

**CHARTER TOWNSHIP OF COMMERCE  
REGULAR BOARD OF TRUSTEES MEETING**

*Tuesday, January 10, 2012*

2009 Township Drive  
Commerce Township, Michigan 48390

**CALL TO ORDER:** Supervisor Zoner called the meeting to order at 7:00 p.m. and introduced the members of the Board.

**PLEDGE OF ALLEGIANCE TO FLAG**

**ROLL CALL:** Present: Thomas K. Zoner, Supervisor  
Daniel Munro, Clerk  
Susan Gross, Treasurer  
Debra Kirkwood, Trustee  
David Law, Trustee (arrived at 7:03 pm)  
Robert Long, Trustee  
Rick Sovel, Trustee

Also Present: Phillip Adkison, Township Attorney  
Loren Crandell, Giffels-Webster Engineers  
Jason Mayer, Giffels-Webster Engineers  
Hans Rentrop, Township Attorney

**APPROVAL OF MINUTES**

**MOTION** by Sovel, supported by Munro, to approve the Regular Township Board meeting minutes of December 13, 2011, as submitted.

**MOTION CARRIED UNANIMOUSLY**

**PRESENTATIONS:**

**A. Proclamation for Larry Ortwine**

Larry Ortwine was present.

**MOTION** by Munro, supported by Gross, to approve the Resolution thanking Larry Ortwine, Commerce Township Fire Fighter, for 37 years of dedicated public service to the Charter Township of Commerce. Resolution attached.

**MOTION CARRIED UNANIMOUSLY**

**PETITIONS:**

None

**ITEM 1:1-10 APPROVAL OF AGENDA**

**MOTION** by Sovel, supported by Gross, to approve the Agenda with the addition of Layton and Richardson Audit Contract under Item 5:1 C. Contract Awards and Agreements. **MOTION CARRIED UNANIMOUSLY**

**ITEM 2:1-10 PUBLIC COMMENTS**

None

**ITEM 3:1-10 PUBLIC HEARINGS**

**A. Roll Resolution for Special Projects No. 33**

Supervisor Zoner opened the Public Hearing.  
No one present had any comments or questions.  
Supervisor Zoner closed the Public Hearing.

**MOTION** by Gross, supported by Kirkwood, to approve the Resolution Confirming Special Assessment Roll for the Special Assessment District Designated Special Projects No. 33 (#3 costs shall be \$56,764.60 and #5 the SAD shall end on December 31, 2021). Resolution Attached.

**MOTION CARRIED UNANIMOUSLY**

**MOTION** by Gross, supported by Kirkwood, to approve the Resolution Confirming Special Assessment Roll for the Special Assessment District Designated Special Projects No. 33 (#3 costs shall be \$56,764.60, #4 Township determines the SAD with the first installment due on February 14, 2012 and the second installment due on February 14, 2013 and #5 the SAD shall end on December 31, 2021). Resolution Attached.

**MOTION CARRIED UNANIMOUSLY**

**B. Establishment Resolution for Fox Lake Weed Control Special Assessment District No. 4**

Supervisor Zoner opened the Public Hearing.

One resident (did not provide his name) asked if the Huron River would be treated. Supervisor Zoner said the river would not be treated. The resident then stated that he signed the petition under false pretenses because he believed the Huron River would also be treated.

One resident (did not provide her name) read a letter opposing the SAD from Cynthia and Joseph Delgado, 5260 Lancaster Lane, who was unable to attend the meeting due to health issues.

Pamela Palechek, 5250 Lancaster Lane, was under the impression that the Huron River would be treated. She is against the SAD.

**PUBLIC HEARINGS (Fox Lake Weed Control SAD continued)**

Ms. Judith Schornack, 5600 Lancaster Lane, supports the SAD.

Michael O'Hala, 5500 Lancaster Lane, supports the SAD.

Michelle Pierce, 355 Anaconda, supports the SAD.

Jared Kowalski, 620 W. Wise Road, supports the SAD.

Sherrie Tyler, 337 Anaconda, supports the SAD. She assisted in obtaining signatures for the petition. She advised the Board that she made it clear to residents she spoke with that the Huron River will not be treated.

Robert Bozyk, 475 Crystalia, supports the SAD. He asked why the mouth of the river is not considered part of the lake. Supervisor Zoner said that Dr. Pullman provides information to the DEQ and they determine which sections of the lake to treat. Mr. Bozyk believes the residents in the area that have lake privileges should also be included in the SAD. He stated there is a Township park on the lake and asked if Commerce Township will pay a portion of the SAD. Supervisor Zoner said the Township park is not in the SAD district for this petition. Mr. Bozyk questioned if there is a way the Wise Road dam overflow could be slowed down.

Doug Vanorden, 430 W. Grand Traverse, supports the SAD. He would like to see some type of notice posted advising residents of what steps they could take as individual waterfront owners to control weeds in front of their lot.

