

**GENOA CHARTER TOWNSHIP BOARD**  
**Regular Meeting**  
**December 16, 2024**  
**6:30 p.m.**

**AGENDA**

Call to Order:

Invocation:

Pledge of Allegiance:

Roll Call:

Call to the Public (Public comment must be addressed to the Chairperson and will be limited to three minutes per person) \*:

**Items for Discussion:**

1. Staff update on Employee Handbook amendments.
2. Discussion regarding community outreach.
3. Discussion of a request by the Planning Commission to seek special counsel to obtain a judgment regarding the validity of the Innovation Park Planned Unit Development Agreement.
4. Discussion regarding Master Plan amendment.

**Approval of Consent Agenda:**

5. Payment of Bills: December 16, 2024
6. Request to approve the December 2, 2024 regular meeting minutes.

**Approval of Regular Agenda:**

7. Consideration of a request to appoint Chris Grajek, Ron Matkin, Lori Merians, and Eric Graetzel (alternate) to the Board of Review with a term ending on December 31, 2026.
8. Request for approval of **Resolution 241216A** establishing the 2025 instructions for poverty exemption, guidelines for poverty exemption, poverty exemption application, and poverty exemption worksheet as submitted by Assessor Debra Rojewski. (roll call)

9. Request for approval to enter into agreements to collect 2025 Summer property taxes for the Brighton Area Schools, Hartland Consolidated Schools, Howell Public Schools, and the Livingston Educational Service Agency as submitted by the Township Treasurer.
10. Request for approval of **Resolution 241216B** entitled “Resolution Regarding Minimal Tax Overpayments” as submitted by the Township Treasurer. (roll call)
11. Request to introduce proposed ordinance number Z-25-01 regarding zoning ordinance text amendments to Article 11, “General Provisions” and to set the meeting date for considering the proposed ordinance for adoption before the Township Board on Monday, January 6, 2025.

Correspondence  
Board Comments  
Adjournment

\*Citizen’s Comments- In addition to providing the public with an opportunity to address the Township Board at the beginning of the meeting, opportunity to comment on individual agenda items *may* be offered by the Chairman as they are presented.



2911 Dorr Road  
Brighton, MI 48116  
810.227.5225  
810.227.3420 fax  
genoa.org

## MEMORANDUM

**TO:** Honorable Board of Trustees  
**FROM:** Kelly VanMarter, Township Manager  
**DATE:** December 11, 2024  
**RE:** Update regarding Employee Handbook Amendments

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At the last meeting, there was a discussion regarding concerns with the severance pay policy within the recently adopted Employee Handbook. To address these concerns, staff has met with a few members of the Board and we are working on a revised policy to present at the next meeting. The revisions will likely include an alternate formula reducing eligibility and the amount of severance pay. In addition to revisions to the severance policy, we also discussed considering increases to the Longevity Bonuses since those amounts have not changed in over 30 years. I am working with our Human Resources Department on these changes and we hope to present an amended document for your review in January.

Sincerely,

Kelly VanMarter

### **SUPERVISOR**

Kevin Spicher

### **CLERK**

Janene Deaton

### **TREASURER**

Robin L. Hunt

### **TRUSTEES**

Rick Soucy

Bill Reiber

Candie Hovarter

Todd Walker

### **MANAGER**

Kelly VanMarter



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## MEMORANDUM

**TO:** Board of Trustees  
**FROM:** Kevin Spicher, Supervisor  
**DATE:** 12/11/2024  
**RE:** Community Outreach Improvements

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I would like to discuss ideas as to how we can improve our community outreach. We would like to improve our social media presence to engage the community. I would also like to come up with some in person interactions we can host. I would personally like to host a town hall here in the boardroom sometime in January where we can have an open discussion with the residents about their concerns, ideas, and future vision they have for Genoa Township. It is critical to get broad input from our residents as we look to the future. Keeping everyone informed about how local government operates and why decisions are made is critical to good governance. Bring your ideas, including any events you'd like to see us host at the Township Hall to bring residents together and improve public engagement.

### **SUPERVISOR**

Kevin Spicher

### **CLERK**

Janene Deaton

### **TREASURER**

Robin L. Hunt

### **TRUSTEES**

Rick Soucy

Bill Reiber

Candie Hovarter

Todd Walker

### **MANAGER**

Kelly VanMarter



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## MEMORANDUM

**TO:** Honorable Board of Trustees  
**FROM:** Kelly VanMarter, Township Manager  
**DATE:** December 11, 2024  
**RE:** Planning Commission Request for Special Counsel

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On Monday, December 9<sup>th</sup>, 2024, the Township Planning Commission postponed review of a proposal from Todd Wyett to install an entrance section of private road for the Innovation Park PUD Development. As has occurred multiple times in previous meetings regarding this project, there were many claims that the PUD Agreement is expired. In response to these claims, the Planning Commission made a motion requesting that the Township Board engage special counsel to bring action to resolve the question.

If the Township Board is inclined to honor this request, I suggest that the following item be added to the regular agenda for your consideration.

New Agenda Item

- 12. Consideration of a request by the Planning Commission to seek special counsel to obtain a judgment regarding the validity of the Innovation Park Planned Unit Development Agreement.

Sincerely,

Kelly VanMarter

**SUPERVISOR**

Kevin Spicher

**CLERK**

Janene Deaton

**TREASURER**

Robin L. Hunt

**TRUSTEES**

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## MEMORANDUM

**TO:** Honorable Board of Trustees  
**FROM:** Kelly VanMarter, Township Manager  
**DATE:** December 11, 2024  
**RE:** Master Plan Amendment

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Since the current Township Master Plan was adopted in 2023, the Township has received a multitude of comments and concerns expressed by citizens related to development in the Latson Road area south of I-96. This area was extensively studied during adoption of the 2013 Master Plan and was included by reference in the 2023 plan. To ensure that the plan accurately reflects the community's vision, goals, and objectives, it may be helpful for the Board to request that the Planning Commission initiate a master plan update with a special focus on the I-96/S. Latson Road subarea plan. Since it has been over 10 years since the sub-area plan was created, a special focus public engagement campaign and review of the plan may be beneficial to help guide future decision-making and ensure that the Township maintains its desired community character.

If the Board would like to pursue this endeavor, I suggest the following item be added to the regular agenda.

New Agenda Item

13. Request for Township Staff to work with the Planning Commission to initiate an update to the 2023 Master Plan with a special focus on the I-96/Latson Road Subarea Plan.

Sincerely,

Kelly VanMarter

**SUPERVISOR**

Kevin Spicher

**CLERK**

Janene Deaton

**TREASURER**

Robin L. Hunt

**TRUSTEES**

Rick Soucy

Bill Reiber

Candie Hovarter

Todd Walker

**MANAGER**

Kelly VanMarter

BOARD PACKET

CHECK REGISTERS FOR TOWNSHIP BOARD MEETING

MEETING DATE: December 16, 2024

All information below through December 10, 2024

TOWNSHIP GENERAL EXPENSES	\$	33,745.01
December 6, 2024 Bi Weekly Payroll	\$	130,222.19
OPERATING EXPENSES DPW (503 FN)	\$	515,224.30
OPERATING EXPENSES Oak Pointe (592FN)	\$	101,570.29
OPERATING EXPENSES Lake Edgewood (593FN)	\$	4,919.82
TOTAL	\$	<u>785,681.61</u>



FNBCK Check Register

12/10/2024 10:06 AM CHECK REGISTER FOR GENOA TOWNSHIP Page: 1/1  
 User: denise CHECK NUMBERS 39304 - 40000  
 DB: Genoa Township

Check Date	Check	Vendor Name	Amount
Bank FNBCK CHECKING ACCOUNT			
12/03/2024	39304	AMERICAN AQUA	35.50
12/03/2024	39305	BUSINESS IMAGING GROUP	1,235.11
12/03/2024	39306	CAPITAL ONE	921.94
12/03/2024	39307	DTE ENERGY	32.28
12/03/2024	39308	ELECTION SOURCE	6,273.00
12/03/2024	39309	GREATLAND CORPORATION	326.63
12/03/2024	39310	LAKESIDE SERVICE COMPANY, INC.	571.00
12/03/2024	39311	MICHIGAN ASSESSOR'S ASSOC	285.00
12/03/2024	39312	MMRMA	13,153.41
12/03/2024	39313	NETWORK SERVICES GROUP, L.L.C.	50.00
12/03/2024	39314	OFFICE EXPRESS INC.	168.77
12/03/2024	39315	PERFECT MAINTENANCE CLEANING	1,100.00
12/03/2024	39316	STAPLES	7.99
12/03/2024	39317	TRI COUNTY SUPPLY, INC.	1,289.38
12/04/2024	39318	COOPER'S TURF MANAGEMENT LLC	1,135.00
12/04/2024	39319	DYKEMA GOSSETT PLLC	7,160.00

FNBCK TOTALS:  
 Total of 16 Checks: 33,745.01  
 Less 0 Void Checks: 0.00  
 Total of 16 Disbursements: **33,745.01**

December 6, 2024 Bi Weekly Payroll

12/10/2024 09:59 AM PAYROLL REGISTER REPORT FOR GENOA CHARTER TOWNSHIP Page 34 of 34  
 Payroll ID: 301

Pay Period End Date: 11/29/2024 Check Post Date: 12/06/2024 Bank ID: FNBCK  
 \* YTD values reflect values AS OF the check date based on all current adjustments, checks, void checks

VACATION PAY	175.50	0.00	6,117.72	184,413.17
VACATION PTIME	109.71	0.00	2,940.23	5,457.03
WELL IQ	0.00	0.00	335.71	4,431.75
ZBA CHAIR	1.00	0.00	221.58	2,203.78
ZBA MINUTES	1.00	0.00	188.91	2,237.88
ZBA MINUTES OT	0.00	0.00	0.00	0.00
ZBA PER DIEM	4.00	0.00	846.32	9,187.57
ZO	64.00	0.00	2,000.00	30,062.50

Gross Pay This Period 128,588.97 Deduction Refund 0.00 Ded. This Period 36,811.73 Net Pay This Period 91,777.24 Gross Pay YTD 3,148,963.65 Dir. Dep. **88,505.47**

12/10/2024 10:01 AM Check Register Report For Genoa Charter Township Page 1 of 1  
 For Check Dates 12/06/2024 to 12/06/2024

Check Date	Bank	Check Number	Name	Check Gross	Physical Check Amount	Direct Deposit	Status
12/06/2024	FNBCK	14236	DEATON, JANENE	1,698.03	1,463.95	0.00	Open
12/06/2024	FNBCK	14237	SPICHER, KEVIN	2,015.54	1,807.82	0.00	Open
12/06/2024	FNBCK	14238	SKOLARUS, PAULETTE A	745.26	603.52	0.00	Open
12/06/2024	FNBCK	EFT997	FLEX SPENDING (TASC)	1,013.09	1,013.09	0.00	Open
12/06/2024	FNBCK	EFT998	INTERNAL REVENUE SERVICE	30,157.50	30,157.50	0.00	Open
12/06/2024	FNBCK	EFT999	PRINCIPAL FINANCIAL	4,721.00	4,721.00	0.00	Open
12/06/2024	FNBCK	EFT1000	PRINCIPAL FINANCIAL	1,949.84	1,949.84	0.00	Open

Totals: Number of Checks: 007 42,300.26 **41,716.72** 0.00  
 Total Physical Checks: 3  
 Total Check Stubs: 4

Direct Deposit \$88,505.47  
 Physical Check Amount \$41,716.72  
 TOTAL \$130,222.19



503FN Check Register

Check Date	Check	Vendor Name	Amount
Bank 503FN DPW-UTILITIES #233			
12/04/2024	6226	GENOA TWP GENERAL FUND	500,000.00
12/04/2024	6227	MMRMA	12,171.35
12/09/2024	6228	MMRMA	2,730.00 V
		Void Reason: MADE OUT TO WRONG VENDOR	
12/09/2024	6229	TRACTOR SUPPLY CO.	322.95
12/09/2024	6230	PFEFFER, HANNIFORD, PALKA	2,730.00
503FN TOTALS:			
Total of 5 Checks:			517,954.30
Less 1 Void Checks:			2,730.00
Total of 4 Disbursements:			515,224.30

592FN Check Register

Check Date	Check	Vendor Name	Amount
Bank 592FN OAK POINTE OPERATING FUND #592			
11/26/2024	6242	STATE OF MICHIGAN	467.00
12/03/2024	6243	GENOA TWP OAK POINTE SEWER BOND	91,066.88
12/09/2024	6244	DTE ENERGY	2,415.64
12/09/2024	6245	DTE ENERGY	788.38
12/09/2024	6246	MMRMA	2,632.39
12/09/2024	6247	PFEFFER, HANNIFORD, PALKA	4,200.00
592FN TOTALS:			
Total of 6 Checks:			101,570.29
Less 0 Void Checks:			0.00
Total of 6 Disbursements:			101,570.29

593FN Check Register

Check Date	Check	Vendor Name	Amount
Bank 593FN LAKE EDGEWOOD OPERATING FUND #590			
12/09/2024	4556	DTE ENERGY	1,718.46
12/09/2024	4557	MMRMA	1,101.36
12/09/2024	4558	PFEFFER, HANNIFORD, PALKA	2,100.00
593FN TOTALS:			
Total of 3 Checks:			4,919.82
Less 0 Void Checks:			0.00
Total of 3 Disbursements:			4,919.82

**GENOA CHARTER TOWNSHIP BOARD**  
**Regular Meeting**  
**December 2, 2024**  
**MINUTES**

**Call to Order**

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

**Invocation**

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

**Pledge of Allegiance**

The Pledge of Allegiance was recited.

