

**CHARTER TOWNSHIP OF COMMERCE
TOWNSHIP BOARD QUARTERLY MEETING
2009 Township Drive
Commerce Township, MI 48390
Tuesday October 25, 2011, 7:00 p.m.**

CALL TO ORDER: Supervisor Zoner called the meeting to order at 7:00 p.m.

PLEDGE OF ALLEGIANCE

ROLL CALL:

Present: **TOWNSHIP BOARD**
Thomas K. Zoner, Supervisor
Daniel P. Munro, Clerk
Susan Gross, Treasurer
David Law, Trustee
Rick Sovel, Trustee
Robert Long, Trustee
Debra N. Kirkwood, Trustee

ITEM 1: Presentation - HAVEN

Jennifer Pasquale provided the Board with an overview of the services HAVEN provides within the Township with a summary of 2012 activities.

ITEM 2: Adopt an Ordinance to Amend Ordinance No. 2.005 to be known as the Charter Township of Commerce Fee Ordinance No. 2.006.

MOTION by Gross, second by Munro, to ITEM 2: Adopt an Ordinance to Amend Ordinance No. 2.005 to be known as the Charter Township of Commerce Fee Ordinance No. 2.006.

MOTION CARRIED UNANIMOUSLY

ITEM 3: Public Hearing 2012 Township Budget

Supervisor Zoner opened the public hearing. No comments from the public.

Supervisor Zoner closed the public hearing.

ITEM 4: Approval of the 2012 Township Budget

MOTION by Gross, second by Munro, to approve the 2012 Township Budget as presented (Attached).

ROLL CALL VOTE:

AYES: Zoner, Munro, Gross,

NAYS: Kirkwood, Law, Long, Sovel

ABSENT: None

MOTION FAILED

ITEM 5: Public Hearing 2011 Millage Rates

Supervisor Zoner opened the public hearing of the 2011 Millage Rates

A. Charter Township of Commerce Resolution of Levy of Operating Millage for the 2011 tax year.

MOTION by Munro, second by Sovel, to approve the Charter Township of Commerce Resolution of Levy of Operating Millage for the 2011 Tax Year at a rate of 1.4100 mills, total amount of \$2,426,939.94. (Attached)

ROLL CALL VOTE:

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

NAYS: None

ABSENT: None

MOTION CARRIED UNANIMOUSLY

B. Charter Township of Commerce Resolution of Levy of Library Millage for the 2011 Tax Year.

MOTION by Munro, second by Sovel, to approve the Charter Township of Commerce Resolution of Levy of Library Millage for the 2011 Tax Year at a rate of 0.3000 mills, total amount of \$516,370.20. (Attached)

ROLL CALL VOTE:

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

NAYS: None

ABSENT: None

MOTION CARRIED UNANIMOUSLY

C. Charter Township of Commerce Resolution to Levy for Public library Service Millage for the 2011 Tax Year.

MOTION by Munro, second by Sovel, to approve the Charter Township of Commerce Resolution to Levy for Public Library Service Millage for the 2011 Tax Year at a rate of 0.6895 mills, total amount of 1,186,790.84. (Attached)

ROLL CALL VOTE:

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

NAYS: None

ABSENT: None

MOTION CARRIED UNANIMOUSLY

D. Charter Township of Commerce Resolution of Levy to Staff All 4 Fire Stations and Purchase Equipment for the 2011 Tax Year.

MOTION by Munro, second by Sovel, to approve the Charter Township of Commerce Resolution of Levy to Staff All 4 Fire Stations and Purchase Equipment for the 2011 Tax Year at a rate of 0.6639, total amount of \$1,142,727.25. (Attached)

ROLL CALL VOTE:

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

NAYS: None

ABSENT: None

MOTION CARRIED UNANIMOUSLY

E. Charter Township of Commerce Resolution of Levy for Additional Police Service Millage for the 2011 Tax Year

MOTION by Munro, second by Sovel, to approve the Charter Township of Commerce Resolution of Levy for Additional Police Service Millage for the 2011 Tax Year at a rate of 0.3939 mills, total amount of \$677,994.07. (Attached)

ROLL CALL VOTE:

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

NAYS: None

ABSENT: None

MOTION CARRIED UNANIMOUSLY

F. Charter Township of Commerce Resolution of Levy to Retain Police Services for the 2011 Tax Year.

MOTION by Munro, second by Sovel, to approve the Charter Township of Commerce Resolution of Levy to Retain Police Services for the 2011 Tax Year at a rate of 0.3794 mills, total amount of \$653,036.18. (Attached)

ROLL CALL VOTE:

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

NAYS: None

ABSENT: None

MOTION CARRIED UNANIMOUSLY

G. Charter Township of Commerce Resolution to Levy for Additional Sheriff Deputies Millage for the 2011 Tax Year.

MOTION by Munro, second by Sovel, to approve the Charter Township of Commerce Resolution of Levy for Additional Sheriff Deputies Millage for the 2011 Tax Year at a rate of 0.3000 mills, total amount of \$516,370.20. (Attached)

ROLL CALL VOTE:

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

NAYS: None

ABSENT: None

MOTION CARRIED UNANIMOUSLY

H. Charter Township of Commerce Resolution of Levy for Park Improvements and Creation and Acquisition of Open Space Millage for the 2011 Tax Year.

