

**CHARTER TOWNSHIP OF COMMERCE
REGULAR BOARD OF TRUSTEES MEETING**
Tuesday, September 14, 2010
2009 Township Drive
Commerce Township, Michigan 48390

CALL TO ORDER: Supervisor Thomas Zoner called the meeting to order at 7:30 p.m. and introduced the members of the Board.

PLEDGE OF ALLEGIANCE TO FLAG

ROLL CALL:

Present:	Thomas K. Zoner, Supervisor Sandra Abrams, Clerk Susan Gross, Treasurer Debra Kirkwood, Trustee Rick Sovel, Trustee
Absent:	Robert Long, Trustee Daniel Munro, Trustee (excused)

Also Present: Phillip Adkison, Township Attorney
Hans Rentrop, Township Attorney
Jay James, Giffels-Webster Engineers

Students from Lakeland High School were in attendance.

APPROVAL OF MINUTES

MOTION by Sovel, supported by Abrams, to approve the Special Joint Meeting minutes of August 5, 2010, the Regular Township Board Meeting minutes of August 10, 2010, as submitted, and the Special Township Board Meeting minutes of August 24, 2010, with the addition of the following: Motion by Long, second by Sovel to approve the Closed Session Minutes, Motion Carried Unanimously. **MOTION CARRIED UNANIMOUSLY**

PRESENTATIONS:

None

PETITIONS:

None

ITEM 1:9-14 APPROVAL OF AGENDA

MOTION by Abrams, supported by Gross, to approve the Agenda with the addition of "legal description of property known as the Township Hall, D.D.A." under Other Matters. **MOTION CARRIED UNANIMOUSLY**

ITEM 2:9-14 PUBLIC COMMENTS

Peter Unick, 2719 Welch Road inquired as to the timeframe for removal of the gas station at Welch Road and Pontiac Trail. Supervisor Thomas Zoner responded that he does not have a specific date at this time. Mr. Unick inquired about the bike trails. Supervisor Thomas Zoner responded that MDOT would run bike trails down M5.

ITEM 3:9-14 PUBLIC HEARINGS

None

ITEM 4:9-14 ACI FINANCE

- A. Resolution Regarding 2008 Taxable Adjustable Rate Downtown Development Refunding Bonds (RBS Citizens / Charter One Bank Letter of Credit Extension, FHLBB Confirming Letter of Credit, and Appointment of New Remarketing Agent)**

Bowden Brown, Dykema Gossett PLLC, gave a summary.

MOTION by Gross, supported by Sovel, to approve the Resolution Regarding 2008 Taxable Adjustable Rate Downtown Development Refunding Bonds (RBS Citizens / Charter One Bank Letter of Credit Extension, FHLBB Confirming Letter of Credit, and Appointment of New Remarketing Agent). Resolution attached

ROLL CALL VOTE:

AYES: Gross, Sovel, Abrams, Kirkwood, Zoner

NAYS:

ABSENT: Long, Munro

MOTION CARRIED UNANIMOUSLY

ITEM 5:9-14 BOARD APPOINTMENTS

- A. Peter L. Schappach – Huron River Watershed Council**

Peter Schappach was present and gave a summary of his credentials and experience.

BOARD APPOINTMENTS (continued)

MOTION by Abrams, supported by Gross, to approve the recommendation of the Township Supervisor to appoint Peter L. Schappach to the Huron River Watershed Council
MOTION CARRIED UNANIMOUSLY

ITEM 6:9-14 CONTRACT AWARDS AND AGREEMENT

A. AccuMed Billing Agreement

Joseph Schornack, Fire Chief stated the Fire Department has been satisfied with the services of AccuMed Billing, Inc. for the past 10 years.

MOTION by Gross, supported by Sovel, to approve the Billing Service Agreement with AccuMed Billing, Inc. Agreement attached.
MOTION CARRIED UNANIMOUSLY

ITEM 7:9-14 INTRODUCTIONS

A. Resolution of the Township Board of the Charter Township of Commerce, Tentatively Declaring it's Intention to Establish a Special Assessment District to be known as Special Projects No. 31.

