Super CWA pulse start ballast</b>	EC Emergency circuit <sup>11</sup>	<b>Finish<sup>14</sup></b>
<b>320M<sup>1,2</sup></b>	347	<b>WW</b> <b>Wood pole or wall bracket</b>		PER NEMA twist-lock receptacle only (no photocontrol)	(blank) <b>Dark bronze</b>
<b>350M<sup>1,2</sup></b>	480 <sup>4</sup>	<b>DA12P</b> <b>Degree arm (pole)<sup>9</sup></b>		QRS Quartz restrike system <sup>11</sup>	<b>DWH White</b>
<b>400M<sup>1</sup></b>	TB <sup>5</sup>	<b>DA12WB</b> <b>Degree arm (wall)<sup>9</sup></b>		QRSTD QRS time delay <sup>7,11</sup>	<b>DBL Black</b>
<b>High pressure sodium<sup>3</sup></b>	TBV <sup>6</sup>	<b>KMA</b> <b>Mast arm external fitter<sup>9</sup></b>		CSA CSA Certified	<b>DMB Medium bronze</b>
<b>Distribution</b>	23050HZ <sup>7</sup>	<b>KTMB</b> <b>Twin mounting bar<sup>9</sup></b>		NOM NOM Certified	<b>DNA Natural aluminum</b>
<b>200S</b>				HS Houseside shield <sup>12</sup>	<b>CR Corrosion-resistant</b>
<b>250S</b>	R2 IES type II roadway			<b>Shipped separately<sup>13</sup></b>	<b>CRT Non-stick protective coating<sup>15</sup></b>
<b>400S</b>	R3 IES type III asymmetric			PE1 NEMA twist-lock PE (120, 208, 240V)	
	R4SC IES type IV forward throw, sharp cutoff			PE3 NEMA twist-lock PE (347V)	
	R4W IES type IV wide, forward throw			PE4 NEMA twist-lock PE (480V)	
	R5S IES type V square			PE7 NEMA twist-lock PE (277V)	
				SC Shorting cap for PER option	
				VG Vandal guard	

- NOTES:
- Use reduced jacketed lamp.
  - Must be ordered with SCWA.
  - Not available with SCWA.
  - Must specify CWI for use in Canada.
  - Optional multi-tap ballast (120, 208, 240, 277V). (120, 277, 347V in Canada).
  - Optional five-tap ballast (120, 208, 240, 277, 480V). Not available with CSA.
  - Consult factory for available wattages.
  - 9" arm is required when two or more luminaires are oriented on a 90° drilling pattern.
  - Ships separately.
  - Must specify voltage. Not available with TB or TBV.
  - Max allowable wattage lamp included.
  - Available with R2 & R3 distributions only.
  - May be ordered as an accessory.
  - See www.lithonia.com/archcolors for additional color options.
  - Black finish only.
  - Must be specified.
  - Must use RP09 or RP12.

Accessories: Tenon Mounting Slipfitter

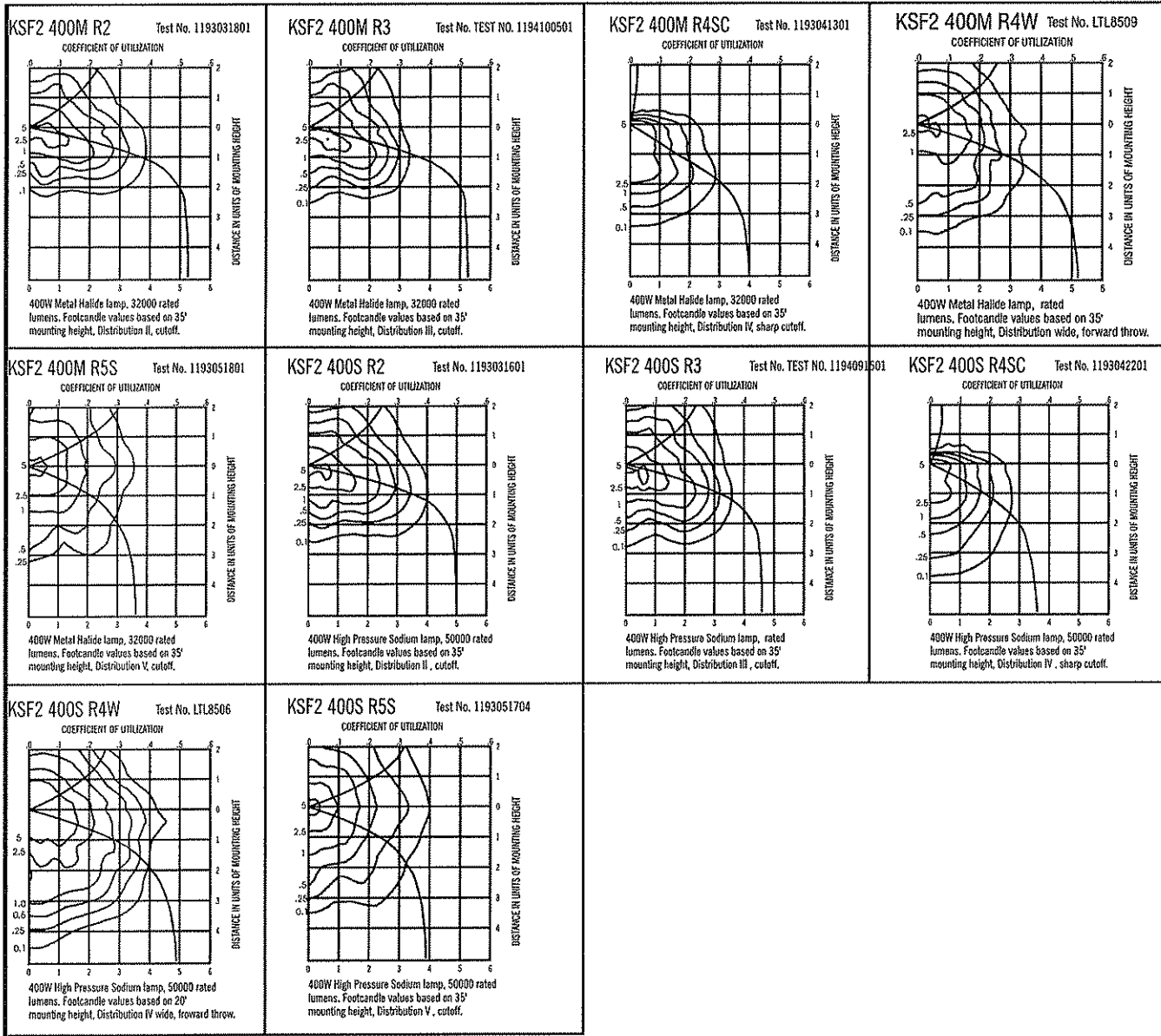
Order as separate catalog number.

Number of fixtures						
Tenon O.D.	One	Two@180°	Two@90°	Three@120°	Three@90°	Four@90°
2-3/8"	T20-190	T20-280	T20-290 <sup>17</sup>	T20-320	T20-390 <sup>17</sup>	T20-490 <sup>17</sup>
2-7/8"	T25-190	T25-280	T25-290 <sup>17</sup>	T25-320	T25-390 <sup>17</sup>	T25-490 <sup>17</sup>
4"	T35-190	T35-280	T35-290 <sup>17</sup>	T35-320	T35-390 <sup>17</sup>	T35-490 <sup>17</sup>
KSF2HS	House side shield <sup>12</sup>					
KSF2VG	Vandal guard					



# KSF2 Arm-Mounted Rectilinear Cutoff Lighting

Coefficient of Utilization \_\_\_\_\_  
Initial Footcandles \_\_\_\_\_



## NOTES:

- For electrical characteristics, consult technical data tab.
- Tested to current IES and NEMA standards under stabilized laboratory conditions. Various operating factors can cause differences between laboratory and actual field measurements. Dimensions and specifications are based on the most current available data and are subject to change.
- Photometric data for other distributions can be accessed from [www.lithonia.com](http://www.lithonia.com).

## Mounting Height Correction Factor

(Multiply the fc level by the correction factor)

15 ft.= 5.4

30 ft.= 1.36

40 ft.= .77

$$\left( \frac{\text{Existing Mounting Height}}{\text{New Mounting Height}} \right)^2 = \text{Correction factor}$$



Sheet #: KSF2-M-S

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**Lithonia Lighting**  
Outdoor Lighting  
One Lithonia Way, Conyers, GA 30012-3957  
Phone: 770-922-9000 Fax: 770-918-1209  
[www.lithonia.com](http://www.lithonia.com)



Catalog Number	
Notes	Type

## FEATURES & SPECIFICATIONS

### INTENDED USE

For building- and wall-mounted applications.

### CONSTRUCTION

Extruded aluminum body with cast end caps is mounted with 1/4" bolts, to formed steel wall bracket. Housing body rotates to allow for variable aiming. Cast aluminum frame is hinged and secured by stainless steel fasteners. Closed-cell silicone gasket prevents the penetration of dust and moisture.

### FINISH

Standard finish is dark bronze (DDB) corrosion-resistant polyester powder. Other architectural colors available.

### OPTICAL SYSTEM

Centered optics with anodized, aluminum reflectors: segmented, specular or hammertone finish. Clear, impact-resistant, tempered glass lens. No silkscreen on FT optic.

### ELECTRICAL SYSTEM

Ballast: Constant-wattage autotransformer ballast, copper-wound and 100% factory tested.

Socket: Horizontal, mogul-base porcelain socket with copper alloy, nickel-plated screw shell and center contact. 4KV pulse rated. UL listed 660W, 600V.

### INSTALLATION

Mounting plate includes provision for attachment independent of junction box. Optional backbox wall mounting available for surface conduit applications. Mounts either lens-up or lens-down.

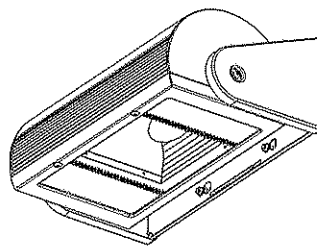
### LISTINGS

UL listed for wet locations and 25°C ambient. Listed and labeled to comply with US and Canadian safety standards (see Options). IP65 rated.

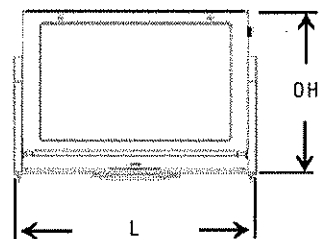
NOTE: Specifications subject to change without notice.

## Architectural Wall-Mounted Lighting

# WFL3



**METAL HALIDE**  
200-400W  
**HIGH PRESSURE SODIUM**  
250-400W



### Specifications

EPA: 2.0 ft<sup>2</sup> (.19 m<sup>2</sup>)  
Length: 21.5 (54.6)  
Depth: 8-3/4 (22.3)  
Overall Height: 14-3/4 (37.5)  
\*Weight: 39 lbs (17.69 kg)

\* Weight as configured in example below.

All dimensions are inches (centimeters) unless otherwise specified.

## ORDERING INFORMATION

For shortest lead times, configure product using **standard options (shown in bold)**.

Example: WFL3 400M FT TB LPI

WFL3						
Series	Wattage	Distribution	Voltage	Ballast	Options	Lamp <sup>1)</sup>
WFL3	<b>Metal halide</b>	SP Spot	120	(blank) <b>Magnetic ballast</b>	<b>Shipped installed in fixture</b>	<b>LPI Lamp included</b> L/LP Less lamp
	200M <sup>1)</sup>	HPN Narrow asymmetric	208 <sup>4)</sup>	CWI Constant wattage isolated	SF Single fuse (120, 277, 347V) <sup>7)</sup>	
	<b>250M</b>	HPM Medium asymmetric	240 <sup>4)</sup>	<b>Pulse Start</b> <small>NOTE: SCWA ballast must be selected to comply with California Title 20 metal halide regulations. SCWA may also be required to meet other states' regulations. Consult local authorities.</small>	DF Double fuse (208, 240, 480V) <sup>7)</sup>	
	320M <sup>1)</sup>	<b>HPW Wide asymmetric</b>	277		CSA Listed and labeled to comply with Canadian Standards	
	350M <sup>1)</sup>	RN Narrowsymmetric	347	PE Photoelectric cell-button type <sup>7)</sup>	ORS Quartz restrrike <sup>8)</sup>	
	<b>400M</b>	RM Medium symmetric	480 <sup>4)</sup>	EC Emergency Circuit <sup>8)</sup>	LC90 Lock at 90° for full cutoff	
	<b>High pressure sodium<sup>1)</sup></b>	<b>RW Wide symmetric</b>	<b>TB<sup>5)</sup></b>	<b>Shipped separately<sup>9)</sup></b>	BBW Backbox wall mounting	
	250S	GZ Wall grazing	23050HZ <sup>9)</sup>	SCWA Super CWA pulse start	UV Upper visor	
	400S	<b>FT Forward throw<sup>3)</sup></b>			EV Eggcrate visor (black)	
					FV Full visor	
				BV Bottom visor		
				WG Wire guard		
				BD Barn door		
				HLV Horizontal louver (black)		
				VLV Vertical louver (black)		
				BVG Bubble vandal guard		
					Finish <sup>10)</sup>	
					<b>DDB Dark bronze</b>	
					<b>DWH White</b>	
					<b>DBL Black</b>	
					DMB Medium bronze	
					<b>DNA Natural aluminum</b>	
					DSS Sandstone	
					DGC Charcoal gray	
					DTG Tennis green	
					DBR Bright red	
					DSB Steel blue	
					CR Enhanced corrosion-resistant	

### NOTES:

- 1 Must be ordered with SCWA.
- 2 Not available with SCWA.
- 3 No silkscreen on lens.
- 4 Must specify CWI for use in Canada.
- 5 Optional multi-tap ballast (120, 208, 240, 277V). In Canada 120, 277, 347V; ships as 120V/347V.
- 6 Consult factory for available wattages.
- 7 Not available with TB. Must specify voltage.
- 8 Maximum allowable wattage lamp included.
- 9 Requires field modification when ordered as an accessory.
- 10 See [www.lithonia.com/archcolors](http://www.lithonia.com/archcolors) for additional color options.
- 11 Must be specified.

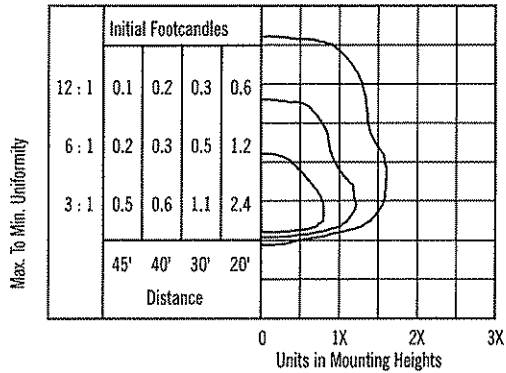
# WFL3 Metal Halide Architectural Wall-Mounted Lighting

## Luminaire/lamp

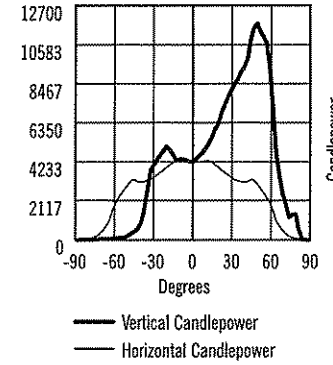
KFL3 400M FT  
 Test No.  
 LTL8533  
 32000 Lumens  
 10% Maximum  
 118° H x 117° V  
 50% Maximum  
 89° H x 45° V

Tilt = 45°

## Iso-Illuminance Contour



## Cartesian Plot

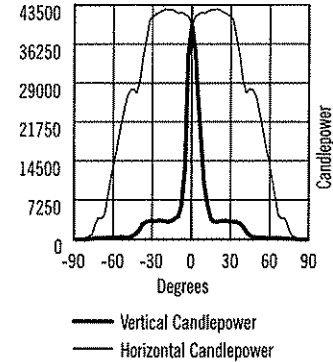
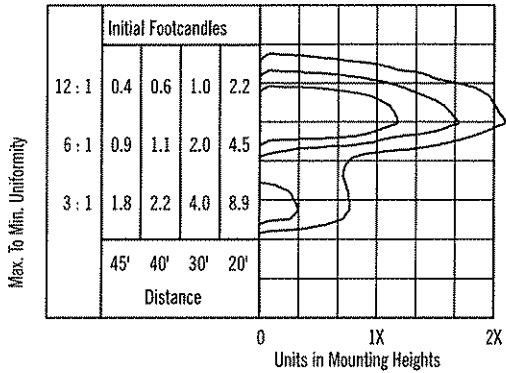


## Max. to Min. Uniformity

	D	Avg	Max	S	H	V
3 to 1	20	4.9	8.1	33	18	4
	30	2.2	3.6	49	27	5
	40	1.2	2.0	65	36	7
	45	1.0	1.6	73	41	8
6 to 1	20	3.3	7.8	36	38	2
	30	1.5	3.5	53	56	3
	40	0.8	2.0	71	75	4
	45	0.7	1.5	80	84	5

WFL3 400M GZ  
 Test No.  
 LTL8589  
 32000 Lumens  
 10% Maximum  
 136° H x 25° V  
 50% Maximum  
 109° H x 11° V

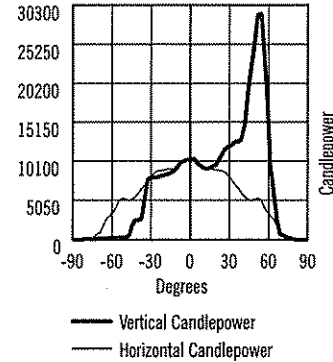
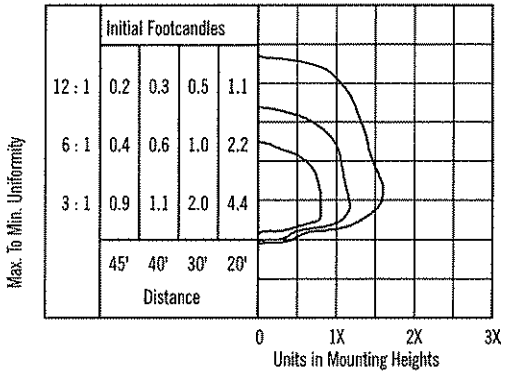
Tilt = 45°



	D	Avg	Max	S	H	V
3 to 1	20	36.2	53.3	6	8	17
	30	16.1	23.7	8	11	26
	40	9.0	13.3	11	15	34
	45	7.1	10.5	12	17	38
6 to 1	20	0.0	0.0	0	0	0
	30	0.0	0.0	0	0	0
	40	0.0	0.0	0	0	0
	45	0.0	0.0	0	0	0

WFL3 400S FT  
 Test No.  
 LTL8587  
 50000 Lumens  
 10% Maximum  
 111° H x 105° V  
 50% Maximum  
 84° H x 19° V

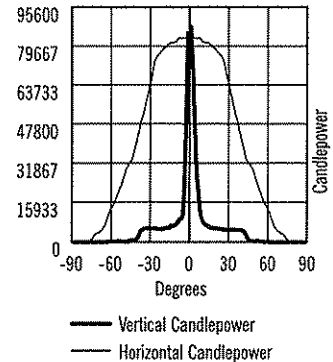
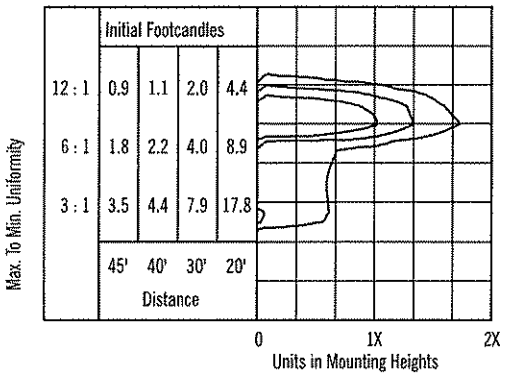
Tilt = 45°



	D	Avg	Max	S	H	V
3 to 1	20	16.7	25.1	3	23	2
	30	7.4	11.2	4	34	3
	40	4.2	6.3	5	45	4
	45	3.3	5.0	6	51	5
6 to 1	20	10.6	21.2	15	35	1
	30	4.7	9.4	22	52	1
	40	2.6	5.3	29	69	1
	45	2.1	4.2	33	78	1

WFL3 400S GZ  
 Test No.  
 LTL8591  
 50000 Lumens  
 10% Maximum  
 127° H x 16° V  
 50% Maximum  
 76° H x 7° V

Tilt = 45°



	D	Avg	Max	S	H	V
3 to 1	20	34.5	55.2	45	5	19
	30	15.3	24.5	67	7	28
	40	8.6	13.8	89	9	37
	45	6.8	10.9	100	10	42
6 to 1	20	0.0	0.0	0	0	0
	30	0.0	0.0	0	0	0
	40	0.0	0.0	0	0	0
	45	0.0	0.0	0	0	0



An AcuityBrands Company

Sheet #: WFL3-M-S

©2000 Acuity Brands Lighting, Inc., Rev. 3/13/08

Lithonia Lighting  
 Outdoor

One Lithonia Way, Conyers, GA 30012  
 Phone: 770-922-9000 Fax: 770-918-1209  
 www.lithonia.com

5.14.2009

Paullette,

If there is anything more you need please let me know. I'm not sure when the meeting is but let me know and I'll be there,

Thank you,

Pepper Bergin  
810-333-1931

## PERMIT FOR FIREWORKS DISPLAY

*This permit is not transferable. Possession of this permit authorizes the herein named person to possess, transport and display fireworks in the amounts, for the purpose of and at the place listed below only.*

PUBLIC DISPLAY

AGRICULTURAL PEST CONTROL

Issued to	Age (18 or over)
-----------	------------------

Address

Name of Organization, Group, Firm or Corporation

Address

Number and Types of Fireworks

Exact Location of Display

City, Village, Township	Date	Time
-------------------------	------	------

Bond or Insurance Filed? <input type="checkbox"/> YES <input type="checkbox"/> NO	Amount
---	--------

Issued by action of the  council  commission  board of the  
 city  village  township of \_\_\_\_\_  
(Name of City, village, township)

on the \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_.