MOTION by Munro, second by Sovel, to approve the Charter Township of Commerce Resolution of Levy for Park Improvements and Creation and Acquisition of Open Space Millage for the 2011 Tax Year at a rate of 0.3939 mills, total amount of \$677,994.07. (Attached)

ROLL CALL VOTE:

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

NAYS: None

ABSENT: None

MOTION CARRIED UNANIMOUSLY

ITEM 6: Approval of Single Year and Delinquent Multi Year Special Assessment Districts to be Levied on the 2011 Winter Tax Roll

MOTION by Munro, second by Gross, to approve the single Year and Delinquent Multi Year special Assessment districts to be levied on the 2011 tax year.

(Attached)

ROLL CALL VOTE:

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

NAYS: None

ABSENT: None

MOTION CARRIED UNANIMOUSLY

ITEM 7: Public Hearing for community Development Block Grant (CDBG)

Supervisor Zoner opened the public hearing for CDBG.

No public comment was received

Supervisor Zoner closed the public hearing

ITEM 8: Resolution for the Community Development Block Grant

MOTION by Munro, second by Kirkwood, to approve the Resolution for the community Development Block Grant. (Attached)

ROLL CALL VOTE:

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

NAYS: None

ABSENT: None

MOTION CARRIED UNANIMOUSLY

ITEM 9: Downtown Development Authority Agreements

A. Martin Parkway Maintenance Agreement

MOTION by Munro, second by Gross, to approve the Martin Parkway Maintenance Agreement and authorize the appropriate signatures.

MOTION CARRIED UNANIMOUSLY

B. Assumption Agreement Martin Parkway

MOTION by Gross, second by Munro, to approve the Assumption Agreement for Martin Parkway and authorize the appropriate signatures.

MOTION CARRIED UNANIMOUSLY

C. Memorandum Agreement

MOTION by Gross, second by Munro, to approve the Memorandum Agreement and authorize the appropriate signatures.

MOTION CARRIED UNANIMOUSLY

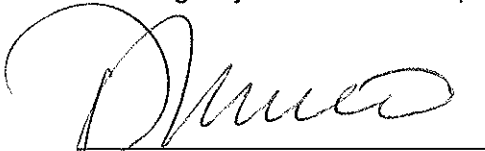
ITEM 10: Other Matters to Come Before the Board

ITEM 11: ADJOURNMENT

MOTION by Zoner second by Gross to adjourn.

MOTION CARRIED UNANIMOUSLY

Meeting adjourned at 8:35 p.m.

A handwritten signature in black ink, appearing to read 'D. Munro', written over a horizontal line.

Daniel P. Munro
Clerk, Commerce Township

**CHARTER TOWNSHIP OF COMMERCE
RESOLUTION APPROVING THE 2012
COMMUNITY DEVELOPMENT BLOCK GRANT APPLICATION
ADOPTED ON: OCTOBER 25, 2011**

WHEREAS, Oakland County is preparing an Annual Action Plan to meet application requirement for the Community Development Block Grant (CDBG) program, and other Community Planning and Development (CPD) programs, and

WHEREAS, the Charter Township of Commerce has duly advertised and conducted a public hearing from the purpose of receiving comments regarding the proposed use of 2012 Program Year Community Development Block Grant funds in the approximate amount of \$61,143 and;

WHEREAS, the Charter Township of Commerce found that the following projects meet the federal objectives of the CDBG program and are prioritized by the Community as high priority need.

<u>Account</u>	<u>Project Name</u>	<u>Amount</u>
731696	Senior Centers	\$31,972
730137	Battered and Abused Spouses	\$ 2,500
731712	Senior Services	\$ 6,671
731227	Minor Home Repair	\$10,000
731227	Minor Home Repair – Mobile Home	\$10,000

THEREFORE BE IT RESOLVED, that at a special meeting of the Charter Township of Commerce Board held on October 25, 2011 at the Commerce Township Hall, 2009 Township Dr., Commerce Township, Michigan 48390, the Board approved the Program Year 2012 Community Development Block Grant Application in the approximate amount of \$61,143 and authorize Thomas K. Zoner, Township Supervisor to sign and submit the application as follows.

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

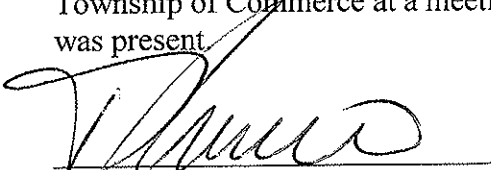
NAYS:

ABSTAINING:

ABSENT:

MOTION CARRIED

I, Daniel Munro, the duly elected Clerk of The Township of Commerce, Oakland County, Michigan do hereby certify that the above is a true copy of a resolution adopted by the Township of Commerce at a meeting held on October 25, 2011 at which time a quorum was present.