MOTION by Gross, supported by Abrams, to approve the Resolution of the Township Board of the Charter Township of Commerce, Tentatively Declaring it's Intention to Establish a Special Assessment District to be known as Special Projects No. 31, post and publish according to law. Resolution attached
MOTION CARRIED UNANIMOUSLY

ITEM 8:9-14 ADOPTIONS

A. Rezoning petition from B-1 (Local Business) to R-1D (One Family Residential) to be known as 3.001.

MOTION by Abrams, supported by Kirkwood, to Adopt Z10-01 Rezoning Petition from B-1 (Local Business) to R-1D (One Family Residential) to be known as 3.001, post and publish according to law.
MOTION CARRIED UNANIMOUSLY

ITEM 9:9-14 SITE CONDOMINIUMS AND PLATS

None

ITEM 10:9-14 CONSENT AGENDA

- A. Approve the Halloween Hours – Dusk to 8:30 p.m. Sunday, October 31, 2010.
- B. Approve the 2010/2011 Smart Contract and Waiver of Right to Municipal Credits.
- C. Approve the Addition of Level One Bank Depositories.
- D. Approve the Resolution to Amend Investment Policy.
- E. Approve the Resolution Authorizing West Nile Virus Fund Program.
- F. Approve the Lakes Athletic Association to be recognized as a nonprofit organization for a Charitable Gaming License.

MOTION by Abrams, supported by Gross, to approve the Consent Agenda with the removal of Item D.

ROLL CALL VOTE:

AYES: Abrams, Gross, Sovel, Zoner, Kirkwood

NAYS:

ABSENT: Long, Munro

MOTION CARRIED UNANIMOUSLY

D. Approve the Resolution to Amend Investment Policy.

Sue Gross gave a summary.

No action taken.

ITEM 11:9-14 PURCHASES

A. Grant Funding for Weather Siren Project

Joseph Schornack, Fire Chief stated the State of Michigan approved \$88,000.00 for weather siren installation at no cost to the Township.

MOTION by Abrams, supported by Sovel, to approve the Resolution approving Grant Funds obtained from the State of Michigan through FEMA (Federal Emergency Management Agency) to be allocated for weather siren installation. Resolution attached.

MOTION CARRIED UNANIMOUSLY

ITEM 12:9-14 OLD BUSINESS

A. Grievance #10-002, IAFF Local 2154 – Tabled 8-10-10

MOTION by Abrams, supported by Sovel, to remove Grievance #10-002, IAFF Local 2154 from the Table.

MOTION CARRIED UNANIMOUSLY

OLD BUSINESS (Grievance #10-002 continued)

Supervisor Thomas Zoner recommends denial of the Grievance.

MOTION by Abrams, supported by Sovel to deny Grievance #10-002 IAFF Local 2154.

ROLL CALL VOTE:

AYES: Abrams, Sovel, Zoner
NAYS: Gross, Kirkwood
ABSENT: Long, Munro

MOTION CARRIED

ITEM 13:9-14 NEW BUSINESS

A. Appointment of Library Director

MOTION by Abrams, supported by Sovel, to hire Connie Ozinga as Library Director contingent on a background check and negotiation of salary.

ROLL CALL VOTE:

AYES: Abrams, Sovel, Gross, Kirkwood, Zoner
NAYS:
ABSENT: Long, Munro

MOTION CARRIED UNANIMOUSLY

B. Tax Penalty Appeal for 3100 Benstein Road

Rollin Tuttle Jr. was present to request a refund of \$200.00 for a property transfer penalty.

Application is denied.

C. Liquor License Transfer – The Lakes Bar & Grill d/b/a Tavern 25 / Commerce Grill

MOTION by Abrams, supported by Gross, to approve the request to transfer ownership of 2010 Class C Licensed Business, located at 2528 Union Lake, Uptown Plaza, Commerce Township, Michigan 48382, Commerce Township, Oakland County, from Diamatte Enterprises, LLC to the Lakes Bar & Grill Inc.

MOTION CARRIED UNANIMOUSLY

NEW BUSINESS (continued)

D. Purchasing Policy

MOTION by Abrams, supported by Gross, to approve the Charter Township of Commerce Purchasing Policy Adopted June 13, 2006.

MOTION CARRIED UNANIMOUSLY

ITEM 14:9-14 ORDERS

MOTION by Abrams, supported by Gross, to approve the orders and additions.

MOTION CARRIED UNANIMOUSLY

ITEM 15:9-14 OTHER MATTERS

D.D.A. and legal description of property known as the Township Hall.

Kathleen Jackson, D.D.A. Director discussed an "entertainment" patio at the Township Hall south side of the building, property along with plans to make the surrounding DDA property marketable.