**Roll Call**

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

Also present was Township Manager Kelly VanMarter and 19 people in the audience.

**Call to the Public**

Supervisor Spicher explained the new procedure for the call to the public. Anyone wishing to speak will fill out the sign in sheet located on the table near the front door. The recording secretary will call each person's name and they will have three minutes to speak.

The call to the public was opened at 6:32 pm.

Mr. Matt Peavy lives in Oceola Township but he has properties in Genoa Township. He spoke to the resolution on tonight's agenda to increase the Clerk's salary from \$57,505 to \$67,254. That is a 16.95% increase and it is unacceptable for the first week on the job. He believes the Clerk is here to serve the residents and not for the residences to serve her . The new board members ran on no big businesses, but big businesses would bring no burden to the school system, but building new homes does.

Ms. Deb Beattie, the Co-Director of the Coalition to Stop the Latson PUD, spoke on behalf of their 600 members, congratulating and welcoming the new board members. They have replaced a board that was complacent and represented businesses. This board has the power to shape the future of the township. The coalition will continue to fight for appropriate development in the right locations and where it will not have a detrimental effect on the residents of Genoa Township.

Mr. Jeff Dhaenens of 5494 Sharp Drive congratulated the board. He appreciates that all of them have stepped up. If anyone has any questions or concerns, he is here for them. He urged the board to listen to the township staff. They are the people who listen to the residents every day. They have great ideas. He advised the board to remember that as elected officials, they are not able to respond to social media. Criticism comes with the job so be prepared. He knows that the practice is to have the Clerk's and Treasurer's salaries be the same, but it is premature to do it after 12 days. Perhaps it makes sense in the future.

Ms. Deborah Tyler is a Genoa Township resident and a member of the Livingston County League of Women Voters. She attends the meetings as part of their observer project.

The call to the public was closed at 6:39 pm.

### **Items for Discussion**

Supervisor Spicher stated this is the part of the meeting where board members will present items that they wish to speak about. They will not be action items.

There were no items to discuss this evening.

### **Approval of Consent Agenda:**

**Moved** by Hunt, supported by Deaton, to approve the Consent Agenda as presented. **The motion carried unanimously.**

- 1. Payment of Bills: December 2, 2024**
- 2. Request to approve the November 18, 2024 regular meeting minutes.**

### **Approval of Regular Agenda:**

**Moved** by Reiber, supported by Hovarter, to approve the Regular Agenda as presented. **The motion carried unanimously.**

**3. Consideration of a recommendation for approval of an Environmental Impact Assessment (5/19/16) corresponding to a site plan for completion of a private road to phase two of the Misty Meadows Subdivision. The property is located on the West side of Latson Road, south of Crooked Lake Road. The request is submitted by GFG Investment Properties.**

Mr. Brent LaVanway of Boss Engineering was present to represent the applicant. He provided a review of the project and noted that the Planning Commission recommended approval at their previous meeting.

Mr. Reiber stated the last time there was an environmental impact assessment done was in 2016. He asked if there is a statute of limitations on them. Mr. LaVanway stated that the project is the same as it was in 2016, so it was not updated.

Ms. Hunt stated members of the Planning Commission were concerned with the Declaration of Restrictive Covenants section. Mr. LaVanway stated the applicant will agree with any changes that the township attorney would suggest.

Supervisor Spicher questioned if the two residents who have already purchased property have approved of the road changing from paved to gravel. Ms. VanMarter stated that the agreement allows for this to change, and the two lots were sold back to the developer so he owns them and has control.

**Moved** by Hunt, supported by Soucy, to approve the Environmental Impact Assessment dated May 19, 2016 for phase 2 of Misty Meadows Private Road, with the following conditions:

1. The Declaration of Restrictive Covenants be reviewed by the township attorney and any necessary amendments be made by the applicant.

**The motion carried unanimously.**

**4. Consider approval of the Township Supervisor's appointment of Bill Reiber to the Township Planning Commission as the ex officio member with a term ending 11/20/28.**

**Moved** by Hunt, supported by Soucy, to approve the Township Supervisor's appointment of Bill Reiber to the Township Planning Commission as the ex officio member with a term ending November 20, 2028. **The motion carried unanimously.**

**5. Consideration of a request for approval of the following appointments:**

- a. **Zoning Board of Appeals term ending 11/20/28: Rick Soucy**
- b. **SEMCOG term ending 11/20/28: Todd Walker and Rick Soucy (alternate)**
- c. **Genoa-Oceola Sewer & Water Authority term ending 11/20/28: Robin Hunt and Kevin Spicher**

- d. **Howell Area Parks & Recreation term ending 11/20/28: Candie Hovarter and Todd Walker (alternate)**
- e. **MHOG Water Authority term ending 11/20/28: Robin Hunt and Kevin Spicher**
- f. **FOIA Coordinator term ending 11/20/28: Kelly VanMarter**
- g. **Brighton Fire Authority term ending 11/20/28: Kevin Spicher and Todd Walker**
- h. **Election Commission term ending 11/20/28: Rick Soucy and Candie Hovarter**

**Moved** by Deaton, supported by Hovarter to approve the following appointments:

- Zoning Board of Appeals term ending 11/20/28: Rick Soucy
- SEMCOG term ending 11/20/28: Todd Walker and Rick Soucy (alternate)
- Genoa-Oceola Sewer & Water Authority term ending 11/20/28: Robin Hunt and Kevin Spicher
- Howell Area Parks & Recreation term ending 11/20/28: Candie Hovarter and Todd Walker (alternate)
- MHOG Water Authority term ending 11/20/28: Robin Hunt and Kevin Spicher
- FOIA Coordinator term ending 11/20/28: Kelly VanMarter
- Brighton Fire Authority term ending 11/20/28: Kevin Spicher and Todd Walker
- Election Commission term ending 11/20/28: Rick Soucy and Candie Hovarter

**The motion carried unanimously.**

**6. Request for approval of Resolution 241202A to increase the salary of the Township Clerk from \$57,505 to \$67,254. (Roll Call)**

Ms. Hunt stated this should not be viewed as a raise. This is reestablishing the Clerk's salary back to where it would have been if the previous Clerk's salary hadn't been frozen. Ms. Deaton is taking back the duties that were taken away from the previous Clerk. She is in favor of this resolution.

Supervisor Spicher stated that employees that had been moved from under the Clerk's oversight have been moved back under her supervision.

Ms. Deaton stated she is working hard to bring integrity back to elections and work within the budget.

**Moved** by Walker, supported by Soucy, to approve Resolution 241202A to increase the salary of the Township Clerk from \$57,505 to \$67,254. **The motion carried unanimously with a roll call vote (Hovarter - yes, Soucy- yes, Deaton - yes, Spicher - yes, Hunt - yes, Reiber - yes, and Walker- yes).**

**7. Consideration of a request to authorize the Township Supervisor to execute a Letter of Engagement with Foster Swift to represent the Township's interests in an appeal of an Order issued by the Michigan Public Safety Commission regarding Public Act 233.**

Supervisor Spicher stated that this item was brought to their attention by Mr. Reiber and he worked with the previous board to become one of six other townships in Livingston County to be part of this appeal. This specific one is regarding solar ordinances, but it is more about local government having control whenever possible.

Ms. Deaton asked if there could be a temporary maximum attorney's fees budget for this. Mr. Reiber stated they have discussed this issue previously and have set a limit for each township to spend \$10,000 on the legal fees. If more is needed, it would come back for approval.

**Moved** by Reiber, supported by Walker, to authorize the Township Supervisor to execute a Letter of Engagement with Foster Swift to represent the Township's interests in an appeal of an Order issued by the Michigan Public Safety Commission regarding Public Act 233 with a maximum limit of \$10,000 to cover attorney's fees and then will need to receive further board approval. **The motion carried unanimously with a roll call vote (Walker - yes, Reiber - yes; Hunt - yes; Spicher - yes; Deaton - yes; Soucy - yes; Hovarter - yes).**

**8. Request for approval of Resolution 241202B to establish the 2025 Regular Meeting Dates for the Board of Trustees. (Roll Call)**

**Moved** by Walker, supported by Hovarter, to approve Resolution 241202B establishing the 2025 regular meeting dates for the Board of Trustees. **The motion carried unanimously with a roll call vote (Hovarter - yes, Soucy- yes, Deaton - yes, Hunt- yes, Reiber- yes, Walker- yes, and Spicher - yes).**

**9. Request for approval of the 2025 Township Schedule of Meetings and Holiday Schedule.**

Ms. VanMarter stated the township has a floating holiday that is typically used for presidential or gubernatorial elections. There are neither of those in 2025, so it is being suggested this be used for the day after Christmas.

**Moved** by Walker, supported by Deaton, to approve the 2025 Township Meetings and Holiday Schedule. **The motion carried unanimously.**

**10. Delivery of the first draft of the 2025/2026 Budget as required by MCL 42.24 as provided by the Township Supervisor (packet was delivered on 11/26/24).**

Ms. VanMarter stated the township's fiscal year starts on April 1, but the law requires that the preliminary draft budget be delivered to the board 120 days prior. It was distributed last week with the packet. It will continue to be refined, will be discussed at future meetings, and there will be a public hearing in January or February. Comments and questions should be directed to staff.



Mr. Reiber questioned the line items related to parks and rec, noting voters recently approved a millage increase that will give Howell Parks and Recreation over \$1 million in revenue. He asked if any of the township's budget items were also in the parks and rec's budget that would be paid for by the millage. Ms. VanMarter agrees with that question. She will look through the township's budget and see how it relates to the Howell Parks and Recreation millage budget.

**11. Review of Fiscal Year 2024-2025 Second Quarter (July-September) budget to actual report.**

Ms. VanMarter stated the report that was in the packet was incorrect. Each board member has a copy of the correct one at their place this evening. She will also send a copy via email and update the packet on the website. She and staff are always available if there are questions or concerns about anything in the document.

**12. Consideration of a request to broadcast the Township Board meetings.**

Mr. Reiber thinks broadcasting the board meetings is a good idea and a way to increase communication and transparency. Mr. Walker agrees.

Mr. Soucy asked what the cost was and how it would be budgeted. Ms. VanMarter has met with the township's contractor who performs all of the audio visual work, and he said that he could install basic equipment for less than \$5,000. This would include one camera and a direct audio feed for streaming. She noted there were concerns with camera placement due to the height of the ceiling and this room. Also, this room is used for early voting and the absentee voter counting board. The activities on either of those days are not allowed to be recorded so this could cause some issues. There are also closed sessions of the board held here so everyone would need to be cognizant of the camera and the streaming during those times. There are some funds under the general government budget that can be used to pay for the upgrades.

Mr. Walker noted there may be a grant for this. Ms. VanMarter stated the township has revenue agreements with Comcast, Charter, and WOW. These revenues or PEG Fees are from cable television so they could be used if the meetings were broadcast over a cable channel, but she is unsure if they can be used if they are streamed on YouTube.

Ms. Hunt would like to spend the least amount of money and see how much it is used. She would not recommend allowing public comments or chats during the meetings.

Supervisor Spicher stated other local communities use YouTube. He agrees to start at the least amount.

Mr. Soucy agrees to do the minimum amount and see how much it is used.



Ms. VanMarter asked which township boards and commissions would be streamed live. Supervisor Spicher would like the Planning Commission meetings broadcasted, but not the Zoning Board of Appeals. Having them recorded would allow for the public to not only view the meeting as it is occurring, but they can go back and view previous meetings.

The board decided to begin to broadcast the meetings and have the township's audio and video contractor install a camera.

**Moved** by Soucy, supported by Reiber, to approve obtaining a camera to implement live broadcasting of Township Board and Planning Commission meetings at a cost not to exceed \$5,000. **The motion carried unanimously.**

**13. Request to approve a clarification pertaining to the Employee Handbook to define Exempt and Non-Exempt employees and to include provisions related to access to Clerk's offices and storage rooms.**

Ms. Deaton wanted the definitions of exempt and nonexempt employees and clarify that the Deputy Clerk is a non-exempt employee. She also wanted to ensure that the Clerk and Deputy Clerk are the only ones who have access to the election storage room, Clerk's office, deputy Clerk's office, and ballot storage room. She has changed the locks.

Mr. Soucy stated there were questions he had regarding severance packages that were changed recently. Human Resources told him that studies were done that led them to the methodology and amounts, but she did not have proof of that research. He spoke to a Michigan Townships Association (MTA) attorney and they said it is not customary for township employees to have severance packages. It would be in the contracts that are for high end township employees. What is in the employee handbook is very excessive and should be revised. He would like to explore a more reasonable approach.