Daniel Munro, Clerk
Charter Township of Commerce

**CHARTER TOWNSHIP OF COMMERCE RESOLUTION
OF LEVY FOR ADDITIONAL POLICE SERVICES MILLAGE FOR THE 2011
TAX YEAR**

At a Regular Meeting of the Township Board of the Charter Township of Commerce held on the 25th day of October 2011 at the Commerce Township Hall, 2009 Township Drive, Commerce Township, Michigan 48390, at 7:00 P.M.

PRESENT: Gross, Munro, Zoner, Kirkwood, Long, Law, Sovel

ABSENT:

The following preamble and resolution was offered by Munro and supported by Sovel.

Whereas, the taxable value of the Charter Township of Commerce for the 2011 tax year is \$1,721,234,000 and

Whereas, the amount of monies necessary to be raised for the township to be used for additional police services within the township as indicated by the electorate at the August 3, 2004 election, for the Charter Township of Commerce is \$677,994.07.

NOW THEREFORE BE IT RESOLVED, that it is hereby declared and certified that the approved tax to be levied on the real and tangible personal property within the Charter Township of Commerce for law enforcement purposes for the 2011 tax year be at the rate of 0.3939Mills on each dollar (\$0.3939 per \$1,000) of the taxable value, and

BE IT FURTHER RESOLVED, and hereby certified that the total amount of taxes to be raised for law enforcement purposes is \$677,994.07 and

BE IT FURTHER RESOLVED, that the Oakland County Equalization Department is hereby directed to place said levy upon the 2011 Township Tax Rolls.

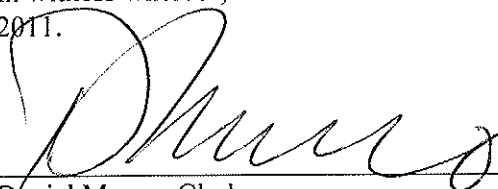
AYES: Munro, Sovel, Gross, Zoner, Kirkwood, Law, Long

NAYS:

ABSENT:

I, Daniel Munro, the duly qualified Clerk of the Charter Township of Commerce, Oakland County, Michigan, do hereby certify that the foregoing resolution is a true and complete copy of the proceedings taken by the Township Board of the Charter Township of Commerce, Oakland County, Michigan at a Regular Meeting held on the 25th day of October, 2011, the original of which is on file in my office.

In witness whereof, I have hereunto affixed my official signature on this 25th day of October 2011.



Daniel Munro, Clerk
Charter Township of Commerce

**CHARTER TOWNSHIP OF COMMERCE RESOLUTION
OF LEVY OF OPERATING MILLAGE FOR
THE 2011 TAX YEAR**

At a Regular Meeting of the Township Board of the Charter Township of Commerce held on October 25, 2010 at the Commerce Township Hall, 2009 Township Drive, Commerce Township, Michigan 48390, at 7:00 P.M.

PRESENT: Munro, Gross, Zoner, Law, Kirkwood, Sovel, Long

ABSENT:

The following preamble and resolution was offered by Munro and supported by Sovel.

Whereas, the taxable value of the Charter Township of Commerce for the 2011 tax year is \$1,721,234,000 and

Whereas, the amount of monies necessary to be raised for operating purposes for the Charter Township of Commerce is \$2,426,939.94.

NOW THEREFORE BE IT RESOLVED, that it is hereby declared and certified that the approved tax to be levied on the real and tangible personal property within the Charter Township of Commerce for operating purposes for the 2011 tax year be at the rate of 1.4100 Mills on each dollar (\$1.4100 per \$1,000) of the taxable value, and

BE IT FURTHER RESOLVED, and hereby certified that the total amount of taxes to be raised for operating purposes is \$2,426,939.94 and

BE IT FURTHER RESOLVED, that the Oakland County Equalization Department is hereby directed to place said levy upon the 2011 Township Tax Rolls.

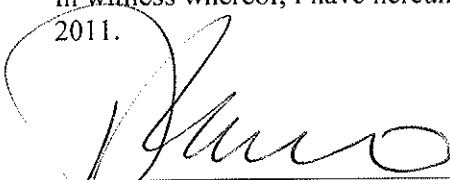
AYES: Munro, Sovel, Law, Gross, Law, Kirkwood, Long, Zoner

NAYS:

ABSENT:

I, Daniel Munro, the duly qualified Clerk of the Charter Township of Commerce, Oakland County, Michigan, do hereby certify that the foregoing resolution is a true and complete copy of the proceedings taken by the Township Board of the Charter Township of Commerce, Oakland County, Michigan at a Regular Meeting held on the 25th day of October, 2011, the original of which is on file in my office.

In witness whereof, I have hereunto affixed my official signature on this 25th day of October, 2011.