Letters of opposition received:

Dale and Janis Grace, 5285 River Walk Trail

Pabette Schutze, 5261 River Walk Trail

Mike Augustine, 5271 River Walk Trail

Kerri Barnett-Nocack, 5341 River Walk Trail

Patty Oathout, 5411 River Walk Trail

Pierre Baldassarra, 5361 River Walk Trail

Susan Miller, 331 Anaconda, supports the SAD.

Lucy Petrykowski, 457 Anaconda, supports the SAD.

Supervisor Zoner closed the Public Hearing.

**PUBLIC HEARINGS (Fox Lake Weed Control SAD continued)**

**MOTION** by Zoner, supported by Munro, to approve the Resolution of the Township Board of the Charter Township of Commerce Determining to Undertake an Improvement Project and to Establish and Maintain a Special Assessment District to Pay Costs Associated Therewith and Approving the Plans and Estimates of Costs Therefore Fox Lake Weed Control Special Assessment District No. 4 (#3 costs in the amount of \$60,000.00 for 2012 and 2013 and \$30,000.00 for each subsequent installment and #5 SAD shall end on October 31, 2022). Resolution Attached. **MOTION CARRIED UNANIMOUSLY**

**ITEM 4:1-10 BOARD APPOINTMENTS**

**A. James S. Czarnecki – Planning Commission: Term Ending December 31, 2013**

**MOTION** by Munro, supported by Sovel, to approve the recommendation of Supervisor Zoner to appoint James S. Czarnecki to the open seat on the Planning Commission for a term to expire on December 31, 2013.

**MOTION CARRIED UNANIMOUSLY**

**ITEM 5:1-10 CONTRACT AWARDS AND AGREEMENTS**

**A. Fire Dispatch Service Agreement with Oakland County**

**MOTION** by Gross, supported by Munro, to approve the 2012 – 2015 Fire Dispatch Service Agreement between the County of Oakland and the Charter Township of Commerce.

**MOTION CARRIED UNANIMOUSLY**

**B. Waste Water Treatment Plant General Property Insurance Coverage**  
Dan Munro gave an update on the proposals received. He recommends awarding the Waste Water Treatment Plan Insurance Coverage to John Gandolfi, Michigan Township Participating Plan.

**MOTION** by Munro, supported by Sovel, to approve the recommendation of the Township Clerk to award the Waste Water Treatment Plan Insurance Coverage to John Gandolfi, Michigan Township Participating Plan for an annual premium not to exceed \$26,906.00 and a term not to exceed three years.

**MOTION CARRIED UNANIMOUSLY**

**C. Layton and Richardson**

**MOTION** by Gross, supported by Munro, to approve the contract with Layton and Richardson.

**MOTION CARRIED UNANIMOUSLY**

**ITEM 6:1-10 INTRODUCTIONS**

- A. An Ordinance to Amend the Code of Ordinances, Charter Township of Commerce, Oakland County, Michigan to be known as Code Amendment Ordinance No. 1.017 – Repeal Article III, Precious Metal and Gem Dealer**

Daniel Munro explained the Amendment to repeal Article III.

**MOTION** by Munro, supported by Sovel, to Introduce an Ordinance to Amend the Code of Ordinances, Charter Township of Commerce, Oakland County, Michigan to be known as Code Amendment Ordinance No. 1.017. Ordinance Attached.

**MOTION CARRIED UNANIMOUSLY**

**ITEM 7:1-10 ADOPTIONS**

None

**ITEM 8:1-10 SITE CONDOMINIUMS AND PLATS**

None

**ITEM 9:1-10 CONSENT AGENDA**

- A. Approve the penalty waiver for senior citizens**  
**B. Approve the receiving board resolution for the 2012 elections**

**MOTION** by Munro, supported by Gross, to approve the Resolution of the Township Board of the Charter Township of Commerce Approving Consent Agenda.

**ROLL CALL VOTE:**

**AYES:** Munro, Gross, Kirkwood, Long, Sovel, Law, Zoner

**NAYS:**

**MOTION CARRIED UNANIMOUSLY**

**ITEM 10:1-10 PURCHASES**

None

**ITEM 11:1-10 OLD BUSINESS**

None

**ITEM 12:1-10 NEW BUSINESS**

**A. Paid On Call Union Negotiations**

**MOTION** by Munro, supported by Gross, to appoint Rick Sovel and Debra Kirkwood to negotiate with the (POC) Paid on Call Fire Fighters, Commerce Township Firefighters/Firefighters Association of Michigan.

Sovel – need feedback from the Township Board on what they would like to negotiate. This will be discussed under Closed Session.

**MOTION CARRIED UNANIMOUSLY**

**B. Accepting Donation of Property**

**MOTION** by Zoner, supported by Munro, to accept the donation of lots 008 thru 011 (E17-15-153-008-270, E17-15-153-009-270, E17-15-153-010-270 and E17-15-153-011-270) in Commerce Lake Highlands from Lena Vanstone for preservation and open space. This is contingent upon the taxes paid in full prior to transfer of property.