Ms. Hunt stated the township staff is long standing and unless the board is considering firing anyone, she does not feel it is necessary to be changed. Ms. VanMarter stated that exempt employees are long-term management and department head employees and severances do not apply to the majority of staff. Most Genoa Township employees do not have contracts and are all treated under the Employee Handbook. She has other township managers' contracts and this severance is not unreasonable. This would be a situation where someone is being let go for no reason, and not because they are not doing a good job. That employee also needs to sign an agreement that they would not file anything against the township for wrongful termination. Mr. Soucy stated there are no plans for any employees to be terminated, but it is not financially responsible.

Mr. Reiber agrees that it should be revised. He would support taking that language out of the handbook tonight and then adding it to a future agenda.

Ms. VanMarter suggested voting on the item on the agenda this evening and then direct staff to review the Employee Handbook and return with more information at a future meeting.

**Moved** by Reiber, supported by Hovarter, to approve the Clarification of Employee Handbook terms and Election Storage Room Security on December 2, 2024 and to direct staff to provide justification documentation related to severance amounts, and allow board members to state additional objections to recent changes at a future meeting. **The motion carried unanimously.**

**Correspondence**

Ms. VanMarter included a flier from the Michigan Township Association encouraging members to contact state representatives to oppose house bills that will make it harder for local governments to control sand and gravel mining in their communities.

**Board Comments**

Ms. Deaton stated that Livingston County has a total of 168,904 registered voters and 133,281 voted in the last election, this is a 78.91 percent voter turnout, which is the highest ever in the county.

Ms. Hunt stated that winter tax bills were mailed out on Wednesday November 27.

**Adjournment**

**Moved** by Hunt, supported by Deaton, to adjourn the meeting at 7:53 pm. **The motion carried unanimously.**

Respectfully Submitted,

Patty Thomas  
Recording Secretary

Approved: Janene Deaton  
Genoa Charter Township

Kevin Spicher, Supervisor  
Genoa Charter Township



2911 Dorr Road  
Brighton, MI 48116  
810.227.5225  
810.227.3420 fax  
genoa.org

## MEMORANDUM

**TO:** Board of Trustees  
**FROM:** Kevin Spicher, Supervisor  
**DATE:** 12/10/2024  
**RE:** Board of Review Appointment Recommendations

---

The terms of the current Board of Review expire on December 31, 2024.

We had 3 citizens not currently on this board reach out, and submit resumes, to be considered for a position for the upcoming 2 year term. After reviewing their qualifications and consulting with the assessing department regarding the functions and dynamics of this board, I am recommending the following appointments:

Chris Grajek (Chair)	expires 12/31/2026
Ron Matkin	expires 12/31/2026
Lori Merians	expires 12/31/2026
Eric Graetzel (alternate)	expires 12/31/2026

I would like to thank Marianne McCreary for her many years of service on this board, as well as Matt Hurley for expressing interest in joining this board as well.

### **SUPERVISOR**

Kevin Spicher

### **CLERK**

Janene Deaton

### **TREASURER**

Robin L. Hunt

### **TRUSTEES**

Rick Soucy

Bill Reiber

Candie Hovarter

Todd Walker

### **MANAGER**

Kelly VanMarter

# Genoa Township Officials

Amended: December 2, 2024 **Proposed December 16, 2024**

## PLANNING COMMISSION (3-year term) Generally meets the 2<sup>nd</sup> Monday of each month.

Chris Grajek	06/30/26
Marianne McCreary	06/30/27
Tim Chouinard	06/30/26
Greg Rassel	06/30/25
Bill Reiber (4-year term)	11/20/28
Glynis McBain	06/30/27
Eric Rauch	06/30/25

## ZONING BOARD OF APPEALS (3-year term) Generally meets the 3<sup>rd</sup> Tuesday of each month.

Bill Rockwell	06/30/27
Marianne McCreary	06/30/27
Craig Fons	06/30/25
Rick Soucy (4-year term)	11/20/28
Michele Kreutzberg	06/30/26
Matt Hurley (alternate)	06/30/25

## BOARD OF REVIEW (2-year term) – Generally meets the Tuesday following the first Monday in March, the second Monday and Tuesday in March, the Tuesday after the third Monday in July and the Tuesday following the second Monday in December.

Chris Grajek	12/31/26
Ron Matkin	12/31/26
<del>Lori Merians</del> Marianne McCreary	12/31/26
Eric Graetz Joann Fellwoek (alternate)	12/31/26

## SEMCOG (4-year term) – Executive Committee meets monthly at 1pm on the last Friday of each month in Detroit.

Todd Walker	11/20/28
Rick Soucy (alternate)	11/20/28

## GENOA/OCEOLA SEWER AND WATER AUTHORITY (4-year term) – Generally meets 3<sup>rd</sup> Wednesday of each month at Oceola Township Hall at 4:00pm

Robin Hunt	11/20/28
Kevin Spicher	11/20/28

## HOWELL PARKS AND RECREATION (4-year term) – Generally meets 3<sup>rd</sup> Tuesday of each month at 6:30pm at Oceola Community Center.

Candie Hovarter	11/20/28
Todd Walker (alternate)	11/20/28

## MHOG (Marion, Howell, Oceola and Genoa) (4-year term) - Generally meets 3<sup>rd</sup> Wednesday of each month at Oceola Township Hall at 5:00pm

Robin Hunt	11/20/28
Kevin Spicher	11/20/28

## FOIA COORDINATOR (4-year term)

Kelly VanMarter	11/20/28
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## BRIGHTON FIRE AUTHORITY (4-year term) – Generally meets 2<sup>nd</sup> Thursday of each month at 8:00am

Kevin Spicher	11/20/28
Todd Walker	11/20/28

## ELECTION COMMISSION (4-year term) – Generally meets at least once no less than 21 days and no more than 40 days before each election.

Rick Soucy	11/20/28
Candie Hovarter	11/20/28

# Memo

**To:** Genoa Township Board

**From:** Debra L. Rojewski 

**Date:** 12/16/2024

**Re:** Instructions for poverty exemption, guidelines for poverty exemption, Poverty Exemption application and Poverty Exemption worksheet.

---

I would like the Genoa Township Board to adopt these guidelines for the 2025 Board of Review. The township is required to adopt guidelines that set income levels for our poverty exemption guidelines. The State of Michigan also requires that poverty exemption guidelines are established by the townships local assessing unit and we shall include an asset level test. An asset level test means the amount of cash, fixed assets or other property that could be used or converted to cash for use in payment of property taxes.

The poverty exemption is only for one year and must be applied for annually.

The income levels the township is using were supplied by the State of Michigan. I have attached the income levels which are the Federal Poverty Guidelines supplied to us from the State of Michigan. If you have any further questions feel free to contact me.

Please consider the following action:

Moved by \_\_\_\_\_, supported by \_\_\_\_\_, to

**Approve the 2025 Instructions for poverty exemption, guidelines for poverty exemption, Poverty exemption application and Poverty exemption worksheet as submitted.**

**RESOLUTION #241216A  
GENOA CHARTER TOWNSHIP  
COUNTY OF LIVINGSTON, MICHIGAN**

**ESTABLISHING GUIDELINES FOR GRANTING OF POVERTY EXEMPTIONS  
FROM PROPERTY TAXES PURSUANT TO MCL 211.7u AND  
ESTABLISHING BEGINNING DATE FOR THE BOARD OF REVIEW**

At a regular meeting of the Board of Trustees of Genoa Charter Township, County of Livingston, State of Michigan, held on December 16, 2024 the following was moved, supported and adopted.

**RECITALS:**

WHEREAS, P.A. 390 of 1994, which amended Section 7u of Act 206 of the Public Acts of 1893, as amended by Act 313 of the Public Acts of 1993, being section 211.7u of the Michigan Compiled Laws, requires the governing body of the assessing unit to determine and make available to the public the policy and guidelines for granting of poverty exemptions under MCL 211.7u;

NOW, THEREFORE BE IT RESOLVED that to be eligible for a poverty exemption pursuant to MCL 211.7u in the Township of Genoa, a person must be the owner and must occupy the property as a homestead, as defined, for which the exemption is requested; file copies of federal and state income tax returns for **ALL** persons residing in the homestead, including property tax credit forms and/or Statement of Benefits Paid from Michigan Department of Social Services or Social Security Administration; meet local (Genoa Charter Township) poverty income standards;

BE IT FURTHER RESOLVED that the applicant must have an annual household income less than the amounts shown in Attachment A;

BE IT FURTHER RESOLVED that the applicant's asset level, excluding the homestead, may not exceed \$15,000;

BE IT FURTHER RESOLVED that the applicant may not have ownership interest in any real estate other than the homestead;

BE IT FURTHER RESOLVED that a poverty exemption may be granted for only one year at a time;

BE IT FURTHER RESOLVED that the applicant may not be entitled to a poverty exemption if the reason is self-imposed, even if the applicant meets the income requirements.

BE IT FURTHER RESOLVED that for the 2025 tax year the Genoa Charter Township Board of Review will begin its proceedings on Tuesday, March 4, 2025;

BE IT FURTHER RESOLVED that the board of review shall request identification of the applicant and/or proof of ownership of the homestead under consideration for poverty exemption;

BE IT FURTHER RESOLVED that the board of review may request from the applicant any supporting documents which may be utilized in determining a poverty exemption request;

BE IT FURTHER RESOLVED that the completed poverty exemption application must be filed after January 1, but ten (10) days prior to the last day of the board of review in the year for which exemption is sought;

BE IT FURTHER RESOLVED that the board of review may administer an oath wherein the applicant testifies as to the accuracy of the information provided;

BE IT FURTHER RESOLVED that to conform with the provisions of P.A. 390 of 1994, this resolution is hereby given immediate effect.

**ATTACHMENT A**

**POVERTY LEVEL GUIDELINES FOR TAX YEAR 2025**

FAMILY UNIT	HOUSEHOLD INCOME
Family of 1:	\$15,060
Family of 2:	\$20,440
Family of 3:	\$25,820
Family of 4:	\$31,200
Family of 5:	\$36,580
Family of 6:	\$41,960
Family of 7:	\$47,340
Family of 8:	\$52,720
For each additional person add:	\$5,380



Clerk's Certificate

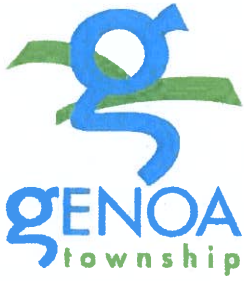
The undersigned, being the duly qualified and acting Clerk of Genoa Charter Township, hereby certifies that (1) the foregoing is a true and complete copy of the resolution duly adopted by the Board of Genoa Township at a meeting at which a quorum was present and remained throughout, (2) the original thereof is on file in the records of the Genoa Charter Township, (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.

---

Janene Deaton, Clerk  
Genoa Charter Township

December 16, 2024





2911 Dorr Road  
Brighton, MI 48116  
810.227.5225  
810.227.3420 fax  
genoa.org

The following enclosure states the guidelines and instructions for Poverty Exemptions as set forth by Genoa Charter Township. An application for "One Year Poverty Exemption" for your completion and execution is provided.

**PLEASE READ ALL INSTRUCTIONS CAREFULLY**

Even if you were granted an exemption for poverty in previous years you are still required to **answer all questions in their entirety and submit copies of all requested documentation along with your application.** You may use additional sheets for explanation when it is necessary. A submission that is incomplete or does not meet the standards required by Genoa Charter Township's Assessor may affect the determination by the Board of Review.

Please return your application and the required documentation to the Assessor's Office by the specified date. A personal appearance before the Board is **NOT** necessary to have your application considered. However, on short notice the Board of Review may request an applicant to appear.

Any resident needing assistance in preparing and filling out the Poverty application or has questions on the required documentation please contact the Assessor's Office.

All information accompanying and contained in this application shall be considered public record. By submitting this application and all supporting documentation you hereby waive all rights and expectations of confidentiality. All Board of Review proceedings and documentation are subject to the provisions of the Michigan Open Meetings Act.

Sincerely,  
Genoa Charter Township Assessor

**SUPERVISOR**

Kevin Spicher

**CLERK**

Janene Deaton

**TREASURER**

Robin L. Hunt

**TRUSTEES**

Rick Soucy

Bill Reiber

Candie Hovarter

Todd Walker

**MANAGER**

Kelly VanMarter

**RESOLUTION #241216**  
**GENOA CHARTERTOWNSHIP**  
**COUNTY OF LIVINGSTON, MICHIGAN**

**ESTABLISHING GUIDELINES FOR GRANTING OF POVERTY EXEMPTIONS FROM  
PROPERTY TAXES PURSUANT TO MCL 211.7U**

POVERTY EXEMPTION, as defined by the Michigan Compiled Laws, is as follows:

**Section 211.7u:** (1) The homestead of persons who, in the judgment of the board of review, by reason of poverty, are unable to contribute toward the public charge is eligible for exemption in whole or in part from taxation under this act. This section does not apply to the property of a corporation.

Please be aware that as an applicant for Poverty Exemption you must also comply with the following section of the Michigan Compiled Laws:

**Section 211.118:** Perjury: Any person, who, under any of the proceedings required or permitted by this act shall willfully swear falsely, will be found guilty of perjury and subject to its penalties.