\_\_\_\_\_  
(Signature and Title of Council/Commission/Board Representative)

<b>AUTHORITY:</b> Act 358, P.A. of 1968 <b>COMPLIANCE:</b> Mandatory <b>PENALTY:</b> Misdemeanor
--


To: Geneva Township Board

Please find enclosed the insurance statement and the license to possess and transfer fireworks. I use the same company as the Price family on Wildwood Dr on Lake Chemung. I am requesting permission to have fireworks launched at 3751 Highbrook Dr, Brighton on Saturday July 4<sup>th</sup>, 2009

The show is almost identical to that of the other shows displayed on Lake Chemung using the same pyrotechnic company. I want to thank you in advance for your consideration in this matter. I will be at the meeting if there are any further questions.

Sincerely,  
Kipper Berg



Certificate of Insurance					Issue Date: 05/08/2009
<b>PRODUCER</b> Debbie Metline Combined Specialties International, Inc. 205 San Marin Drive, Suite 5 Novato California 94945		THIS CERTIFICATE CONFERS NO RIGHTS DOES NOT AMEND POLICIES BELOW			IS ISSUED AS A MATTER OF INFORMATION ONLY AND UPON THE CERTIFICATE HOLDER, THIS CERTIFICATE EXTEND OR LATER THE COVERAGE AFFORDED BY THE
<b>INSURED</b> Phoenix/Patriot Fireworks Co. P.O. Box 254 Brighton Michigan 48116		INSURER A: Underwriters, Lloyds of London	INSURER B:	INSURER C:	INSURER D:
<b>COVERAGES</b> THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED INDICATED, NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICY EXCLUSIONS AND CONDITIONS OF SUCH POLICIES INCLUDING, BUT NOT LIMITED TO THOSE PAID CLAIMS, ADDITIONAL CONDITIONS AND EXCLUSIONS: 1) THE INSURANCE EVIDENCED BY NOT A BOND OR ANY FORM OF SURETY AGAINST WHICH SOMEONE OTHER AN "INSURED" MAY POLICY TERMS, CONDITIONS, DEFINITIONS AND EXCLUSIONS THE INSURANCE ONLY INDEMNIFY THE INSURANCE DOES NOT COVER CLAIMS FOR BODILY INJURY OR PROPERTY DAMAGE OF ANY OTHER PERSON(S) INCLUDING ANY VOLUNTEER(S) PARTICIPATING IN ANY WAY IN ANY DISPLAY BY THE NAMED INSURED. 3) COVERAGE DOES NOT APPLY TO CLAIMS FOR BODILY INJURY OR FAILURE TO FOLLOW NFPA OR OTHER APPLICABLE REQUIREMENTS, LAWS OR RECOMMENDATIONS OR SPECIAL EFFECT SEARCHES OR CLEAN UP.					
CO LTR	TYPE OF INSURANCE	POLICY NUMBER	POLICY EFFECTIVE DATE (MM/DD/YY)	POLICY EXPIRATION DATE (MM/DD/YY)	LIMITS
A	GENERAL LIABILITY CLAIMS MADE	1223943116/009	November 08, 2008	November 08, 2009	EACH ACCIDENT \$1,000,000 MEDICAL EXP (any one person) \$5,000 FIRE LEGAL LIABILITY \$50,000 GENERAL AGGREGATE \$2,000,000 PRODUCTS-COMP/OPS AGG \$1,000,000
	AUTOMOBILE LIABILITY ANY AUTO ANY OWNED AUTO SCHEDULED AUTOS HIRED AUTOS NON-OWNED AUTOS				COMBINED SINGLE LIMIT (Ea accident) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per person) \$
	EXCESS LIABILITY FOLLOWING FORM				EACH ACCIDENT \$ AGGREGATE \$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY				WC STATUS- OTHER TORY LIMITS \$ E.L. EACH ACCIDENT \$ E.L. DISEASE-EA EMPLOYER \$ E.L. DISEASE-POLICY LIMIT \$
	OTHER				
<b>DESCRIPTION OF OPERATIONS/LOCATIONS/VEHICLES/EXCLUSIONS ADDED BY ENDORSEMENT</b> Pepper Bergin as property owner and the Township of Genoa are Additional Insured as respects the Jub Brighton, MI			<b>SPECIAL PROVISIONS</b> 2009 (RD: July 8, 2009) Fireworks Display at 3751 Highcrest.		
<b>CERTIFICATE HOLDER</b> Pepper Bergin 3751 Highcrest Brighton, MI 48116		<b>CANCELLATION</b> SHOULD ANY OF THE ABOVE DESCRIBED POLICIES THEREOF, THE ISSUING COMPANY WILL ENDORSE THIS CERTIFICATE HOLDER NAMED TO THE LEFT, BEING THE OBLIGATION OR LIABILITY OF ANY KIND UPON THE ISSUING COMPANY.			THIS POLICY MAY BE CANCELLED BEFORE THE EXPIRATION DATE BY MAILING TO MAIL 10 DAYS WRITTEN NOTICE TO THE COMPANY, ITS AGENTS OR REPRESENTATIVES
		 AUTHORIZED REPRESENTATIVE			



U.S. Department of Justice  
Bureau of Alcohol, Tobacco, Firearms and Explosives  
Federal Explosives Licensing Center  
244 Needy Road  
Martinsburg, West Virginia 25401-9431

901090: CRR/FLS  
5400  
File Number: 4MI00901

05/31/2007

SUBJECT: RESPONSIBLE PERSON LETTER OF CLEARANCE for:

JEROME GOWAN 01/05/1959 381626527

OWNER  
(517)545-2329

650 W. MARR RD  
HOWELL, MI 48855

and is ONLY valid under the following Federal explosives license/permit:

4-MI-093-60-8G-00901

GOWAN, JEROME  
650 W. MARR RD  
HOWELL, MI 48855-0972

Dear JEROME GOWAN:

You have been approved as a responsible person under the above-listed Federal explosive license or permit. You may lawfully direct the management or policies of the business or operations as they pertain to explosives. You may also lawfully transport, ship, receive or possess explosive materials incident to your duties as a responsible person. This clearance is only valid under the license or permit referenced above.

Sincerely,

*Christopher R. Reeves*

Christopher R. Reeves  
Chief, Federal Explosives Licensing Center (FELC)

**FELC Customer Service.** If you believe that information on your "Letter of Clearance" is incorrect, please return a COPY of the letter to the Chief, Federal Explosives Licensing Center (FELC), with a statement showing the nature of the error. The Chief, FELC, shall correct the error, and return an amended letter to you.

**Mail:** ATF  
Chief, FELC  
Attn.: LOC Correction  
244 Needy Road  
Martinsburg, West Virginia 25401-9431

**Fax:** 1-304-260-1141  
Chief, FELC  
Attn.: LOC Correction

**Call toll-free:** 1-877-283-3352

WWW.ATF.GOV

JEROME GOWAN



## LICENSE/PERMIT (18 U.S.C. CHAPTER 40, EXPLOSIVES)

In accordance with the provisions of Title XI, Organized Crime Control Act of 1970, and the regulations issued thereunder (27 CFR Part 555) you may engage in the activity specified in this license/permit within the limitations of Chapter 40, Title 18, United States Code and the regulations issued thereunder, until the expiration date shown. See "WARNING" and "NOTICES" on back.

DIRECT ATF CORRESPONDENCE TO	Christopher R. Reeves Chief, Federal Explosives Licensing Center (FELC) Bureau of Alcohol, Tobacco, Firearms and Explosives 244 Needy Road Martinsburg, West Virginia 25401-9431 Telephone: 1-877-283-3352 Fax: 1-304-260-1141	LICENSE/ PERMIT NUMBER <b>4-MI-093-24-0E-00957</b>
NAME PHOENIX FIREWORKS LLC	EXPIRATION DATE <b>May 1, 2010</b>	<b>Premises Address</b> CHANGES? You must notify the FELC at least 10 days before the change. 880 DEADWOOD BRIGHTON, MI 48114-
TYPE OF LICENSE OR PERMIT 24-IMPORTER OF LOW EXPLOSIVES		
CHIEF, FEDERAL EXPLOSIVES LICENSING CENTER (FELC) <i>Christopher R. Reeves</i> Christopher R. Reeves		
<p><b>PURCHASING CERTIFICATION</b></p> <p>I certify that this is a true copy of a license/permit issued to me to engage in the activity specified.</p> <p><i>[Signature]</i> (SIGNATURE OF LICENSEE/PERMITTEE)</p> <p>The licensee/permittee named herein shall use a reproduction of this license/permit to assist a transferor of explosives to verify the identity and status of the licensee/permittee as provided in 27 CFR Part 555. The signature on each reproduction must be an ORIGINAL signature.</p>	<p><b>Mailing Address</b> CHANGES? You must notify the FELC at least 10 days before the change.</p> <p>PHOENIX FIREWORKS LLC PO BOX 254 BRIGHTON, MI 48114-</p>	

**GENOA CHARTER TOWNSHIP BOARD**

**Regular Meeting**

**June 16<sup>th</sup>, 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 three persons in the audience.

A Call to the Public was made with the following response: Doreen Beatty – I would like to sell fireworks at 444 E. Grand River in Genoa Township and am asking this board for approval. McCririe – Our Township Zoning Ordinance does not permit the seasonal sale of fireworks unless that merchandise is a product that is available within the existing business. Beatty asked if she could rent a store for three or four months and would that sale be allowed. McCririe asked that she take that matter up with the Township Manager Michael Archinal during normal business hours.

**Approval of Consent Agenda:**

Moved by Ledford, supported by Mortensen, to approve all items listed under the consent agenda with the exception of item three which will be moved to the regular agenda for discussion. The motion carried unanimously.

**1. Payment of Bills**

**2. Request to approve minutes: 06/02/08**

**Approval of Regular Agenda:**

Moved by hunt, supported by Ledford, to approve for action all items listed under the regular agenda as submitted. The motion carried unanimously.

**3. Request for approval of a fire works display on Big Crooked Lake, July 5, 2008 with a rain day – Sunday July 6, 2008 by Pepper Bergin with the display being launched from the neighboring property owned by Rick Fischer (3751 Highcrest).** Moved by Smith, supported by Wildman, to approve the request for a fire works display contingent upon the supplier accepting the return of any unused fire works. Further, the petitioner will provide a letter to that affect. The motion carried unanimously.

**4. Consider approval of a request that the Michigan Department of Transportation install, “Genoa Charter Township” signs along Interstate 96 at our eastern and western jurisdictional boundaries.**

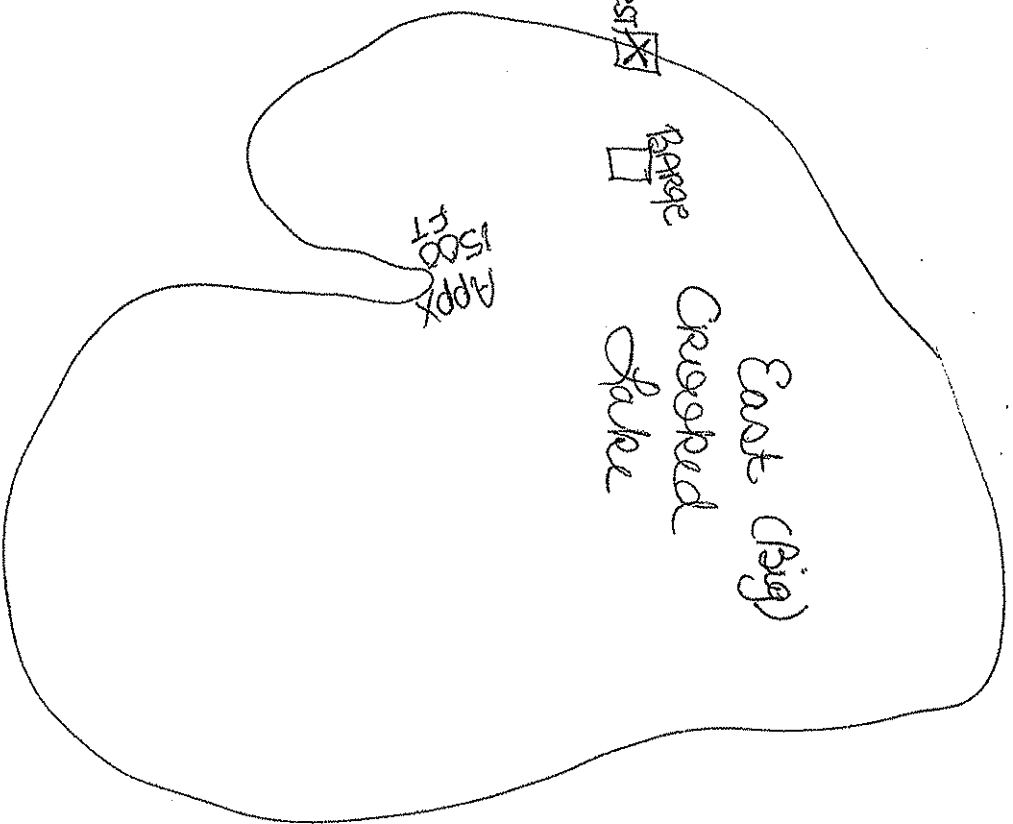
Eraser  
Noble

3751  
Highcrest

Paper

Erased  
Fake  
Eraser (big)

APPX  
1500  
ft



**Genoa Township**  
**2911 Dorr Rd.**  
**Brighton, MI 48116**  
**810-227-5225**

# Memo

**To:** Genoa Township Board  
**From:** Robin L. Hunt  
**Date:** May 14, 2009  
**Re:** Bank Information

---

As you may recall in February I supplied to the Township Board a breakdown of the banks and balances of all Genoa Township funds.

In the past three months there has been quite a bit of activity/changes in the bank totals. The 2008 Tax Collection season was settled with the County Treasurer in March. Once the tax collection season is complete all remaining funds are disbursed to their specific Debt Service Funds, Operating Accounts and the Township General Fund. We also have had several bond payments that were due and paid in the months of April and May.

I am therefore supplying an updated breakdown for your information. As discussed previously I am in the process of working with Jim Kiefer of Dykema Gossett regarding the review of existing Township bonds. Jim & I will also be working with Ken Palka during the Townships annual audit, which is scheduled to begin on Tuesday, May 26<sup>th</sup>.

I am also requesting the Board consider for approval the attached amended "Depository Resolution" adding Citizens Bank and changing Brighton Commerce Bank to Michigan Commerce Bank. As of March 31, 2009 Brighton Commerce Bank merged with its eight Capitol Bancorp Limited banks from across the state of Michigan to form Michigan Commerce Bank.

Please let me know if you have any questions or concerns.

<b>Bank Name</b>	<b>Balance</b>	<b>Coverage</b>	<b>Amount over</b>
	<b>5/13/2009</b>	<b>100%</b>	<b>FDIC Coverage</b>
Bank of America	\$ 300,000.00	\$ 250,000.00	\$ 50,000.00
Mich. Commerce Bank	\$ 1,131,001.42	\$ 1,030,866.34	\$ 100,135.08
Mich. Commerce CDARS	\$ 2,041,715.17	\$ 2,041,715.17	\$ -
Charter One	\$ 500,000.00	\$ 500,000.00	\$ -
Chase Bank	\$ 546,221.00	\$ 546,221.00	\$ -
Citizens Bank	\$ 550,000.00	\$ 550,000.00	\$ -
Comerica	\$ 599,967.45	\$ 599,967.45	\$ -
Fifth Third Bank	\$ 1,366,749.50	\$ 1,366,749.50	\$ -
First National Bank	\$ 3,049,826.75	\$ 2,833,951.58	\$ 215,875.17
Flagstar	\$ 250,545.94	\$ 250,545.94	\$ -
Key Bank	\$ 379,982.94	\$ 250,000.00	\$ 129,982.94
Livingston Community Bank	\$ 501,016.62	\$ 500,000.00	\$ 1,016.62
* M.B.I.A.	\$ 570,883.36	\$ 250,000.00	\$ 320,883.36
National City	\$ 610,197.82	\$ 610,197.82	\$ -
	\$ 12,398,107.97	\$ 11,580,214.80	\$ 817,893.17

\*Municipal Investment Pool - extremely diversified with excellent credit rating

## Depository Resolution

Amended: 8-04-08

Amended: 2-16-09

Amended: 5-18-09

**WHEREAS**, Public Act 77 of 1989, MCL 41.77 requires that the Township Board designate the depositories for money belonging to the Township,

**BE IT FURTHER RESOLVED**, that the Genoa Township Board approved the following financial institutions as depositories of Township Funds:

Bank of America

Bank One

~~Brighton Commerce Bank~~ Michigan Commerce Bank

Charter One

Chase Bank

Citizens Bank

Comerica Bank

Fifth Third Bank

First National Bank of Howell

Flagstar Bank

Key Bank

Livingston Community Bank

Michigan Class/MBIA

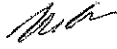
National City Bank

TCF Bank

**BE IT FURTHER RESOLVED**, that the Treasurer may continue to use these institutions and the subsequent successor if any experience name changes due to acquisition or merger.

## MEMORANDUM

TO: Township Board

FROM: Mike Archinal 

DATE: 5/15/09

RE: Fendt Drive Road Improvement

Fendt Drive serves a small industrial park east of the Road Commission building on Grand Oaks. The road has failed and is in terrible condition. Several property owners approached the Township asking that a special assessment district be established. The plan is to crush the existing surface, remove asphalt and soil to an appropriate depth, install sand base and finish with crushed limestone. Costs are proposed to be spread per lot on a pro rata basis. Tax parcel 11-08-201-011 is made up of three lots and will pay three shares. The assessment includes costs associated with geotechnical investigation. Please consider approval of the two attached resolutions.



Resolution #1 –Fendt Drive Road Improvement Project  
Special Assessment Project (summer 2009)

**GENOA CHARTER TOWNSHIP**

At a regular meeting of the Township Board of the Genoa Charter Township, Livingston County, Michigan, (the “Township”) held at the Township Hall on May 18, 2009, at 6:30 p.m., there were

PRESENT: McCririe, Skolarus, Hunt, Mortensen, Wildman, Smith and Ledford.

ABSENT: None.

The following preamble and resolution were offered by \_\_\_\_\_, and seconded by \_\_\_\_\_.

**Resolution to Proceed with the  
Project and Direct  
Preparation of the Plans and Cost Estimates**

WHEREAS, the Board of Trustees of the Township desires to create a special assessment district for a road improvement project to Fendt Drive within the Township as described in Exhibit A (the “Project”);

WHEREAS, the Board of Trustees of the Township has received petitions from owners of property adjoining Fendt Drive and determined to proceed with the Project in accordance with Act No. 188, Michigan Public Acts of 1954, as amended;

WHEREAS, the Board of Trustees of the Township has determined to advance the costs of the Project from Township funds and to use special assessments to raise the money necessary to reimburse the Township for the advance of such funds;

NOW, THEREFORE, BE IT RESOLVED THAT:

1. In accordance with Act No. 188, Michigan Public Acts of 1954, as amended, and the laws of the State of Michigan, the Township Supervisor is directed to have plans prepared illustrating the Project, the location of the Project, and an estimate of the cost of the Project.

2. The plans and estimates identified in paragraph 1, when prepared, shall be filed with the Township Clerk.

A vote on the foregoing resolution was taken and was as follows:

YES: Ledford, Smith, Hunt, Wildman, Mortensen, Skolarus and McCririe.

NO: None.

ABSTAIN: None.

CLERK'S CERTIFICATE

The undersigned, being the duly qualified and acting Clerk of the Township, hereby certifies that (1) the foregoing is a true and complete copy of a resolution duly adopted by the Township Board at a meeting of the Township Board (May 18, 2009), at which meeting a quorum was present and remained throughout; (2) the original thereof is on file in the records in my office; (3) the meeting was conducted, and public notice thereof was given, pursuant to and in full compliance with the Open Meetings Act (Act No. 267, Public Acts of Michigan, 1976, as amended); and (4) minutes of such meeting were kept and will be or have been made available as required thereby.