Reviewed the Police Budget.

Kirkwood – can the Ordinance Officer remove election signs in the Township?
Phillip Adkison, Township Attorney said that the Township does not regulate political signs on private property, although political signs placed in the right of way can be removed.

Sovel – he would like to see a payroll list with the orders showing who is approved for payments (employee payroll) made by the Township.

ITEM 16:9-14 CLOSED SESSION

MOTION by Abrams, supported by Sovel, to enter into Closed Session to discuss pending litigation.

ROLL CALL VOTE:

AYES: Abrams, Sovel, Zoner, Gross, Kirkwood

NAYS:

ABSENT: Long, Munro

MOTION CARRIED UNANIMOUSLY

Entered into Closed Session 9:15 p.m.

Returned from Closed Session 9:30 p.m.

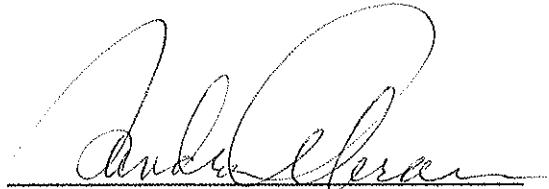
MOTION by Gross, supported by Zoner, to approve the minutes of the Closed Session. **MOTION CARRIED UNANIMOUSLY**

MOTION by Abrams, supported by Gross, to accept the case evaluation award in the matter of Kingstowne Condominium Association vs Commerce Township DDA. **MOTION CARRIED UNANIMOUSLY**

ITEM 17:9-14 ADJOURNMENT

As there were no other matters to come before the Board.

MOTION by Abrams, supported by Zoner, to adjourn at 9:35 p.m. **MOTION CARRIED UNANIMOUSLY**



Sandra Abrams, MMC
Clerk, Charter Township of Commerce

**RESOLUTION OF THE TOWNSHIP BOARD
OF THE CHARTER TOWNSHIP OF COMMERCE
APPROVING CONSENT AGENDA**

At the Regular Meeting of the Township Board of the Charter Township of Commerce, County of Oakland, Michigan, held on the 14th day of September, 2010, in the Township Hall at 7:30 p.m.

PRESENT: Zoner, Abrams, Gross, Kirkwood, Sovel

ABSENT: Long, Munro

The following resolution approving the Consent Agenda of September 14, 2010 Board of Trustees Meeting of the Charter Township of Commerce was offered by Abrams, and supported by Gross.

NOW, THEREFORE, BE IT RESOLVED THAT THE TOWNSHIP BOARD OF THE CHARTER TOWNSHIP OF COMMERCE:

- A. Approved the Halloween Hours – Dusk to 8:30 p.m. Sunday, October 31, 2010.
- B. Approved the 2010-2011 Smart Contract and Waiver of Right to Municipal Credits.
- C. Approve the Addition of Level One Bank Depositories.
- E. Approve the Resolution Authorizing West Nile Virus Fund Program.
- F. Approve the Lakes Athletic Association to be recognized as a nonprofit organization for a Charitable Gaming License.

AYES: Zoner, Abrams, Gross, Kirkwood, Sovel

NAYS: None

ABSENT: Long, Munro

RESOLUTION DECLARED ADOPTED

STATE OF MICHIGAN)
)s.
COUNTY OF OAKLAND)

I, the undersigned duly qualified Township Clerk of the Charter Township of Commerce, Oakland County, Michigan, do hereby certify the foregoing is a true and complete copy of the proceedings taken by the Township Board of the Charter Township of Commerce at a Meeting held on the 14th day of September, 2010.



SANDRA ABRAMS, MMC
Clerk, Charter Township of Commerce

Dated: 9-15-2010

December 1, 2009 AMENDED September 14, 2010

TO: COMMERCE TWP BOARD OF TRUSTEES
FROM: SUSAN L. GROSS, TOWNSHIP TREASURER
RE: RESOLUTION FOR APPROVAL OF BANK DEPOSITORIES

Each year the Township Board is required to designate bank depositories for Township funds.

I would move, by resolution, the use of the following as bank depositories for the Charter Township of Commerce for the year 2010.