**MOTION CARRIED UNANIMOUSLY**

**C. Job Description of Youth Service Librarian**

**MOTION** by Munro, supported by Sovel, to approve the job description for Youth Services Librarian.

**MOTION CARRIED UNANIMOUSLY**

**D. Tree Trimming Proposal**

Dawn Riecher was present to request the Township pay \$400.00 to trim two tree branches that are directly over her house located at 2162 Evona, Wixom, Michigan. This property shares a property line with the southern portion of Commerce Township and the trees are on Commerce Township property.

**MOTION** by Gross, supported by Long, to Table the request of Dawn Riecher for \$400.00 to trim two tree branches that are directly over the house located at 2162 Evona, Wixom, Michigan.

**MOTION CARRIED UNANIMOUSLY**

**ITEM 13:1-10 ORDERS**

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

**MOTION CARRIED UNANIMOUSLY**

**ITEM 14:1-10 OTHER MATTERS**

Munro –

- Census count – The Township acquired four additional liquor licenses. Need direction on the disposition of the licenses.

**ITEM 15:1-10 CLOSED SESSION**

- A. Acquisition of Property
- B. Attorney/Client Privileged Information

**MOTION** by Zoner, supported by Gross, to enter into Closed Session to discuss acquisition of property and attorney/client privileged information.

**ROLL CALL VOTE:**

**AYES:** Zoner, Gross, Kirkwood, Munro, Long, Sovel, Law

**NAYS:**

**MOTION CARRIED UNANIMOUSLY**

Entered into Closed Session at 8:46 pm

Returned from Closed Session at 9:54 p.m.

**MOTION** by Zoner, supported by Munro, to approve the minutes of the Closed Session.

**MOTION CARRIED UNANIMOUSLY**

**MOTION** by Munro, supported by Zoner, to direct Giffels Webster Engineers to begin due diligence for the water tower construction on the Township owned well site property.

**ROLL CALL VOTE:**

**AYES:** Zoner, Gross, Kirkwood, Munro, Sovel, Law

**NAYS:** Long

**MOTION CARRIED**

**MOTION** by Munro, supported by Gross, to direct the Township Attorney to begin negotiations for the sewer agreement with the City of Walled Lake.

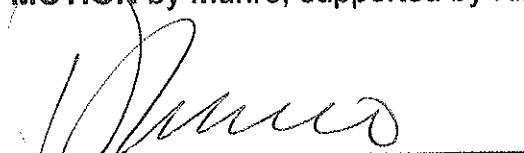
**MOTION CARRIED UNANIMOUSLY**

**ITEM 16:1-10 ADJOURNMENT**

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

**MOTION** by Munro, supported by Kirkwood, to adjourn at 9:58p.m.

**MOTION CARRIED UNANIMOUSLY**



Daniel P. Munro, Clerk  
Charter Township of Commerce

**RESOLUTION OF THE TOWNSHIP BOARD OF THE  
CHARTER TOWNSHIP OF COMMERCE DETERMINING TO  
UNDERTAKE AN IMPROVEMENT PROJECT  
AND TO ESTABLISH AND MAINTAIN A SPECIAL ASSESSMENT  
DISTRICT TO PAY COSTS ASSOCIATED THEREWITH AND APPROVING  
THE PLANS AND ESTIMATES OF COSTS THEREFOR  
FOX LAKE WEED CONTROL SPECIAL ASSESSMENT DISTRICT NO. 4**

At the regular meeting of the Township Board of the Charter Township of Commerce, County of Oakland, Michigan, held on the 10<sup>th</sup> day of January, 2012 at 7:00 p.m.

PRESENT: Thomas Zoner, David Law, Susan Gross, Daniel Munro, Robert Long, Rick Sovel, Debra Kirkwood

ABSENT: None

The following preamble and resolution were offered by Thomas Zoner and supported by Daniel Munro.

**WHEREAS**, the Township Board of the Charter Township of Commerce, Oakland County, Michigan, has tentatively declared its intention to finance the expenses, fees and charges related to the control of aquatic weeds and plants in Fox Lake, and has tentatively designated a Special Assessment District against which costs of the improvement are to be assessed and;

**WHEREAS**, after due and legal notice, the Township Board of the Charter Township of Commerce held a public hearing on the 10<sup>th</sup> day of January, 2012 at 7:00 p.m. for the purpose of receiving comments regarding the improvements and the Special Assessment District to be established therefore;

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

1. The Township Board of the Charter Township of Commerce determines that the petitions filed in connection with the proposed Special Assessment District are valid and in compliance with the requirements of Michigan Public Act 188 of 1954, as amended.
2. In accordance with the provisions of Michigan Public Act 359 of 1947, as amended, and Michigan Public Act 188 of 1954, as amended, the Township Board of the Charter Township of Commerce hereby determines that financing the expenses, fees and charges related to the control of aquatic weeds and plants in Fox Lake is reasonable, necessary and in the interest of the public health, safety and welfare of the inhabitants of the Charter Township of Commerce and shall be done.
3. The Township Board of the Charter Township of Commerce hereby approves the plans, specifications and estimates of costs in the sum of Sixty Thousand and No/100 (\$60,000.00) Dollars for the first installment, to cover the costs of 2012 and 2013, and Thirty Thousand



and No/100 (\$30,000.00) Dollars for each subsequent installment. The aggregate of all such costs will be spread against the Special Assessment District hereby established. An annual redetermination of costs will be made in October of each year.