Daniel Munro, Clerk
Charter Township of Commerce

**CHARTER TOWNSHIP OF COMMERCE RESOLUTION
OF LEVY OF LIBRARY MILLAGE FOR THE 2011 TAX YEAR**

At a Regular Meeting of the Township Board of the Charter Township of Commerce held on the 25TH day of October 2011 at the Commerce Township Hall, 2009 Township Drive, Commerce Township, Michigan 48390, at 7:00 P.M.

PRESENT: Munro, Gross, Zoner, Long, Sovel, Kirkwood, Law
ABSENT:

The following preamble and resolution was offered by Munro and supported by Sovel.

Whereas, the taxable value of the Charter Township of Commerce for the 2011 tax year is \$1,721,234,000 and

Whereas, the amount of monies necessary to be raised for library purposes, as indicated by the electorate at the August 5, 1980 election, for the Charter Township of Commerce is \$516,370.20.

NOW THEREFORE BE IT RESOLVED, that it is hereby declared and certified that the approved tax to be levied on the real and tangible personal property within the Charter Township of Commerce for library purposes for the 2011 tax year be at the rate of 0.3000 Mills on each dollar (\$0.3000 per \$1,000) of the taxable value, and

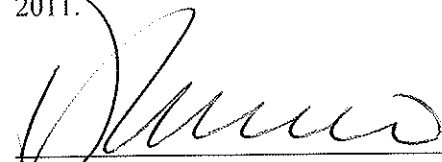
BE IT FURTHER RESOLVED, and hereby certified that the total amount of taxes to be raised for library purposes is \$516,370.20 and

BE IT FURTHER RESOLVED, that the Oakland County Equalization Department is hereby directed to place said levy upon the 2011 Township Tax Rolls.

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

I, Daniel Munro, the duly qualified Clerk of the Charter Township of Commerce, Oakland County, Michigan, do hereby certify that the foregoing resolution is a true and complete copy of the proceedings taken by the Township Board of the Charter Township of Commerce, Oakland County, Michigan at a Regular Meeting held on the 25TH day of October, 2011, the original of which is on file in my office.

In witness whereof, I have hereunto affixed my official signature on this 25th day of October, 2011.



Daniel Munro, Clerk
Charter Township of Commerce

**CHARTER TOWNSHIP OF COMMERCE RESOLUTION
OF LEVY OF PUBLIC LIBRARY SERVICES MILLAGE FOR THE 2011 TAX YEAR**

At a Regular Meeting of the Township Board of the Charter Township of Commerce held on the 25TH day of October 2011 at the Commerce Township Hall, 2009 Township Drive, Commerce Township, Michigan 48390, at 7:00 P.M.

PRESENT: Munro, Gross, Zoner, Law, Sovel, Long, Kirkwood
ABSENT:

The following preamble and resolution was offered by Munro and supported by Sovel.

Whereas, the taxable value of the Charter Township of Commerce for the 2011 tax year is \$1,721,234,000 and

Whereas, the amount of monies necessary to be raised for the township to be used for the provision of public library services within the township as indicated by the electorate at the November 2, 2004 election, for the Charter Township of Commerce is \$1,186,790.84.

NOW THEREFORE BE IT RESOLVED, that it is hereby declared and certified that the approved tax to be levied on the real and tangible personal property within the Charter Township of Commerce for public library services for the 2011 tax year be at the rate of 0.6895 Mills on each dollar (\$0.6895 per \$1,000) of the taxable value, and

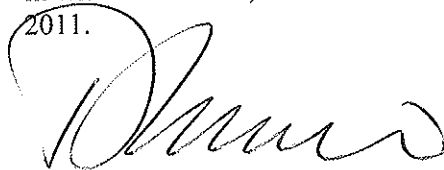
BE IT FURTHER RESOLVED, and hereby certified that the total amount of taxes to be raised for library purposes is \$1,186,790.84 and

BE IT FURTHER RESOLVED, that the Oakland County Equalization Department is hereby directed to place said levy upon the 2011 Township Tax Rolls.

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

I, Daniel Munro, the duly qualified Clerk of the Charter Township of Commerce, Oakland County, Michigan, do hereby certify that the foregoing resolution is a true and complete copy of the proceedings taken by the Township Board of the Charter Township of Commerce, Oakland County, Michigan at a Regular Meeting held on the 25TH day of October, 2011, the original of which is on file in my office.

In witness whereof, I have hereunto affixed my official signature on this 25th day of October, 2011.



Daniel Munro, Clerk
Charter Township of Commerce

**CHARTER TOWNSHIP OF COMMERCE RESOLUTION
OF LEVY TO STAFF ALL FOUR FIRE STATIONS AND PURCHASE EQUIPMENT
FOR THE 2011 TAX YEAR**

At a Regular Meeting of the Township Board of the Charter Township of Commerce held on the 25TH day of October 2011 at the Commerce Township Hall, 2009 Township Drive, Commerce Township, Michigan 48390, at 7:00 P.M.

PRESENT: Zoner, Gross, Munro, Long, Sovel, Law, Kirkwood

ABSENT:

The following preamble and resolution was offered by Munro and supported by Sovel.