**Section 211.119:** Willful Neglect: Penalty-. a person who willfully neglects or refuses to perform a duty imposed upon that person by this act, when no other provision is made in this act, is guilty of a misdemeanor, punishable by imprisonment for not more than 6 months, or a fine of not more than \$300 dollars, and is liable to a person injured to the full extent of the injury sustained.

The members of the Board of Review analyze all properly submitted applications for Hardship/Poverty Exemptions, according to amended P.A. 390 of 1994, section 211.7u of the Michigan Compiled Laws (MCL). Each taxpayer will be treated the same, and the items to be considered and the manner in which they will be analyzed are listed under the following guidelines.

STATE LAW GUIDELINES:

- 1.) The application for the exemption must be completed in its entirety on an annual basis.
- 2.) The property **must** be owned and occupied by the applicant. A principal residence exemption must be on file confirming the property is their principal residence.
- 3.) Per MCL 211.7u(2b) provide current Income Tax Returns, both Federal and State, (1, 2 or 3) for ALL PERSONS residing in the homestead. Documentation for all income sources including but not limited to credits, claims, Social Security income, child support, alimony income, and all other income sources must be provided at time of application.
- 4.) Applicant must provide a copy of their driver's license or state issued I.D (Front and Back)
- 5.) The applicant must meet federal poverty standards or the alternative guidelines as established by Genoa Charter Township Board.
- 6.) Meet asset level test as set by Genoa Charter Township Board Asset Guidelines.
- 7.) The Board of Review shall follow all guidelines.

## **Asset Guidelines Used in the Determination of Hardship/Poverty Exemptions for 2025**

Applicants shall follow all State Law Guidelines with these additional Township exceptions:

All owners and occupants, 18 years of age and older, of the subject property shall complete, and supply to the Assessing Department, the completed poverty application accompanied by the required copies of current Income Tax Returns must be signed and dated to be eligible (for calendar year 2025 - submit 2024 tax returns). Proof of gross annual income from **all sources** shall be provided. Provide a copy of current pay stubs for all persons residing in the home. The determination of the size of the family unit shall be reflective of Michigan income tax procedures in general. The allowance for a family unit shall consider:

- Applicant shall be entitled to one “allowable exemption” for each verified household member.
- An additional “allowable exemption” may be granted for:
  - Any household member who is 65 years old or older.
  - Any household member who is a paraplegic or quadriplegic.
  - Or any qualified disability according to the State of Michigan
- Exemption amount is equal to the amount of exemptions allowed on MI Income Tax return for the immediately preceding year.

According to the U.S. Census Bureau, "Income" includes, but is not limited to:

- Money, wages, and salaries before any deductions.
- Net receipts from non-farm self-employment. (These are receipts from a person's own business, professional enterprise, or partnership, after deductions for business expenses.)
- Regular payments from social security, railroad retirement, unemployment, and worker's compensation, veteran's payments and public assistance.
- Alimony, child support, and military family allotments.
- Private pensions, governmental pensions, and regular insurance or annuity payments.
- College or university scholarships, grants, fellowships, and assistantships.
- Dividends, interest, net rental income, net royalties, periodic receipts from estates or trusts, and net gambling or lottery winnings.
- Additional income sources:
  - Gifts, loans, lump-sum inheritances, borrowed money, (i.e. from friends and/or family), one-time insurance, Reverse Mortgage Payments
- Money received from the sale of property such as stocks, crypto/ bit-coin, bonds, and a house.

Applicants must, in accordance with PA 390 of 1994, meet the "Asset Guidelines" as adopted by the Genoa Charter Township Board. An asset test means the amount of cash, fixed assets or other property that could be used, or converted to cash for use in the payment of property taxes.

All asset information, as requested in the Application for the Hardship/Poverty Exemption, must be provided in its entirety. The Board of Review may request additional information and verification of assets if they determine it to be necessary and may reject any application if the assets are not completely or properly identified.

Liquid assets may include, but are not limited to:

Bank accounts, stocks and bonds, IRA's, Roth's, other investment accounts, pensions, money received from the sale of property such as stocks, bonds, a house or car, or gifts and borrowed money, inheritance, etc. Savings

and other liquid assets not listed above are limited to \$5,000.

Additional total assets may include, but are not limited to any of these either owned or leased:

A second home, vacant or excess land, rental property, extraordinary automobiles, recreational vehicles, including snowmobiles, boats, campers, travel trailers, motor homes, jet ski, motorcycles, off road vehicles, additional buildings other than residence, equipment, jewelry, antiques, artwork, livestock, performance animals, other personal property of value, and any food or housing received in lieu of wages. Total household non-liquid assets other than the principal residence cannot exceed a cash value of \$15,000.

1.) All applications need to be received at the Assessing Department ten (10) full business days prior to the Board of Review. All applications will be processed by the Assessing staff and presented on the taxpayer's behalf to the Board of Review. You may be contacted by a staff member to verify information or to do an interior and exterior field inspection of your property.

2.) It is the applicant's responsibility to complete all items on the application and give thorough explanations of information that are not self-explanatory. If the applicant's circumstances do not meet the guidelines, an explanation of the reasons must be submitted in writing or the application will be denied. Any additional information to be presented to the Board must be in writing and attached to the application.

3.) If your expenses (excluding property taxes) exceed your income, a written explanation will be required.

4.) A written affidavit is required for all household members over the age of 18 who are not cited as contributing to the household income. Attendance in college or any other schooling above high school is not considered a compelling reason for not contributing to necessary household expenses.

5.) Primary applicant shall not own any other real estate. The Board can deny an application if they determine that monies spent in the past two years for unnecessary purchases and/or unnecessary property upgrades could have been used for property taxes.

6.) Copies of the last three (3) months of all bank statements and credit card statements for all persons residing in household must be included with application; all statements shall be submitted in their entirety. Poverty exemptions are limited by \$5,000 in savings and other liquid assets and real estate holdings of the homestead (Principle Residence) only.

7.) If you have a mortgage and/or home equity loan on your property you must provide a copy of your most recent statement(s). If you are more than ninety (90) days in arrears on your payments you may not qualify for a poverty exemption. You will be contacted just prior to the Board of Review for a more recent copy of your statement(s).

8.) As approved by the Township Board of Trustee's, Resolution #241216, to be eligible for the exemption, persons must meet the above asset guidelines, whereas total household non-liquid assets other than the principal residence cannot exceed a cash value of \$15,000. Savings and other liquid assets not listed above are limited to \$5,000.

## INCOME GUIDELINES

Local governing bodies are required to adopt guidelines that set income levels for their poverty exemption guidelines and those income levels shall not be set lower than the annual federal poverty guidelines. The Genoa Charter Township Board established the following income guidelines in accordance with MCL 211.7u and shall be adhered to. In general, these guidelines shall assist the Board of Review in their decision making.

### POVERTY STANDARD GUIDELINES AS ESTABLISHED BY GENOA CHARTER TOWNSHIP

<u>FAMILY UNIT</u>	<u>HOUSEHOLD INCOME</u>
Family of 1:	\$15,060
Family of 2:	\$20,440
Family of 3:	\$25,820
Family of 4:	\$31,200
Family of 5:	\$36,580
Family of 6:	\$41,960
Family of 7:	\$47,340
Family of 8:	\$52,720
Additional Persons:	\$5,380

Annual applications and guidelines are available after the first meeting of the Township Board each year and shall be filed with the Genoa Charter Township Board of Review ten (10) days prior to the last day of the March, July or December Board of Review to the address listed below. It is recommended to file applications sooner if possible to avoid incomplete applications being submitted to the Board of Review. Applications may be submitted in person, by mail, or by e-mail to:

Board of Review  
c/o Genoa Charter Township Assessing Office  
2911 Dorr Rd  
Brighton MI 48116  
Phone: 810.227.5225  
Fax: 810.227.3420  
E-mail: [duffy@genoa.org](mailto:duffy@genoa.org), [laura@genoa.org](mailto:laura@genoa.org) or [Jessica@genoa.org](mailto:Jessica@genoa.org)

Decisions of the March Board of Review may be appealed in writing to the Michigan Tax Tribunal by July 31 of the current year. July or December Board of Review denials may be appealed to Michigan Tax Tribunal within 35 days of the denial. A copy of the Board of Review decision must be included with the filing.

Michigan Tax Tribunal  
PO Box 30232  
Lansing MI 48909  
Phone: 517.373.4400  
Fax: 517.373.4493  
E-mail: [taxtrib@michigan.gov](mailto:taxtrib@michigan.gov)



Genoa Charter Township Application for MCL 211.7u Poverty Exemption: Additional Information

<b>Part 1: Personal Information</b>	
Petitioner's E-mail Address:	
Are you currently Incarcerated? Yes _____ No _____	If yes, what is your anticipated release date?
Have you requested (or are currently) receiving other government assistance	Yes _____ No _____
If yes, please detail the monetary assistance received.	Amount <span style="float: right;">Type</span>
If you have college aged children, are you contributing to their college costs?	Amount <span style="float: right;">Frequency(Monthly, Yearly, ETC)</span>
Are you or members of your household recently unemployed?	Yes _____ No _____
If yes, please indicate when first placed on unemployment	Month <span style="margin-left: 40px;">Day</span> <span style="margin-left: 40px;">Year</span>
How long is the unemployment assistance expected to last?	<b>Weeks</b>

<b>Part 2: Real Estate Information</b>	
Is any part of the property being leased or used for business purposes? Yes _____ No _____	
Do you own the property free and clear? Yes _____ No _____	
Are property taxes included in monthly mortgage payment? Yes _____ No _____ N/A _____	
Are property taxes current? Yes _____ No _____ If no, amount that is past due \$ _____	
Tax Year(s) Past Due: _____	
Season: Winter _____ Summer _____ Both _____	
Have any improvements, changes, or additions been made to the property in the last two (2) years? Yes _____ No _____	
Improvement(s) made: _____	
Cost: _____	

<b>Part 3: Additional Employment Information</b>	
Name of Employer:	
Complete Address:	
Contact Person:	Employer Phone Number:



STATE OF MICHIGAN  
DEPARTMENT OF TREASURY  
LANSING

GRETCHEN WHITMER  
GOVERNOR

RACHAEL EUBANKS  
STATE TREASURER

**Bulletin 17 of 2024**  
**November 19, 2024**  
**Procedural Changes for 2025**

**TO:** Assessing Officers and County Equalization Directors  
**FROM:** Michigan State Tax Commission  
**SUBJECT:** Procedural Changes for the 2025 Assessment Year

The purpose of this Bulletin is to provide information on statutory changes, procedural changes and reminders for the 2025 assessment year. Additional guidance may be issued later if any pending legislation is enacted by the end of the year.

### A. Inflation Rate Used in the 2025 Capped Value Formula

The inflation rate, expressed as a multiplier, to be used in the 2025 Capped Value Formula is 1.031.

The 2025 Capped Value Formula is as follows:

$$\text{2025 CAPPED VALUE} = (\text{2024 Taxable Value} - \text{LOSSES}) \times 1.031 + \text{ADDITIONS}$$

The formula above does not include 1.05 because the inflation rate multiplier of 1.031 is lower than 1.05.

### B. Federal Poverty Guidelines Used in the Determination of Poverty Exemptions for 2025

Local governing bodies are required to adopt guidelines that set income levels for their poverty exemption guidelines and those income levels **shall not be set lower** by a city or township than the federal poverty guidelines updated annually by the U.S.

Department of Health and Human Services. This means, for example, that the income level for a household of 3 persons shall not be set lower than \$24,860 which is the amount shown on the following chart for a family of 3 persons. The income level for a family of 3 persons may be set higher than \$24,860. Following are the federal poverty guidelines for use in setting poverty exemption guidelines for 2025 assessments:

Size of Family Unit	Poverty Guidelines
1	\$15,060
2	\$20,440
3	\$25,820

Size of Family Unit	Poverty Guidelines
4	\$31,200
5	\$36,580
6	\$41,960
7	\$47,340
8	\$52,720
For each additional person	\$5,380

**Note:** MCL 211.7u states that the poverty exemption guidelines established by the governing body of the local assessing unit shall also include an asset level test. An asset test means the amount of cash, fixed assets or other property that could be used, or converted to cash for use in the payment of property taxes. The asset test should calculate a maximum amount permitted and all other assets above that amount should be considered as available. Please see STC Bulletin 22 of 2023 for more information on poverty exemptions.

**Note:** MCL 211.7u allows an affidavit (Treasury Form 4988) to be filed for all persons residing in the residence who were not required to file federal or state income tax returns in the current year or in the immediately preceding year. This includes the owner of the property who is filing for the exemption.

### C. Sales Studies

Equalization study dates are as follows for 2025 equalization:

- Two Year Study: April 1, two years prior through March 31, current year
- Single Year Study: October 1, preceding year through September 30, current year

For 2024 studies for 2025 equalization the dates are as follows:

- Two Year Study: April 1, 2022 through March 31, 2024
- Single Year Study: October 1, 2023 through September 30, 2024

Note that the time period revisions apply to all equalization studies, that is: sales ratio studies, land value studies and economic condition factor studies for appraisals. Also note that the revised time period for two-year studies applies to all real property classifications.