4. The Township Board of the Charter Township of Commerce hereby establishes a Special Assessment District for the purpose set forth in paragraph two (2) hereof and names the Special Assessment District "Fox Lake Weed Control Special Assessment District." It includes the property described in Exhibit A attached hereto.
5. The term of the Special Assessment District shall end on October 31, 2022, or at such earlier time as the Township Board may deem prudent.
6. The Special Assessment District shall reimburse the Township Improvement Revolving Fund for all money advanced for the project together with outstanding interest thereon.
7. The Township Supervisor is hereby directed, in accordance with Michigan Public Act 188 of 1954, as amended, to make a Special Assessment Roll in which shall be entered and described all of the parcels of land to be assessed, with the names of the respective owners thereof, if known, and the total amount to be assessed against each parcel of land, which amount shall be the relative portion of the whole sum to be levied against all parcels of land in the Special Assessment District as the benefit to the parcel of land bears to the total benefit to all parcels of land in the Special Assessment District.
8. When the Township Supervisor completes the Special Assessment Roll, he shall affix thereto his certificate stating that it was made pursuant to this resolution of the Township Board of the Charter Township of Commerce that in making the Special Assessment Roll he has, according to his best judgment, conformed in all respects to the directions contained in this resolution and to the statutes of this state.
9. The Township Supervisor shall file the Special Assessment Roll, with his certificate attached thereto, with the Township Clerk, who shall then present the same to the Township Board of the Charter Township of Commerce.
10. The hearing on the Special Assessment Roll shall be held on the 14<sup>th</sup> day of February, 2012 at 7:00 p.m. at the Township Hall, located at 2009 Township Drive, Commerce Township, Michigan 48390. The Township Clerk is hereby directed to give notice of the hearing as required by law.
11. 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 the above address. 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.

12. The names and addresses of those persons present at the Public Hearing who protested the assessment, if any, are set forth in attached Exhibit B.

AYES: Thomas Zoner, David Law, Susan Gross, Daniel Munro, Robert Long, Rick Sovel, Debra Kirkwood


NAYS: None

ABSENT: None

**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 10<sup>th</sup> day of January, 2012.

CHARTER TOWNSHIP OF COMMERCE  
  
\_\_\_\_\_  
DANIEL MUNRO, Clerk

Dated: January 11, 2012

## EXHIBIT A

### Parcel Nos.

17-03-229-014	17-03-206-072	17-03-401-010
17-03-229-026	17-03-206-073	17-03-401-011
17-03-401-020	17-03-206-074	17-03-401-012
17-03-451-018	17-03-206-075	17-03-401-019
17-03-451-019	17-03-206-076	17-03-401-021
17-03-451-020	17-03-206-077	17-03-451-009
17-03-451-025	17-03-228-001	17-03-451-016
17-03-451-027	17-03-228-016	17-03-451-017
17-03-451-028	17-03-228-019	17-03-451-024
17-03-451-030	17-03-228-020	17-03-451-026
17-03-451-031	17-03-228-028	17-03-451-029
17-03-451-032	17-03-228-029	17-03-451-033
17-03-451-036	17-03-228-031	17-03-451-034
17-03-451-037	17-03-228-032	17-03-451-035
17-03-451-038	17-03-228-033	17-03-451-039
17-03-451-040	17-03-228-034	17-03-451-041
17-03-451-075	17-03-229-005	17-03-451-042
17-03-206-008	17-03-229-006	17-03-451-043
17-03-206-019	17-03-229-012	17-03-451-044
17-03-206-027	17-03-229-024	17-03-451-073
17-03-206-028	17-03-229-033	17-03-451-074
17-03-206-029	17-03-229-035	17-03-451-076
17-03-206-034	17-03-252-005	17-03-451-077
17-03-206-035	17-03-252-010	17-03-451-079
17-03-206-036	17-03-252-011	17-03-451-083
17-03-206-039	17-03-252-012	17-03-451-085
17-03-206-040	17-03-252-013	17-03-451-086
17-03-206-041	17-03-252-014	17-03-451-087
17-03-206-042	17-03-280-001	17-03-451-088
17-03-206-050	17-03-280-002	17-03-451-090
17-03-206-051	17-03-280-003	17-03-451-091
17-03-206-052	17-03-280-004	17-03-451-092
17-03-206-054	17-03-280-005	17-03-451-093
17-03-206-058	17-03-282-001	17-03-451-094
17-03-206-062	17-03-282-002	17-03-451-095
17-03-206-064	17-03-282-003	17-03-451-096
17-03-206-065	17-03-282-004	17-03-451-097
17-03-206-067	17-03-282-009	17-03-451-098
17-03-206-068	17-03-282-019	17-03-451-099
17-03-206-070	17-03-401-001	17-03-451-100