Whereas, the taxable value of the Charter Township of Commerce for the 2011 tax year is \$1,721,234,000 and

Whereas, the amount of monies necessary to be raised to staff all four (4) fire stations and purchase equipment, as indicated by the electorate at the November 5, 2002 election, for the Charter Township of Commerce is \$1,142,727.25.

NOW THEREFORE BE IT RESOLVED, that it is hereby declared and certified that the approved tax to be levied on the real and tangible personal property within the Charter Township of Commerce to staff all 4 fire stations and purchase equipment for the 2011 tax year be at the rate of 0.6639 Mills on each dollar (\$0.6639 per \$1,000) of the taxable value, and

BE IT FURTHER RESOLVED, and hereby certified that the total amount of taxes to be raised for library purposes is \$1,142,727.25 and

BE IT FURTHER RESOLVED, that the Oakland County Equalization Department is hereby directed to place said levy upon the 2011 Township Tax Rolls.

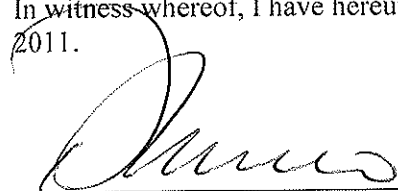
AYES: Munro, Sovel, Gross, Long, Kirkwood, Law, Long

NAYS:

ABSENT:

I, Daniel Munro, the duly qualified Clerk of the Charter Township of Commerce, Oakland County, Michigan, do hereby certify that the foregoing resolution is a true and complete copy of the proceedings taken by the Township Board of the Charter Township of Commerce, Oakland County, Michigan at a Regular Meeting held on the 25TH day of October, 2011, the original of which is on file in my office.

In witness whereof, I have hereunto affixed my official signature on this 25th day of October, 2011.



Daniel Munro, Clerk
Charter Township of Commerce

**CHARTER TOWNSHIP OF COMMERCE RESOLUTION
OF LEVY FOR ADDITIONAL SHERIFF DEPUTIES MILLAGE FOR THE 2011
TAX YEAR**

At a Regular Meeting of the Township Board of the Charter Township of Commerce held on the 25th day of October 2011 at the Commerce Township Hall, 2009 Township Drive, Commerce Township, Michigan 48390, at 7:00 P.M.

PRESENT: Zoner, Gross, Munro, Kirkwood, Sovel, Law, Long

ABSENT:

The following preamble and resolution was offered by Munro and supported by Sovel.

Whereas, the taxable value of the Charter Township of Commerce for the 2011 tax year is \$1,721,234,000 and

Whereas, the amount of monies necessary to be raised for 3 additional deputy purposes, as indicated by the electorate at the November 3, 1982 election, for the Charter Township of Commerce is, \$516,370.20.

NOW THEREFORE BE IT RESOLVED, that it is hereby declared and certified that the approved tax to be levied on the real and tangible personal property within the Charter Township of Commerce for law enforcement purposes for the 2011 tax year be at the rate of 0.3000 Mills on each dollar (\$0.3000 per \$1,000) of the taxable value, and

BE IT FURTHER RESOLVED, and hereby certified that the total amount of taxes to be raised for law enforcement purposes is \$516,370.20 and

BE IT FURTHER RESOLVED, that the Oakland County Equalization Department is hereby directed to place said levy upon the 2011 Township Tax Rolls.

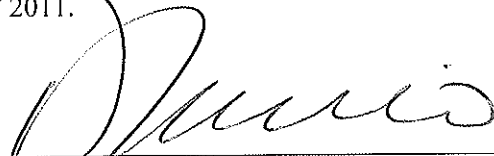
AYES: Munro, Sovel, Gross, Zoner, Long, Law, Kirkwood

NAYS:

ABSENT:

I, Daniel Munro, the duly qualified Clerk of the Charter Township of Commerce, Oakland County, Michigan, do hereby certify that the foregoing resolution is a true and complete copy of the proceedings taken by the Township Board of the Charter Township of Commerce, Oakland County, Michigan at a Regular Meeting held on the 25th day of October, 2011, the original of which is on file in my office.

In witness whereof, I have hereunto affixed my official signature on this 25th day of October 2011.



Daniel Munro, Clerk
Charter Township of Commerce

**CHARTER TOWNSHIP OF COMMERCE RESOLUTION
OF LEVY TO RETAIN POLICE SERVICES FOR THE 2011
TAX YEAR**

At a Regular Meeting of the Township Board of the Charter Township of Commerce held on the 25th day of October 2011 at the Commerce Township Hall, 2009 Township Drive, Commerce Township, Michigan 48390, at 7:00 P.M.

PRESENT: Gross, Zoner, Munro, Law, Sovel, Long, Kirkwood

ABSENT:

The following preamble and resolution was offered by Munro and supported by Sovel.

Whereas, the taxable value of the Charter Township of Commerce for the 2011 tax year is \$1,721,234,000 and

Whereas, the amount of monies necessary to be raised to retain police services, as indicated by the electorate at the November 5, 2002 election, for the Charter Township of Commerce is, \$653,036.18.