### D. Property Classification

The State Tax Commission reminds assessors that classification is to be determined annually and is based upon the current use of the property **and not** highest and best use of the property. The Commission is aware that some assessors are still classifying property according to highest and best use and/or are not classifying property on an annual basis. The Commission asks that all assessors take the necessary steps to ensure that all real and personal property is properly classified according to MCL 211.34c.

## **E. Public Act 660 of 2018 Training Requirements**

### **Required Training: Assessors and Support Staff**

PA 660 states that local units must ensure that support staff is sufficiently trained to respond to taxpayer inquiries. PA 660 also states that local units must require that assessors maintain their certification levels. Support staff is all non-certified staff that are involved in the development of the assessment roll, including field work, and any individual that may supply information from the assessment roll to the public. Certified staff members are required to meet annual continuing education requirements.

The State Tax Commission adopted the following requirements for support staff training at the October 20, 2020 meeting:

1. **Certified Support Staff:** Support staff who are certified will be required to complete their annual continuing education requirements to satisfy this audit requirement. Proof of completion and the required Form 5730 should be attached to the Assessor's Certification of the Assessment Roll and maintained with local unit records.
2. **Uncertified Support Staff:** Beginning in 2022, uncertified support staff will be required to complete training at least once every two years on key updates to assessing to meet this audit requirement. Proof of completion and the required Form 5730 should be attached to the Assessor's Certification of the Assessment Roll and maintained with local unit records.

### **Required Training: Board of Review members**

PA 660 states that local units **must require** that its board of review members receive board of review training and updates required and approved by the State Tax Commission. Checking to ensure that board of review members are trained is now required as part of the audit of the local unit starting in 2023.

The State Tax Commission has determined that beginning in 2022, Board of Review members will be required to complete Board of Review training at least once every two years to meet this audit requirement.

This training will be offered by the State Tax Commission, or by outside organizations with State Tax Commission approval and use of State Tax Commission approved materials. Proof of completion and the required Form 5731 should be attached to the Board of Review's Certification of the Assessment Roll and maintained with local unit records. Board of Review members will need to make sure they receive proof of completion and that it is provided to the local unit so it can be properly maintained and provided during the audit.

## F. Tax Tribunal Reminders

The Tax Tribunal Rules were updated on September 29, 2023. Summaries of the changes are in the Tribunal's November 3, 2022 and October 10, 2023 newsletters.

Assessors representing their local unit in Tax Tribunal hearings need to submit evidence to support the value of the property under appeal. If the assessor is relying on the property record card as evidence of value, the property record card must be for the year(s) being appealed. The complete property record card, including all calculations should be provided; do not submit a property record card that states "calculations too long" and then fail to include the additional calculations. Also, it is important to submit the studies prepared that support the economic condition factor and land value on the record card. Assessors should also be able to explain at the Tax Tribunal hearing how the value shown on the property record card was calculated.

The Tax Tribunal asks that assessors include copies of the adopted local unit poverty guidelines/resolutions, Economic Condition Factor studies, and land values studies (when applicable) when submitting documents for Small Claims hearings.

Assessors are also reminded that any change in contact information, including a change in email address, must be submitted to the Tax Tribunal to ensure that all case notifications are received.

More information regarding the Michigan Tax Tribunal, including Tribunal Rules, forms and instructions is available at [www.michigan.gov/taxtribunal](http://www.michigan.gov/taxtribunal).

## G. Disabled Veterans Exemption Changes

Public Acts 150, 151, and 152 of 2023 were signed by the Governor on October 19, 2023. The Acts remove the authority of the Boards of Review to review and approve disabled veterans exemptions. All applications for a disabled veterans exemption are to be reviewed and approved or denied by the assessor. **Assessors should not take 2025 disabled veterans exemption applications to the Board of Review.**

A disabled veteran or an unremarried surviving spouse must file the application to claim the exemption for 2025 after January 1 and before December 31. Assessors should timely review the applications and approve the exemption or issue a written denial.

Under MCL 211.7c, a disabled veterans exemption granted as to taxes levied on or after January 1, 2025 remains in effect, without subsequent reapplication, until rescinded by the disabled veteran or unremarried surviving spouse or denied by the assessor.

See Bulletin 19 of 2023 and the Disabled Veterans Exemption Q&A for more information.

## H. Qualified Heavy Equipment Rental Personal Property Exemption

MCL 211.9p provides an exemption for qualified heavy equipment rental personal property beginning December 31, 2022. This exemption is not mandatory and may be claimed at the option of the qualified renter. Once qualified for the QHERPP exemption under MCL 211.9p, qualifying personal property will be exempt from ad valorem taxes and instead pay the specific tax as provided by Public Act 35 of 2022 (MCL 211.1121 - 211.1133).

**Qualified heavy equipment rental personal property** (QHERPP) is defined in MCL 211.9p(8)(f) as any construction, earthmoving, or industrial equipment that is mobile and rented to customers by a qualified renter, including attachments or other ancillary equipment for that equipment. Qualified heavy equipment rental personal property does not include handheld tools or equipment solely designed for industry-specific uses in oil and gas exploration, mining, or forestry.

The exemption must be claimed annually with the assessor by February 20 (postmark is acceptable) by filing Form 5819 *Qualified Heavy Equipment Rental Personal Property Exemption Claim* and a statement prescribed by the Department of Treasury of all QHERPP located at and/or rented from the qualified renter business location. If the statement is not delivered to the assessor by February 20, a late application can be filed directly with the March Board of Review where the qualified renter business is located.

Assessors are statutorily required to transmit a copy of the claim form, indicating whether the claim was approved or denied, and any other required parcel information to the Department of Treasury no later than April 1 each year. The information must be submitted electronically by emailing to [Treas-QHERPP@michigan.gov](mailto:Treas-QHERPP@michigan.gov)

More information is available in Bulletin 18 of 2022.

## I. Small Business Taxpayer Personal Property Tax Exemption

Public Act 150 of 2021 was signed by the Governor on December 23, 2021. The Act amended the Small Business Taxpayer Personal Property Tax Exemption (MCL 211.9o) to increase the combined true cash value limit for “eligible personal property” in a local unit from \$80,000 to \$180,000 beginning in 2023. The exemption is required to be claimed with the local unit (city or township where the property is located) by February 20, 2025 (postmark is acceptable) by submitting the completed Form 5076 *Small Business Property Tax Exemption Claim Under MCL 211.9o*. Late filed forms may be filed directly with the 2024 March Board of Review prior to the closure of the March Board.



**Personal Property Valued Less Than \$80,000**

To claim an exemption for personal property valued less than \$80,000, Form 5076 must be filed with the local unit (City or Township) where the personal property is located no later than February 20, 2025 (postmark is acceptable). Late filed forms may be filed directly with the local unit March Board of Review prior to the closure of the March Board of Review. Taxpayers must contact the local unit directly to determine the March Board of Review dates.

Once the exemption is granted for personal property valued at less than \$80,000, the taxpayer will continue to receive the exemption until they no longer qualify for the exemption. Once they no longer qualify, the taxpayer is required to file a rescission form and a personal property statement no later than February 20 of the year that the property is no longer eligible. Failure to file the rescission form will result in significant penalty and interest as prescribed in MCL 211.9o.

**Personal Property Valued Greater than or Equal to \$80,000 but Less than \$180,000**

To claim an exemption for personal property valued at \$80,000 or more but less than \$180,000, Form 5076 **along with** Form 632 *Personal Property Statement* must be filed **ANNUALLY** with the local unit (City or Township) where the personal property is located no later than February 20, 2025 (postmark is acceptable). Late filed forms may be filed directly with the local unit March Board of Review prior to the closure of the March Board of Review.

Assessors are statutorily required to transmit the information contained in both Form 5076 and Form 632 *Personal Property Statement* and any other required parcel information to the Department of Treasury no later than April 1 each year.

**J. EMPP and ESA Reminders**

Beginning in 2024, parcels that received the EMPP exemption in the immediately preceding year carry forward the exemption in each subsequent year until the property becomes ineligible for the exemption. A Combined Document (Form 5278) needs to be filed to claim the EMPP exemption only on those parcels that did not receive the EMPP exemption in the immediately preceding year. Taxpayers will report the addition or removal of exempt property from their parcel on their ESA Statement filed electronically with the Department of Treasury through the Michigan Treasury Online (MTO) system.

Taxpayers may request the removal of the EMPP exemption on a parcel for the current year, by filing Form 5277 with the assessor in which the parcel is reported by February 20, 2025. Assessors should report receipt of any Form 5277 in their CAMA software.

If a parcel is transferred to a new taxpayer, it is necessary for the previous owner to file Form 5277 to rescind the parcel under their FEIN and the new owner to file Form 5278 to claim the EMPP under their FEIN.



At times, taxpayers attempt to add a parcel to their ESA Statement that was not previously reported to the Department of Treasury. In these cases, the ESA Section will reach out to the assessor to ask if a Combined Document (Form 5278) was filed for the parcel and, if it was, request a copy of the Form. ESA Staff will also ask for a letter confirming that the EMPP exemption was claimed properly and that the failure to transmit the information to the Department of Treasury was not the fault of the taxpayer. These letters are not used to incriminate an assessor who made a mistake, but rather to add to Treasury files to document why a parcel was added to an ESA Statement after the statement was generated on May 1.

The ESA Section has received consent judgments entered by the Michigan Tax Tribunal for stipulated agreements between EMPP claimants and the local units in which they have personal property. It is extremely important that any stipulated agreement filed with the Michigan Tax Tribunal indicates that the personal property reported on the parcel meets the definition of "eligible manufacturing personal property," identifies which eligible manufacturing personal property qualifies for the exemption under MCL 211.9m and MCL 211.9n and directs the Department of Treasury to generate an ESA statement so that the taxpayer may pay ESA on the exempt personal property. Assessors are advised to contact the ESA Section for a list of previous dockets that contained the appropriate requirements.

More information is available in the Assessors Guide to EMPP and ESA available online at [www.michigan.gov/propertytaxexemptions](http://www.michigan.gov/propertytaxexemptions).

Further information and guidance on the Eligible Manufacturing Personal Property (EMPP) Exemption, Special Acts and the Essential Services Assessment (ESA) is available at [www.michigan.gov/ESA](http://www.michigan.gov/ESA). Additional questions should be sent via email to [ESAQuestions@michigan.gov](mailto:ESAQuestions@michigan.gov).

## **K. Omitted or Incorrectly Reported Property (MCL 211.154)**

Assessors are reminded that when submitting 154 petitions it is necessary to include complete copies of the property record cards for every year a change is being requested on the petition. For example, if a 154 petition requests a change for 2023 and 2024, the property record card for 2023 and the property record card for 2024 should be submitted. In addition, assessors must submit the calculations and documents needed to understand the reasons for the change and the amount of the requested change in the assessment and taxable values.

For 154 petitions involving removal of personal property, staff may request verification that the assessor inspected the personal property location or otherwise confirmed that the personal property was disposed of and was not located in the local unit on the applicable tax day. Additionally, staff may inquire as to the extent of the assessor's communication with the taxpayer to confirm that personal property was reported in the new location.

Questions can be directed to the staff at [Treas-154petitions@michigan.gov](mailto:Treas-154petitions@michigan.gov). Additional information, including Bulletin 2 of 2018 and copies of the approved forms, are available online at [www.michigan.gov/154petitions](http://www.michigan.gov/154petitions).

## L. Authority of July and December Boards of Review

Assessors are reminded that the July and December Boards of Review may only act on matters described in MCL 211.53b or expressly permitted by other statutes. This includes qualified errors listed in MCL 211.53b(6), and appeals related to poverty exemptions, qualified agricultural property exemptions, and qualified forest property exemptions.

In addition, other statutes, such as MCL 211.7ss related to the eligible development property exemption provide authority for the July and December Board of Review to take action.

Assessors should carefully review the Board of Review Q&A and Bulletins 21 of 2023 and 24 of 2023 to ensure their Boards of Review are acting within their statutory authorities.

Assessors should not be requesting that the July or December Boards of Review take action outside of the limited authority provided in MCL 211.53b.

Beginning July 11, 2022, **the July and December Board of Review have no authority to grant a PRE**. Assessors are asked to ensure that the July and December Boards of Review does not take action related to PRE claims.

Beginning October 19, 2023, assessors were granted the authority to grant timely filed Disabled Veterans Exemptions, thus nullifying the need to take Disabled Veteran Exemption applications to the Board of Review. PA 152 of 2023 clarified the definition of “qualified errors” as it relates to the July and December Board of Review authority for granting Disabled Veteran Exemptions as a “qualified error”.

## M. 2025 State Tax Commission Updates Class

At the August 20, 2024 State Tax Commission meeting, the recommendations of the Education and Certification Committee were approved.