---

Paulette A. Skolarus  
Genoa Charter Township Clerk

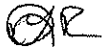
EXHIBIT A

DESCRIPTION OF PROJECT  
A FOUR YEAR SPECIAL ASSESSMENT DISTRICT  
WITH PROJECTED COSTS AS FOLLOWS:

The project (the "Project") will consist of:

1. Soil Borings & Report	\$2,920.00
2. Engineering Fees	600.00
3. Administrative Cost	1,000.00
4. Construction Quote	141,450.00
5. Survey, Soil Testing, etc.	13,030.00
Total	159,000.00

# Memo

**To:** POLLY  
**From:** DEBRA ROJEWSKI   
**Date:** 5/12/2009  
**Re:** Fendt Dr. Road improvement

---

POLLY,

I HAVE RESEARCHED THE PETITION FOR FENDT DR. ROAD IMPROVEMENT AND FOUND THE FOLLOWING:

8 PARCELS IN THE DISTRICT

5 SIGNATURES IN THE DISTRICT

62.5% OF SIGNATURES ARE IN FAVOR OF THE ROAD IMPROVEMENT.

IF YOU HAVE ANY FURTHER QUESTIONS OR COMMENTS, PLEASE FEEL FREE TO CONTACT ME.

4711-08-201-001  
PATTERSON, BLYTHE & ALAN  
1258 FENDT DR  
HOWELL MI 48843

4711-08-201-005  
L & H REALTY ENTERPRISES LLC  
1172 FENDT DR #100  
HOWELL MI 48843

4711-08-201-006  
R & K ENTERPRISES OF HOWELL LLC  
1167 FENDT DR  
HOWELL MI 48843

4711-08-201-007  
RHODES DON & SHIRLEY  
2323 NIXON RD  
Howell MI 48843

4711-08-201-008  
BAYCREST, LLC  
5265 MYSTIC LAKE DR  
BRIGHTON MI 48116

4711-08-201-009  
GREG LEBLANC HOLDINGS LLC  
1225 FENDT DR  
HOWELL MI 48843

4711-08-201-010  
J.R. DEVELOPMENT, INC.  
2323 NIXON RD  
HOWELL MI 48843

4711-08-201-011  
BRIGGS & ALLISON HOWELL LLC  
1212 FENDT DR  
HOWELL MI 48843

Public Act 188 of 1954 Proceedings


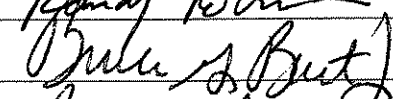
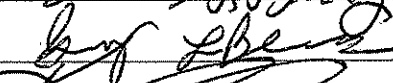
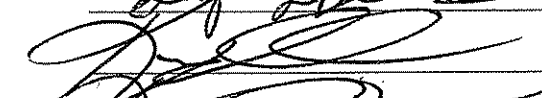
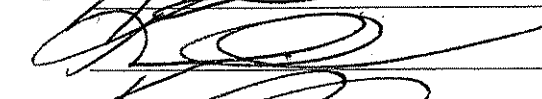

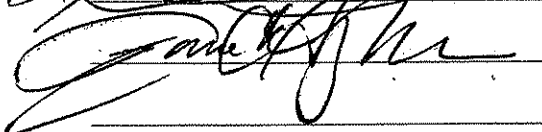
MAY 12 REC'D

PETITION FOR ROAD IMPROVEMENT  
For Fendt Road, Genoa Charter Township, Livingston County, MI

RECEIVED

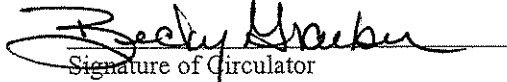
We, the undersigned, pursuant to the provisions of Public Act 188, as amended, do hereby petition the Genoa Charter Township Board to establish a special assessment district for the purpose of road improvement for the undersigned businesses of Fendt Drive in Genoa Charter Township. Fifty-one (51%) percent or more of the property owners of Fendt Drive who will benefit, request this improvement by petitioning the Genoa Charter Township Board.

We, the undersigned, do consent to the allocation of cost by special assessment to each benefited property for the improvement to be assessed against each property within the special assessment district to be formed. Further, it is understood that the estimated cost for the district is \$159,000.00 to be divided equally by all benefited properties (approximately \$3,975.00 per parcel annually). Further, it is understood that the benefited property owners will be assessed on the December 2009 tax roll for the Road Improvement project to be implemented in the summer of 2009. Further, that this request will be in place for four consecutive years with the establishment of this special assessment district. The costs thereof, including expenses connected with publications, permits and legal costs will be assessed against each parcel of land within said proposed district and will be divided into equal annual installments in accordance with MCL 41.721 as amended.

Signature	Printed Name	Address	Date
	RANDY ROBINSON	1167 FENDT DR	5/6/09
	Bruce G. Barton	1201 Fendt DR	5/7/09
	GREG LEBLANC	1225 FENDT DR	5/2/09
	Karry Allison	1212 fendt Dr.	5/7/09
	Karry Allison	1212 fendt Dr.	5/7/09
	Karry Allison	1212 fendt. Dr.	5/7/09
	JAMES HYNDS	1172 FENDT DR	5/8/09

STATE OF MICHIGAN  
County of Livingston

I, Becky Graber, depose and say that ~~he~~ she circulated the foregoing petition, and that each signature is of an owner of property fronting upon one of the aforementioned streets in Genoa Charter Township, Livingston County, Michigan.

  
Signature of Circulator

# Memo

**To:** Michael Archinal, Manager  
**From:** Tesha Humphriss, Engineer  
**Date:** April 29, 2009  
**Re:** Fendt Drive Project Description and Cost

---

## Project Description

Approximately 1,800 linear feet of Fendt Drive will be reconstructed as a 28-foot wide limestone surface. The scope of the project will consist of excavation of the existing road to a total depth of 14-inches. The road will be reconstructed with 6-inches of sand subbase and 8-inches of 23A limestone. The road will also be widened in the area of the existing S-curve, placing approximately 800 additional square yards of sand subbase and limestone in this area. Necessary shoulder and ditch work will be completed for the reconstruction of this road. The final grade of the road will be near the existing grade, and the existing drainage patterns will remain the same.

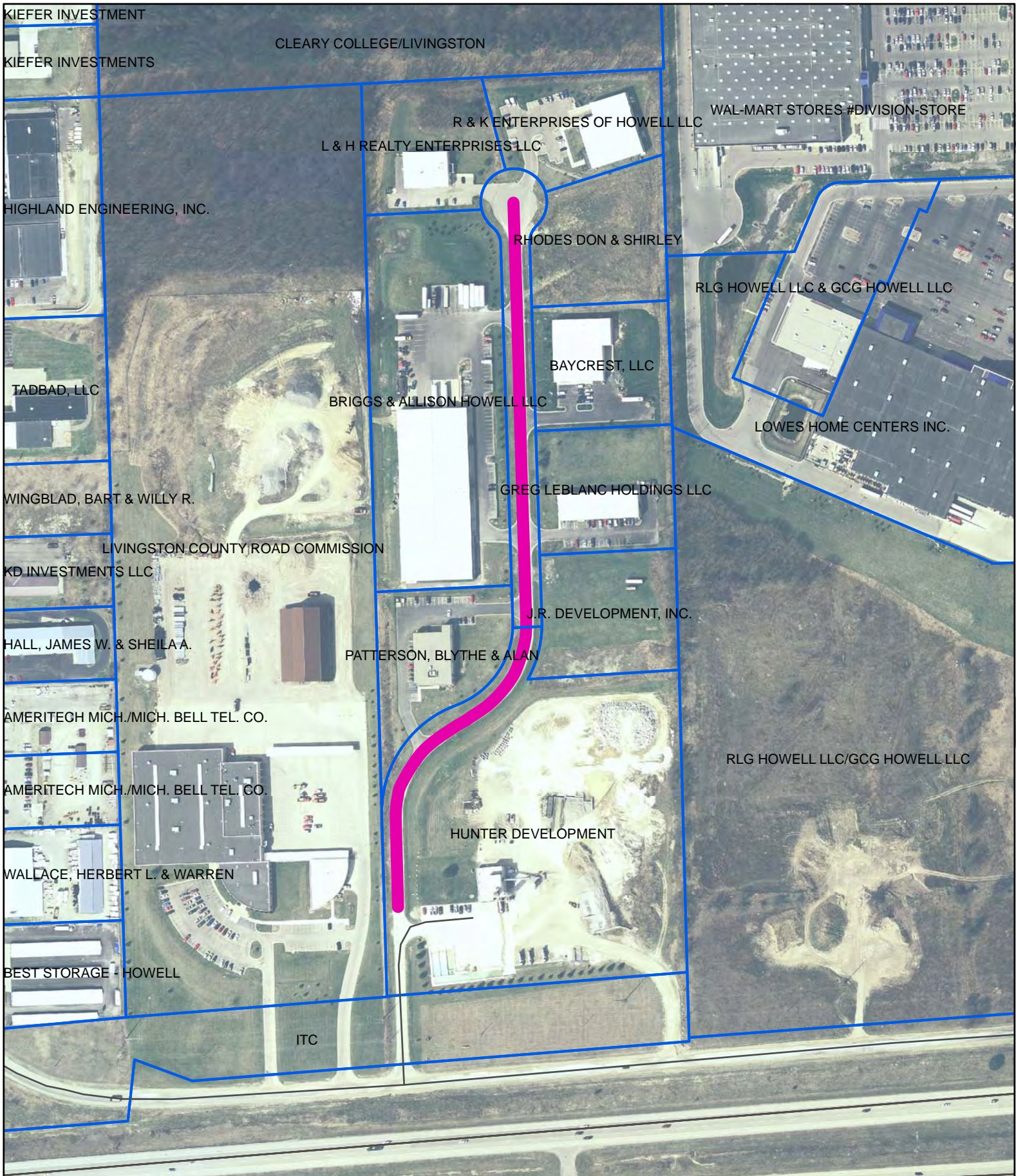
## Project Cost


The following is an estimate of the total project cost:


Description	Cost	Comments
Soil Borings & Report	\$2,920	Completed as part of initial investigation
Tetra Tech Cost Opinion	\$600	Completed as part of initial investigation
Township Administrative Cost	\$500	Administration and Notice Publication
Fonson	\$141,450	Per 3/9/2009 Quote
Survey Allowance	\$3,000	Will need during construction, do not have quote
Soil Testing Allowance	\$3,000	Will need during construction, do not have quote
Undercut Allowance	\$5,000	Fonson did not include in their bid, may be needed
SESC Permit Allowance	\$1,000	Need to check with Drain Office
<b>TOTAL</b>	<b>\$157,470</b>	



# Limits of Fendt Improvements



 Genoa Parcels

 Limits of Fendt Improvements

0 205 410 820 Feet

5/14/2009





# Budget Proposal

**FONSON, INC.**

**Site Development  
Road Builders  
Sewer and Water**

## Fonson, Inc.

7644 Whitmore Lake Road  
Brighton, Michigan 48116  
Contact: Richard M. Fons  
Phone: (810) 231-5188  
Fax: (810) 231-5404

Quote To: Turbo Spray  
1172 Fendt Drive  
Howell, Michigan

Contact:  
Phone: 517 548-9096  
Fax: 517 548-9328

Job Name: Fendt Drive Repaving - Gravel  
Location: Howell, Michigan  
Engineer: None  
Date of Plans: None  
Bid Date: 3/9/2009  
Revision Date: None

### Site Work Budget - Fendt Drive Gravel Option

ITEM	DESCRIPTION	QUANTITY	UNIT	UNIT PRICE	AMOUNT
<b>LIMESTONE OPTION</b>					
10	Mobilization	1.00	LS	5,000.00	5,000.00
20	Culv, Rem, Less than 24 inch (As Required)	8.00	EA	100.00	800.00
30	Curb and Gutter, Rem (As Required)	200.00	FT	5.00	1,000.00
40	Bit Surface, Rem (As Required)	430.00	SYD	3.50	1,505.00
50	Ditch Clean-out, (As Required)	500.00	FT	3.50	1,750.00
60	Excavation, Earth	1,875.00	CYD	7.80	14,625.00
70	Erosion Control, Inlet Protection (As Required)	2.00	EA	100.00	200.00
80	Erosion Control, Silt Fence (As Required)	1,000.00	FT	2.00	2,000.00
90	Project Cleanup	1.00	LS	1,000.00	1,000.00
95	Sand Subbase, 6 inch	1,165.00	CYD	13.00	15,145.00
100	Aggregate Base, 8 inch 23A Limestone	6,162.00	SYD	7.75	47,755.50
110	Remove Bituminous Pavement	5,406.00	SYD	3.00	16,218.00
130	Culv, Cl E, 18 inch (As Required)	34.00	FT	25.00	850.00
140	Culv, Cl F, 12 inch (As Required)	272.00	FT	20.00	5,440.00
150	Culv End Sect, 18 inch, (As Required)	2.00	EA	250.00	500.00
160	Culv End Sect, 12 inch, (As Required)	16.00	EA	150.00	2,400.00
210	Spillway, Conc (As Required)	50.00	FT	25.00	1,250.00
220	Curb and Gutter, Conc, Det F4 (As Required)	200.00	FT	15.00	3,000.00
230	Maintenance of Traffic	1.00	LS	2,000.00	2,000.00
240	Slope Restoration, (As Required)	3,000.00	SYD	2.50	7,500.00
<b>LIMESTONE OPTION SUBTOTAL</b>					<b>\$129,938.50</b>
<b>FENDT DR WIDENING</b>					
260	Excavation, Earth	353.00	CYD	7.80	2,753.40
265	Sand Subbase, 6 inch	154.00	CYD	13.00	2,002.00
270	Aggregate Base, 8 inch 23A Limestone	815.00	SYD	7.75	6,316.25
280	Culv, CL E, 18 inch	16.00	FT	27.00	432.00

ITEM	DESCRIPTION	QUANTITY	UNIT	UNIT PRICE	AMOUNT
	<b>FENDT DR WIDENING SUBTOTAL</b>				<b>\$11,503.65</b>
<b>GRAND TOTAL</b>					<b>\$141,442.15</b>

**NOTES:**

- No Permits or Inspection Fee's
- No Compaction Testing
- No Layout, Staking or Engineering
- No Asphalt Paving or Patching
- No Removal or Handling of Contaminated Soil or Materials
- No Removal or Relocation of Sprinkler Systems
- No Bonds or Dues Included
- No Overtime, Sunday, or Holiday Work Included

Excavation has been estimated to a depth of 14". Undercutting of unsuitable soil below that depth is not included.

All quantities are estimated and subject to final installed measurements for billing

All prices are "Budget Only" and subject to final review of actual drawings

We appreciate your respect in maintaining the price and other considerations of this Proposal as CONFIDENTIAL between Fonson and your company.

By: \_\_\_\_\_  
Richard M. Fons

[Resolution #2 – Fendt Drive Road Improvement Project  
Special Assessment Project (Summer 2009)]

**GENOA CHARTER TOWNSHIP**

At a regular meeting of the Township Board of the Genoa Charter Township of Livingston County, Michigan, (the “Township”) held at the Township Hall on May 18, 2009, at 6:30 p.m., there were

PRESENT: McCririe, Skolarus, Hunt, Mortensen, Wildman, Smith and Ledford.

ABSENT: None.

The following preamble and resolution were offered by \_\_\_\_\_, and seconded by \_\_\_\_\_.

**Resolution to Approve the Project,  
Scheduling the First Hearing  
and Directing the Issuance of Statutory Notices**

WHEREAS, the Board of Trustees of the Township has approved the Fendt Road Improvement Project within the Township as described in Exhibit A (the “Project”);

WHEREAS, preliminary plans and cost estimates for the Project have been filed with the Township Clerk;

WHEREAS, the Board of Trustees of the Township has determined to proceed with the Project in accordance with Act No. 188, Michigan Public Acts of 1954, as amended;

WHEREAS, the Board of Trustees of the Township has determined to advance the costs of the Project from Township funds and to use special assessments to raise the money necessary to reimburse the Township for the advance of such funds;

WHEREAS, the special assessment district for the Project has been tentatively determined by the Township and is described in Exhibit B;

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The Board of Trustees of the Township hereby tentatively declares its intent to proceed with the Project.
2. In accordance with Act No. 188, Michigan Public Acts of 1954, as amended, and the laws of the State of Michigan, there shall be a public hearing on the Project and the proposed Special Assessment District for the Project which is known as the “Fendt Road Improvement Project” (summer 2009) Special Assessment District.”
3. The public hearing will be held on June 1, 2009 at 6:30 p.m., at the offices of Genoa Charter Township, Livingston County, Michigan.

4. The Township Clerk is directed to mail, by first class mail, a notice of the public hearing to each owner of or party in interest in property to be assessed, whose name appears upon the last Township tax assessment records. The last Township tax assessment records means the last assessment roll for ad valorem tax purposes which has been reviewed by the Township Board of Review, as supplemented by any subsequent changes in the names or addresses of such owners or parties listed thereon. The notice to be mailed by the Township Clerk shall be similar to the notice attached as Exhibit B and shall be mailed by first class mail on or before May 19, 2009. Following the mailing of the notices, the Township Clerk shall complete an affidavit of mailing similar to the affidavit set forth in Exhibit C.

5. The Township Clerk is directed to publish a notice of the public hearing in the Livingston County Daily Press & Argus, a newspaper of general circulation within the Township. The notice shall be published twice, once on or before May 22, 2009 and once on or before May 29, 2009. The notice shall be in a form substantially similar to the notice attached as Exhibit B.

A vote on the foregoing resolution was taken and was as follows:

YES: Ledford, Smith, Hunt, Wildman, Mortensen, Skolarus and McCririe.

NO: None.

ABSTAIN: None.

#### CLERK'S CERTIFICATE

The undersigned, being the duly qualified and acting Clerk of the Township, hereby certifies that (1) the foregoing is a true and complete copy of a resolution duly adopted by the Township Board at a meeting of the Township Board, at which meeting a quorum was present and remained throughout; (2) the original thereof is on file in the records in my office; (3) the meeting was conducted, and public notice thereof was given, pursuant to and in full compliance with the Open Meetings Act (Act No. 267, Public Acts of Michigan, 1976, as amended); and (4) minutes of such meeting were kept and will be or have been made available as required thereby.

---

Paulette A. Skolarus  
Genoa Charter Township Clerk

EXHIBIT A

DESCRIPTION OF PROJECT  
A FOUR YEAR SPECIAL ASSESSMENT DISTRICT  
WITH PROJECTED COSTS AS FOLLOWS:

The project (the "Project") will consist of:

1. Soil Borings & Report	\$2,920.00
2. Engineering Fees	600.00
3. Administrative Cost	1,000.00
4. Construction Quote	141,450.00
5. Survey, Soil Testing, etc.	13,030.00
Total	159,000.00

EXHIBIT B

Genoa Charter Township  
Livingston County, Michigan

NOTICE OF PUBLIC HEARING  
UPON A PROPOSED ROAD IMPROVEMENT PROJECT  
AND SPECIAL ASSESSMENT DISTRICT FOR THE PROJECT

NOTICE IS HEREBY GIVEN:

(1) The Township Board of Genoa Charter Township, Livingston County, Michigan, in accordance with the laws of the State of Michigan, will hold a Public Hearing on June 1, 2009, at 6:30 p.m., at the Genoa Charter Township Offices, 2911 Dorr Road, Brighton, Michigan 48116, to review the following proposed special assessment district:

GENOA CHARTER TOWNSHIP – FENDT ROAD IMPROVEMENT PROJECT  
AND SPECIAL ASSESSMENT DISTRICT (summer 2009)  
(A four-year program with costs as follows)

and to hear any objections thereto and to the proposed project.

The project (the “Project”) will consist of:

1. Soil Borings & Report	\$2,920.00
2. Engineering Fees	600.00
3. Administrative Cost	1,000.00
4. Fonson Quote	141,450.00
5. Survey, Soil Testing, etc.	13,030.00
Total	159,000.00

(2) The Project is being designed to serve the properties in the Special Assessment District, which district is illustrated on the map (included) and includes the specific properties that are identified by the following permanent parcel numbers:

(3) The Township plans to impose special assessments on the properties located in the Special Assessment District to pay for the costs of the Project.

(4) The preliminary plans and cost estimates for the proposed Project and the boundaries of the Special Assessment District are now on file in the office of the Township Clerk for public inspection. The Township Board has initiated the Project. Pursuant to the provisions of Public Act 188 of 1954, record owners of land have the right to file written objections to the Project with the Township Board and if written objections are filed by record owners of land constituting more than 20% of the land in the proposed Special Assessment District then the Township Board will not proceed with the Project unless petitions are filed in support of the Project by record owners of land constituting more than 50% of the land in the proposed Special Assessment District. Any person objecting to the proposed Project or the proposed Special Assessment District shall file an objection in writing with the Township Clerk before the close of the June 1, 2009 hearing or within such further time as the Township Board may grant.

This notice is given by order of the Genoa Township Board.