NOW THEREFORE BE IT RESOLVED, that it is hereby declared and certified that the approved tax to be levied on the real and tangible personal property within the Charter Township of Commerce to retain police services for the 2010 tax year be at the rate of 0.3794Mills on each dollar (\$0.3794 per \$1,000) of the taxable value, and

BE IT FURTHER RESOLVED, and hereby certified that the total amount of taxes to be raised for law enforcement purposes is \$653,036.18 and

BE IT FURTHER RESOLVED, that the Oakland County Equalization Department is hereby directed to place said levy upon the 2011 Township Tax Rolls.

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

NAYS:

ABSENT:

I, Daniel Munro, the duly qualified Clerk of the Charter Township of Commerce, Oakland County, Michigan, do hereby certify that the foregoing resolution is a true and complete copy of the proceedings taken by the Township Board of the Charter Township of Commerce, Oakland County, Michigan at a Regular Meeting held on the 25th day of October, 2011, the original of which is on file in my office.

In witness whereof, I have hereunto affixed my official signature on this 25th day of October 2011.



Daniel Munro, Clerk
Charter Township of Commerce

**CHARTER TOWNSHIP OF COMMERCE RESOLUTION
OF LEVY FOR PARK IMPROVEMENTS AND CREATION AND ACQUISITION OF
OPEN SPACE MILLAGE FOR THE 2011 TAX YEAR**

At a Regular Meeting of the Township Board of the Charter Township of Commerce held on the 25th day of October 2011 at the Commerce Township Hall, 2009 Township Drive, Commerce Township, Michigan 48390, at 7:00 P.M.

PRESENT: Gross, Zoner, Munro, Kirkwood, Long, Law, Sovel

ABSENT:

The following preamble and resolution was offered by Munro and supported by Sovel.

Whereas, the taxable value of the Charter Township of Commerce for the 2011 tax year is \$1,721,234,000 and

Whereas, the amount of monies necessary to be raised for the township to be used for the improvement of parks and the acquisition of land and interests in land to create new publicly owned open space within the township as indicated by the electorate at the November 2, 2004 election, for the Charter Township of Commerce is, \$677,994.07.

NOW THEREFORE BE IT RESOLVED, that it is hereby declared and certified that the approved tax to be levied on the real and tangible personal property within the Charter Township of Commerce for the improvement of parks and the acquisition of land and interest in land to create new publicly owned open space within the township for the 2011 tax year be at the rate of 0.3939 Mills on each dollar (\$0.3939 per \$1,000) of the taxable value, and

BE IT FURTHER RESOLVED, and hereby certified that the total amount of taxes to be raised for park improvements is \$677,994.07 and

BE IT FURTHER RESOLVED, that the Oakland County Equalization Department is hereby directed to place said levy upon the 2011 Township Tax Rolls.

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

NAYS:

ABSENT:

I, Daniel Munro, the duly qualified Clerk of the Charter Township of Commerce, Oakland County, Michigan, do hereby certify that the foregoing resolution is a true and complete copy of the proceedings taken by the Township Board of the Charter Township of Commerce, Oakland County, Michigan at a Regular Meeting held on the 25th day of October, 2011, the original of which is on file in my office.

In witness whereof, I have hereunto affixed my official signature on this 25th day of October 2011.



Daniel Munro, Clerk
Charter Township of Commerce

MARTIN PARKWAY
MAINTENANCE AGREEMENT

This Agreement, executed this ____ day of _____, 2011, between the Road Commission for Oakland County, 31001 Lahser Road, Beverly Hills, MI 48025 (“RCOC”) and the Charter Township of Commerce, 2009 Township Drive, Commerce Township, MI 48390 (“Township”), and joined in by the Commerce Township Downtown Development Authority 2009 Township Drive, Commerce Township, MI 48390 (“DDA”) an affiliate of the Township, as its interest may appear, provides as follows:

Whereas, a portion of existing Martin Road, south of Oakley Park Road and north of PGA Drive in Commerce Township, is a private road; and

Whereas, the DDA has constructed and improved portions of Martin Road, together with constructing a new road, including certain roundabouts, now referred to collectively as Martin Parkway, between Pontiac Trail and Oakley Park Road and described in the legal description attached hereto and made a part hereof by reference as **Exhibit A** (“Martin Parkway”) as part of a larger adjacent economic development project owned by the DDA and contemplated to be developed and sold to developers (the “DDA Development Project”); and

Whereas, the DDA has conveyed highway easements to the Township; and

Whereas, the Township wishes to dedicate highway easements for Martin Parkway (including such improved portion of Martin Road) to the RCOC, as a public road; and

Whereas, the RCOC, the DDA and the Township have negotiated certain maintenance rights and obligations for Martin Parkway and the RCOC, prior to acceptance of the subject dedication, requires that the Township agree to maintain (or cause to be maintained) certain features within the Martin Parkway highway easement area. .

Whereas, the DDA, simultaneously with the execution and delivery of this Agreement, is agreeing to also be bound by the rights and obligations of the Township for maintenance of Martin Parkway, and the DDA has further agreed to encumber portions of the DDA Development Project area (and all future owners of land within the DDA Development Project) with the continued right and obligation for such maintenance in perpetuity.