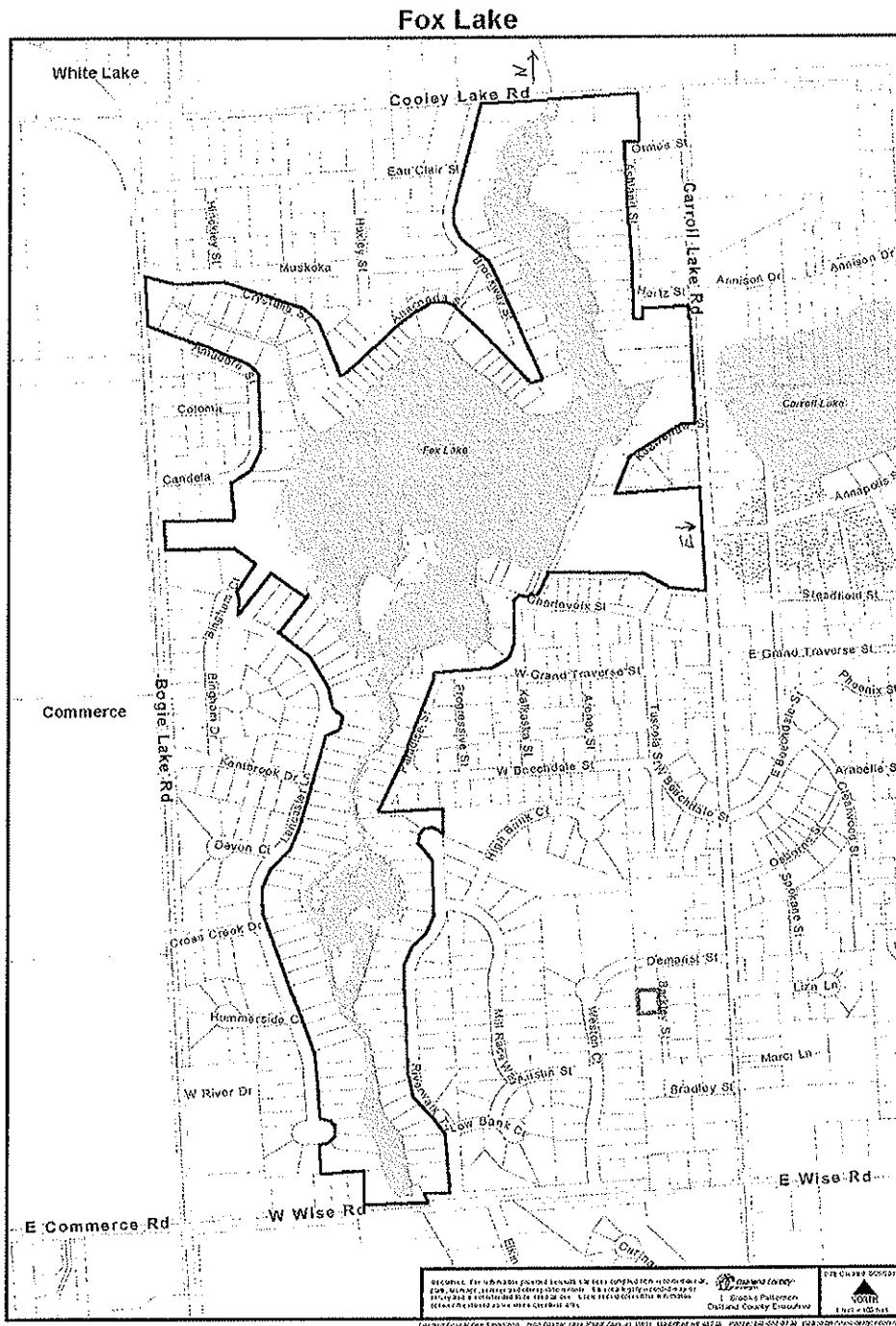
*Intention Resolution*  
*Fox Lake Weed Control Special Assessment District No. 4*  
*Exhibit A*  
*Page 2*

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17-03-451-102	17-03-279-001
17-03-451-105	17-03-282-010
17-03-451-106	17-03-282-017
17-03-252-030	17-03-401-016
17-03-206-002	17-03-401-017
17-03-206-037	17-03-451-003
17-03-206-038	17-03-451-078
17-03-206-043	17-03-451-080
17-03-206-044	17-03-451-081
17-03-206-053	17-03-451-082
17-03-206-055	17-03-451-084
17-03-206-056	17-03-451-089
17-03-206-059	17-03-451-101
17-03-206-060	17-03-451-103
17-03-206-063	17-03-451-104
17-03-206-066	
17-03-206-078	
17-03-206-079	
17-03-228-013	
17-03-228-014	
17-03-228-015	
17-03-228-023	
17-03-228-035	
17-03-228-036	
17-03-228-037	
17-03-229-003	
17-03-229-004	
17-03-229-007	
17-03-229-011	
17-03-229-013	
17-03-229-021	
17-03-229-023	
17-03-229-025	
17-03-229-027	
17-03-229-028	
17-03-229-031	
17-03-229-032	
17-03-276-007	
17-03-276-008	
17-03-277-001	