**To recertify for 2026 MCAT (Michigan Certified Assessing Technicians)** must complete four (4) hours of continuing education (November 1, 2024 – October 31, 2025). To meet the required four (4) hours of continuing education, Technicians have the option to complete the 2025 STC Updates course, any continuing education course approved by the STC, or an STC online continuing education course of their choice (**excluding** the *Learning the HP12C Calculator* course) offered through the STC Online Education Portal. Any individual certified at the MCAT level who wishes to expand their knowledge of assessment may take additional approved assessment administration courses during the same renewal period. However, courses taken beyond the four (4)

hours will not be entered into the Commission's online MiSuite System and will not count toward education credit for recertification purposes.

**To recertify for 2026, MCAO, MAAO and MMAO assessors** must complete the 2025 State Tax Commission Updates Course *in addition to the 16 hours of continuing education*. The 2025 State Tax Commission Updates Course can be completed in-person or through the STC Online Education Portal.

This class will be available both in-person at various locations across the state and online through the State Tax Commission Online Education Portal at <https://coned.mi-stc.org>. The dates and locations for the in-person classes will be posted to the State Tax Commission website.

## 2026 Online Education Portal and MiSUITE Login

### STC Online Education Portal

The State Tax Commission offers a variety of online classes, available free of charge, that provide continuing education credit. The online classes can be accessed at <https://coned.mi-stc.org>. This site is only available to Michigan certified assessors and technicians. If you have an issue with your log in credentials, especially password resets, email [Treas-MiSuitehelp@michigan.gov](mailto:Treas-MiSuitehelp@michigan.gov). If you require a password reset, **do not use the Forgotten Your Username or Password link on the page**. Instead, send an email to the State Tax Commission and staff will manually reset your password.

You must complete all requirements of the online course before you will receive your certificate of completion for the course. If a certificate is not emailed to you, then you likely did not complete one or more of the course requirements. The requirements that must be completed are listed at the top of each course and as you complete each one, they will be removed from the list.

Once you have received your certificate, you are responsible for uploading it into the MiSUITE platform to receive the continuing education credit for the course.

### MiSUITE

Passwords expire after 90 days. If your password is expired, you will automatically be redirected to an Update Password page upon attempting to log in. Simply create a new password, confirm that password, and click "update."

You can access MiSUITE by going to <https://sso.misuite.app>

Assessors can check continuing education hours by logging into the MiSUITE system and checking your profile page. Total hours remaining to be completed are listed on the profile page in MiSUITE as well as the completed classes that have been properly logged into the system.

Assessors are responsible for logging their own continuing education hours in MiSUITE. When logging credit, be sure to pick the correct course, date, location, and upload proof of attendance.

If you have any questions, concerns, or need further assistance, please email [Treas-MiSUITEHelp@michigan.gov](mailto:Treas-MiSUITEHelp@michigan.gov).

# Memo

To: Genoa Township Board

From: Robin Hunt, Treasurer

Date: 12/09/24

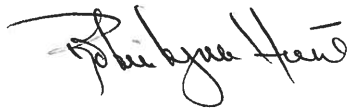
I have placed on the Agenda the following item for your consideration:

- Request for approval to enter into agreements to collect 2025 Summer property taxes for the Brighton Area Schools, Hartland Consolidated Schools, Howell Public Schools, and the Livingston Educational Service Agency as submitted by the Township Treasurer.

The agreement with the Hartland and Brighton School Districts will be to collect the Operating (Non-Homestead) Levy of their School Tax on the Summer Tax Bill. The agreement with Howell Schools is to collect the Operating (Non-Homestead) Levy as well as half of their Debt Levy to all parcels on the Summer roll. Pinckney Schools does not levy any school tax on the Summer tax roll. Livingston Educational Services Agency (LESA) will collect their full levy for Brighton, Hartland & Howell on the Summer bill and their full levy on the Winter bill for Pinckney Schools.

The agreements, as in the past, will be at a fee of \$3.00 per parcel for this collection.

Please let me know if you have any questions. Thank you!



AGREEMENT FOR COLLECTION OF SUMMER SCHOOL PROPERTY TAXES

AGREEMENT made this 15<sup>th</sup> day of November, 2024 by and between Brighton Area Schools, with offices located at 125 S. Church St., Brighton, MI 48116 (hereinafter "School District") and Genoa Township with offices located at 2911 Dorr Road, Brighton, MI 48116 (hereinafter "Township"), pursuant to 1976 PA 451, as amended, for the purposes of providing for the collection by the Township of a Summer levy of School District property taxes for the year 2025.

The parties agree as follows:

1. The Township agrees to collect 100% of the total school non-homestead operating property taxes as certified by the School District for levy on July 1, 2025 on property located within the Township. Interest earned on said taxes will be retained by the township.
2. The School District agrees to pay Township costs of assessment and collection as follows:

\$ 3.00 per parcel

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

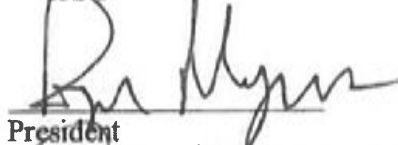
3. No later than May 31, 2025 the School District shall certify to the Township Supervisor the school millage to be levied on property for summer collection in 2025.
4. The Township Treasurer shall account for and deliver summer school tax collections as follows:
  - a. Summer Tax collections shall be paid to the School District within ten (10) business days from the 1st and 15th of each month via electronic transfer (wire transfer, ACH, etc.)

Signature authorized by Board  
of Education Resolution of  
November 11, 2024

Signature authorized by Board  
of Trustees Resolution of

\_\_\_\_\_

SCHOOL DISTRICT



President



Secretary

TOWNSHIP

\_\_\_\_\_  
Supervisor

\_\_\_\_\_  
Treasurer

AGREEMENT FOR COLLECTION OF SUMMER SCHOOL PROPERTY TAXES

AGREEMENT made this 1st day of November 2024 by and between Hartland Consolidated Schools, with offices located at 9525 E. Highland Road, Howell MI 48843 (hereinafter "School District") and Genoa Township, with offices located at 2911 Dorr Road, Brighton, MI 48114 (hereinafter "Township"), pursuant to 1976 PA 451, as amended for the purposes of providing for the collection by the Township of a Summer levy of School District property taxes for the year 2025.

The parties agree as follows:

1. The Township agrees to collect 100% of the total school non-homestead property taxes as certified by the School District for levy on July 1, 2025, on property located within the Township. Interest earned on said taxes will be retained by the township.
2. The School District agrees to pay Township costs of assessment and collection as follows:

\$ 3.00 per parcel
3. No later than June 15, 2025, the School District shall certify to the Township Supervisor the school millage to be levied on property for summer collection in 2025.
4. Summer Tax collection shall be paid to the School District within ten (10) business days from the 1<sup>st</sup> and 15<sup>th</sup> of each month, except in October, November, December, January, and March.

Signature authorized by Board  
of Education Resolution of  
October 21, 2024

School District



\_\_\_\_\_  
Rachel Bois, Chief Financial Officer,  
Designee

Township

\_\_\_\_\_  
Supervisor

Signature authorized by Board  
of Trustees Resolution of  
\_\_\_\_\_, 2024

\_\_\_\_\_  
Clerk



AGREEMENT FOR COLLECTION OF SUMMER SCHOOL PROPERTY TAXES

AGREEMENT made this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_ by and between Howell Public Schools, with offices located at 411 N. Highlander Way, Howell, MI 48843 (hereinafter "School District") and Genoa Township with offices located at 2911 Dorr Road Brighton, MI 48116 (hereinafter "Township"), pursuant to 1976 PA 451, as amended, for the purposes of providing for the collection by the Township of a Summer levy of School District property taxes for the year 2025.

The parties agree as follows:

1. The Township agrees to collect 100% of the total school non-homestead property taxes and 50% of the school debt property taxes as certified by the School District for levy on July 1, 2025 on property located within the Township. Interest earned on said taxes will be retained by the township.
2. The School District agrees to pay Township costs of assessment and collection as follows:

\$ 3.00 per parcel

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

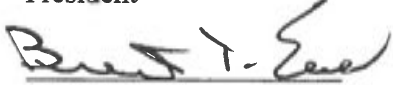
3. No later than June 15, 2025 the School District shall certify to the Township Supervisor the school millage to be levied on property for summer collection in 2025.
4. The Township Treasurer shall account for and deliver summer school tax collections as follows:
  - a. Summer Tax collections shall be paid to the School District within ten (10) business days from the 1st and 15th of each month. At your discretion, you may elect to discontinue summer tax disbursements to Howell Public Schools in November, December, January, and March.

Signature authorized by Board  
of Education Resolution of  
October 14, 2024 (date)

Signature authorized by Board  
of Trustees Resolution of  
\_\_\_\_\_ (date)

SCHOOL DISTRICT

  
\_\_\_\_\_  
President

  
\_\_\_\_\_  
Secretary

TOWNSHIP

\_\_\_\_\_  
Supervisor

\_\_\_\_\_  
Clerk

## SUMMER TAX COLLECTION AGREEMENT

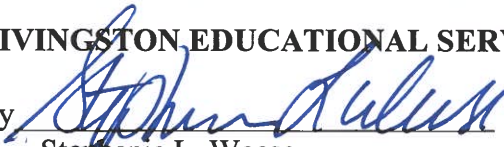
The Township of Genoa with offices located at 2911 Dorr Rd., Brighton, Michigan (the "township") pursuant to 1976 PA 451, as amended, for the purposes of providing for the collection by the Township of a summer levy of Livingston Educational Service Agency, Michigan (the "Agency") property taxes for the year 2025 and hereafter as provided below:

The Agency and the Township agree as follows:

1. The Township agrees to collect 100% of the total school millage in the summer as certified by the Agency for levy on all taxable property in addition to and not within the K-12 school district summer tax collection, including principal residence and other exempt property not subject to the 18 mill levy within the Brighton Area Schools, Hartland Consolidated Schools and Howell Public School districts.
2. All interest and penalties, other than collection fees, that are imposed prior to the date the taxes are returned delinquent and that are attributable to school taxes, shall belong to the Agency.
3. The Agency agrees to pay the Township costs of assessment and collection at \$3.00 per parcel which represents reasonable expenses incurred by the Township in assessing and collecting Agency taxes, to the extent that the expenses are in addition to the expenses of assessing and collecting other taxes at the same time.
4. The Agency shall certify to the Township Treasurer the school millage to be levied on property for summer collection to the Township via a signed L-4029 within 3 weeks of Livingston County Equalization delivering their tax roll information to the Agency, or by June 15, whichever is earlier.
5. The Township Treasurer shall account for and deliver summer school tax collections to the Agency within ten (10) business days from the 1<sup>st</sup> and 15<sup>th</sup> of each month via electronic transfer, if and when possible.
6. In the event that state law is amended necessitating changes to this Agreement, the parties agree to negotiate changes to the Agreement in good faith to conform the Agreement to state law. Collection of summer taxes and payment for said collection shall not be disrupted or delayed due to the negotiation of or revision to this Agreement.
7. By execution of this Agreement, both parties certify and represent that the Agreement is authorized by the laws of the State of Michigan, that the individuals responsible for collecting the Agency taxes are and will be in compliance with all laws pertaining to their duties and responsibilities as a tax collecting agent, and that the signors are authorized by their respective governing bodies to execute this Agreement.
8. This Agreement is effective on the date of its execution and shall expire twelve months from the effective date.

IN WITNESS WHEREOF, the parties have executed this Agreement on the respective dates indicated below.

**LIVINGSTON EDUCATIONAL SERVICE AGENCY, MICHIGAN**

By   
Stephanie L. Weese

Its: Assistant Superintendent for Administrative Services

Dated: November 15, 2024

**TOWNSHIP OF GENOA:** \_\_\_\_\_

By \_\_\_\_\_

Its \_\_\_\_\_

Dated \_\_\_\_\_

# Memo

To: Genoa Township Board

From: Robin Hunt, Treasurer

Date: 12/09/24

I have placed on the Agenda the following item for your consideration:

- Request for approval of "Resolution Regarding Minimal Tax Overpayments" #241216B submitted by the Township Treasurer.

This policy has been in place over my tenure as your Township Treasurer. However, it has not been updated in many years. Any overpayments of \$10.00 or less will be retained by the Township and booked in Excess of Roll. For any overpayments of \$10.01 or more, a refund check will be issued to the payee. The Township Treasurer's office also follows the same guidelines for payment shortages.

I am bringing this back to the Township Board for approval so that the newly elected Township Clerk, Janene Deaton, can have an updated record for her files.

Please let me know if you have any questions. Thank you!



**GENOA CHARTER TOWNSHIP  
RESOLUTION REGARDING MINIMAL TAX OVERPAYMENTS  
#241216B**

At the regular meeting of the Township Board of the Township of Genoa, Livingston County, Michigan (the "Township"), held in the Township Hall on the 16<sup>th</sup> day of December, 2024 at 6:30 p.m.

**PRESENT:**

**ABSENT:**

The following preamble and resolution were offered by \_\_\_\_\_ and supported by \_\_\_\_\_:

**WHEREAS**, the Township Treasurer receives overpayments in the course of collecting taxes, and;

**WHEREAS**, the cost to the Township to return small overpayments, due to postage and administrative costs, exceeds \$10.00,

**NOW, THEREFORE, BE IT RESOLVED THAT:**

The Genoa Township Treasurer shall be authorized to apply minimal overpayments in the amount of \$10.00 or less to Miscellaneous Income. The Treasurer shall reimburse the taxpayer for amounts equal to or greater than \$10.01.