NOW THEREFORE it is agreed by the parties hereto that the Township (and the DDA and its successors and assigns) shall be responsible for the following maintenance activities:

- 1) Installation and maintenance of all trees, shrubbery and other landscaping features within the area of the roundabouts, including all necessary watering responsibilities; and removal of same, if necessary.
- 2) Mowing of the median of Martin Parkway and any necessary swath mowing for sight distance.
- 3) Payment of all maintenance costs associated with street lighting at the roundabouts, including the cost of electricity; except that RCOC will be responsible for the electricity costs for the lighting at the roundabout at Pontiac Trail and M-5 / Martin Parkway and at the first roundabout immediately north on Martin Parkway.
- 4) Maintenance of the stone facade, railing and other decorative features on and along the bridge portion of Martin Parkway.
- 5) Maintenance of all non-motorized facilities that are located within the Martin Parkway highway easement area.
- 6) Storm water drainage from the periphery of the Martin Parkway easement area, to existing offsite detention or drainage basins constructed in connection with the overall storm water management system for the DDA Development Project.

The Township and DDA and future owners of the DDA Development Project shall have the right to enter upon the Martin Parkway highway easement area, to complete their maintenance obligations hereunder. Further, the Township (and the DDA and future owners of the DDA Development Project) shall have the right in the future, with notice to RCOC, to return Martin Parkway and its improvements and infrastructure to the then current RCOC standards of construction and maintenance, and thereupon be relieved of further obligations for maintenance, as otherwise provided hereunder.

All maintenance activities above described shall be performed pursuant to RCOC issued permit.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement effective as of the date first indicated above.

SIGNATURE PAGES FOLLOW

**ROAD COMMISSION FOR OAKLAND
COUNTY**

By: _____

Its: _____

STATE OF MICHIGAN)
)ss.
COUNTY OF OAKLAND)

The foregoing document was acknowledged before me by _____, the
_____ of the Road Commission for Oakland County, on _____,
2011.

Notary Public
_____ County, Michigan
My commission expires: _____
Acting in _____ County

CHARTER TOWNSHIP OF COMMERCE

By: Thomas K. Zoner
Its: TOWNSHIP Supervisor

STATE OF MICHIGAN)
) ss
COUNTY OF OAKLAND)

The foregoing document was acknowledged before me by Thomas K. Zoner,
the Supervisor of the Charter Township of Commerce on October 26,
2011.

VANESSA MAGNER
Notary Public, State of Michigan
County of Oakland
My Commission Expires Jun. 08, 2016
Acting in the County of

Vanessa Magner
Notary Public
Oakland County, Michigan
My Commission Expires: June 8, 2016
Acting in Oakland County

**Assumption Agreement
Martin Parkway Maintenance Agreement**

The Charter Township of Commerce (Assignor), whose address is 2009 Township Drive, Commerce Township, Michigan 48390 for valuable consideration, the receipt and sufficiency of which is acknowledged, transfers and assigns to The Commerce Township Downtown Development Authority (Assignee), a Michigan Public Corporation whose address is 2009 Township Drive, Commerce Township, Michigan 48390 all those rights and obligations attributable to Assignor and relating to maintenance of Martin Parkway as described in attached Exhibit A (Martin Parkway Maintenance Agreement).

Assignee accepts the assignment of the rights and maintenance obligations with respect to Martin Parkway and assumes and agrees to perform all of the obligations of Assignor as required under the Martin Parkway Maintenance Agreement (Exhibit A) on and after the date of this Agreement.

CHARTER TOWNSHIP OF COMMERCE

By: Thomas K Zoner
Its: TOWNSHIP SUPERVISOR

STATE OF MICHIGAN)
) ss
COUNTY OF OAKLAND)

The foregoing document was acknowledged before me by Thomas Zoner,
the Township of the Charter Township of Commerce on October 31, 2011,
2011. Supervisor

VANESSA MAGNER Notary Public, State of Michigan County of Oakland My Commission Expires Jun. 08, 2016 Acting in the County of

Vanessa Wagner
Notary Public
Oakland County, Michigan
My Commission Expires: June 8, 2016
Acting in Oakland County

COMMERCE TOWNSHIP DOWNTOWN
DEVELOPMENT AUTHORITY,
a public body corporate

By: James C. Gott
Its: Chairman

STATE OF MICHIGAN)
)ss.
COUNTY OF OAKLAND)

The foregoing document was acknowledged before me by James Gott the
Chairman of Commerce Township Downtown Development Authority, a public body
corporate, on November 1, 2011.