**Intention Resolution**  
**Fox Lake Weed Control Special Assessment District No. 4**  
**Exhibit A**  
**Page 3**

The following map depicts the boundary of the Special Assessment District:



**RESOLUTION CONFIRMING SPECIAL ASSESSMENT ROLL FOR  
THE SPECIAL ASSESSMENT DISTRICT DESIGNATED  
SPECIAL PROJECTS NO. 33**

At the regular meeting of the Township Board of the Charter Township of Commerce, Oakland County, Michigan (the "Township"), held in the Township Hall on the 10<sup>th</sup> day of January, 2012, at 7:00 p.m.

PRESENT: Thomas Zoner, David Law, Susan Gross, Daniel Munro, Robert Long, Rick Sovel, Debra Kirkwood

ABSENT: None

The following preamble and resolution were offered by Susan Gross and supported by Debra Kirkwood.

**WHEREAS**, The Township Board has determined it is reasonable, necessary and in the interest of the public health, safety and welfare of the inhabitants of the Township to establish a Special Assessment District to finance capital and other miscellaneous charges related to connection to the public water and sewer systems, and has tentatively designated a Special Assessment District against which costs of the improvement are to be assessed ("The Project"), and;

**WHEREAS**, The Township Board has determined to finance The Project by advancing funds from the Township Improvement Revolving Fund in accordance with Act No. 188, Public Acts of Michigan, 1954, as amended, and;

**WHEREAS**, the Township Board has determined to use Special Assessments to repay the Township Revolving Fund, and;

**WHEREAS**, the Special Assessment District for The Project has been determined by the Township and has been designated as Special Projects No. 33, and;

**WHEREAS**, the Township Board has directed the Township Supervisor to prepare the proposed Special Assessment Roll, and;

**WHEREAS**, the Township Supervisor has prepared the proposed Special Assessment Roll and has filed the proposed Special Assessment Roll with the Township Clerk, and;

**WHEREAS**, the Township Board has scheduled a public hearing on the proposed Special Assessment Roll, and notice of the hearing was properly provided, and;

**WHEREAS**, the Township Board conducted the public hearing on the Special Assessment roll at a regular meeting of the Township Board held on the 10<sup>th</sup> day of January, 2012, at 7:00 p.m. at the Township offices.

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

1. Payment of Project Costs. Project costs shall be paid with funds advanced from the Township Improvement Revolving Fund.
2. Roll Filed. The Township Board acknowledges that the Township Supervisor has filed the proposed Special Assessment Roll for the Special Projects No. 33 Special Assessment District (the "Roll") with the Township Clerk, and has certified that the Roll was prepared in accordance with the Township Board's directions and in accordance with the laws of the State of Michigan.
3. Roll Confirmed. In accordance with the provisions of Michigan Public Act 359 of 1947, as amended, and Michigan Public Act 188 of 1954, as amended, and the laws of the State of Michigan, the Township Board hereby confirms the Roll and directs that the assessments made therein shall be collected.
4. Future Installments - Principal. The Township Board determines that each Special Assessment may be paid in 10 separate installments. The first installment shall be due on or before February 14, 2012, and the second installment due February 14, 2013. Each subsequent installment shall be due at intervals 12 months from the due date of the second installment.
5. Future Installments - Interest. All unpaid installments shall bear interest, payable annually on each installment due date, at the rate of eight percent (8%) per annum.
6. Ratification of Notice. The form and content of the notice published and mailed to property owners in the Special Assessment District by the Township Clerk with respect to the public hearing held on the 10<sup>th</sup> day of January, 2012, and all actions of Township officials in scheduling such hearing, are hereby approved, ratified and confirmed.
7. Inconsistent Prior Resolutions. All previously adopted resolutions that are in conflict with this resolution are repealed to the extent of such conflict.
8. Reimbursement. The Special Assessment District shall reimburse the Township Improvement Revolving Fund for all money advanced for The Project together with outstanding interest thereon.

9. Appeals. 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, Charter Township of Commerce, 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.

Upon a roll-call vote for the adoption of the foregoing resolution, the vote was:

**AYES:**            **Thomas Zoner, David Law, Susan Gross, Daniel Munro, Robert Long, Rick Sovel, Debra Kirkwood**

**NAYS:**            **None**

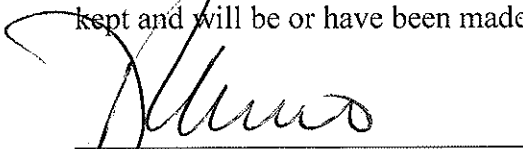
**ABSENT:**        **None**

**RESOLUTION DECLARED ADOPTED.**

STATE OF MICHIGAN    )  
  ) ss.  
COUNTY OF OAKLAND )

**CLERK'S CERTIFICATE**

The undersigned, being the duly qualified and acting Clerk of the Charter Township of Commerce, Oakland 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 10<sup>th</sup> day of January, 2012, 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.