**Ayes:**

**Nays:**

**Absent:**

**RESOLUTION DECLARED AND ADOPTED.**

STATE OF MICHIGAN    )  
  ) ss.  
COUNTY OF LIVINGSTON )

**CLERK'S CERTIFICATE**

The undersigned, being the duly qualified and acting Clerk of the Township Genoa, Livingston County, Michigan, hereby certifies that (1) the foregoing is a true and complete copy of a resolution duly adopted by the Township Board at a regular meeting held on the 16<sup>th</sup> day of December, 2024, 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.

\_\_\_\_\_  
Janene Deaton, Clerk  
Genoa Charter Township  
Dated: December 16, 2024



2911 Dorr Road  
Brighton, MI 48116  
810.227.5225  
810.227.3420 fax  
genoa.org

## MEMORANDUM

**TO:** Honorable Board of Trustees  
**FROM:** Amy Ruthig, Planning Director  
**DATE:** December 11, 2024  
**RE:** Solar, Wind and Energy storage Ordinance Amendments  
Ordinance No. Z-25-01

In consideration of the recommendation by the Township Planning Commission on December 4<sup>th</sup>, 2024, please find attached the proposed ordinance and publication for your review. The proposed zoning text amendment is to amend Zoning Ordinance Section 11.05 Wind Energy Systems, Section 11.06 Solar Energy Systems and the addition of 11.07 Energy Storage Systems within Article 11 entitled General Provisions.

This item is scheduled to be heard at the December 18<sup>th</sup>, 2024 Livingston County Planning Commission meeting.

The proposed zoning text amendments was precipitated by the enactment of P.A. 233 of 2023 which gives local government limited control of Utility-Scale Renewable Energy Facilities of 50 megawatts or more for solar, 100 megawatts or more for wind; and 50 megawatts or more for energy storage facilities with an energy discharge capability of 200 megawatts or more. The act does give siting locations control to local governments if the local government has an ordinance that is not more restrictive than Public Act 233.

As required pursuant to the Charter Township Act (Act 359 of 1947), the board is being asked to introduce and conduct the first reading of the proposed zoning ordinance text amendment. Staff is requesting the second reading and consideration for adoption be set for Monday, January 6<sup>th</sup>, 2025. A draft publication as required by law is also attached.

As such please consider the following action:

***Please note the ordinance requires adoption by a majority of the membership on roll call vote.***

Moved by \_\_\_\_\_, supported by \_\_\_\_\_ to introduce proposed Ordinance Number Z-25-01 and to set the meeting date to consider adoption before the Township Board on Monday, January 6<sup>th</sup>, 2025 for the purpose of considering the proposed Zoning Ordinance text amendment to Article 11 General Provisions.

If you should have any questions, please feel free to contact me.

Best Regards,

Amy Ruthig  
Planning Director

**SUPERVISOR**

Kevin Spicher

**CLERK**

Janene Deaton

**TREASURER**

Robin L. Hunt

**TRUSTEES**

Rick Soucy

Bill Reiber

Candie Hovarter

Todd Walker

**MANAGER**

Kelly VanMarter

**ORDINANCE #Z-25-01**

**AN ORDINANCE TO AMEND ZONING ORDINANCE SECTION 11.05 WIND ENERGY SYSTEMS, 11.06 SOLAR ENERGY SYSTEMS AND 11.07 ENERGY STORAGE SYSTEMS WITHIN ARTICLE 11 ENTITLED GENERAL PROVISIONS**

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**THE TOWNSHIP OF GENOA ORDAINS:**

**SECTION 1: SHORT TITLE:** This Ordinance shall be known as the “**Section 11.05 Wind Energy Systems, Section 11.06 Solar Energy Systems and 11.07 Energy Storage Systems Amendment to Zoning Ordinance Article 11 General Provisions**”.

**SECTION 2: SUMMARY OF ORDINANCE:** Pursuant to the Michigan Zoning Enabling Act (P.A. 110 of 2006), notice is hereby given that an ordinance to amend the Zoning Ordinance regulating the development and use of land in Genoa Charter Township has been adopted by the Township Board on \_\_\_\_\_. The Board conducted the second reading and approved Ordinance #Z-25-01 to adopt the ordinance and amend the Zoning Ordinance of the Charter Township of Genoa by amending Article 11 General Provisions Section 11.05 Wind Energy Systems, Section 11.06 Solar Energy Systems and 11.07 Energy Storage Systems. The following provides a summary of the regulatory effect of the ordinance.

**ARTICLE 11 OF THE ZONING ORDINANCE, ENTITLED GENERAL PROVISIONS, SECTION 11.05 WIND ENERGY SYSTEMS, 11.06 SOLAR ENERGY SYSTEMS AND 11.07 ENERGY STORAGE SYSTEMS WITHIN ARTICLE 11 ENTITLED GENERAL IS HEREBY AMENDED TO REPLACE THE EXISTING SECTION AS FOLLOWS:**

---

**Sec. 11.05 WIND ENERGY CONVERSION SYSTEMS (WECS)**

(c) **Definitions:** For the purpose of this section, the following words and phrases shall have the meanings respectively ascribed to them as follows:

(10) **Non-participating property:** means a property that is adjacent to an energy facility and that is not a participating property.

(12) **Participating property:** means real property that either is owned by an applicant or that is the subject of an agreement that provides for payment by an applicant to a landowner or monetary compensation related to an energy facility regardless of whether any part of that energy facility is constructed on the property.

(16) **Utility-Scale Wind Energy Systems under PA 233.** A system that captures and converts wind into electricity, for the purpose of sale or far use in locations other than solely the wind energy facility property, and with a nameplate capacity of 100 megawatts or more. Wind energy facility includes, but is not limited to , the following equipment and facilities to be constructed by an electric provider or independent power producer: wind towers; foundations; towers; poles; crossarms; guy lines and anchors; substations; interconnection or switching facilities; circuit breakers and transformers; energy storage facilities; overhead and underground controls; communications and radio relay systems and telecommunications equipment; monitoring and recording equipment and facilities; erosions control facilities; utility lines and installations; generation tie lines; ancillary buildings; wind monitoring stations; and accessory equipment and structures. (see 11.05.04)

**11.05.04 Utility-Scale Wind Energy Systems under PA 233 only.**

(a) **Intent and Purpose:** The intent and purpose of this Section is to establish standards pursuant to PA 233 of 2024. To the extent the following provisions conflict with the provisions in subsection 11.05.01, 11.05.02,



11.05.03 above, these provisions shall apply. All provisions in 11.05.01, 11.05.02, and 11.05.03 above that do not conflict with the subsection remain in full force and effect and shall be applicable to all Utility- Scale Wind Energy Systems regardless of nameplate capacity. The following provisions do not apply if PA 233 of 2023 is repealed, enjoined, or otherwise not in effect, and do not apply to Utility Grid WESC.

(b) **Locations** Where System Allowed: Utility-Scale Wind Energy Systems shall be permitted in Industrial (IND) and Planned Industrial Parks (PID) 20-acres or more with special land use approval by Township Board in accordance with Article 19 and site plan approval by the Township Board and Planning Commission in accordance with Article 18.

(c) **Application:** To construct an Utility-Scale Wind Energy System, an electric provider or IPP that proposes to obtain a certificate from the Michigan Public Service Commission to construct an energy facility within the Township shall follow the following application process:

(1) At least 60 days before the public meeting provided for in MCL 460.1223, an electric provider or IPP shall offer in writing to meet with the Township Supervisor, or the Supervisor’s designee, to discuss the site plan. The offer to meet should be delivered by email. The Supervisor or Supervisor’s designee must respond within 30 days from the offer to meet.

(2) Within 30 days following the meeting described in paragraph 11.05.04 (2)(a), the Township Supervisor shall notify the electric provider or IPP planning to construct the energy facility that the Township has a compatible renewable energy ordinance. If all affected local units with zoning jurisdiction provide similar timely notice to the electric provider or IPP, then the electric provider or IPP shall file for approval of a permit with the Township.

(3) To file for approval of a permit the electric provider or IPP must submit a complete application to the Township Clerk. The application form to be used shall be adopted by resolution of the Township Board. The application shall contain the items set forth in MCL 460.1225(1), except for (l)(j) and (s). The application may also require other information to determine compliance with this Compatible Renewable Energy Ordinance. By resolution, the Township may establish an application fee and escrow policy to cover the Township’s reasonable costs of review and processing of the application, including but not limited to staff, attorney engineer, planning, environmental, or other professional costs.

(d) **Application Review:** The application shall be processed as a special land use subject to the provisions of this Article. The Township board following a recommendation from the Planning Commission shall approve or deny the application within 120 days after receiving a complete application. This deadline may be extended by up to 120 days if jointly agreed upon by the Township Board and the applicant. If the application is approved, the following standards apply:

(1) **Setbacks.** Utility-Scale Wind Energy Systems must comply with the following minimum setback requirements, with setback distances measured from the center of the base of the wind tower:

<b>Setback Description</b>	<b>Setback Distance</b>
Occupied community buildings and dwelling on nonparticipating properties	2.1 times the maximum blade tip height to the nearest point on the outside wall of the structure
Residences and other structures on participating properties	1.1 times all the maximum blade tip height to the nearest point on the outside wall of the structure
Nonparticipating property lines	1.1 times the maximum blade tip height
Public road right-of-way	1.1 times the maximum blade tip height to the center line of the public road right-of-way
Overhead communication and electric transmission, not including utility service lines to individual houses or outbuildings	1.1 times the maximum blade tip height to the center line of the easement containing the overhead line

- (2) **Height.** Each wind tower does not exceed the height allowed under a Determination of No Hazard to Air Navigation by the Federal Aviation Administration under 14 CFR part 77.
- (3) **Shadow Flicker:** Each wind tower must be sited such that any occupied community building or nonparticipating residence will not experience more than 30 hours per year of shadow flicker under planned operating conditions as indicated by industry standard computer modeling.
- (4) **Noise:** The Wind Energy System must not generate a maximum sound in excess of 55 average hourly decibels as modeled at the nearest outer wall of the nearest dwelling located on an adjacent nonparticipating property. Decibel modeling shall use the A-weighted scale as designed by the American National Standards Institute.
- (6) **Lighting:** The Wind Energy System must be equipped with a functioning light-mitigating technology. To allow proper conspicuity of a wind turbine at night during construction, a turbine may be lighted with temporary lighting until the permanent lighting configuration, including the light-mitigating technology, is implemented. The Township may grant a temporary exemption from the requirements of this subparagraph if installation of appropriate light-mitigating technology is not feasible. A request for a temporary exemption must be in writing and state all of the following:
  - (a) The purpose of the exemption.
  - (b) The proposed length of the exemption
  - (c) A description of the light-mitigating technologies submitted to the Federal Aviation Administration.
  - (d) The technical or economic reason a light-mitigating technology is not feasible.
  - (e) Any other relevant information requested by the Township.
- (7) **Radar Interference:** The Wind Energy System must meet any standards concerning radar interference, lighting (subject to subparagraph (6) or other relevant issues as determined by the Township.
- (8) **Environmental Regulations:** The Wind Energy System must comply with applicable state or federal environmental regulations.
- (9) **Public Service Commission:** The Wind Energy Facility will comply with any more stringent requirements adopted by the Michigan Public Service Commission as provided for in MCL 460.1226(8)(b)(vii). Before adopting such requirements, the commission must determine that the requirements are necessary for compliance with state or federal environmental regulations.
- (10) **Host community agreement:** The applicant shall enter into a host community agreement with the Township. The host community agreement shall require that, upon commencement of any operation, the Wind Energy System owner must pay the Township \$2,000.00 per megawatt of nameplate capacity. The payment shall be used as determined by the Township for police, fire, public safety, or other infrastructure, or for other projects as agreed to by the local unit and the applicant.

## Sec. 11.06 SOLAR ENERGY SYSTEMS

### 11.06.01

(a) **Definitions:**

(9) **Non-Participating Property:** A property that is adjacent to an energy facility and that is not a participating property.

(10) **Participating Property:** A property that participates in a lease or easement agreement, or other contractual agreement, with or that is owned by an entity submitting a Special Land Use Permit application for the purpose of developing a Utility Solar Energy Facility.

(16) **Utility-Scale Solar Energy Facility under PA 233:** a system that captures and converts solar energy into electricity, for the purpose of sale or for use in locations other than solely the solar energy facility property, and with a nameplate capacity of 50 megawatts or more. Utility-Scale Solar energy facility includes, but is not limited to, the following equipment and facilities to be constructed by an electric provider or independent power producer: photovoltaic solar panels; solar inverters; access roads; distribution, collection, and feeder lines; wires and cables; conduit; footings; foundations; towers; poles; crossarms; guy lines and anchors; substations; interconnection or switching facilities; circuit breakers and transformers; energy storage facilities; overhead and underground control; communications and radio relay systems and telecommunications equipment; utility lines and installations; generation tie lines; solar monitoring stations; and accessory equipment and structures.