Vanessa Wagner

Notary Public, Oakland County, Michigan
My commission expires: June 8, 2016
Acting in Oakland County

VANESSA MAGNER Notary Public, State of Michigan County of Oakland My Commission Expires Jun. 08, 2016 Acting in the County of _____

MEMORANDUM AGREEMENT

Parties: The Charter Township of Commerce
The Commerce Township Downtown Development Authority

Date: October 25, 2011

Re: Commerce Township Advances to Pay DDA Obligations

The Commerce Township Downtown Development Authority (“DDA”) is currently operating under the FIFTH AMENDED DEVELOPMENT PLAN AND TAX INCREMENT FINANCING PLAN FOR DEVELOPMENT AREA NO. 1 dated August 2, 2006 (the “Plan”). The Charter Township of Commerce (“Township”) adopted the Plan as well as all prior plans by ordinance, as provided by Act 197, Public Acts of Michigan of 1975 (the “DDA Act”). The Plan provides that the DDA will undertake a number of projects, including but not limited to land and building acquisitions, site development, road and utility infrastructure development, and wetland and open space preservation (the “Projects”).

At the request of the DDA, the Township issued several downtown development bonds as provided in Section 16(1) and other relevant provisions of the DDA Act to finance the DDA’s Project activities as described in the Plan (the “Bonds”). The DDA has used a portion of the bond proceeds to acquire and improve a number of developable parcels of land within the downtown district and to develop related infrastructure improvements. The Bonds are secured by tax increment revenues (“TIF”) captured by the DDA under the Plans, together with revenue generated from the sale of land acquired by the DDA. The DDA anticipates that future development of these parcels will generate additional TIF.

The Bonds are additionally backed by the limited tax general obligation and full faith and credit of the Township. “Bond Authorizing Resolutions” approved by both the Township and DDA, as well as “Project Financing Agreements” for each of the Bonds, acknowledge that the Township might be called upon to advance funds to or on behalf of the DDA for Bond payments (or reimbursement payments to issuers of letters of credit securing the Bonds) and for other DDA Project obligations.

The deterioration in the real estate market as well as a general downturn in the economic climate which has existed over the past few years has delayed the ability of the DDA to sell the Project property. The lack of sale and development of such properties has delayed the creation of tax base adequate to provide TIF to meet the current and potential future Bond payments and other DDA obligations. Consequently, the Township has had to advance funds from its general fund to cover such DDA expenses from time to time (the “Advances”).

As provided in the Bond Authorizing Resolutions and Project Financing Agreements, the DDA shall reimburse the Township for all of these Advances. The reimbursements will be funded from available TIF revenues, when and as such revenues are collected during the period of repayment of the Bonds, from revenue from the sale of the DDA’s properties, and from

additional TIF generated by development of additional tax base on the developed properties. The timing and procedures for these reimbursements shall be mutually agreeable between the parties, and shall be so structured so as to comply with the DDA Act, the Plan, the requirements of the Bonds and all applicable municipal finance requirements. Each advance by the Township shall be documented by the execution of a memorandum in the form attached as Exhibit A by the Township and the DDA.

This Memorandum Agreement ("Agreement") confirms the DDA's obligation to reimburse any and all advances made by the Township to satisfy any and all obligations of the DDA under the Bonds and/or otherwise as provided in the Plans. The Agreement does not alter any of the terms or obligations set forth by any of the Bond documents or the Plan. To the extent that anything contained in this Agreement conflicts with the terms of the Bond documents or the Plan, the terms of such Bond documents or Plan shall control.

In witness whereof, the Township and the DDA have executed this Memorandum Agreement effective January 1, 2011.

CHARTER TOWNSHIP OF COMMERCE

Dated: 10-31-11

By: Thomas K. Zoner
Thomas K. Zoner
Its: Supervisor

COMMERCE TOWNSHIP DOWNTOWN
DEVELOPMENT AUTHORITY

Dated: 11-1-11

By: James Gotts
James Gotts
Its: Chairperson

Dated: 10/31/11

By: Daniel P. Munro
Daniel P. Munro
Its: Secretary

EXHIBIT A

REIMBURSEMENT MEMORANDUM
Charter Township of Commerce and
Commerce Township Downtown Development Authority

Date of cash advance to
or for the account of DDA: _____

Amount of cash advance: _____

Related Bond issue: _____

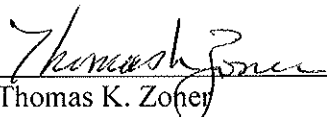
Rate of Interest (if any): _____

Account/Ledger number: _____

Date advance approved by Township Board: _____

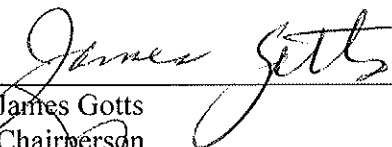
CHARTER TOWNSHIP OF COMMERCE

Dated: 10-31-11

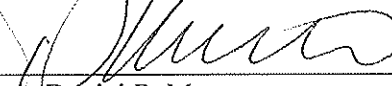
By: 
Thomas K. Zohet
Its: Supervisor

COMMERCE TOWNSHIP DOWNTOWN
DEVELOPMENT AUTHORITY

Dated: 11-1-11

By: 
James Gotts
Its: Chairperson

Dated: 10-31-11

By: 
Daniel P. Munro
Its: Secretary

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