\_\_\_\_\_  
DANIEL MUNRO, Clerk  
Charter Township of Commerce  
Dated: January 11, 2012



**EXHIBIT A**

Water

17-25-101-029

Sewer

17-08-154-004

17-08-177-007

17-11-340-015

17-12-351-016

January 3, 2012

TO: COMMERCE TOWNSHIP BOARD OF TRUSTEES

FROM: SUSAN L. GROSS, TOWNSHIP TREASURER

Pursuant to Section 211.44(3) of the Michigan Compiled Laws, which reads in part...

“A late penalty charge may be waived by the governing body of a city or township for the homestead property of a senior citizen, paraplegic, quadriplegic, eligible servicemen, eligible veteran, eligible widow, totally and permanently disabled person, or blind person, as those persons defined in Chapter 9 of Act No. 281 of Public Acts of 1967, as amended, being Sections 206.501 to 206.532 of the Michigan Compiled Laws, if the person makes a claim before February 15 for a credit for that property provided by Chapter 9 of Act No. 281 of the Public Acts of 1967, as amended, presents a copy of the form filed for that credit to the local treasurer and if the person has not received the credit before February 15...”

I would move the Charter Township of Commerce Board of Trustees waive the late penalty charges for those citizens who are eligible pursuant to Section 211.44(3) of the Michigan Compiled Laws.

Penalty waiver for seniors

{Type text}

RESOLUTION APPROVING THE APPOINTMENT OF RECEIVING BOARD  
TO BE ESTABLISHED FOR THE 2012 ELECTION CYCLE

Whereas, Michigan Election Law, MCL 168.679z, provides that the legislative body of a city or township may, by resolution, approve the establishment of one or more "receiving boards" to administer any upcoming election scheduled in the jurisdiction, and;

Whereas, When established, receiving boards are responsible for ensuring that 1) all ballot containers delivered to the clerk's office after the polls close are properly sealed 2) all seal numbers are properly recorded and 3) that the number of names entered in the poll book balances with the number of ballots counted in the precinct as shown on the statement of returns, and;

Whereas, It is Commerce Township's past practice, and the clerk's recommendation, that a receiving board be established for the 2012 election cycle.

NOW THEREFORE BE IT RESOLVED that "Receiving Boards" be established for the Presidential Primary Elections held on February 28, 2012, General Primary Election held on August 7, 2012 and the General Election held on November 6, 2012.

Motion carried this 10<sup>th</sup> day of January, 2012.





Commerce  
Township  
E-Mail

Vanessa Magnier <vmagner@commercetwp.com>

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## RE: protest letter against S.A.D.4, from Kerri Barnett-Novack, 5341 Riverwalk Trail, Commerce

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Zoner, Tom <tzoner@commercetwp.com>

Tue, Jan 10, 2012 at 11:30 AM

Reply-To: "Zoner, Tom" <tzoner@commercetwp.com>

To: kbnovack@aol.com

Cc: "Munro, Dan" <dmunro@commercetwp.com>, Vanessa Magnier <vmagner@commercetwp.com>

Thanks Kerri, this will get read into the record. Tom Zoner

**From:** [kbnovack@aol.com](mailto:kbnovack@aol.com) [mailto:[kbnovack@aol.com](mailto:kbnovack@aol.com)]

**Sent:** Tuesday, January 10, 2012 11:10 AM

**To:** [tzoner@commercetwp.com](mailto:tzoner@commercetwp.com); [dmunro@commercetwp.com](mailto:dmunro@commercetwp.com)

**Subject:** protest letter against S.A.D.4, from Kerri Barnett-Novack, 5341 Riverwalk Trail, Commerce

Dear Mr. Munro and Mr. Zoner,

I write to you today to protest the Special Assessment District 4 ("Fox Lake Weed Control") that has been assessed. I believe it is a waste of my money and a waste of my neighbor's money, for a variety of reasons as stated below. I appreciate your written explanations and verbal assistance greatly, but I still write to you today to protest the SAD#4.

Thank you,

*Kerri Barnett-Novack, M.A.*

**Kerri Barnett-Novack**

5341 Riverwalk Trail

Commerce Twp, MI 48382

248-961-3331

[kbnovack@aol.com](mailto:kbnovack@aol.com)

## Dan Munro

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**From:** Kerri Barnett-Novac [knovac1@wcccd.edu]  
**Sent:** Friday, January 06, 2012 11:11 AM  
**To:** dmunro@commercetwp.com  
**Cc:** kbnovack@aol.com  
**Subject:** Fox Lake Week Control Special Assessment District No 4: HOW MUCH?