### 11.06.07 Utility-Scale Solar Energy Systems under PA 233 only.

- (a) **Intent and Purpose:** The following provisions apply to Utility-Scale Solar Energy Systems as defined above and shall be allowed in the Industrial (IND) and Planned Industrial Parks (PID) zoning districts by special use permit. To the extent the following provisions conflict with the provisions in subsection 11.06.02, 11.06.03, 11.06.04, 11.06.05 and 11.06.06 above, these provisions shall apply. All provisions above that do not conflict with the subsection remain in full force and effect and shall be applicable to all Utility-Scale Solar Energy Systems regardless of nameplate capacity. The following provisions do not apply if PA 233 of 2023 is repealed, enjoined, or otherwise not in effect, and do not apply to Utility-Scale Solar Energy Systems:
- (b) **Location.** Where System Allowed: Utility-Scale Solar Energy Systems shall be permitted in Industrial (IND) and Planned Industrial Parks (PID) on 20-acres or more with special land use approval by Township Board in accordance with Article 19 and site plan approval by the Planning Commission and Township Board in accordance with Article 18.
- (c) **Application.** To Construct an Utility-Scale Wind Energy System, an electric provider or IPP that proposes to obtain a certificate from the Michigan Public Service Commission to construct an energy facility within the Township shall follow the following application process:

- (1) At least 60 days before the public meeting provided for in MCL 460.1223, an electric provider or IPP shall offer in writing to meet with the Township Supervisor, or the Supervisor’s designee, to discuss the site plan. The offer to meet should be delivered by email. The Supervisor or Supervisor’s designee must respond within 30 days from the offer to meet.
  - (2) Within 30 days following the meeting described in paragraph 11.06.07 (c)(i), the Township Supervisor shall notify the electric provider or IPP planning to construct energy facility that the Township has a compatible renewable energy ordinance. If all affected local units with zoning jurisdiction provide similar timely notice to the electric provider or IPP, then the electric provider or IPP shall file for approval of a permit with the Township.
  - (3) To file for approval of a permit the electric provider or IPP must submit a complete application to the Township Clerk. The application form to be used shall be adopted by resolution of the Township Board. The application shall contain the items set forth in MCL 460.1225(1), except for (l)(j) and (s).
  - (4) The application may also require other information to determine compliance with this Compatible Renewable Energy Ordinance. By resolution, the Township may establish an application fee and escrow policy to cover the Township’s reasonable costs of review and processing of the application, including but not limited to staff, attorney, engineer, planning, environmental, or other professional costs.
- (d) **Application Review:** The application shall be processed as a special land use subject to the provisions of this Article. The Township board following a recommendation from the Planning Commission shall approve or deny the application within 120 days after receiving a complete application. This deadline may be extended by up to 120 days if jointly agreed upon by the Township Board and the applicant. If the application is approved the following standards apply:

- (1) **Setback:** Setback distances measured from the nearest edge of the perimeter fencing of the facility:

<b>Setback Description</b>	<b>Setback Distance</b>
Occupied community buildings and dwelling on nonparticipating properties	300 feet from the nearest point on the outer wall
Public road right-of-way	50 feet measured from nearest edge of a public road right-of-way
Nonparticipating properties	50 feet measured from the nearest shared property line

- (2) **Fencing:** The solar energy facility shall comply with the latest version of the National Electric Code as of November 29, 2024 or any applicable successor standard approved by the Michigan Public Service Commission as provided in MCL 460.1226(8)(a)(ii).

- (3) **Height:** Solar panel components do not exceed a maximum height of 25 feet above ground when the arrays are at full tilt.
- (4) **Noise:** The solar energy facility does not generate a maximum sound in excess of 55 average hourly decibels as modeled at the nearest outer wall of the nearest dwelling located on an adjacent nonparticipating property. Decibel modeling shall use the A-weighted scale as designed by the American National Standards Institute.
- (5) **Lighting:** The solar energy facility will implement dark sky-friendly lighting solutions.
- (6) **Environmental Regulations.** The solar energy facility will comply with any more stringent requirements adopted by the Michigan Public Service Commission as provided in MCL 460.1226(8)(a)(iv).
- (7) **Host Community Agreement.** The applicant shall enter into a host community agreement with the Township. The host community agreement shall require that, upon commencement of any operation, the Utility-Scale Solar Energy System owner must pay the Township \$2,000.00 per megawatt of nameplate capacity. The payment shall be used as determined by the Township for police, fire, public safety, or other infrastructure, or for other projects as agreed by to by the local unit and the applicant.

Sec. 11.07 **UTILITY-SCALE ENERGY STORAGE SYSTEMS UNDER PA 233.**

**11.07.01 General**

- (a) **Intent and purpose:** The regulations of this Section are intended to conform with PA 233 of 2024.
- (b) **Definitions:**
  - (1) **Battery Energy Storage System, Small Off-Site:** A Battery Energy Storage System that is a principal use (or co-located with a second principal use) and that is designed and built to connect into the distribution or transmission grid with a nameplate capacity less than 50 megawatts.
  - (2) **Battery Energy Storage System, Large Off-Site:** A Battery Energy Storage System (BESS) that is a principal use (or co-located with a second principal use) and that is designed and built to connect to the transmission grid with a nameplate capacity of 50 megawatts or more.
  - (3) **Non-Participating Property:** Any property that is adjacent to a participating property, but is not part of the battery storage project.
  - (4) **Participating Property:** A Utility-Scale Battery Energy Storage System host property or any real property that is the subject of an agreement that provides for

the payment of monetary compensation to the landowner from the system owner (or affiliate) regardless of whether any part of a system is constructed on the property.

- (c) **Applicability:** The following provisions apply to Utility-Scale Battery Energy Storage Systems as defined. The following provisions do not apply if PA 233 of 2023 is repealed, enjoined, or otherwise not in effect, and do not apply to Utility-Scale Solar Energy Systems:
- (d) **Locations.** Utility-Scale Battery Energy Storage Systems shall be permitted in Industrial (IND) and Planned Industrial Parks (PID) 20-acres or more with special land use approval by Township Board in accordance with Article 19 and site plan approval by the Planning Commission and Township Board in accordance with Article 18.
- (e) **Application.** To Construct an Utility-Scale Battery Energy Storage System, an electric provider or IPP that proposes to obtain a certificate from the Michigan Public Service Commission to construct an energy facility within the Township shall follow the following application process:
  - (1) At least 60 days before the public meeting provided for in MCL 460.1223, an electric provider or IPP shall offer in writing to meet with the Township Supervisor, or the Supervisor's designee, to discuss the site plan. The offer to meet must be delivered by email and certified mail must also be sent to the Township Board in care of the Township Clerk in this manner. The Supervisor or Supervisor's designee must respond within 30 days from the offer to meet.
  - (2) Within 30 days following the meeting described in paragraph 11.07.01 (e)(1) the Township Supervisor shall notify the electric provider or IPP planning to construct the Utility-Scale Battery Energy Storage System facility that the Township has a compatible renewable energy ordinance. If all affected local units with zoning jurisdiction provide similar timely notice to the electric provider or IPP, then the electric provider or IPP shall file for approval of a permit with the Township.
  - (3) To file for approval of a permit the electric provider or IPP must submit a complete application to the Township Clerk. The application form to be used shall be adopted by resolution of the Township Board. The application shall contain the items set forth in MCL 460.1225(1), except for (l)(j) and (s). The application may also require other information to determine compliance with this Compatible Renewable Energy Ordinance. By resolution, the Township may establish an application fee and escrow policy to cover the Township's reasonable costs of review and processing of the application, including but not limited to staff, attorney, engineer, planning, environmental, or other professional costs.

#### 11.07.02

**Application Review:** The application shall be processed as a special land use subject to the provisions of this Article 19. The Township board following a recommendation from the Planning Commission shall approve or deny the application within 120 days after receiving a complete application. This deadline may be extended by up to 120 days if jointly agreed upon by the

Township Board and the applicant. In consideration of the application the Zoning Administrator must approve the application and issue a permit for the requested construction if it complies with the following standards:

- (a) **Setback:** Setback distances measured from the nearest edge of the perimeter fencing of the facility:

<b>Setback Description</b>	<b>Setback Distance</b>
Occupied community buildings and dwelling on nonparticipating properties	300 feet from the nearest point on the outer wall
Nonparticipating parties	50 feet measured from nearest edge of a public road right-of-way
Public road right-of-way	50 feet measured from the nearest shared property line

- (b) **NFPA Standard:** Utility-Scale Battery Energy Storage facility must comply with the version of NFPA 855 “Standard for the Installation of Stationary Energy Storage Systems” in effect on November 29, 2024 or any applicable successor standard adopted by the Michigan Public Service Commission as provided for in MCL 460.1226(8)(c)(ii).
- (c) **Fencing:** The Utility-Scale Battery Energy Storage Facility shall comply with the latest version of the National Electric Code as of November 29, 2024 or any applicable successor standard approved by the Michigan Public Service Commission as provided in MCL 460.1226(8)(a)(ii).
- (d) **Noise:** The Utility-Scale Battery Energy Storage Facility shall not generate a maximum sound in excess of 55 average hourly decibels as modeled at the nearest outer wall of the nearest dwelling located on an adjacent nonparticipating property. Decibel modeling shall use the A-weighted scale as designed by the American National Standards Institute.
- (e) **Lighting:** The Utility-Scale Battery Energy Storage Facility will implement dark sky-friendly lighting solutions.
- (f) **Environmental Regulations:** The Utility-Scale Battery Energy Storage System must comply with applicable state of federal environmental regulations.
- (g) **Host Community Agreement:** The applicant shall enter into a host community agreement with the Township. The host community agreement shall require that, upon commencement of any operation, the Utility-Scale Battery Energy Storage System owner must pay the Township \$2,000.00 per megawatt of nameplate capacity. The payment shall be used as determined by the Township for police, fire, public safety, or other infrastructure, or for other projects as agreed by to by the local unit and the applicant.

**SECTION 3: REPEALOR:** All ordinances or parts of Ordinances in conflict herewith are repealed.

**SECTION 4: SEVERABILITY:** Should any section, subsection, paragraph, sentence, clause, or word of this Ordinance be held invalid for any reason, such decisions shall not affect the validity of the remaining portions of the Ordinance.

**SECTION 5: SAVINGS:** This amendatory ordinance shall not affect violations of the Zoning Ordinance or any other ordinance existing prior to the effective date of this Ordinance and such violation shall be governed and shall continue to be separate punishable to the full extent of the law under the provisions of such ordinance at the time the violation was committed.

**SECTION 6: EFFECTIVE DATE:** These ordinance amendments were adopted by the Genoa Charter Township Board of Trustees at the regular meeting held \_\_\_\_\_ and ordered to be given publication in the manner required by law. This ordinance shall be effective seven days after publication.

On the question: "SHALL THIS ORDINANCE NOW PASS" the following vote was recorded:

**Ayes:**

**Nays:**

**Absent:**

I hereby approve the adoption of the foregoing Ordinance this \_\_\_ day of \_\_\_\_\_, 2025.

\_\_\_\_\_  
Janene Deaton  
Township Clerk

\_\_\_\_\_  
Kevin Spicher  
Township Supervisor

Township Board First Reading:	December 16, 2024
Date of Posting of Ordinance:	Proposed December 18, 2024
Date of Publication of Ordinance:	Proposed December 20, 2024
Township Board Second Reading and Adoption:	Proposed January 6, 2025
Date of Publication of Ordinance Adoption:	Proposed January 12, 2025
Effective Date:	Proposed January 19, 2025



**BOARD OF TRUSTEES  
GENOA CHARTER TOWNSHIP, LIVINGSTON COUNTY, MICHIGAN  
NOTICE OF PROPOSED ZONING TEXT AMENDMENT  
JANAURY 6<sup>th</sup>, 2025**

**ORDINANCE #Z-25-01  
AN ORDINANCE TO AMEND ZONING ORDINANCE SECTION 11.05  
WIND ENERGY SYSTEMS, 11.06 SOLAR ENERGY SYSTEMS, AND 11.07  
ENERGY STORAGE SYSTEMS**

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Pursuant to Michigan Public Act 110 of 2006, (the Zoning Enabling Act) and Michigan Public Act 359 of 1947, (the Charter Township Act), notice is hereby given that the Genoa Charter Township Board of Trustees has introduced and will be considering an ordinance addressing amendments to Zoning Ordinance Article 11 General Provisions, Section 11.05 Wind Energy Systems, Section 11.06 Solar Energy Systems and 11.07 Energy Storage Systems. Consideration of said amendment is scheduled for the Board meeting on Monday, January 6, 2024 at 6:30 p.m. The meeting is planned to be held at the Township Hall located at 2911 Dorr Road, Brighton, Michigan 48116. The complete text of the proposed ordinance is available on the website or at the Township Office during regular business hours.

Genoa Charter Township will provide necessary reasonable auxiliary aids and services to individuals with disabilities at the meeting/hearing upon seven (7) days' notice to the Township. Individuals with disabilities requiring auxiliary aids or services should contact the Township in writing or by calling at (810) 227-5225.

Ordinance posted: 12/20/24

Press/Argus Publication: 12/20/24