Dated: May 18, 2009

Paulette A. Skolarus  
Genoa Township Clerk

(Press/Argus 05/22/09 & 05/29/09)

[ADD MAP OF SPECIAL ASSESSMENT DISTRICT]



EXHIBIT C

AFFIDAVIT OF MAILING

STATE OF MICHIGAN     )  
  )  
COUNTY OF LIVINGSTON)

PAULETTE A. SKOLARUS, being first duly sworn, deposes and says that she personally prepared for mailing, and did on May 19, 2009, send by first-class mail, the notice of hearing, a true copy of which is attached hereto, to each record owner of or party in interest in all property to be assessed for the improvement described therein, as shown on the last local tax assessment records of the Township of Genoa; that she personally compared the address on each envelope against the list of property owners as shown on the current tax assessment rolls of the Township; that each envelope contained therein such notice and was securely sealed with postage fully prepaid for first-class mail delivery and plainly addressed; and that she personally placed all of such envelopes in a United States Post Office receptacle on the above date.

Paulette A. Skolarus  
Genoa Charter Township Clerk

Subscribed and sworn to before me

This     day of                   , 2009.

Notary Public

## **RESOLUTION OF GENOA CHARTER TOWNSHIP**

This Resolution is made on May 18, 2009, The Resolution was offered by Jean Ledford, seconded by Robin Hunt and was passed by unanimous vote of the Township Board.

Whereas, Genoa Charter Township desires to become a participating municipality in the Southeastern Livingston County Recreation Authority (SELCRA), and

Whereas, the Articles of Incorporation of SELCRA permit amendment of the articles at any time so as to permit the Township to become a participating municipality (a) if the amendment to the articles is adopted by Genoa Charter Township, the legislative body proposing to become a participating municipality and (b) the existing participating municipalities also adopt a resolution authorizing Genoa Charter Township become a participating municipality.

Now therefore, be it Resolved that Genoa Charter Township desires to become a participating municipality. Further, Genoa Charter Township requests that all other participating municipalities, which are City of Brighton, Charter Township of Brighton and Township of Green Oak, approve an amendment to the Articles of Incorporation authorizing Genoa Charter Township to join the Southeastern Livingston County Recreation Authority. (SELCRA).

### **CERTIFICATION**

Paulette A. Skolarus, being the duly elected Clerk of Genoa Charter Township, does hereby certify that this Resolution was duly passed at a regular meeting of the Genoa Charter Township Board held on May 18, 2009.

\_\_\_\_\_  
Paulette A. Skolarus  
Dated: May 18, 2009

**Mike**

---

**From:** Patrick Gerace [pgerace@selcra.com]  
**Sent:** Monday, May 11, 2009 1:02 PM  
**To:** Mike  
**Cc:** Jean Ledford; Gary; Polly; Robin; thlf@sbcglobal.net; Cheryl Royster  
**Subject:** RE: Jean...  
**Attachments:** SELCRA Articles of Incorporation pg 1.pdf; SELCRA Articles of Incorporation pg 2.pdf; SELCRA Articles of Incorporation pg 3.pdf; SELCRA Articles of Incorporation pg 4.pdf; SELCRA Articles of Incorporation pg 5.pdf; SELCRA Articles of Incorporation pg 6.pdf; SELCRA Articles of Incorporation pg 7.pdf; SELCRA Articles of Incorporation pg 8.pdf; SELCRA Articles of Incorporation pg 9.pdf

Hi Mike!

I hope all is well and that you had a great weekend.

Attached is our most recent Articles of Incorporation.

Please let me know if you should have any questions and/or need additional information.

Thank you for all of your assistance on this.

Pat

Patrick M. Gerace  
SELCRA Director  
(810) 299-4141  
[pgerace@selcra.com](mailto:pgerace@selcra.com)

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**From:** Mike [mailto:Mike@genoa.org]  
**Sent:** Friday, May 08, 2009 11:23 AM  
**To:** Patrick Gerace  
**Cc:** Jean Ledford; Gary; Polly; Robin; thlf@sbcglobal.net  
**Subject:** RE: Jean...

Pat,

I researched minutes from August of 2001. Our Township Board tabled but never adopted the SELCRA articles of incorporation. As I(we) recall there was a lot of talk about a milage referendum at the time and some of our members were not comfortable with that. My guess is that your articles do not allow a vote without adoption by the member municipality. I agree it would be nice for the Genoa representative to have a vote. I will be happy to place this matter on an upcoming agenda for adoption. If you could forward to me the most current copy I will have the Township Attorney review and draft the appropriate motion. Let me know if you have any questions.

Mike

---

**From:** Patrick Gerace [mailto:pgerace@selcra.com]  
**Sent:** Wednesday, May 06, 2009 9:02 AM  
**To:** Mike  
**Subject:** RE: Jean...

Thank you, Mike.

Pat

---

**From:** Mike [mailto:Mike@genoa.org]  
**Sent:** Tuesday, May 05, 2009 4:31 PM  
**To:** Patrick Gerace  
**Subject:** RE: Jean...

Pat,

I will look into it.

Mike

---

**From:** Patrick Gerace [mailto:pgerace@selcra.com]  
**Sent:** Tuesday, May 05, 2009 2:54 PM  
**To:** Mike  
**Subject:** Jean...

If there is a way we can switch Jean to a voting member, that would be great...

☺

Pat

**123.1133****LOCAL GOVERNMENTAL AFFAIRS**

<sup>1</sup> M.C.L.A. § 123.1135.

**Historical and Statutory Notes**

For effective date provisions of P.A.2000, No. 321, see the Historical and Statutory Notes following § 123.1131.

P.A.2003, No. 135, inserted pars. (d) and (j); redesignated former pars. (d) through (h), (i)

and (j) as pars. (e) through (i), (k) and (l), respectively; and, in par. (h)(i), inserted "living historical farms;"

**123.1135. Establishment; articles of incorporation**

Sec. 5. (1) Two or more municipalities or districts may establish a recreational authority. A recreational authority is an authority under section 6 of article IX of the state constitution of 1963.

(2) To initiate the establishment of an authority, articles of incorporation shall be prepared. The articles of incorporation shall include all of the following:

- (a) The name of the authority.
- (b) The names of the participating municipalities.
- (c) A description of the territory of the authority.
- (d) The size of the board of the authority, which shall be comprised of an odd number of members; the qualifications, method of selection, and terms of office of board members; and the filling of vacancies in the office of board member. If board members are elected in at-large elections by the qualified and registered electors of the participating municipalities, voting collectively, the election of board members shall be conducted pursuant to the same procedures that govern an election for a tax under sections 13 to 17.<sup>1</sup>
- (e) The purposes for which the authority is established, which shall be the acquisition, construction, operation, maintenance, or improvement of 1 or more of the following:
  - (i) A public swimming pool.
  - (ii) A public recreation center.
  - (iii) A public auditorium.
  - (iv) A public conference center.
  - (v) A public park.
  - (vi) A public museum.
  - (vii) A public historic farm.
- (f) The procedure and requirements for a municipality or district to become a participating municipality in, and for a participating municipality to withdraw from, an existing authority or to join in the original formation of an authority. For a municipality or district to become a participating municipality in an existing authority or to join in the original formation of an authority, a majority of the electors of the municipality or district proposed to be included in the territory of the authority and voting on the question shall approve a tax that the authority has been authorized to levy by a vote of the electors of the authority under section 11.<sup>2</sup> A municipality or district shall not withdraw from an

MENTAL AFFAIRS

RECREATIONAL AUTHORITIES

123.1137

authority during the period for which the authority has been authorized to levy tax by the electors of the authority.

(g) Any other matters considered advisable.

(3) The articles shall be adopted and may be amended by an affirmative vote of a majority of the members serving on the legislative body of each participating municipality. If a participating municipality is a district, the articles shall be adopted and may be amended by an affirmative vote of a majority of the members serving on the legislative body of the entire municipality. Unless the articles provide otherwise, the requirements of this subsection do not apply to an amendment to the articles to allow a municipality or district to become a participating municipality in, or to allow a participating municipality to withdraw from, an existing authority.

(4) Before the articles or amendments to the articles are adopted, the articles or amendments to the articles shall be published not less than once in a newspaper generally circulated within the participating municipalities. The adoption of articles or amendments to the articles by a municipality or district shall be evidenced by an endorsement on the articles or amendments by the clerk of the municipality.

(5) Upon adoption of the articles or amendments to the articles by each of the participating municipalities, a printed copy of the articles or the amended articles shall be filed with the secretary of state by the clerk of the last participating municipality to adopt the articles or amendments.

(6) The authority's articles of incorporation, or amendments to the articles, take effect upon filing with the secretary of state.

P.A.2000, No. 321, § 5, Eff. Dec. 1, 2000. Amended by P.A.2003, No. 135, Imd. Eff. Aug. 1, 2003.

M.C.L.A. §§ 123.1143 to 123.1147.

M.C.L.A. § 123.1141.

Historical and Statutory Notes

For effective date provisions of P.A.2000, No. 321, see the Historical and Statutory Notes following § 123.1131.

P.A.2003, No. 135, in subsec. (1), inserted "or districts"; in subsec. (2)(e), added subpars. (vi)

and (vii); in subsec. (2)(f), inserted "or district" in four places and "or to join in the original formation of an authority" in two places; and, in subsec. (3), inserted the second sentence and "or district" in the third sentence.

Library References

Municipal Corporations §=6.  
Westlaw Topic No. 268.  
C.J.S., Municipal Corporations § 11.

123.1137. Board of directors

Sec. 7. (1) A vacancy occurs on the board on the happening of any of the events set forth in section 3 of 1846 RS 15, MCL 201.3. Appointed members of the board, if any, may be removed by the appointing authority for good cause after a public hearing. Vacancies shall be filled in the same manner as the original appointment for the unexpired term.

123.1137

LOCAL GOVERNMENTAL AFFAIRS

(2) A majority of the members of the board constitutes a quorum for the purpose of conducting business and exercising the powers of an authority. Official action may be taken by an authority upon the vote of a majority of the board members present, unless the authority adopts bylaws requiring a larger number.

(3) A member of the board shall not receive compensation for services as a member of the board but is entitled to reimbursement for reasonable expenses, including expenses for travel previously authorized by the board, incurred in the discharge of his or her duties.

(4) The business that an authority may perform shall be conducted at a public meeting of the authority held in compliance with the open meetings act, 1976 PA 267, MCL 15.261 to 15.275. Public notice of the time, date, and place of the meeting shall be given in the manner required by the open meetings act, 1976 PA 267, MCL 15.261 to 15.275.

(5) A writing prepared, owned, or used by an authority in the performance of an official function shall be made available in compliance with the freedom of information act, 1976 PA 442, MCL 15.231 to 15.246.

(6) At its first meeting, a board shall elect a chairperson, a secretary, a treasurer, and any other officers it considers necessary. A board shall meet at least quarterly.

(7) A board may adopt bylaws to govern its procedures. P.A.2000, No. 321, § 7, Eff. Dec. 1, 2000.

Historical and Statutory Notes

For effective date provisions of P.A.2000, No. 321, see the Historical and Statutory Notes following § 123.1131.

Library References

Municipal Corporations §90, 149, Westlaw Topic No. 268.

C.J.S. Municipal Corporations §§ 231, 361 to 366, 368.

123.1139. General powers of authority

Sec. 9. An authority may do 1 or more of the following:

(a) Acquire and hold, by purchase, lease with or without option to purchase, grant, gift, devise, land contract, installment purchase contract, bequest, or other legal means, real and personal property inside or outside the territory of the authority. The property may include franchises, easements, or rights of way on, under, or above any property. The authority may pay for the property from, or pledge for the payment of the property, revenue of the authority.

(b) Apply for and accept grants or contributions from individuals, the federal government or any of its agencies, this state, a municipality, or other public or private agencies to be used for any of the purposes of the authority.

(c) Hire full-time or part-time employees and retain professional services.

(d) Provide for the maintenance of all of the real and personal property of the authority.

RECE

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P.A.2000, Nc  
Aug. 1, 2003.

## **ARTICLE XIV**

### **WITHDRAWAL OF PARTICIPATING MUNICIPALITY**

A PARTICIPATING MUNICIPALITY MAY WITHDRAW FROM THE Authority by resolution of the municipality's legislative body approving the withdrawal, a certified copy of which resolution shall be provided to the Board at least 12 months prior to the beginning of a new fiscal year for the Authority. Such new fiscal year shall serve as the effective date for the withdrawal.

A participating municipality shall not withdraw from the Authority during the period that a tax is authorized to be levied by the electors of the Authority.

A municipality that withdraws from the Authority shall remain liable for a proportion of the debts and liabilities of the authority incurred while the municipality was a part of the Authority. The proportion of the Authority's debts for which a municipality remains liable as a result of its withdrawal from the Authority shall be determined by dividing the state equalized value of the real property in the municipality by the state equalized value of all real property in the Authority on the effective date of the withdrawal.

Any property owned by the Authority, which is in the possession of the withdrawing municipality or in the possession of personnel who will no longer remain with the Authority as a result of the municipality's withdrawal from the Authority, shall be returned to the Authority before the effective date of the withdrawal. The withdrawing municipality shall not be entitled to the return of any credit for any property or money it transferred to or paid to the Authority prior to the withdrawal.

## **ARTICLE XV**

### **DISSOLUTION OF AUTHORITY**

The Authority may be dissolved by the concurring resolution of the governing body of each participating municipality of the Authority at the time of such dissolution. Prior to dissolution of the Authority any outstanding indebtedness of the Authority shall be paid. Any assets of the Authority remaining after the payment of any such outstanding indebtedness shall be distributed to the participating municipality's most recent financing contribution to the Authority.

## **ARTICLE XVI**

### **EMPLOYEES**

The Authority may employ such personnel and employees as it may consider desirable and may retain from time to time the services of attorneys, accountants, and other consultants as the Authority considers necessary to carry out the purposes of the Authority.



## **ARTICLE IX**

### **COMPENSATION**

The members of the Board shall not be compensated by the Authority, as prohibited in Act 321. Each member of the board shall be entitled to reimbursement for all expenditures made by him or her in carrying out official duties as may be approved by the Board and to the extent authorized by the budget for the Authority for each fiscal year.

## **ARTICLE X**

### **VACANCY**

In the event of a vacancy on the Board other than the at-large member, the governing body of the participating municipality selecting such representative shall fill the vacancy for the un-expired term as expeditiously as possible and in no event to exceed ninety (90) days from the date such vacancy occurs. In the event a vacancy on the office of the members representing the Brighton Area Schools, the Board of Education shall recommend a representative who shall fill the vacancy for the un-expired term as expeditiously as possible and in no event to exceed ninety (90) days from the date such vacancy occurs.

The SELCRA Board shall fill such vacancy at their next regularly scheduled meeting. In the event of a vacancy in the office of the member representing SELCRA participants, the Board shall fill the vacancy for the un-expired term as expeditiously as possible and in no event to exceed ninety (90) days from the date such vacancy occurs. In the case of a temporary absence or disability of any officer, the Board may appoint some person temporarily to act in his or her stead except that in the event of the temporary absence or disability of the Chairperson, the Vice Chairperson shall so act.

## **ARTICLE XI**

### **MEETINGS**

Meetings of the Board shall be held as required and at least quarterly at such time and place as shall be prescribed by resolution of the Board. Each member of the Board shall have one vote. Special meetings of the Board may be called by the Chairperson, or any five members thereof, by serving written notice of the time, place and purposes thereof, upon each member of the Board, personally, or by leaving it at his or her place of residence at least twenty-four (24) hours prior to the time of such meeting, or by depositing the same in a U.S. Post Office or mailbox within the limits of the Authority, at least seventy-two (72) hours prior to the time of the meeting, enclosed in a sealed envelope properly addressed to such member at his or her home address or office address with postage fully prepaid. Any meeting of the Board shall be held, and any notice therefore shall be given, in accordance with the provisions of Act 267, Public Acts of Michigan, 1976 as amended. Any member may waive notice of any special meeting either before or after the holding thereof. At least a majority of the members of the Board shall be required for a quorum. The Board shall act by motion, resolution or ordinance. A vote of the majority of the members of the Board who are present at any

## **ARTICLE IV**

### **PURPOSE**

The purpose of the Authority shall be and is to provide recreational services as outlined in the authorization contained in Act 321, Public Acts of Michigan, 2000 ("Act 321").

## **ARTICLE V**

### **POWERS**

This Authority shall be a body corporate with power to sue or be sued in any court in the State of Michigan. Its jurisdiction shall include all of the total territory embraced within the corporate boundaries of its participating municipalities as now constituted or as hereafter expanded through annexation, consolidation or change of municipal identity. The Authority shall possess all of the powers now or hereafter granted by Act 321, or by any other applicable statute of the State of Michigan and by these Articles, and those incident thereto. In addition, it shall possess all powers necessary to carry out its purposes and those incident thereto. The enumeration of any powers herein shall not be construed as a limitation upon its general powers unless the context shall clearly indicate otherwise. The Authority may adopt a corporate seal, and may alter the seal, and use it by causing it or a facsimile thereof to be affixed, impressed, or reproduced in any other manner.

## **ARTICLE VI**

### **TERM**

This Authority shall continue in existence perpetually or until dissolved by the majority vote of each of the participating communities. A participating municipality shall not withdraw from the Authority during the period for which the Authority has been authorized to levy a tax by the electors of the Authority.

## **ARTICLE VII**

### **FISCAL YEAR**

The fiscal year of the Authority shall commence on the first day of July in each year and shall end on the 30<sup>th</sup> day of June of the next year.

meeting at which a quorum is present and who are authorized to vote on such matters shall be sufficient for passage.

The Board shall have the right to adopt rules governing its procedures, which are not in conflict with the terms of any statute of the State of Michigan or of these Articles of Incorporation. The Board shall keep a journal of its proceedings, which journal shall be signed by the Secretary and open to the public. All votes shall be "Yes" or "No" or "Abstain", provided where the vote is unanimous, it shall only be necessary to so state.

## **ARTICLE XII**

### **BOARD AND OFFICER DUTIES**

The Chairperson of the Board shall be the presiding officer thereof. Except as herein otherwise provided, the Chairperson shall not have any executive or administrative functions other than as a member of the Board. In the absence or disability of the Chairperson, the Vice-Chairperson shall perform the duties of the Chairperson. The Secretary shall be the recording officer of the Board. The Treasurer shall be the custodian of the funds of the Authority and shall give to it a bond conditioned upon the faithful performance of the duties of his or her office. All moneys shall be deposited in a bank or banks, to be designated by the Board, and all other checks or other forms of withdrawal therefrom shall be signed by two persons, which persons shall be the Secretary, the Treasurer or the chief administrative employee of the Authority, or their respective designees. All authorized signatories shall give a bond conditioned upon the faithful performance of the prescribed duties. The cost of such bonds shall be paid by the Authority. The officers of the Board shall have such powers and duties as may be conferred upon them by the Board and Act 321.

The Board shall prepare a proposed annual operating and capital budget reflecting the projected revenues and projected expenditures of the Authority for the next fiscal year beginning July 1.

The accounting and budgeting practices of the Authority shall conform with standard accounting practices, the Uniform Budgeting and Accounting Act, Act 2, Public Acts of Michigan, 1968, as amended and all other applicable provisions of law.

## **ARTICLE XIII**

### **PROPERTY**

The Authority shall possess all the powers necessary to carry out the purposes thereof and those incident thereto. It may acquire property by purchase, lease, grant, gift, devise, land contract, installment purchase contract, or condemnation, either within or without its corporate limits, and may hold, manage, control, sell, exchange or lease such property. For the purpose of condemnation, it may proceed under the provisions of Act 149, Public Acts of Michigan, 1911, as now hereafter amended, Act 87, Public Acts of Michigan, 1980, as now or hereafter amended, or any other appropriate statute.

## ARTICLE VIII

### GOVERNING BOARD

The Authority shall be directed and governed by a nine-member Board of Trustees, known as the "Southeastern Livingston County Recreation Authority Board" or "SELCRA Board", and hereinafter sometimes referred to as the "Board", which shall be made up of two members selected by the governing body of each incorporating municipality, each of whom at the time of selection shall be a qualified elector residing within the territorial boundaries of his or her respective participating municipality; two members recommended by the Brighton Area Schools Board of Education, who at the time of selection shall be a qualified elector of the territorial area of the Brighton School District, and confirmed by the SELCRA Board; and one member selected by the eight members who at the time of selection shall be a qualified elector of the territorial area of the Authority at large. Members of the Board shall serve a term of two years, beginning with the first day of January next following his or her respective appointment. Each member of the Board shall qualify by taking the constitutional oath of office and filing it with the clerk of his or her respective participating community. The member of the first Board shall be selected within twenty (20) days after the effective date of the incorporation of this Authority and the terms thereof shall expire on December 31, 2003. Successor Board members shall be selected on or before the 15<sup>th</sup> day of December of each year that a term of office expires.

A member of the Board shall not be an employee of SELCRA.

Within thirty (30) days after the effective date of the incorporation of the Authority, the members of the first Board shall qualify by taking the constitutional oath of office and shall meet for the purpose of organization. At such organizational meeting, the Board shall select a Chairperson, a Vice Chairperson, and a Secretary, each of whom shall be a member of the Board, and a treasurer, who may or may not be a member of the Board. At such organizational meeting, the Board may select an Assistant Secretary and Assistant Treasurer, each of who shall not be a member of the Board. Such officer shall serve until the organizational meeting of the following year, which shall be held annually on the second Wednesday of January of each year, or until their respective successors shall be selected and qualify. No selection to the Board and no selection of an officer shall be deemed to be invalid because it was not made within or at the time specified in these Articles. Any Board member may be removed at any time for cause or without cause by action of the governing body of the participating municipality that such Board member represents; provided, however the two members recommended by the Brighton Area Schools Board of Education may be removed with the recommendation from the Brighton Area Schools Board of Education and the member at-large may be removed at any time for cause or without cause by action of the other eight Board members.