National City Bank	Flagstar Bank
JP Morgan Chase	MBIA-Class
Comerica Bank	Bank of America
Third Fifth Bank	Huntington Banks
Salomon Smith Barney	Citizens Bank
The Private Bank	Genisys Credit Union
Walled Lake School Employees Federal Credit Union	
Ambassador Capital Management	Charter One Bank
Citizens First Bancorp	Oakland County Local Government
TCF Bank	Investment Pool
Bank of Michigan	Level One Bank

BE IT FURTHER RESOLVED, that all such investments heretofore made are hereby ratified and validated.

AYES: Zoner, Abrams, Gross, Kirkwood, Sovel

NAYS: None

ABSENT: Long, Munro

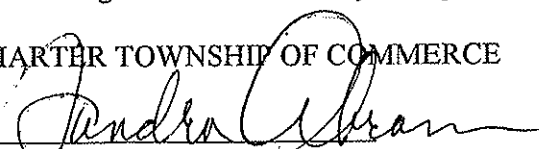
RESOLUTION DECLARED ADOPTED

STATE OF MICHIGAN)
) ss

COUNTY OF OAKLAND)

I, the undersigned duly qualified Township Clerk of the Charter Township of Commerce, Oakland County, Michigan, do hereby certify that foregoing is a true and complete copy of the proceedings taken by the Township Board of the Charter Township of Commerce at a meeting held on the 14th day of September, 2010.

CHARTER TOWNSHIP OF COMMERCE


Sandra Abrams, Clerk
Charter Township of Commerce

Dated: September 14, 2010

**RESOLUTION AUTHORIZING
WEST NILE VIRUS FUND EXPENSE REIMBURSEMENT REQUEST**

At a regular meeting of the Township Board of The Charter Township of Commerce, County of Oakland, Michigan, held on the 14th of September, 2010 in the Township Hall at 7:00 p.m.

Present: Zoner, Abrams, Gross, Kirkwood, Sovel

Absent: Long, Munro

The following preamble and resolution were offered by

WHEREAS; upon the recommendation of the Oakland County Executive, the Oakland County Board of commissioners has established a West Nile Virus Fund Program to assist Oakland County cities, villages and townships in addressing mosquito control activities: and

WHEREAS; Oakland County's West Nile Virus Fund Program authorized Oakland County cities, villages and townships to apply for reimbursement of eligible expenses incurred in connection with personal mosquito protection measures/activity, mosquito habitat eradication, mosquito larviciding or focused adult mosquito insecticide spraying in designated community green area; and

WHEREAS; the Township of commerce, Oakland County, Michigan has incurred expenses in connection with mosquito control activities believed to be eligible for reimbursement under Oakland County's West Nile Virus Fund Program.


NOW THEREFORE BE IT RESOLVED; that this board authorizes and directs it's Supervisor as agent for the Township of Commerce, in the manner and to the extent provided under Oakland County Board of Commissioner Miscellaneous Resolution 03060, to request reimbursement of eligible mosquito control activity under Oakland County's West Nile Virus Fund Program.

Roll Call Vote:

AYES: Zoner, Abrams, Gross, Kirkwood, Sovel

NAYS: None

MOTION CARRIED


Sandra Abrams, Clerk
Charter Township of Commerce

DATE: 9-15-10



Charitable Gaming Division
 Box 30023, Lansing, MI 48909
 OVERNIGHT DELIVERY:
 101 E. Hillsdale, Lansing MI 48933
 (517) 335-5780
 www.michigan.gov/cg

LOCAL GOVERNING BODY RESOLUTION FOR CHARITABLE GAMING LICENSES
 (Required by MCL 432.103(K)(ii))

At a Regular meeting of the Township Board
REGULAR OR SPECIAL TOWNSHIP, CITY, OR VILLAGE COUNCIL/BOARD
 called to order by Thomas K. Zoner, Supervisor on September 14, 2010
DATE

at 7:30 ~~a.m.~~/p.m. the following resolution was offered:
TIME

Moved by Abrams and supported by Gross

that the request from Lakes Athletic Association of Commerce Township,
NAME OF ORGANIZATION CITY

county of Oakland, asking that they be recognized as a
COUNTY NAME

nonprofit organization operating in the community for the purpose of obtaining charitable
 gaming licenses, be considered for Approval.
APPROVAL/DISAPPROVAL

APPROVAL		DISAPPROVAL	
Yeas:	<u>5</u>	Yeas:	<u>0</u>
Nays:	<u>0</u>	Nays:	<u>0</u>
Absent:	<u>2</u>	Absent:	<u>0</u>