Mr. Munro, Please assist me with further info, as your website and the Spinal Column were without details.

1. How much will the assessment be, if approved, for the weed control per home?
2. How many years will this assessment cover, or is this a one-time assessment?
3. What studies have been conducted regarding the weed control process and it's affects on local fish and animals?
4. What areas will be weed-controlled?
5. What is the process for weed control: chemical, or mechanical, or other?
6. Seasonal and thus a yearly issue?
7. Fox "Lake" is more of a large pond. Controlling weeds in a pond is impossible, no matter how much money is thrown at the project.
8. I am on the River and live very far the lake, which I have not been on once in ten years. Why must I pay for a lake's problems that I have no access to?
9. As a **River** resident, I have no need for **Lake** weed control, period. *Weed issues On the Lake are issues for Lake Residents with Lake views and lake access*, not issues for myself as a River resident.
10. IF there are River residents bringing this request to you, please note that most of the River residents on my street, River Walk Trail, do not have access to the Lake, do not use the lake, do not own any watercraft, etc.

I strongly protest this assessment, and I am dismayed that there are so many questions and thus far no answers. Please table this assessment and provide the answers so that a solid understanding for each resident affected can be achieved. A few suggestions: send letters to each resident? Info provided in the Spinal Column? Etc. I suspect that very few will attend the meeting due to poor communication. If I can get the night off from work, I will be there.

I thank you very much in advance for your assistance,

*Kerri Barnett-Novack, M.A.*  
Student Services Administrator  
The Downtown Campus  
Wayne County Community College District  
1001 West Fort Street  
Detroit, MI 48226  
[knovac1@wcccd.edu](mailto:knovac1@wcccd.edu)

**5341 Riverwalk Trail  
Commerce, MI 48382  
248-961-3331**

January 9, 2012

Commerce Township Clerk  
2009 Township Drive  
Commerce Township, Mi 48390

Mr Daniel P. Munro,

I wish to protest the Fox Lake Week Control Special Assessment District No. 4

Dale and Janis Grace  
5285 Riverwalk Trail  
Commerce, Mich 48382

<u>Dale Grace</u>	<u>1/9/2012</u>
<u>Janis Grace</u>	<u>1-9-2012</u>

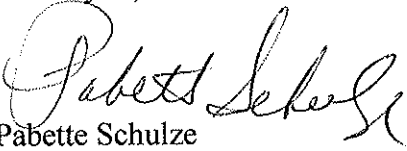
January 7, 2012

Commerce Township Clerk  
2009 Township Drive  
Commerce Twp., MI 48390

Mr. Daniel P. Munro,

I wish to protest the Fox Lake Week Control Special Assessment District No. 4.

Thank you,

A handwritten signature in cursive script that reads "Pabette Schulze". The signature is written in black ink and is positioned above the printed name.

Pabette Schulze  
5261 Riverwalk Trail  
Commerce Twp., MI 48382



Commerce Township Clerk  
2009 Township Drive  
Commerce Township, MI 48390

December 30, 2011

Mr. Daniel P. Munro,

I wish to protest the Fox Lake Weed Control Special Assessment District No. 4.

Michael Augustine

A handwritten signature in cursive script that reads "Michael Augustine".

5271 Riverwalk Trail  
Commerce Township, MI 48382  
17-03-451-020

## Dan Munro

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**From:** Baldassarra, Pierre (DTMB) [BaldassarraP@michigan.gov]  
**Sent:** Monday, January 09, 2012 5:03 PM  
**To:** 'dmunro@commercetwp.com'  
**Subject:** regarding the new assesment for weed control on Fox Lake

Hello Sir,

I wish to protest this assessment and am not in favor of this,

Thanks

Pierre Baldassarra  
5361 river walk trail, unit 17.  
Commerce Township, mi 48382

Commerce township Clerk  
2009 Township Drive  
Commerce Township, MI 48390

January 8, 2012

Me. Daniel P. Munro,

I Wish to protest the Fox Lake Weed Control Special Assessment  
District No, 4. I am on a fixed income and can not afford  
the tax increase.

Patti Oathout



5411 Riverwalk Trail  
Commerce Township, MI 48382

January 10, 2012

Commerce Township Clerk  
2009 Township Drive  
Commerce Township, MI 48390

Mr. Daniel P. Munro,

We wish to protest the Fox Lake Weed Control Special Assessment District No. 4. Our home is adjacent to the Huron River, south of Fox Lake. Since the river is not going to be treated, we do not feel that our assessment should be the same as those who live on Fox Lake, where the actual weed treatment will take place. The home owners on Fox Lake will receive the benefits of the weed control, where those of us on the river, with no weed treatment, will become more and more distanced from the use of Fox Lake, with the increasing river weeds making travel to the lake harder and harder.

Please do not pass this special assessment. It needs to be go back to the drawing board, reevaluating either the area of treatment, distribution of payment, or both.

Sincerely,

  
Cynthia and Joseph Delgado



5260 Lancaster Lane  
Commerce Township, MI 48382