Should the Brighton Area Schools become a participating municipality as outlined in these articles, the Brighton Area Schools Board of Education shall have direct power of appointment and removal for the Brighton Area Schools representatives on the SELCRA Board.

**ARTICLES OF INCORPORATION  
SOUTHEASTERN LIVINGSTON COUNTY RECREATION AUTHORITY**

THESE ARTICLES OF INCORPORATION are adopted by the City of Brighton, the Township of Brighton, and the Township of Green Oak, each a municipal corporation located in the County of Livingston, State of Michigan, for the purpose of creating, establishing and incorporating an authority under and pursuant to the provisions of Act 321, Public Acts of Michigan, 2000.

**ARTICLE I**

**NAME AND OFFICE**

The name of the Authority shall be and is the "Southeastern Livingston County Recreation Authority" or "SELCRA", hereinafter sometimes referred as the "Authority". The principal office of the Authority shall be located at 7878 Brighton Rd., Brighton, Michigan, or at such other location as may be designed by the Board (as defined in Article VIII herein).

**ARTICLE II**

**DEFINITIONS**

The terms "authority", "board", "participating municipality", "park", "recreational purposes", "swimming pool", and "territory", as used in these Articles of Incorporation shall be as now or hereafter defined in Section 1 of Act 321.

Other terms have such meaning as may be specified in the various provisions of these Articles of Incorporation.

**ARTICLE III**

**PARTICIPATING MUNICIPALITIES AND TERRITORY**

The participating and creating municipalities of this Authority are the City of Brighton, the Township of Brighton and the Township of Green Oak in the County of Livingston, Michigan, which are hereby designated as the "participating municipalities." The territory of the Authority shall be all of the combined territory of the participating municipalities. Upon an amendment to Act 321 of 2000 being adopted allowing school districts to become participating municipalities, the Brighton Area Schools may become a participating municipality of this authority by the adoption of these articles by the Brighton Area Schools Board of Education.

**The Heikkinen Law Firm, P.C.**

110 North Michigan Avenue  
Howell, Michigan 48843

Richard A. Heikkinen

(517) 546-1434  
(517) 546-6775 - Fax

May 7, 2009

Michael Archinal, Manager  
Genoa Charter Township  
2911 Dorr Road  
Brighton, Michigan 48116

Re: Proposed Water Tower Lease Agreement  
Verizon Wireless Site No. MI-1132 (Oak Pointe)

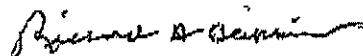
Dear Mr. Archinal:

The documents that I sent for approval authorize Verizon to use the tower for their cell phone transmissions. The Township will receive \$800.00 in revenues each month for the first five (5) years of the term of the lease. There are rent escalator charges for the extension of the lease.

I have had input in the documents and I recommend that the Board pass a resolution authorizing execution by the Supervisor and Clerk.

Very truly yours,

THE HEIKKINEN LAW FIRM, P.C.



Richard A. Heikkinen

RAH/nb

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Site No. MI-1132  
(Oak Pointe)

**MEMORANDUM OF WATER TOWER AGREEMENT**

**THIS MEMORANDUM OF WATER TOWER LEASE AGREEMENT**, made this \_\_\_\_\_ day of \_\_\_\_\_, 2009, between **THE TOWNSHIP OF GENOA**, a Michigan municipal corporation, hereinafter designated "**LESSOR**", and **NEW PAR**, d/b/a Verizon Wireless, hereinafter referred to as "**LESSEE**", LESSOR and LESSEE are at times collectively referred to hereinafter as the "**Parties**" or individually as the "**Party**".

1. LESSOR and LESSEE entered into a Water Tower Lease Agreement (the "**Agreement**") on \_\_\_\_\_, 2009, for an initial term of five (5) years, commencing on the Commencement Date, as defined in the Agreement and as hereinafter described. The Agreement shall automatically be extended for four (4) additional five (5) year terms unless LESSEE terminates it at the end of the then current term by giving LESSOR written notice of the intent to terminate at least six (6) months prior to the end of the then current term.

2. LESSOR holds an easement over that certain parcel of property (the entirety of such easement parcel plus the Rights of Way defined below are together referred to hereinafter as the "**Property**"), located in Genoa Township, Livingston County, Michigan, described in Exhibit "A", attached hereto and made a part hereof. Pursuant to and in consideration of the rental and other agreements set forth in the Agreement, LESSOR hereby leases to LESSEE: (a) that certain space (the "**Tower Space**") on LESSOR's water tower (the "**Tower**") located on the Property; (b) a parcel of land on the Property (the "**Land Space**") described in Exhibit "A", sufficient for the installation of LESSEE's equipment building; and (c) non-exclusive easements (collectively, the "**Rights of Way**") for ingress and egress, seven (7) days a week, twenty-four (24) hours a day, on foot or motor vehicle, including trucks, and for the installation and maintenance of utility wires, poles, cables, conduits and pipes, over, under or along variable width easements described in Exhibit "A". The Tower Space, Land Space and Rights of Way are hereinafter collectively referred to as the "**Premises**". The Land Space and Rights of Way are described in Exhibit "A", and the Tower Space, Land Space and Rights of Way are substantially as shown on the plat of survey attached hereto and incorporated herein as Exhibit "B".

3. The "**Commencement Date**" of the Agreement, of which this is a Memorandum, is the date LESSEE commences installation of the equipment on the Premises or December 1, 2009, whichever occurs first; provided, however, that if the date of commencing installation of equipment is determinative and such date falls

between: (a) the first (1<sup>st</sup>) and the fifteenth (15<sup>th</sup>) day of the month, the "Commencement Date" shall be the first (1<sup>st</sup>) day of that month, or (b) the sixteenth (16<sup>th</sup>) and the last day of the month, then the "Commencement Date" shall be the first (1<sup>st</sup>) day of the following month.

4. LESSEE has the right of first refusal to purchase the Premises and the Property during the initial term and all renewal terms of the Agreement.

5. The terms, covenants and provisions of the Agreement, the terms of which are hereby incorporated by reference into this Memorandum, shall extend to and be binding upon the respective executors, administrators, heirs, successors and assigns of LESSOR and LESSEE, as though fully set forth herein.

IN WITNESS WHEREOF, hereunto and to a duplicate hereof, LESSOR and LESSEE have caused this Memorandum to be duly executed on the date first written hereinabove.

LESSOR:  
THE TOWNSHIP OF GENOA

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_

LESSEE:  
NEW PAR, d/b/a Verizon Wireless

By: Verizon Wireless (VAW), LLC, its general partner

By: \_\_\_\_\_  
Beth Ann Drohan,  
Area Vice President Network

**LESSOR'S ACKNOWLEDGMENT**

STATE OF MICHIGAN )  
 ) SS.  
COUNTY OF LIVINGSTON )

The foregoing instrument was acknowledged before me on \_\_\_\_\_, 2009, by \_\_\_\_\_, the \_\_\_\_\_ of THE TOWNSHIP OF GENOA, a Michigan municipal corporation, on behalf of the municipality.

\_\_\_\_\_  
Name: \_\_\_\_\_  
Notary Public, \_\_\_\_\_ County, Michigan  
Acting in Livingston County  
My commission expires: \_\_\_\_

Site No. MI-1132  
(Oak Pointe)



**LESSEE'S ACKNOWLEDGMENT**

STATE OF ILLINOIS )

) ss. :

COUNTY OF COOK )

This instrument was acknowledged before me by Beth Ann Drohan, who is the Area Vice President Network of Verizon Wireless (VAW), LLC, the general partner of NEW PAR, d/b/a Verizon Wireless, personally known to me or proved on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that she executed the same in her authorized capacity, and that by her signature on the instrument, the entity upon behalf of which the individual acted, executed the instrument, and that such individual made such appearance before the undersigned in the County of Cook, State of Illinois.

Witness my hand and official seal, this \_\_\_\_ day of \_\_\_\_\_, 2009.

Signature: \_\_\_\_\_

My commission expires: \_\_\_\_\_

This instrument drafted by and,  
When recorded, return to:  
Robert A. LaBelle  
Myers Nelson Dillon & Shierk, PLLC  
40701 Woodward Ave., Suite 235  
Bloomfield Hills, MI 48304

RA1v3

Site No. MI-1132  
(Oak Pointe)

Exhibit A

*Legal Description of the land space water tower easement within the "Property":*

Land situated in the Township of Genoa, County of Livingston, State of Michigan, described as follows:

A permanent easement located in the Southwest 1/4 of Section 27, T2N, R5E, Genoa Township, Livingston County, Michigan, more particularly described as follows: Commencing at the West 1/4 corner of said Section 27; thence N 87°08'24" E, 33.02 feet; thence S 04°35'51" E, 872.81 feet; thence S 88°33'16" E, 189.14 feet; thence N 16°-08'56" E, 842.41 feet; thence N 13°57'50" W, 580.54 feet; thence N 87°20'43" E, 316.79 feet; thence N 76°02'10" E, 648.27 feet; thence S 01°19'07" E, 1,625.19 feet to the Point of Beginning; thence S 01°19'07" E, 102.61 feet; thence N 78°21'48" W, 102.61 feet; thence N 01°19'07" W, 102.61 feet; thence S 78°21'48" E, 102.61 feet to the Point of Beginning.

*Legal Description of "Land Space":*

Land situated in the Township of Genoa, County of Livingston, State of Michigan, described as follows:

Commencing at the Southwest corner of Section 27, T2N, R5E, Genoa Township, Livingston County, Michigan; thence N 02°52'27" W, 1,729.71 feet along the west line of said Section 27; thence N 87°07'33" E, 61.17 feet; thence along the Southerly line of the "Villas of Oak Pointe", Condominium Subdivision Plan No. 126, as recorded in Liber 2247, Pages 714-723, Livingston County Records, in the following three (3) courses: S 88°33'16" E, 164.85 feet, N 86°29'24" E, 405.15 feet, and S 78°21'48" E, 674.48 feet; thence N 01°19'07" W, 47.33 feet to the Point of Beginning:

thence continuing N 01°19'07" W, 30.67 feet;

thence N 88°40'53" E, 23.33 feet;

thence S 01°19'07" E, 30.67 feet;

thence S 88°40'53" W, 23.33 feet to the Point of Beginning, being a part of the Southwest 1/4 of Section 27, T2N, R5E, Genoa Township, Livingston County, Michigan; and containing approximately 716 square feet.

*Legal Description of certain "Rights of Way":*

Together with a variable width easement for access and utilities, the boundary of said easement being described as follows:

Commencing at the Southwest corner of Section 27, T2N, R5E, Genoa Township, Livingston County, Michigan; thence N 02°52'27" W, 1,729.71 feet along the west line of said Section 27; thence N 87°07'33" E, 61.17 feet to the Point of Beginning:

- thence N 04°35'31" W, 66.37 feet along the West line of the "Villas of Oak Pointe", Condominium Subdivision Plan No. 126, as recorded in Liber 2247, Pages 714-723, Livingston County Records,
- thence S 88°33'16" E, 189.14 feet along the North line of the "Villas of Oak Pointe";
- thence S 16°08'56" W, 6.36 feet;
- thence northeasterly 11.59 feet along the arc of a circular curve to the left, radius 287.00 feet, central angle 02°18'50", long chord N 87°38'55" E, 11.59 feet;
- thence N 86°29'31" E, 132.14 feet;
- thence northeasterly 63.87 feet along the arc of a circular curve to the left, radius 205.00 feet, central angle 17°51'07", long chord N 77°33'59" E, 63.61 feet;
- thence northeasterly 53.29 feet along the arc of a circular curve to the right, radius 255.00 feet, central angle 11°58'27", long chord N 74°37'38" E, 53.19 feet;
- thence N 80°36'52" E, 39.76 feet;
- thence S 81°37'12" E, 39.95 feet;
- thence southeasterly 40.58 feet along the arc of a circular curve to the right, radius 255.00 feet, central angle 09°07'04", long chord S 77°03'40" E, 40.54 feet;
- thence S 72°30'08" E, 125.29 feet;
- thence southeasterly 20.97 feet along the arc of a circular curve to the left, radius 205.00 feet, central angle 05°51'40", long chord S 75°25'58" E, 20.96 feet;
- thence S 78°21'48" E, 272.86 feet;
- thence northeasterly 146.57 feet along the arc of a circular curve to the left, radius 225.00 feet, central angle 37°19'24", long chord N 82°58'31" E, 143.99 feet;

thence northeasterly 33.63 feet along the arc of a circular curve to the left, radius 37.00 feet, central angle 52°04'12", long chord N 38°16'53" E, 32.48 feet;

thence northeasterly 127.78 feet along the arc of a circular curve to the right, radius 63.00 feet, central angle 116°12'52", long chord N 70°20'48" E, 106.98 feet;

thence N 38°27'24" E, 48.52 feet;

thence S 01°19'07" E, 224.68 feet along the East line of said "Villas of Oak Pointe";

thence along the Southerly line of said "Villas of Oak Pointe", in the following three (3) courses:

N 78°21'48" W, 708.68 feet;

S 86°29'24" W, 405.15 feet; and

N 88°33'16" W, 164.85 feet to the Point of Beginning;

Being a part of the Southwest 1/4 of Section 27, T2N, R5E, Genoa Township, Livingston County, Michigan.

**Exhibit B**

see attached survey and site plan

**LEGAL DESCRIPTION OF LEASED AREA**

(Leases)

Commencing at the Southwest corner of Section 27, T2N, R5E, Genoa Township, Livingston County, Michigan, thence N 02°52'27" W 1729.75 feet along the westerly line of said Section 27; thence N 87°07'33" E 81.17 feet thence along the southerly line of the "Villas of Oak Pointe", Condominium Subdivision Plan No. 126, as recorded in Liber 2247, Pages 714-723, Livingston County Records in the following three (3) courses: S 02°30'10" E 104.85 feet, N 88°20'24" E 405.15 feet, S 70°21'48" E 874.43 feet; thence N 01°19'07" W 472.23 feet to the POINT OF BEGINNING;

thence continuing N 01°19'07" W 30.87 feet  
thence N 88°40'52" E 33.33 feet;  
thence S 01°40'37" E 33.07 feet;

thence S 88°40'37" W 23.33 feet to the POINT OF BEGINNING; being a part of the Southwest 1/4 of Section 27, T2N, R5E, Genoa Township, Livingston County, Michigan; and containing 710 square feet subject to easements and restrictions of record, V.M.R.

Together with a variable width easement for access and utilities, the boundary of said easement is described as follows:

Commencing at the Southwest corner of Section 27, T2N, R5E, Genoa Township, Livingston County, Michigan; thence N 02°52'27" W 1729.75 feet along the westerly line of said Section 27; thence N 87°07'33" E 81.17 feet to the POINT OF BEGINNING;

thence N 04°53'31" W 69.37 feet along the West line of the "Villas of Oak Pointe", Condominium Subdivision Plan No. 126, as recorded in Liber 2247, Pages 714-723, Livingston County Records;

thence S 88°33'16" E 188.14 feet along the North line of said "Villas of Oak Pointe";  
thence S 18°02'26" W 8.35 feet;  
thence Northwesterly 11.50 feet along the arc of a circular curve to the left, radius 227.00 feet, central angle 02°10'53", long chord N 87°28'58" E 11.46 feet;

thence N 88°29'31" E 132.14 feet;  
thence Northwesterly 63.87 feet along the arc of a circular curve to the left, radius 203.00 feet, central angle 17°01'07", long chord N 77°33'59" E 63.81 feet;

thence Northwesterly 63.29 feet along the arc of a circular curve to the right, radius 255.00 feet, central angle 11°05'27", long chord N 74°37'38" E 63.19 feet;

thence N 89°38'22" E 32.78 feet;  
thence S 81°37'12" E 32.68 feet;

thence Northwesterly 40.58 feet along the arc of a circular curve to the right, radius 225.00 feet, central angle 09°07'04", long chord S 77°03'40" E 40.54 feet;

thence S 78°21'48" E 128.26 feet;  
thence Southwesterly 20.87 feet along the arc of a circular curve to the left, radius 205.00 feet, central angle 05°31'40", long chord S 73°22'58" E 20.86 feet;

thence S 78°21'48" E 272.85 feet;  
thence Northwesterly 145.37 feet along the arc of a circular curve to the left, radius 225.00 feet, central angle 37°18'24", long chord N 82°28'31" E 145.09 feet;

thence Northwesterly 33.63 feet along the arc of a circular curve to the left, radius 37.00 feet, central angle 32°04'12", long chord N 88°16'53" E 32.48 feet;

thence Northwesterly 127.78 feet along the arc of a circular curve to the right, radius 63.00 feet, central angle 116°12'32", long chord N 70°20'48" E 108.68 feet;

thence N 88°37'24" E 45.32 feet;  
thence S 01°19'07" E 224.69 feet along the East line of said "Villas of Oak Pointe";

thence along the southerly line of said "Villas of Oak Pointe", in the following three (3) courses:  
N 78°21'48" W 708.68 feet  
S 88°28'24" W 405.15 feet  
N 88°33'16" W 184.85 feet to the POINT OF BEGINNING;

Being a part of the Southwest 1/4 of said Section 27, T2N, R5E, Genoa Township, Livingston County, Michigan.

**LEGAL DESCRIPTION OF PARCEL 1  
EASEMENT FOR PUBLIC UTILITIES (WATER TOWER EASEMENT)**  
(Taken from parts of Master Deed, By Others)

Land situated in the Genoa Township, County of Livingston, State of Michigan, described as follows:

A proposed permanent easement for public utilities located in the Southwest 1/4 of Section 27, T2N, R5E, Genoa Township, Livingston County, Michigan, more particularly described as follows: Commencing at the West 1/4 corner of said Section 27; thence N 87°07'33" E, 33.02 feet; thence S 04°53'31" E, 872.81 feet; thence S 01°40'37" E, 189.14 feet; thence N 16°05'50" E, 642.41 feet; thence N 13°57'50" W, 580.54 feet; thence N 87°20'43" E, 818.79 feet; thence N 78°02'10" E, 642.27 feet; thence S 01°19'07" E, 1835.19 feet to the POINT OF BEGINNING; thence S 01°19'07" E, 102.01 feet; thence N 70°21'48" W, 102.81 feet; thence N 01°19'07" W, 102.81 feet to the point of beginning.

**LEGAL DESCRIPTION OF OVERALL PARCEL**  
(Taken from parts of Master Deed, By Others)

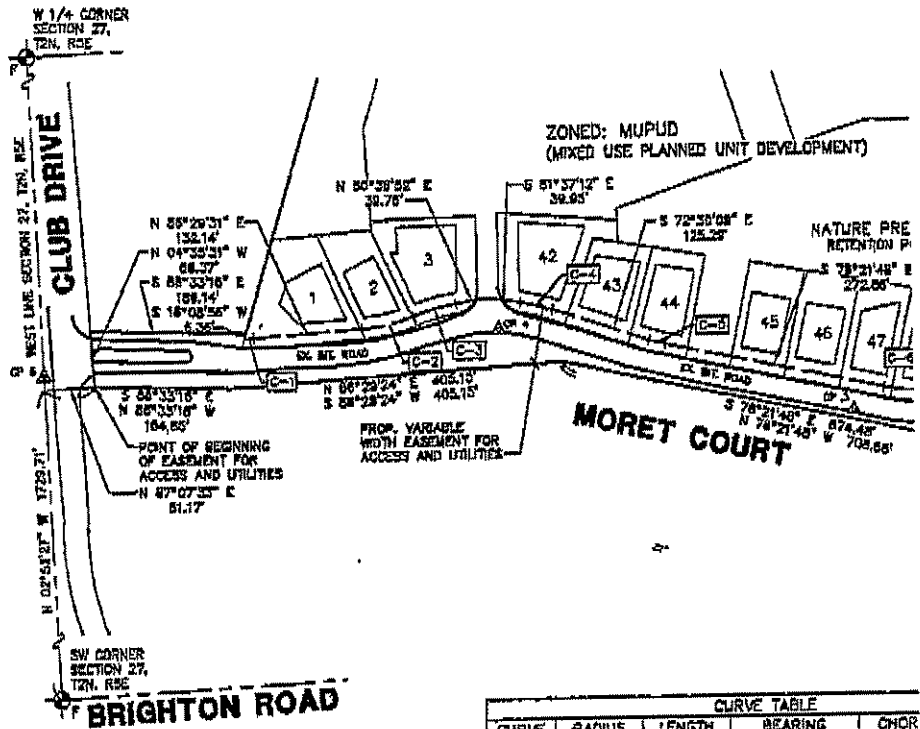
Part of the Northwest 1/4 and Southwest 1/4 of Section 27, T2N, R5E, Genoa Township, Livingston County, Michigan, more particularly described as follows: Commencing at the West 1/4 corner of said Section 27; thence N 87°07'33" E, 33.02 feet; thence S 04°53'31" E, 872.81 feet to the Point of Beginning of the parcel to be described; thence S 88°33'16" E, 188.14 feet; thence N 16°05'50" E, 642.41 feet; thence N 13°57'50" W, 580.54 feet; thence N 87°20'43" E, 818.79 feet; thence N 78°02'10" E, 642.27 feet; thence S 01°19'07" E, 1727.81 feet; thence N 78°21'48" W, 708.68 feet; thence S 88°28'24" W, 405.15 feet; thence N 88°33'16" W, 184.85 feet; thence N 04°53'31" W, 69.37 feet to the Point of Beginning, containing 33.01 acres, more or less. Subject to any easements and restrictions of record.