I hereby certify that the foregoing is a true and complete copy of a resolution offered and
 adopted by the Township Board at a Regular
TOWNSHIP, CITY, OR VILLAGE COUNCIL/BOARD REGULAR OR SPECIAL
 meeting held on September 14, 2010.
DATE

SIGNED: *Sandra Abrams*
TOWNSHIP, CITY, OR VILLAGE CLERK

Sandra Abrams, Clerk
PRINTED NAME AND TITLE

2009 Township Drive, Commerce Twp., MI 48390
ADDRESS

COMPLETION: Required.
 PENALTY: Possible denial of application.
 BSL-CG-1153(R6/09)

RESOLUTION

At a Regular meeting of the Township Board
(Regular ~~or Special~~) (Township Board, ~~City or Village Council~~)

called to order by Thomas K. Zoner on September 14, 2010 at 7:00 P.M.

The following resolution was offered:

Moved by Abrams and supported by Gross

That the request to transfer ownership of 2010 Class C licensed business located at 2528 Union Lake, Uptown Plaza, Commerce Township MI 48382, Commerce Township, Oakland County, from Diamatte Enterprises, LLC to THE LAKES BAR & GRILLE INC.

be considered for Approval
(Approval ~~or Disapproval~~)

APPROVAL	DISAPPROVAL
Yeas: <u>5</u>	Yeas: <u>0</u>
Nays: <u>0</u>	Nays: <u>0</u>
Absent: <u>2</u>	Absent: <u>0</u>

It is the consensus of this legislative body that the application be:

Recommended for issuance
(Recommended ~~or Not Recommended~~)

State of Michigan _____)


County of Oakland _____)

I hereby certify that the foregoing is a true and complete copy of a resolution offered and

adopted by the Township Board at a Regular
(Township Board, ~~City or Village Council~~) (Regular ~~or Special~~)

meeting held on 9-14-2010
(Date)

SEAL

(Signed) 
(Township, City or Village Clerk)
2009 Township Drive
Commerce Twp., MI 48390
(Mailing address of Township, City or Village)

RESOLUTION approving Grant funds obtained from the State of Michigan through FEMA (Federal Emergency Management Agency) to be allocated for weather siren installation.

(Presented at the Regular Township Board meeting held on September 14th, 2010)

WHEREAS, the County of Oakland has a written Hazard Mitigation Plan with the Charter Township of Commerce:

WHEREAS, the Grant funding secured under the Pre-disaster Mitigation Program Grant will be used for the installation of four (4) weather emergency sirens within Commerce Township coordinated by Oakland County Emergency Management:

WHEREAS, the Township has agreed to accept the installation of these sirens and to pay an amount equal to 75 percent of the cost of installation with Grant funding up to \$66,000:

NOW, THEREFORE, BE IT RESOLVED that the Township Board hereby authorizes the use of these Grant funds for the purchase and installation of these weather sirens.

AYES: Zoner, Abrams, Gross, Sovel, Kirkwood

NAYES: None

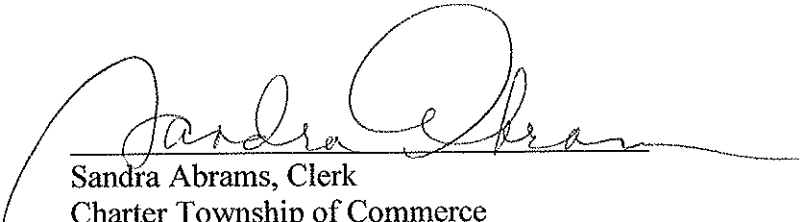
ABSENT: Long, Munro

RESOLUTION DECLARED ADOPTED.

STATE OF MICHIGAN)
) ss
COUNTY OF OAKLAND)

I, undersigned duly qualified Township Clerk of the Charter Township of Commerce, Oakland County, Michigan, do hereby certify that foregoing is a true and complete copy of the proceedings taken by the Township Board of the Charter Township of Commerce at a meeting held on the 14th day of September, 2010.

CHARTER TOWNSHIP OF COMMERCE


Sandra Abrams, Clerk
Charter Township of Commerce

Dated: September 15, 2010

**RESOLUTION OF THE TOWNSHIP BOARD
OF THE CHARTER TOWNSHIP OF COMMERCE,
TENTATIVELY DECLARING ITS INTENTION
TO ESTABLISH A SPECIAL ASSESSMENT DISTRICT
TO BE KNOWN AS
*Special Projects No. 31***

At the regular meeting of the Township Board of the Charter Township of Commerce, County of Oakland, Michigan, held on the 14th day of September, 2010, in the Township Hall at 7:00 p.m.