**NOTE**

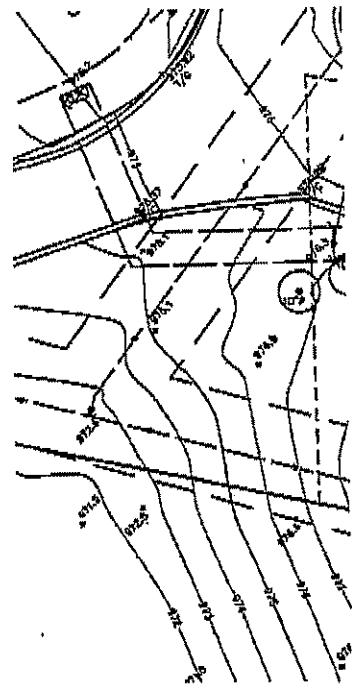
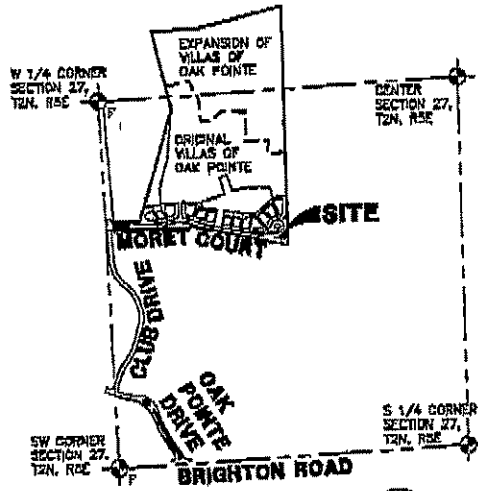
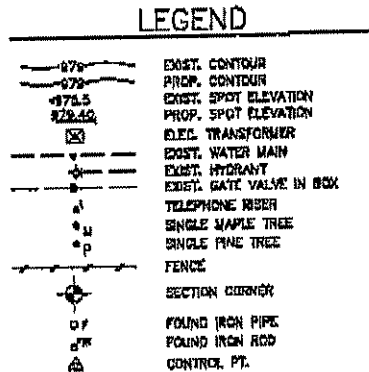
Rotate all bearings 00°11'02" clockwise to obtain bearings based on True North as determined from global positioning system (GPS).

**BENCH MARK**

Top of northeast corner of concrete pad for screen door into lower located on the north side of tower.  
Elevation: 961.20 (USGS & NAV Datum)

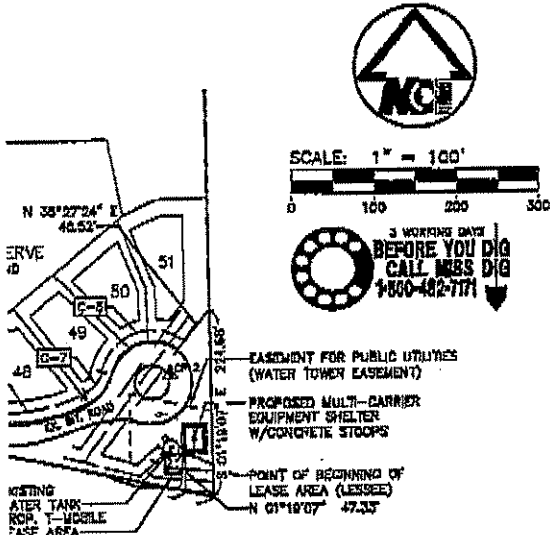


CURVE TABLE				
CURVE	RADIUS	LENGTH	BEARING	CHOR
C-1	287.00	11.50	N 87°38'55" E	11.56
C-2	205.00	63.87	N 77°33'59" E	63.67
C-3	255.00	63.29	N 74°37'38" E	63.16
C-4	255.00	40.58	S 77°03'40" E	40.54
C-5	205.00	20.87	S 73°22'58" E	20.86
C-6	225.00	145.37	N 82°28'31" E	143.91
C-7	37.00	33.63	N 38°16'53" E	32.48
C-8	63.00	127.78	N 70°20'48" E	108.68

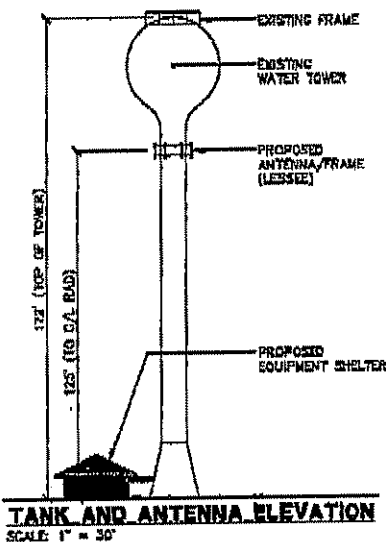


**OVERALL PARCEL SKETCH**  
SCALE: 1"=600'

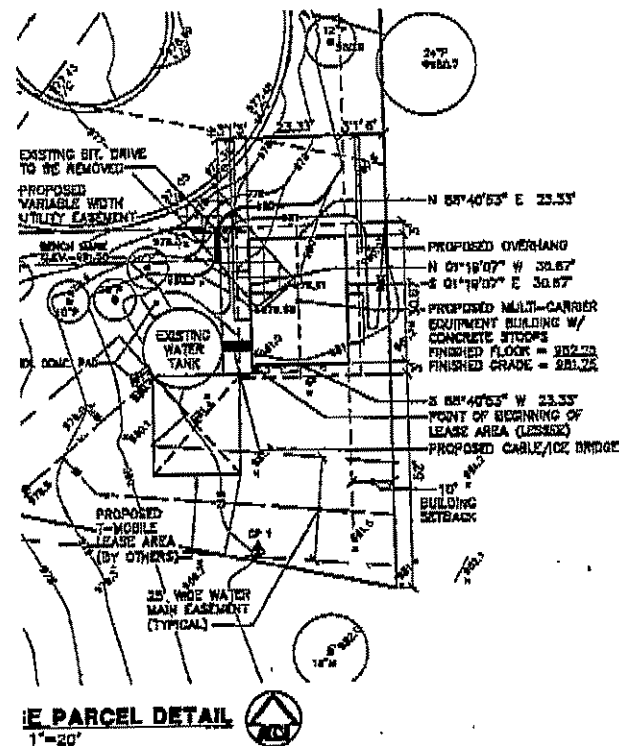
LEA SCALE



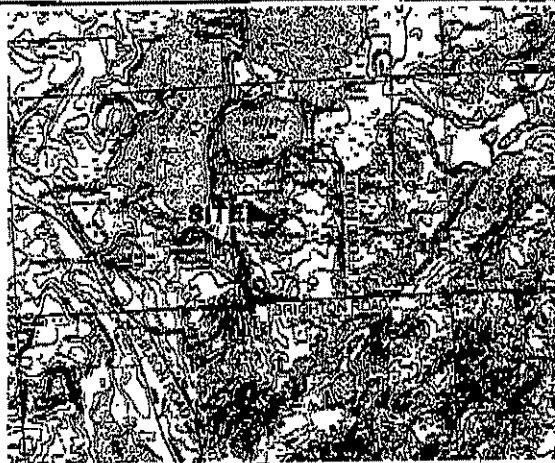
DELTA	
2°18'50"	
17°51'07"	
11°58'27"	
9°07'04"	
5°51'48"	
57°19'24"	
52°04'12"	
116°12'52"	



**TANK AND ANTENNA ELEVATION**  
SCALE: 1" = 30'



**IE PARCEL DETAIL**  
1" = 20'



**VICINITY SKETCH**

SCALE: 1" = 2000'

**LOCATION**

LONGITUDE 83° 50' 51.0"  
LATITUDE 42° 31' 55.5"  
GROUND ELEV. @ TOWER BASE = 981.40

**GENERAL NOTES:**

- All site work construction shall be in accordance with the current standards and specifications of the Township of Genoa, where applicable.
- The proposed equipment shelter is to be a one story, computerized, unarmored, telephone exchange structure. No water service, sanitary facilities or gas service is needed. Telephone and electrical service will be from an existing utility pole or line adjacent to the site.
- The proposed equipment shelter is to have a security system monitored 24 hours per day. The shelter will also be constructed with bullet resistant materials.
- There is one, low voltage (120V), shielded, wall-mounted security light next to the stoop of the shelter.
- There are no signs proposed for this project except for:
  - Emergency contact information purposes and FCC "call" sign placed on equipment shelter door.
- The cellular antenna and equipment shelter will be approved by the Federal Communications Commission (FCC) and will not impact any frequency sensitive devices whatsoever. Buyer warrants no adverse radio interference with adjacent land uses.
- There are no toxic materials used by Lessee on the site. Lessee has no need for outdoor storage or garbage disposal and pick-up.
- Maintenance personnel using van type service vehicles enter and exit the site approximately 2 to 4 times per month. No loading or unloading area is needed by them.
- All areas disturbed by the construction of the shelter and antenna shall be restored in kind. Contractor is to provide soil erosion control measures as needed or as directed by owner or government agency having jurisdiction.
- Ingress and egress by Lessee's personnel to the site shall be via an existing paved drive from Moret Court.
- This site plan is based on the survey of the existing conditions conducted by Midwestern Consulting, LLC on 02-16-2008.

**PROPERTY INFORMATION**

TAX PARCELS #11-27-301-002  
OWNER: DELCOR HOMES-VILLAS OF OAK POINTE, LTD.  
A MICHIGAN CORPORATION  
2195 S. MILFORD ROAD  
MILFORD, MICHIGAN 48361  
PROPERTY ADDRESS:  
MORET COURT  
BRIGHTON, MICHIGAN 48110

PREPARED BY:  
MIDWESTERN CONSULTING, L.L.C.

JAMES A. FEHR P.E. #24280

**MIDWESTERN CONSULTING**  
MBS  
604, Environmental and  
Transportation Engineers  
Planners, Surveyors  
Landscape Architects  
3015 Plaza Drive  
Ann Arbor, Michigan 48108  
Phone: 734.963.3000  
Fax: 734.963.0280

APPLICANT/LESSEE:  
NEW PAR, A DELCOR PARKWAY  
DEVELOPMENT  
20424 EVERETT HIGHWAY  
SOUTHFIELD, MICHIGAN 48075  
PHONE: (248) 618-3000

SITE #1132 - "OAK POINTE"  
GENOA TOWNSHIP, LIVINGSTON COUNTY, MICHIGAN  
SITE PLAN

JOB NO. 94044-1132	DATE/VIEW	BY	CHK'D BY
	ISSUED: 1. 11. 1		
REVISIONS	NO. DATE	BY	CHK'D BY
	1 05/07/09	JAF	



# SUBSTITUTE W-9 AND VENDOR CLASSIFICATION FORM

Check all boxes in the following sections that apply to your business

*(Incomplete forms will cause Delays on Payments)*

**THE TOWNSHIP OF GENOA**

2911 Dorr Road  
Brighton, Michigan 48116

~ If this address is incorrect, please change.

~ If you have had a name change, please include written documentation and new federal tax identification number.

IS THIS COMPANY MINORITY, WOMAN OR PROTECTED CLASS-OWNED (M/W/DV BE)?  YES  NO If yes, please select from below:

GENDER:  Male  Female BUSINESS OWNERSHIP/CLASSIFICATION:  African American  Asian/Pacific American  
 Asian/Subcontinent American  Hispanic American  Native Indian/Eskimo/Hawaiian American  Non-minority  Persons with Disability  
 Service Disabled Veteran  Vietnam-era Veteran  Veteran

BUSINESS TYPE:  Large  Small  8(A) SDB  Small Disadvantaged Business  HUB

CERTIFYING AGENCY:  California Clearinghouse (CPLC)  NMSDC (Affiliate)  State  SBA  WBENC  USPAACC  
 Other (specify) \_\_\_\_\_

If certified, please fax or mail a copy of this form and your certification form to: Gwen Wilson, Verizon Wireless, 600 Hidden Ridge, MC# HQE04D12, Irving, TX 75116 (fax # 972-718-4337). For more information, log on to the website at [www.verizonwireless.com/supplierdiversity](http://www.verizonwireless.com/supplierdiversity).

### BUSINESS ACTIVITY: (Check One)

Services Only  Legal Firm / Attorney / Lawyer  Medical / Health Care  
 Real Estate rental / lease  Merchandise (goods) only  
 Consultant / Professional Fees  Merchandise & services

### CHECK IF APPLICABLE:

A Division of (Same Federal Tax ID as Parent) \_\_\_\_\_ (Parent Company)  
 A Wholly-Owned Subsidiary of (Different Federal Tax ID than Parent) \_\_\_\_\_ (Parent Company)  
 Non-US Supplier (Primarily of Foreign Origin) \_\_\_\_\_ (Country)

PAYMENT TERMS: see Lease

Please complete the information on the following page. We are required by law to obtain this information from you when making a reportable payment to you. If you do not provide us with this information, your payments may be subject to a 30% federal income tax backup withholding (29% after December 31, 2003). Also, if you do not provide us this information, you may be subject to a \$50 penalty imposed by the Internal Revenue Service under Section 6723. Federal law on backup withholding preempts any state or local law remedies, such as any right to a mechanic's lien. If you do not furnish a valid TIN, or if you are subject to backup withholding, the payor is required to withhold 30% of its payment to you (29% after December 31, 2003). Backup withholding is not a failure to pay you. It is an advance tax payment. You should report all backup withholding as a credit for taxes paid on your federal income tax return.

Use this form only if you are a U.S. person (including U.S. resident alien). If you are a foreign person, use the appropriate Form W-8.

### Instructions – for following page

1. Complete Part 1 by completing the one row of boxes that corresponds to your tax status.
2. Complete Part 2 if you are exempt from Form 1099 reporting.
3. Complete Part 3 to sign and date the form.
4. Return this completed form to us in the enclosed envelope. (Note: If you are a M/W/DV BE please fax or mail a copy of this form and your certification form as instructed above.)



**Part 1 – Tax Status:** (complete only one row of boxes)

**Individuals:**  
(Fill out this row)

Individual Name: (First name, middle initial, last name) _____	Individual's Social Security Number _____
---	--

**Sole Proprietor:**  
(Fill out this row)

A sole proprietorship may have a "doing business as (dba)" trade name, but the legal name is the name of the business owner.

Business Owner's Name: (REQUIRED) (First name) _____ (Middle initial) _____ (Last name) _____	Business Owner's Social Security Number _____ or Employer ID Number _____	Business or Trade Name (OPTIONAL) _____ _____
---	--	---

**Partnership:**  
(Fill out this row)

Include LLC (Limited Liability Company)

Name of Partnership: _____	Partnership's Employer Identification Number: _____	Partnership's Name on IRS records: (see IRS mailing label) _____
-------------------------------	--	---

**Corporation, exempt charity, or other entity:**  
(Fill out this row)

A corporation may use an abbreviated name or its initials, but its legal name is the name on the Articles of Incorporation

Name of Corporation or Entity: <b>The Township of Genoa</b>	Employer Identification Number: _____	_____
--	--	-------

**Part 2 – Exemption:** If exempt from Form 1099 reporting, check here:  AND circle your qualifying exemption reason below:

- 1. Corporation except there is no exemption for medical and healthcare payments or payments for legal services.
- 2. Tax Exempt Charity under 501(a) (includes 501(a)(3), or 1RA)
- 3. The United States or any of its agencies or instrumentalities
- 4. A state, the District of Columbia, a possession of the United States, or any of their political subdivisions
- 5. A foreign government or any of its political subdivisions

**Part 3 – Signature:** I am a U.S. person (including a U.S. resident alien).

Person completing this form:

Title: \_\_\_\_\_ Name: \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Tax correspondence address: \_\_\_\_\_

2911 Dorr Road

City: Brighton State: MI ZIP: 48116

Phone: ( 810 ) 227-5225

If address for payment is different, please list payment remit address below:

Remit address: \_\_\_\_\_

\_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ ZIP: \_\_\_\_\_

Nonresident aliens:

U.S. resident aliens who claim a treaty benefit based on a saving clause must complete a form W-9 (this form is acceptable) and attach the required information to avoid backup withholding. (treaty country, treaty article addressing the income, the article number in the tax treaty that contains the saving clause and its exceptions, the type and amount of income that qualifies for the exemption from tax, and sufficient facts to justify the exemption from tax under the terms of the treaty article)

**Mike**

---

**From:** Chris Hensick [hensick@sbcglobal.net]  
**Sent:** Tuesday, May 12, 2009 2:39 PM  
**To:** Adam VanTassell; Mike  
**Subject:** McClements Rd Chloride: YES !!!

Hey, Guys,

A big thanks and well-done with regard to the early chloriding of McClements Road today; and, the coordination with the LCRC was beautiful...they heavy graded and then ran the float truck back and forth all morning, then the chloride truck ran by at 2:00pm.

My wife and I, as well as the neighbors up and down the road, are very appreciative that you had this on your schedule early this year; it really makes our life better.

Chris

Board Correspondence  
F.Y.I.



Friday, May 8, 2009

## Genoa Township resident paints her politics on garage door

Valerie Olander / The Detroit News

*Genoa Township* -- Cindy Geist is fed up with the government's "perpetual lack of fiscal responsibility" and she is letting everyone know about it --with painted messages on her garage door.

Using a sponge and washable tempera paint, Geist writes a new slogan weekly, typically using a quote from a historical figure.

This week, she quotes former President Ronald Reagan: "Government is not the solution to our problems. Government is the problem."

Another message was from former British Prime Minister Margaret Thatcher: "U.S.S.A.? The problem with socialism is that you eventually run out of other people's money."

Geist, 52, calls it a grassroots effort she hopes will catch on with others frustrated with bailouts, excessive bonuses and borrowed spending.

She started out with a few lawn signs along Clifford Road, where she lives on Round Lake. She decided on the larger surface in mid-March, starting up a Web site, [garagedoorpolitics.com](http://garagedoorpolitics.com), hoping the idea catches on.

Geist said she is frugal with a tight household budget and that the government should be as tight as well. She uses a \$1 mop from Big Lots to wipe off the weekly messages. Then, she adds another.

Her political background doesn't go too far. She says she doesn't belong to any political group and her only brush with a campaign was trying to help her son win a seat on the local school board. He lost.

"I'm just a mother and a housewife concerned with government spending," she said.

Neighbor Rick Ratke said he has no problem with Geist's garage door politicking. He enjoys when she changes the sayings.

"It takes some guts to put your politics out there," he said.

No ordinances exist that would prohibit Geist from writing her political thoughts on her personal property. Genoa Township code enforcement official Adam VanTassell likened the messages to political lawn signs that fall under Constitutional guarantees of freedom of speech.

"We're aware of it. Some people may not be happy with it," VanTassell said.

Geist is not an extremist by any means. She only uses one of her six garage doors. They face the road, near Brighton Road and Chilson. She could have used all of them to write all the zeros in the \$3.6 trillion budget.

She has not personally attacked the president or Democratic leadership directly and said she will not do that.

"I'm trying to be polite about Obama. He is the president, and I'm not trying to be disrespectful," she said.

Judy Daubenmier, head of the Livingston County Democratic Party, was quick to debunk Geist's political philosophy, although she had no objection to Geist voicing her opinion.

"If that's the way she wants to decorate her garage door, then so be it. Even if I lived across the street from her, I'm not sure I'd have a problem with it. I'm a big freedom of speech supporter."

[volander@detnews.com](mailto:volander@detnews.com) (734) 462-2203

**Find this article at:**

<http://www.detnews.com/article/20090508/METRO04/905080376/Genoa-Township-resident-paints-her-politics-on-garage-door>

Check the box to include the list of links referenced in the article.