PRESENT: Thomas Zoner, Sandra Abrams, Susan Gross, Rick Sovel, Debra Kirkwood

ABSENT: Daniel Munro, Robert Long

The following preamble and resolution were offered by Susan Gross and supported by Sandra Abrams.

WHEREAS, the Charter Township of Commerce, Oakland County, Michigan, has received a petition requesting the establishment of a special assessment district to finance capital and other miscellaneous charges related to connection to the public water and sewer systems, and;

WHEREAS, the Charter Township of Commerce has caused to be prepared plans showing the improvement, the location thereof and an estimate of the cost thereof, and ;

WHEREAS, the Charter Township of Commerce is in receipt of such plans and estimates of costs, the same having been filed with the Township Clerk,

NOW, THEREFORE, BE IT RESOLVED THAT:

1. In accordance with Public Act 188 of 1954, as amended, the Township Board of the Charter Township of Commerce, Oakland County, Michigan, hereby tentatively declares its intention to finance capital and other miscellaneous charges related to connection to the public water and sewer systems, and to provide service to that portion of the Township described in attached Exhibit A. The Township Board tentatively designates the Special Assessment District against which the cost of the improvement is to be assessed as being that portion of the Charter Township of Commerce described in "Exhibit A" attached hereto and made a part hereof.
2. The Township Board of the Charter Township of Commerce, Oakland County, Michigan, will meet on the 12th day of October, 2010, at 7:00 p.m. in the Township Hall, located at 2009 Township Drive, Commerce Township, Michigan, 48390, to receive public comments regarding the project, the petitions filed, and the creation of a Special Assessment District to pay costs associated with this improvement project.

3. The Township Board of the Charter Township of Commerce tentatively designates this proposed Special Assessment District as: *Special Projects No. 31*.

4. In order to appeal the amount of any special assessment, affected owners or parties with an interest must protest the proposed assessment. This may be done by appearing in person at the hearing, having an agent appear at the hearing on behalf of an owner or party in interest or by filing a protest by the hearing date, by letter addressed to the Township Clerk at 2009 Township Drive, Commerce Township, Michigan, 48390. An owner or party having an interest in the real property affected by the special assessment may file a written appeal of the special assessment with the Michigan Tax Tribunal within 30 days after the confirmation of the special assessment roll if that special assessment is protested at the hearing held for the purpose of confirming the special assessment roll.

AYES : Thomas Zoner, Sandra Abrams, Susan Gross, Rick Sovel, Debra Kirkwood

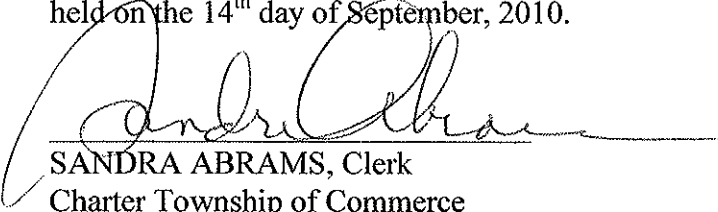
NAYS: None

ABSENT: Daniel Munro, Robert Long

RESOLUTION DECLARED ADOPTED.

STATE OF MICHIGAN)
)ss.
COUNTY OF OAKLAND)

I, the undersigned duly qualified Township Clerk of the Charter Township of Commerce, Oakland County, Michigan, do hereby certify the foregoing is a true and complete copy of the proceedings taken by the Township Board of the Charter Township of Commerce at a meeting held on the 14th day of September, 2010.


SANDRA ABRAMS, Clerk
Charter Township of Commerce

Dated: September 15, 2010

EXHIBIT A

Water

17-28-426-040

Sewer

17-01-156-004

17-01-326-014

17-06-327-009

17-07-151-027

17-07-251-004

17-07-301-021

17-10-377-028

17-10-405-006

17-10-408-010

17-12-452-010

17-12-480-041

17-23-179-002

CHARTER TOWNSHIP OF COMMERCE

At a regular meeting of the Township Board of the Charter Township of Commerce (the "Township"), County of Oakland, State of Michigan, held in the Township Hall on Tuesday, September 14, 2010, at 7:00 p.m., Michigan time, there were:

Present: Gross, Sovel, Abrams, Kirkwood, Zoner

Absent: Long, Munro

The following preamble and resolution were offered by Gross, and seconded by Sovel:

RESOLUTION REGARDING 2008 TAXABLE ADJUSTABLE RATE DOWNTOWN DEVELOPMENT REFUNDING BONDS (RBS CITIZENS / CHARTER ONE BANK LETTER OF CREDIT EXTENSION, FHLBB CONFIRMING LETTER OF CREDIT, AND APPOINTMENT OF REPLACEMENT REMARKETING AGENT)

WHEREAS, the Township issued its 2008 Taxable Adjustable Rate Downtown Development Refunding Bonds (Limited Tax General Obligation) in the principal amount of \$35,295,000 (the "Bonds") to refund the Township's 2004 Taxable Adjustable Rate Downtown Development Bonds (Limited Tax General Obligation), which were issued to assist the Commerce Township Downtown Development Authority (the "Authority") in financing improvements within the Authority's Development Area No. 1 pursuant to a development plan and tax increment financing plan approved by the Authority under Act 197, Public Acts of Michigan, 1975, as amended (the "DDA Act") and pursuant to the Trust Indenture dated as of July 1, 2008 (the "Indenture"), between the Township and U.S. Bank National Association, as Trustee (the "Trustee");

WHEREAS, the Bonds are primarily payable from and secured by the Authority's tax increment revenues derived from Township, Oakland County and Oakland County Community College taxes levied on properties in Development Area No. 1, and are further secured by the limited tax general obligation pledge of the Township;

WHEREAS, the Bonds are subject to optional and mandatory tender, and to provide for the remarketing of such tendered bonds the Township entered into a remarketing agreement with Raymond James & Associates, Inc., to serve as Remarketing Agent under the Indenture;

WHEREAS, RBS Citizens, National Association (the "Bank"), of which Charter One Bank is a division, issued an irrevocable direct pay letter of credit securing the payment of the principal (and the purchase price of tendered bonds corresponding to principal) of the Bonds, and up to 45 days' interest on the Bonds (and the portion of the purchase price of tendered bonds corresponding to interest) (the "Bank Letter of Credit"), which is currently scheduled to expire on July 2, 2011;

WHEREAS, the Bank has offered to extend the term of the Bank Letter of Credit for an additional three (3) years beyond the current expiration date to July 2, 2014, and to arrange for

the Federal Home Loan Bank of Boston (“FHLBB”) to issue a confirming letter of credit (the “FHLBB Confirming Letter of Credit”) securing the same amounts with respect to the Bonds as those secured by the Bank Letter of Credit, and which would also expire on July 2, 2014, all upon the terms set forth in the Commitment Letter of the Bank dated September 7, 2010 (the “Bank Commitment Letter”);

WHEREAS, the additional security provided by the FHLBB Confirming Letter of Credit will result in significantly lower adjustable interest rates on the Bonds and interest cost savings over time, substantially exceeding the costs associated with obtaining and maintaining the FHLBB Confirming Letter of Credit;

WHEREAS, the Indenture permits the removal of the Remarketing Agent and the appointment of a new Remarketing Agent for the Bonds, and it is proposed that Stern Brothers & Co. be engaged as the new Remarketing Agent, based on that institution’s experience, resources and proven ability to remarket bonds comparable to the Bonds at more competitive weekly interest rates, and its agreement to provide remarketing services for the same fees as those charged by the current Remarketing Agent;

WHEREAS, it has been determined that it is in the best interests of the Township and the Authority for the Township to enter into the transactions for the extension of the Bank Letter of Credit, the issuance of the FHLBB Confirming Letter of Credit, and the appointment of a new Remarketing Agent as described above (collectively, the “Transactions”); and,

WHEREAS, the Transactions will require that the Township enter into various agreements with the Bank, the FHLBB, the Trustee, and Stern Brothers & Co., including: (a) amendments to the existing Reimbursement Agreement between the Bank and the Township, dated as of July 1, 2008, consistent with the Bank Commitment Letter, (b) certain technical and conforming amendments to the Indenture, including provisions relating to the addition of the FHLBB Confirming Letter of Credit as security for the Bonds and such amendments as may be required by FHLBB legal counsel, the Bank’s counsel and bond rating agencies, and as may be necessary or desirable to conform to the new Remarketing Agent’s adjustable rate bond remarketing program (including, if necessary, new monthly interest payment dates and maturity and redemption dates), (c) a remarketing agreement between the Township and Stern Brothers & Co., and (d) such other agreements, instruments and certificates as may be necessary to consummate the Transactions consistent with the terms of this Resolution and the Bank Commitment Letter.