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## Estimated FY 2008-09 Revenue Sharing Payments to Local Units of Government Adjusted for Executive Order 2009-22

FY2008-09 Payments will Equal Constitutional Payments plus FY2007-08 Statutory Payments

Local Unit		Estimated FY2008-09 <u>Constitutional</u>	FY2007-08 <u>Statutory</u>	Estimated Total <u>Payment</u>	Change From FY 2007-08	
<u>Name</u>	<u>Type</u>				<u>Dollar</u>	<u>Percent</u>
Addison	Village	\$41,452	\$16,510	\$57,962	-\$2,112	-3.5%
Blissfield	Village	\$213,082	\$95,965	\$309,047	-\$10,851	-3.4%
Britton	Village	\$46,213	\$15,658	\$61,871	-\$2,353	-3.7%
Cement City	Village	\$29,883	\$10,360	\$40,243	-\$1,522	-3.6%
Clayton	Village	\$21,552	\$8,573	\$30,125	-\$1,100	-3.5%
Clinton	Village	\$151,597	\$44,201	\$195,798	-\$7,721	-3.8%
Deerfield	Village	\$66,443	\$21,361	\$87,804	-\$3,385	-3.7%
Onsted	Village	\$53,750	\$9,299	\$63,049	-\$2,739	-4.2%
<b>Livingston County</b>		\$0	\$0	\$0	\$0	...
Brighton	Township	\$1,168,417	\$0	\$1,168,417	-\$59,502	-4.8%
Cohoctah	Township	\$224,388	\$0	\$224,388	-\$11,427	-4.8%
Conway	Township	\$180,621	\$0	\$180,621	-\$9,197	-4.8%
Deerfield	Township	\$270,204	\$0	\$270,204	-\$13,760	-4.8%
Genoa	Township	\$1,051,265	\$0	\$1,051,265	-\$53,537	-4.8%
Green Oak	Township	\$1,018,473	\$0	\$1,018,473	-\$51,866	-4.8%
Hamburg	Township	\$1,355,584	\$0	\$1,355,584	-\$69,033	-4.8%
Handy	Township	\$266,568	\$0	\$266,568	-\$13,576	-4.8%
Hartland	Township	\$726,980	\$0	\$726,980	-\$37,023	-4.8%
Howell	Township	\$375,456	\$0	\$375,456	-\$19,120	-4.8%
Iosco	Township	\$200,917	\$0	\$200,917	-\$10,233	-4.8%
Marion	Township	\$446,726	\$0	\$446,726	-\$22,751	-4.8%
Oceola	Township	\$552,838	\$0	\$552,838	-\$28,154	-4.8%
Putnam	Township	\$354,300	\$0	\$354,300	-\$18,043	-4.8%
Tyrone	Township	\$559,251	\$0	\$559,251	-\$28,480	-4.8%
Unadilla	Township	\$210,900	\$0	\$210,900	-\$10,743	-4.8%
Brighton	City	\$443,024	\$116,107	\$559,131	-\$22,561	-3.9%
Howell	City	\$604,869	\$199,902	\$804,771	-\$30,804	-3.7%
Fowlerville	Village	\$196,488	\$81,379	\$277,867	-\$10,006	-3.5%
Pinckney	Village	\$141,548	\$12,323	\$153,871	-\$7,209	-4.5%
<b>Luce County</b>		\$0	\$0	\$0	\$0	...
Columbus	Township	\$14,214	\$0	\$14,214	-\$724	-4.8%
Lakefield	Township	\$71,005	\$0	\$71,005	-\$3,616	-4.8%
Mcmillan	Township	\$83,368	\$0	\$83,368	-\$4,246	-4.8%
Pentland	Township	\$149,217	\$0	\$149,217	-\$7,600	-4.8%
Newberry	Village	\$115,631	\$99,645	\$215,276	-\$5,889	-2.7%
<b>Mackinac County</b>		\$0	\$0	\$0	\$0	...
Bois Blanc	Township	\$4,694	\$111	\$4,805	-\$238	-4.7%
Brevort	Township	\$42,907	\$0	\$42,907	-\$2,186	-4.8%
Clark	Township	\$145,448	\$0	\$145,448	-\$7,407	-4.8%
Garfield	Township	\$82,707	\$0	\$82,707	-\$4,211	-4.8%
Hendricks	Township	\$12,098	\$0	\$12,098	-\$616	-4.8%
Hudson	Township	\$14,148	\$0	\$14,148	-\$721	-4.8%
Marquette	Township	\$43,568	\$0	\$43,568	-\$2,218	-4.8%
Moran	Township	\$71,402	\$0	\$71,402	-\$3,637	-4.8%
Newton	Township	\$23,536	\$0	\$23,536	-\$1,198	-4.8%
Portage	Township	\$69,749	\$0	\$69,749	-\$3,552	-4.8%



## MEMORANDUM

TO: Township Board  
FROM: Mike Archinal, Manager  
DATE: 2/26/09  
RE: Budget Information

This evening you are being asked to consider several amendments to the FY 08/09 Budget. We are also reviewing the FY 09/10 General Fund Budget. It should be noted that next year's budget paints a substantially different picture than what we have enjoyed in the past. A variety of factors are impacting the budget negatively:

- Over the last 15 years Genoa has experienced remarkable growth. The Headlee Amendment and Proposal "A" have had a compounding effect on our millage rate. Instead of enjoying the full revenue gains of this growth our statutory rate has been reduced to .81460. The cumulative effects of this reduction are substantial.
- The old Township Hall was sold on a ten year lease purchase to United Way. FY 08/09 was the last year for these payments. This decreases our revenue stream by \$51,000 per year.
- ✱ • State shared revenues are based on sales tax receipts. Given the current state of the economy this revenue source is unstable at best.
- Also related to the economy is the housing bubble and the severe decline in property values. Property tax revenue is expected to decline from \$950,000 to \$900,000.
- The condition of the financial markets and Federal Reserve actions has severely reduced the amount of interest income we receive from our assets. FY 08/09 anticipated General Fund interest income of \$45,000. The proposed FY 09/10 budget includes only \$18,000 in interest income.

Over the last several years we have been able to transfer large sums to various enterprise funds. These include: Future Roads, Parks and Recreation, Fire Construction Fund, Road Revolving Loan Fund and Building and Grounds. In most years these transfers represented hundreds of thousands of dollars. For FY 09/10 a mere \$45,000 is being transferred to Buildings and Grounds. Significant revenue increases with current conditions is likely not a viable option. We are entering a new era where we will need to consider painful cuts in the way we provide service to our customers and focus on our core mission. The proposed budget before you this evening includes the following budget stabilizing measures:

- Reduce legal fees from \$350,000 to \$125,000. Major lawsuits utilizing outside counsel are largely concluded. Some pending cases will utilize insurance provided attorneys only.
- Reduce electric and gas utilities from \$20,000 to \$12,000. Despite a fairly harsh winter we are safely under budget for this year. An effort has been made to not heat the Boardroom when not in use. Additional measures including programmable thermostats and motion detecting light switches will add further savings.
- Reduce printing, postage and office supplies from \$75,000 to \$70,000. Additional scrutiny will be given to office purchases by requiring the Manager's approval. While much of this line item is fixed e.g. related to the mailing of tax bills, assessment notices etc. I feel savings are achievable. Also additional internet usage will reduce printing and paper costs.
- Reduce ZBA salaries from \$13,500 to \$9,000. In 2008 there were four monthly meetings with one agenda item and two months with no items. A continued slowdown in construction should allow us to cancel some meetings. Staff will also make an effort to coordinate applications so we have multiple cases on each agenda. With notice publication, postage and per diems and with variance fees at \$125 we lose money for every meeting where there are fewer than ten cases. Reducing the number of meetings will result in savings.
- Reduce dust control from \$100,000 to \$90,000. Last year's weather conditions were such that we only spent \$66,111 on this line item. Dust control for Pardee, Beattie and Westphal were also included in FY 08/09 Road Construction. We have had good success in using brine instead of chloride which is a cheaper product. Even assuming a typically dry summer season I feel increased utilization of brine will reduce cost.
- Increase refuse collection fees line item from \$651,000 to \$680,000. Increasing fees from \$100 to \$105 will generate approximately \$29,000 in increased revenue. The true cost for refuse collection is expected to be \$845,000 in FY 09/10 with the General Fund subsidizing the difference. Even at \$105, by bidding the entire Township as one contract we are providing our residents with a tremendous value when compared to other area jurisdictions.

I look forward to discussing these matters with you on Monday night. Please consider the following action:

**Moved by \_\_\_\_\_, supported by \_\_\_\_\_, to approve amendments to the FY 08/09 budget as presented.**

Formal action on next year's budget will be appropriate at the 3/16/09 meeting.

To Board 5/18/09

# MICHIGAN DEPARTMENT OF ENVIRONMENTAL QUALITY PERMIT

**ISSUED TO:**

Ms. Ann Jackson and  
Barbara Ross  
4044 Clifford Road  
Brighton, Michigan 48116

Permit No.	09-47-0020-P
Issued	April 24, 2009
Extended	
Revised	
Expires	April 24, 2014

This permit is being issued by the Michigan Department of Environmental Quality (MDEQ) under the provisions of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended (NREPA) and specifically:

- Part 301 Inland Lakes and Streams
- Part 315 Dam Safety
- Part 325 Great Lakes Submerged Lands
- Part 323 Shorelands Protection and Management
- Part 303 Wetlands Protection
- Part 353 Sand Dune Protection and Management
- Part 31 Floodplain/Water Resources Protection

Permission is hereby granted, based on permittee assurance of adherence to State requirements and permit conditions to:

**Permitted Activity:**

Construct a 50-foot long vertical seawall on Round Lake with 5.55 cubic yards of backfill and 1.66 cubic yards of riprap along 30 feet of the new wall.

All work shall be completed in accordance with the attached plans and the terms and conditions of this permit.

**Water Course Affected:** Round Lake  
**Property Location:** Livingston County, Genoa Township, Section 27  
Crooked Lake Highlands Subdivision Subdivision, Lot 114      Town/Range 2N, 5E      Property Tax No. 4711-22-302-

- Authority granted by this permit is subject to the following limitations:**
- A. Initiation of any work on the permitted project confirms the permittee's acceptance and agreement to comply with all terms and conditions of this permit.
  - B. The permittee in exercising the authority granted by this permit shall not cause unlawful pollution as defined by Part 31, Floodplain/Water Resources Protection of the NREPA.
  - C. This permit shall be kept at the site of the work and available for inspection at all times during the duration of the project or until its date of expiration.
  - D. All work shall be completed in accordance with the plans and the specifications submitted with the application and/or plans and specifications attached hereto.
  - E. No attempt shall be made by the permittee to forbid the full and free use by the public of public waters at or adjacent to the structure or work approved herein.
  - F. It is made a requirement of this permit that the permittee give notice to public utilities in accordance with Act 53 of the Public Act of 1974 and comply with each of the requirements of that act.
  - G. This permit does not convey property rights in either real estate or material, nor does it authorize any injury to private property or invasion of public or private rights, nor does it waive the necessity of seeking federal assent, all local permits or complying with other state statutes.
  - H. This permit does not prejudice or limit the right of a riparian owner or other person to institute proceedings in any circuit court of this state when necessary to protect his rights.
  - I. Permittee shall notify the MDEQ within one week after the completion of the activity authorized by this permit, by completing and forwarding the attached, preaddressed post card to the office addressed thereon.
  - J. This permit shall not be assigned or transferred without the written approval of the MDEQ.
  - K. Failure to comply with conditions of this permit may subject the permittee to revocation of permit and criminal and/or civil action as cited by the specific State Act, Federal Act and/or Rule under which this permit is granted.
  - L. Work to be done under authority of this permit is further subject to the following special instructions and specifications:




1. Prior to initiating construction authorized by this permit, the permittee is required to provide a copy of the permit to the contractor(s) for his/her review.
2. The property owner, contractor(s), and any agent involved in obtaining or exercising this permit, are held responsible to ensure the project is constructed in accordance with all drawings and specifications contained in this permit. The contractor is required to provide a copy of the permit to any and all subcontractors doing work authorized by this permit.
3. Prior to commencing installation of the shore protection structure, the entire lakeward perimeter of project site shall be isolated with a filter fabric sediment barrier to prevent movement of suspended sediments. The sediment curtain shall be installed to extend from the bed of the waterbody to a point above the existing water's surface. The sediment curtain shall be maintained for the duration of the project and shall be left in place after completion until all disturbed sediments have settled.
4. *All rock riprap currently at the shoreline shall be rolled lakeward or removed to an upland site before construction of the new seawall. The rock riprap shall then be replaced at the lakeward toe of the new wall after construction is complete.*
5. The riprap shall consist of clean stone or rock, (free of paint, soil or other fines, asphalt, soluble chemicals, or organic material) ranging from 4 inches to 18 inches in size. Riprap shall be placed along the waterward toe of the bulkhead; to prevent undercutting by wave action, to mitigate for the loss of habitat and to provide for use by fish and other aquatic life. Forty linear feet or forty percent of the wall, whichever is less, may be left without riprap. Placement of the riprap shall occur immediately upon installation of the new seawall. The placement of riprap does not establish a new shoreline nor shall it be construed to do so.
6. Unless authorized by the attached plans, the seawall, bulkhead, or revetment structure shall be placed at or above (landward) of the Ordinary High Water Mark in the location shown on the attached approved plans. Any variation from the approved location must be authorized in writing by the Land and Water Management Division prior to the initiation of these activities.
7. On a project requiring backfilling, the seawall shall be in place prior to placing any fill.
8. Photos shall be taken after the new seawall has been installed but prior to the placement of backfill. Photos shall be taken from each of the same vantage points as the photos submitted and attached on the project plans or "Photo Page".
9. Upon completion of your project, you must complete and return the enclosed card and photos taken from each of the same vantage points showing the "as-built" condition of your project.
10. The completion card and required photos shall be forwarded to the MDEQ's Land and Water Management Division, MDEQ, LWMD, Lansing District Office, P.O. Box 30242 4th Floor-North, 525 West Allegan Street, Lansing, MI 48933, within 30 days of completion of the project. Staff will use such pictures for monitoring compliance with your permit. Failure to submit these photos is an event of noncompliance.
11. Dredging is not authorized by this permit.
12. All fill/backfill shall consist of clean inert material which will not cause siltation nor contain soluble chemicals, organic matter, pollutants, or contaminants. All fill shall be CONTAINED in such a manner so as not to erode into any surface water, floodplain, or wetland. All raw areas associated with the permitted activity shall be STABILIZED with sod and/or seed and mulch, riprap, or other technically effective methods as necessary to prevent erosion.
13. No fill, excess soil, or other material shall be placed in any wetland or surface water area not specifically authorized by this permit, its plans, and specifications.
14. The permittee is cautioned that grade changes resulting in increased runoff onto adjacent property is subject to civil damage litigation.

15. Authority granted by this permit does not waive permit requirements under Part 91, Soil Erosion and Sedimentation Control, of the NREPA, or the need to acquire applicable permits from the County Enforcing Agent (CEA). To locate the Soil Erosion Program Administrator for your county visit [www.deq.state.mi.us/sesca/](http://www.deq.state.mi.us/sesca/).
16. In issuing this permit, the MDEQ has relied on the information and data which permittee has provided in connection with the permit application. If, subsequent to the issuance of this permit, such information and data prove to be false, incomplete, or inaccurate, the MDEQ may modify, revoke, or suspend the permit, in whole or in part, in accordance with the new information.
17. The authority to conduct the activity as authorized by this permit is granted solely under provisions of the governing act as identified above. This permit does not convey, provide, or otherwise imply approval of any other governing act, ordinance, or regulation, nor does it waive the permittee's obligation to acquire any local, county, state or federal approval or authorizations necessary to conduct the activity.
18. The permittee shall indemnify and hold harmless the State of Michigan and its departments, agencies, officials, employees, agents, and representatives for any and all claims or causes of action arising from acts or omissions of the permittee, or employees, agents, or representatives of the permittee, undertaken in connection with this permit. This permit shall not be construed as an indemnity by the State of Michigan for the benefit of the permittee or any other person.
19. If any change or deviation from the permitted activity becomes necessary, the permittee shall request, in writing, a revision of the permitted activity and/or mitigation plan from the MDEQ. Such revision requests shall include complete documentation supporting the modification and revised plans detailing the proposed modification. Proposed modifications must be approved, in writing, by the MDEQ prior to being implemented.
20. This permit may be transferred to another person upon written approval of the MDEQ. The permittee must submit a written request to the MDEQ to transfer the permit to the new owner. The new owner must also submit a written request to accept transfer of the permit. The new owner must agree, in writing to accept all conditions of the permit. A single letter signed by both parties which includes all the above information may be provided to the MDEQ. The MDEQ will review the request and if approved, will provide written notification to the new owner.
21. This permit is being issued for the maximum time allowed under Part 301, Inland Lakes and Streams, of the Natural Resources and Environmental Protection Act, PA 451 of 1994, as amended, including all permit extensions allowed under the administrative rules R 281.813 and R 281.923. Therefore, no extensions of this permit will be granted. Initiation of the construction work authorized by this permit indicates the permittee's acceptance of this condition. The permit, when signed by the DEQ, will be for a five-year period beginning at the date of issuance.

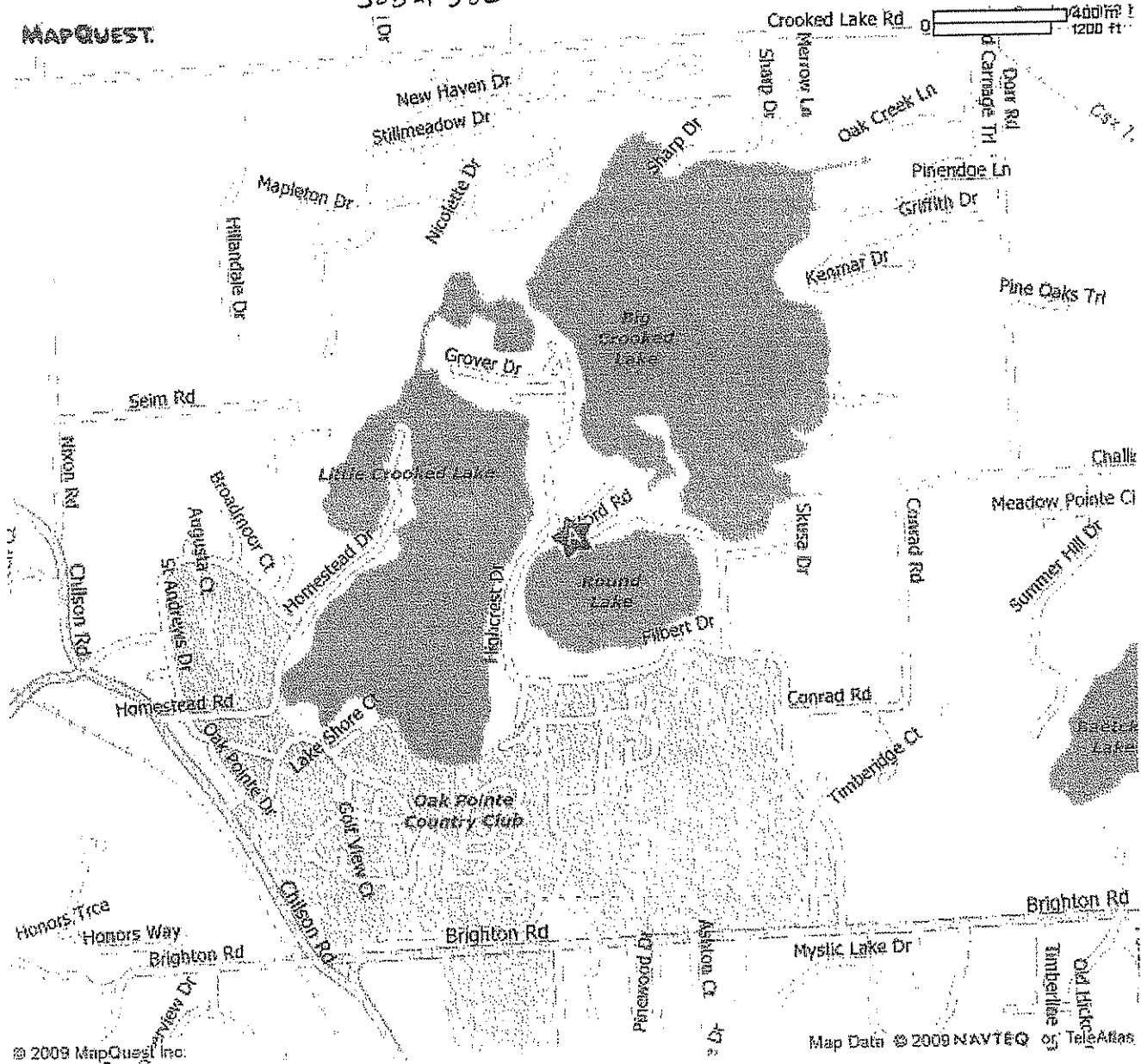
Steven E. Chester, Director  
Department of Environmental Quality

By \_\_\_\_\_

  
Carol Valor  
District Representative  
Land and Water Management Division

cc: Livingston County CEA  
Genoa Township Clerk  
Gus Conway, Seaside Seawalls

Seaside  
Job # 582 1 of 3



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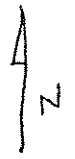
RECEIVED