NOW, THEREFORE, IT IS RESOLVED THAT:

1. Bank Letter of Credit Extension and FHLBB Confirming Letter of Credit. The Township Board hereby approves the Transactions relating to the Bank Letter of Credit extension and the FHLBB Confirming Letter of Credit upon terms no less favorable to the Township than those contained in the Bank Commitment Letter, and authorizes and directs the Authorized Officers (as defined below) to take all necessary and appropriate actions to provide for the extension of the term of the Bank Letter of Credit and the delivery of the FHLBB Confirming Letter of Credit, consistent with the Bank Commitment Letter, including the execution of amendments to the Reimbursement Agreement and the Indenture as described in the

foregoing recitals, the acceptance of the Bank Commitment Letter, and such other agreements as may be required among the Township, the Bank, the FHLBB and the Trustee, relating to these Transactions. The Authorized Officers are further authorized to negotiate such additional or different terms as those contained in the Bank Commitment Letter to the extent not inconsistent with this Resolution and as may be to the further advantage and benefit of the Township and the Authority.

2. Appointment of New Remarketing Agent. The Township hereby approves the removal of Raymond James & Associates, Inc. as the Remarketing Agent with respect to the Bonds and the appointment of Stern Brothers & Co. as the new Remarketing Agent, with such appointment to be effective no later than the effective date of the FHLBB Confirming Letter of Credit, and further approves the execution and delivery by an Authorized Officer (as defined below) of a Remarketing Agreement with the new Remarketing Agent, having substantially the same tenor as the Remarketing Agreement with the current Remarketing Agent, and any related agreements in such regard, and further ratifies and approves all actions taken and to be taken by the Authorized Officers in connection with such appointment and removal.

3. Execution and Delivery of Required Documents. The Supervisor, Clerk and Treasurer (each an "Authorized Officer"), or any one of them, are authorized and directed on behalf of the Township to execute and deliver the agreements specifically referenced above and such other related instruments, certificates and documents, and to take such actions as may be necessary and appropriate in connection with the matters set forth in the foregoing Resolution or as otherwise may be required to implement the terms and intent of this Resolution. The Authorized Officers, or any one of them, are further authorized and directed to approve information relative to the Township and Authority contained in any supplements or amendments to the Official Statements relating to the Bonds, and to issue and file such material event notices as may be required by the Township's Continuing Disclosure Undertaking with respect to the Bonds and such notices as may be required under the Indenture in connection with the Transactions.

4. Conflicting Resolutions. All resolutions and parts of resolutions in conflict with the foregoing are hereby rescinded.

A roll call vote on the foregoing resolution was taken, the result of which is as follows:

YES: Gross, Sovel, Abrams, Kirkwood, Zoner

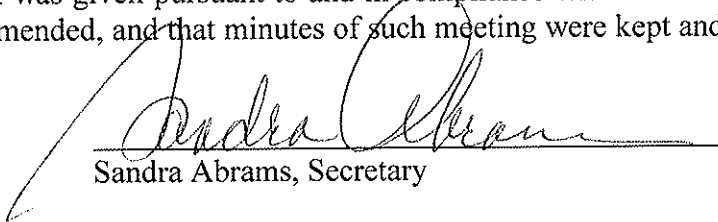
NO: None

ABSENT: Long, Munro

THE RESOLUTION WAS THEREUPON DECLARED ADOPTED.

CERTIFICATION

I, the undersigned, the duly qualified and acting Clerk of the Charter Township of Commerce, Oakland County, Michigan, do hereby certify that the foregoing is a true and complete copy of a resolution adopted by the Township Board of Trustees at a regular meeting held on September 14, 2010, the original of which is on file in my office, and that such meeting was conducted and public notice thereof was given pursuant to and in compliance with Act No. 267, Michigan Public Acts of 1976, as amended, and that minutes of such meeting were kept and are available as required by such Act.


Sandra Abrams, Secretary

Dated: September 14, 2010

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