APR 16 2009

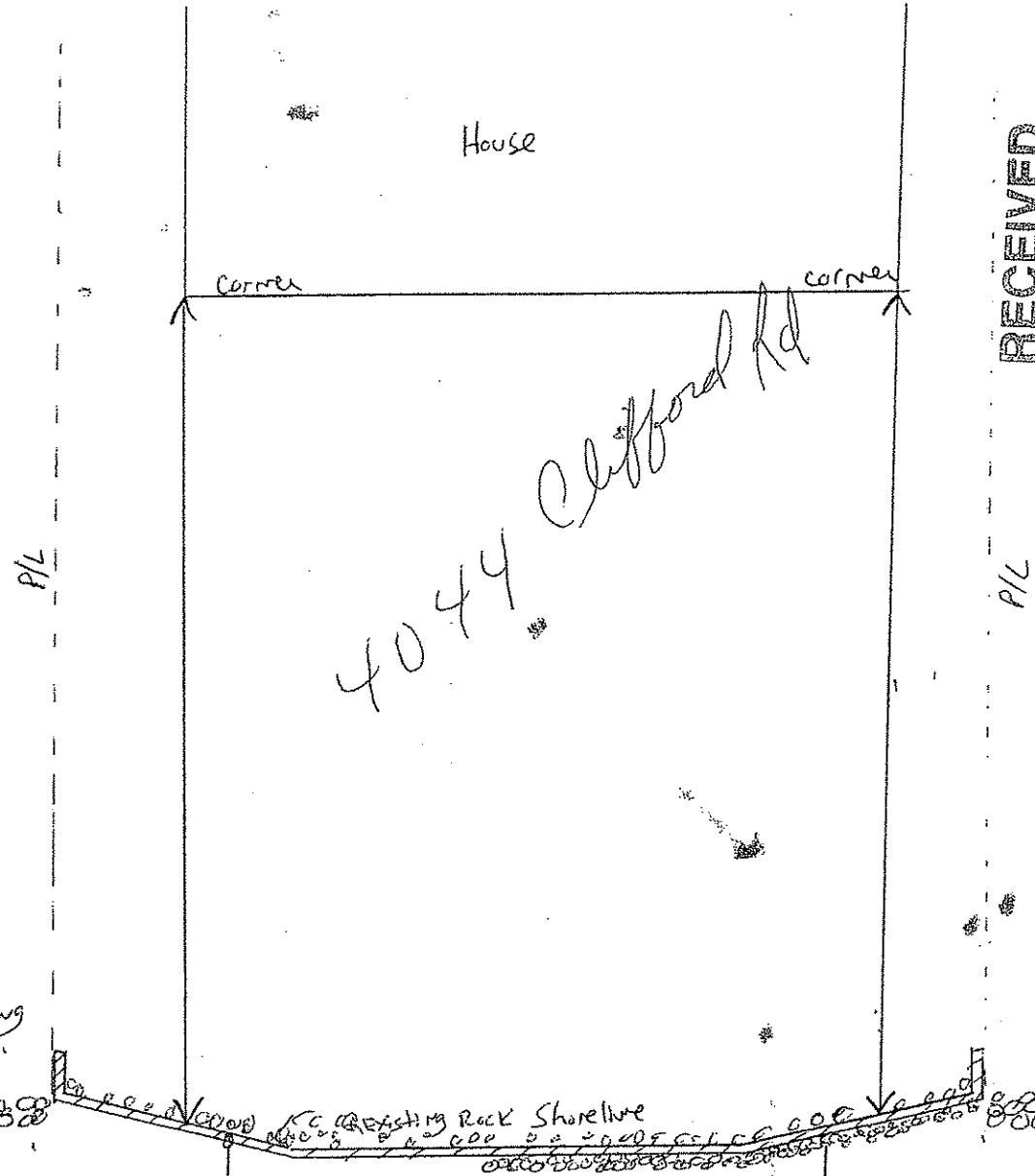
DEQ-LWMD  
 File # 09-47-0020  
 APPROVED PLANS  
 Page 1 of 4  
4/24/09

DEQ-LANSING DO  
 LAND AND WATER MANAGEMENT

Seaside Seawalls, LLC  
# 582  
Argus Co.  
LWS LK.  
9-09  
of 3

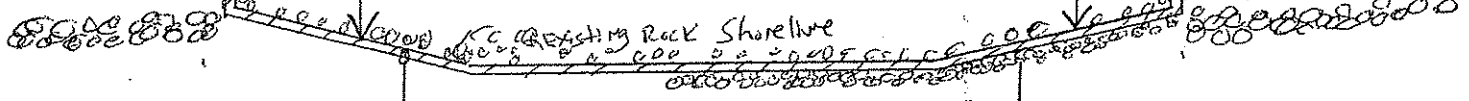


Scale  
1" = 10'



Neighbors Existing Rock Shoreline

Neighbors Existing Rock Shoreline



Proposed 50' x 3' Vinyl Seawall

Proposed riprap placed @ 60% cantoward toe

Round LAKE

RECEIVED

APR 16 2009

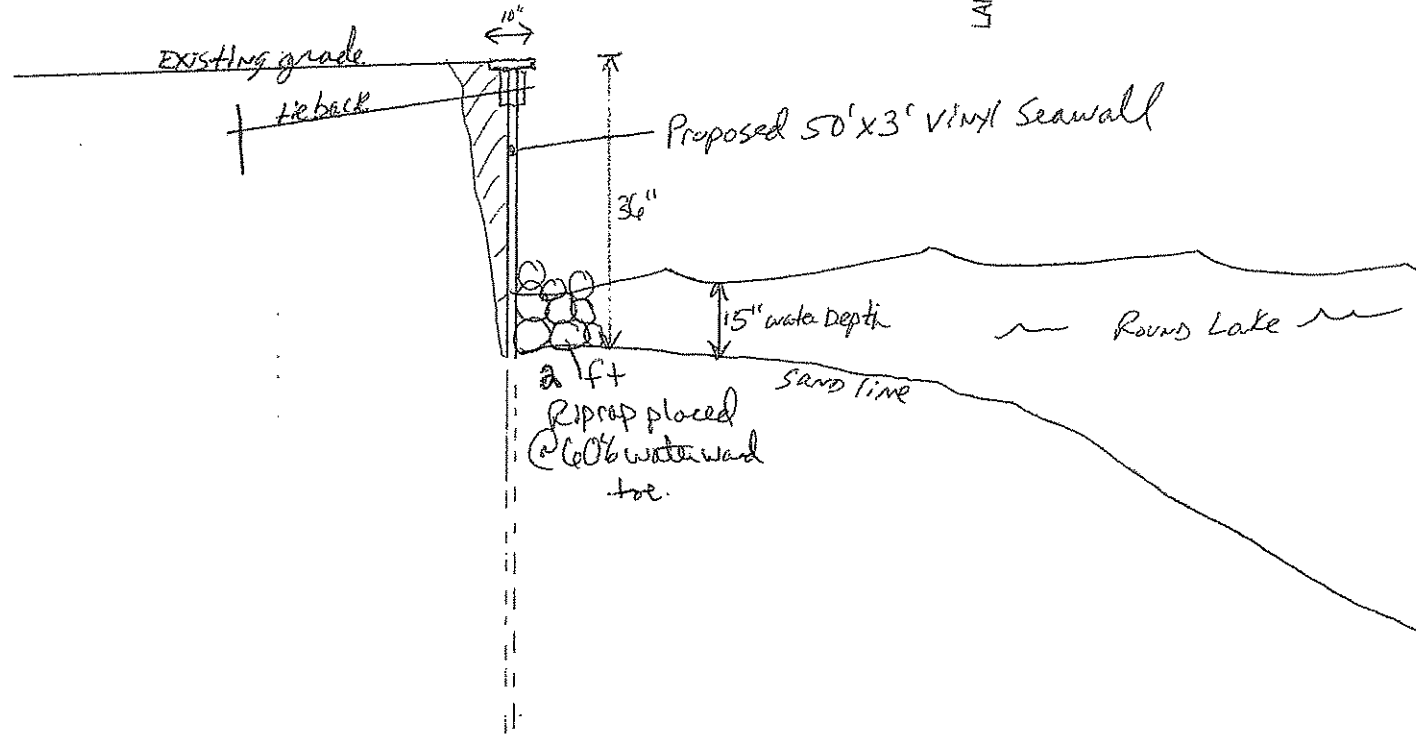
DEGLANSING DO  
LAND AND WATER MANAGEMENT

DEQ-LWMD  
File # 09-47-0020  
APPROVED PLANS  
Page 2 of 4  
4124109

RECEIVED

APR 16 2009

DEQ-LWMD  
LAND AND WATER MANAGEMENT

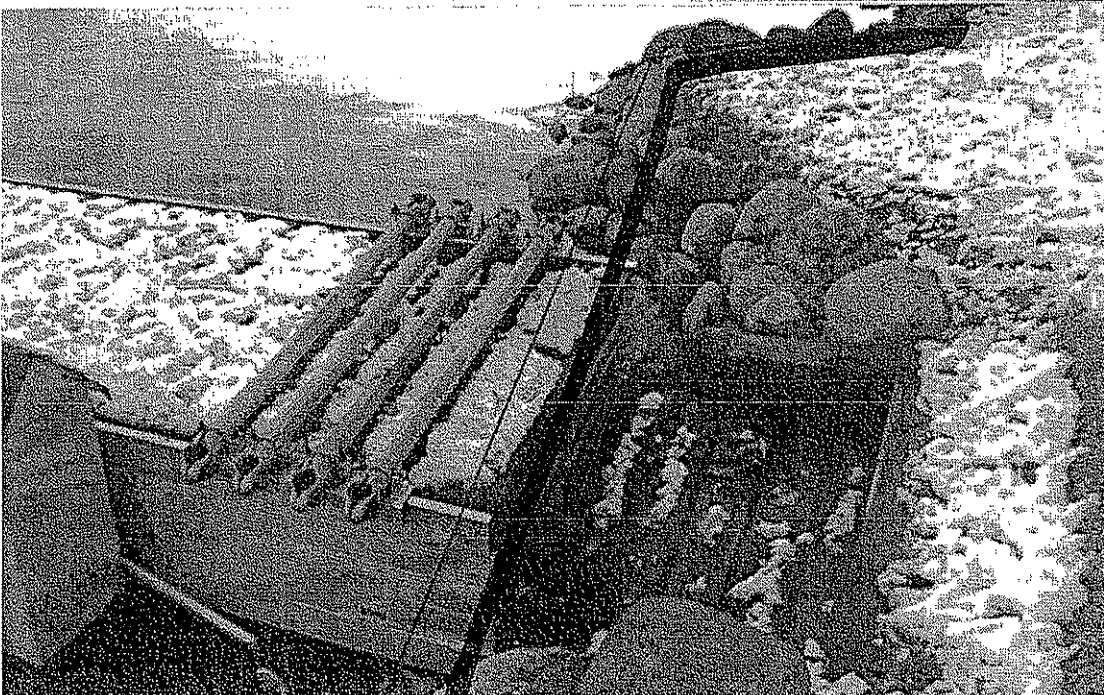
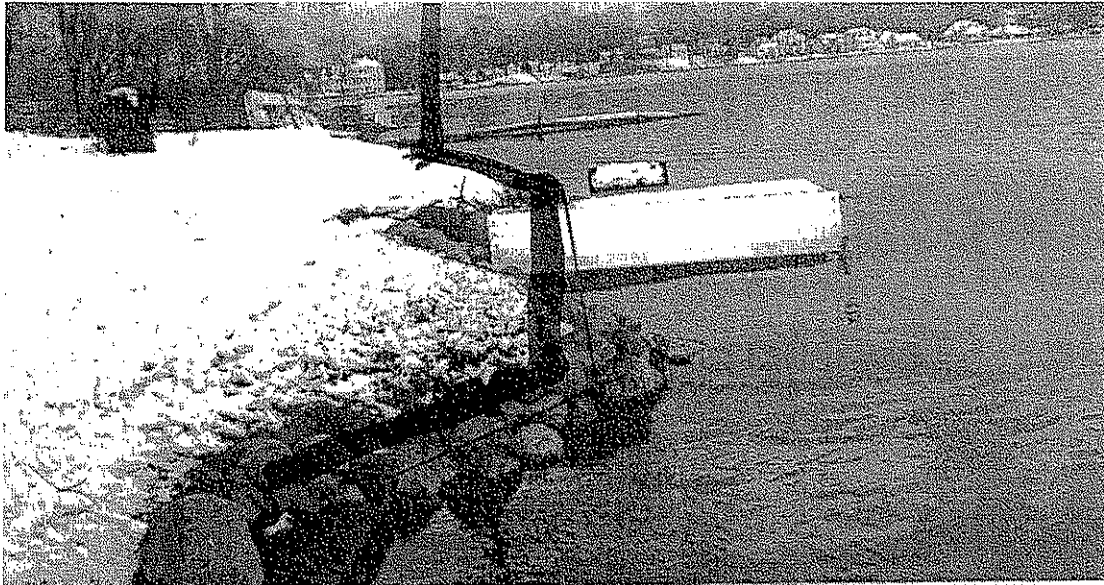


Scale  
1" = 24"



By: Seaside Seawalls, LLC  
Job # 582  
Livingston County  
Round Lake  
4-9-09  
RAF

DEQ-LWMD  
File # 09-47-0020  
APPROVED PLANS  
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4124109



DEQ-LWMD  
File # 09-47-0020-P  
APPROVED PLANS  
Page 4 of 4  
412909

To Board 5/18/09

**JOHNSON ROSATI**

LABARGE, ASELTINE & FIELD, P.C.

34405 W. Twelve Mile Road, Suite 200 ~ Farmington Hills, Michigan 48331-5627  
Phone: 248.489.4100 / Fax: 248.489.1726  
www.johnsonrosati.com

Marcelyn A. Stepanski  
mstepanski@jrlaf.com

May 7, 2009

Ms. Paulette Skolarus, Township Clerk  
Township of Genoa  
2911 Dorr Road  
Brighton, MI 48116

**PERSONAL AND CONFIDENTIAL**  
**ATTORNEY/CLIENT PRIVILEGE**

**Status Report**

Re: Dewey Thomas vs. Township of Genoa  
MMRMA Occurrence No. 2007-38305-001 GPDZ  
MMRMA Claim No. 131283  
Date of Loss: 7/01/2006

Dear Ms. Skolarus:

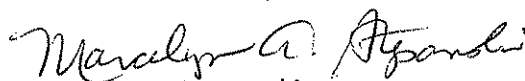
I am writing to update you on the above-referenced matter. As you may recall, the circuit court granted summary disposition in favor of the Township in this case, and Plaintiff filed a claim of appeal with the Michigan Court of Appeals. The pertinent hearing transcripts have been filed, and Plaintiff's Appeal Brief was due on April 10, 2009.

As of this date, Plaintiff has not filed his Appeal Brief, nor has his counsel requested a stipulated extension or filed a motion for extension of time with the Court of Appeals. A party can typically secure a 56-day extension of time, but none has been requested by Plaintiff thus far. The Court of Appeals will likely send Plaintiff's counsel an involuntary dismissal letter if nothing is done by the expiration of that period of time.

We will continue to keep you updated as developments occur. In the meantime, if you have any questions or comments, please do not hesitate to call.

Very truly yours,

JOHNSON, ROSATI, LaBARGE,  
ASELTINE & FIELD, P.C.

  
Marcelyn A. Stepanski

MAS/mbm

cc: Michael Archinal, Township Manager  
Gary McCririe, Township Supervisor  
Richard Heikkinen, Township Attorney  
Louise Duchesneau, MMRMA Claims  
Joseph F. Galvin, Esq.



Mike

---

**From:** Robin  
**Sent:** Thursday, May 14, 2009 2:43 PM  
**To:** Mike  
**Subject:** FW: Genoa (Township of) MI

The official rating is out -

-----Original Message-----

**From:** GID - Moody's Investors Service [mailto:epi@moody.com]  
**Sent:** Thursday, May 14, 2009 2:25 PM  
**To:** Robin  
**Subject:** Genoa (Township of) MI

MOODYS AFFIRMS A3 RATING ON GENOA TOWNSHIP'S (MI) GENERAL OBLIGATION LIMITED TAX DEBT

A3 RATING AFFECTS \$8.4 MILLION OF OUTSTANDING LONG TERM GOLT DEBT

Genoa (Township of) MI  
Municipality  
Michigan

NEW YORK, May 14, 2009 -- Moody's Investors Service has affirmed the A3 rating on Genoa Township's \$8.4 million outstanding general obligation limited tax debt, secured by the town's limited ad valorem tax pledge. Affirmation of the A3 rating reflects the township's deflating tax base characterized by above average socio-economic indices and elevated unemployment levels, a sound General Fund balance, and favorable debt profile.

DECLINING TAX BASE CHARACTERIZED BY ABOVE AVERAGE WEALTH LEVELS

Moody's expects the township's tax base, at \$2.7 billion, could continue to experience economic pressures associated with slowing development and declining real estate values, but may be bolstered by above average wealth levels and newly expanded infrastructure. The township is located in southeastern Michigan, approximately 50 miles west of the city of Detroit (GO rated Ba2) and 20 miles north of the city of Ann Arbor (GOLT rated Aa3), in Livingston County (GOLT rated Aa1). The township has expanded rapidly, with population increasing 47% between the 1990 and 2000, and an estimated 25.6% between 2000 and 2007. In 2007, the population is an estimated 19,972, and the tax base is primarily residential. While full value growth averaged a satisfactory 4.5% annually for the last five years ending 2008, it has declined by 4.75% in fiscal year 2008 and 8.25% in 2009. The recent declines in full value have been unexpected and are driven by properties whose market value has fallen below its taxable value. The township does not yet have estimates for its 2010 full value, but expects declining trends to continue as residential market values continue to erode. The township's assessed value was stagnant in 2008 and declined by 4.1% 2009. Resident per capita income (\$32,601) is above state and national averages (147.1% and 151%, respectively). The February 2009 unemployment rate (10.8%) exceeds the national rate of 8.9%, but is lower than the state's 8.9% rate. From February 2008 to February 2009, the township's labor force decreased by 4.7%, while employment levels declined by 9.3%.



## STABLE FINANCIAL POSITION SUPPORTED BY INCREASED RESERVES

Moody's believes the township's financial position will remain satisfactory given a healthy General Fund balance. The General Fund balance increased in three of the last four years, with General Fund balance steadily increasing until it reached its peak in fiscal 2007 of \$1.7 million (54.6% of General Fund revenues). That same year, Genoa became a chartered township and switched to a March 31 fiscal year end, resulting in a shortened fiscal year. The township appropriately managed through the change without suffering any cash shortages or financial strains. The following year, the township appropriated \$393,000 in General Fund balance due to budgeted transfers out of the General Fund of \$1.1 million for capital improvements. The township, however, was able to replenish some of its General Fund balance, and only drew down its General Fund by \$226,000.

The General Fund balance currently stands at \$1.5 million (40.6% of General Fund revenues) and has a strong liquidity position, with 84.7% of General Fund balance available in cash and investments. Officials appropriated \$521,000 from its General Fund balance in fiscal 2009, but expect to only drawdown on its General Fund balance by \$192,000, reflecting conservative budgeting.

Township officials anticipate the General Fund balance to end the year at a still healthy \$1.3 million. The township did not appropriate General Fund balance in its fiscal 2010 budget despite anticipated revenue declines in property taxes and state aid. Instead, it reduced its expenditures by 16%

(budget-to-budget) by reducing legal fees by \$150,000 and road improvements by \$200,000. Declining property tax revenues and state aid pose a considerable strain on operating revenues as each represent a sizeable portion of operating revenues. For fiscal 2008 operations, property taxes and intergovernmental aid composed 37% and 26% of operating revenues, respectively. Charges for services is the third highest revenue source at 25.9% of operating revenues. Given the township's inability to control two of its three major revenue streams, both of which are expected to stagnate or decline going forward, officials retain only limited revenue raising flexibility. Furthermore, debt service requirements accounted for a substantial 24.4% of fiscal 2008 operating expenditures, limiting the township's overall financial flexibility.

## DEBT LEVELS EXPECTED TO REMAIN LOW

Moody's anticipates the town's debt burden of 0.3% of full valuation will continue to remain low as the town seeks to cash-fund capital improvements and lacks future borrowing plans. The town has an above-average principal amortization rate of 90.7% repaid within 10 years. All of the town's debt is fixed-rate and the town has not entered into any derivative agreements.

## KEY STATISTICS

2007 Population: 19,972 (25.6% increase since 2000)

2009 Full Value: \$2.7 billion

Full Value Per Capita: \$136,997

1999 Per Capita Income (as % of state and US): \$32,601 (147.1% and 151%)

1999 Median Family Income (as % of state and US): \$79,988 (149.6% and 159.8%)

Net Direct Debt Burden: 0.3%

Payout of Principal (10 years): 90.7%

FY08 General Fund balance: \$1.5 million (40.6% of General Fund revenues)

FY08 Undesignated, Unreserved Fund balance: \$1.5 million (40.6% of General Fund revenues)

Long-term GOLT debt outstanding: \$8.4 million

#### RATING METHODOLOGY USED AND LAST RATING ACTION TAKEN

The principal methodology used in the rating affirmation of Genoa Township (MI) was "Local Government General Obligation and Related Ratings," which can be found at [www.moodys.com](http://www.moodys.com) in the Credit Policy & Methodologies directory, in the Ratings Methodologies subdirectory. Other methodologies and factors that may have been considered in the process of rating this issuer can also be found in the Credit Policy & Methodologies directory.

The last rating action was on May 30, 2000 when the A3 rating of Genoa Township (MI) was assigned.

#### ANALYSTS:

Seth Klempner, Analyst, Public Finance Group, Moody's Investors Service Sarah Engle, Backup Analyst, Public Finance Group, Moody's Investors Service Edward Damutz, Senior Credit Officer, Public Finance Group, Moody's Investors Service

#### CONTACTS:

Journalists: (212) 553-0376

Research Clients: (212) 553-1653

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