

**CHARTER TOWNSHIP OF COMMERCE
DOWNTOWN DEVELOPMENT AUTHORITY**

Tuesday, February 15, 2011

Commerce Township Hall

2009 Township Drive

Commerce Township, MI 48390

12:00 p.m.

Call TO ORDER:

The Meeting was called to order by Vice Chairperson Lublin at 12:06 p.m.

Downtown Development Authority:

Present: Kathleen Jackson, DDA Director
Dan Lublin, Vice Chairperson
Mark Stacey, Member
David Smith, Member
Wendy Anderson, Member
Jose Mirkin, Member
Thomas Zoner, Supervisor

Absent: Jim Gotts, Chairperson
Christin Skikun, Member
Patrick Dohany, Member

Also Present: Thomas Rauch, DDA Attorney
Matt Schwanitz, Giffels-Webster
Susan Gross, DDA Treasurer
Daniel Munro, DDA Secretary

Item 1: Approval of Minutes

MOTION by Zoner, second by Anderson, to approve the Regular Meeting Minutes of January 18, 2010 meeting as presented.

MOTION CARRIED UNANIMOUSLY

Item 2: Public Comments – None

Item 3: Treasurer's Report for January, 2011

MOTION by Zoner, second by Anderson to receive and file the Treasurer's Report.

MOTION CARRIED UNANIMOUSLY

Item 4: Director's Report

A. Update of Activities – Jackson summarized an update of DDA activities including; meetings with prospective developers, proposed name of the project area, continued work by Giffels and RCOC on the roundabout, and easements. Lublin asked about Beaumont, nothing to report.

Item 5: Attorney's Report – DDA has sold the Liquor License for \$50k. Rauch discussed the process to have the State issue additional DDA district licenses. He requested the Township

Board research the State investment requirements to designate the appropriate number of additional licenses. Rauch is working with Adkison Need to clarify the process.

Grading easement was executed by Kingstowne. Kingstowne residents were complimentary of the work Director Jackson performed in completing the agreement.

Rauch discussed the Town and Country grading easement on the south east corner of the roundabout area. He is working with Ron Reynolds. Rescheduled a meeting with WalMart regarding the pathway easement to convert agreement to WalMart approved documentation.

Lublin asked for clarification on the issuance of liquor licenses.

Stacey also inquired about the placement of licenses.

Zoner asked about the township board responsibilities in regard to the establishment or issuance of the licenses by the State.

Gross inquired about the expiration of the licenses.

Jackson will research and clarify.

Item 6: Engineer's Report – Schwanitz gave an update including; RCOC clarified the requirements for the roundabout. Giffels is on pace for a mid March completion of the design and preparation of bid specifications for April bidding. Schwanitz is projecting a June 1st construction commencement timeframe.

Stacey, Anderson, Lublin asked about the road closure process.

Stacey requested clarification of who is responsible for cost overruns. Zoner confirmed his intention to hold RCOC responsible for cost overruns. Jackson emphasized the importance of the next 2-3 months for 2011 project completion

Stacey inquired about the final steps to complete all Parkway items. Schwanitz discussed final steps.

Item 7: Committee Reports

- A. Finance Committee did not meet since last meeting. No update
- B. Public Relations Committee had nothing to report at this time.
- C. Marketing Committee held meetings with developers no specific update at this time.

Item 8: Committee Members

Mirkin discussed his ability to continue participation with the DDA. Mirkin will be unable to attend committee meetings during the day. Discussion ensued.

Jackson requested time to communicate to committee members via email to coordinate members and meeting times.

No action taken

Item 9: Rental Properties

Zoner presented market lease rates to re-emphasize the below market rates set at the January meeting for the DDA owned residential properties.

MOTION by Zoner, second by Stacey establishing the rental rates of the DDA owned residential properties at the following rates; 8670 PGA Drive \$950 per month, and 8645 PGA Drive \$600 per month, and 2300 Welch Rd. \$1,200 per month.

MOTION CARRIED UNANIMOUSLY

MOTION by Zoner, second by Lublin directing Jackson to prepare a legal notification to be sent to current tenants to notify of a lease rate increase effective April 1, 2011.

MOTION CARRIED UNANIMOUSLY

Item 10: Approval of Warrants and Financial Report


MOTION by Zoner, second by Anderson to approve the Warrants/Add-ons and Financial Report as presented.

MOTION CARRIED UNANIMOUSLY

Item 11: Other Matters

None

MOTION by Lublin, second by Anderson to adjourn. Motion carried unanimously. Meeting adjourned at 1:25 p.m.

A handwritten signature in black ink, appearing to read 'Daniel Munro', written in a cursive style.

Daniel Munro, Commerce Township Clerk
DDA Secretary

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

Tuesday, March 8, 2011

2009 Township Drive
Commerce Township, Michigan 48390

CALL TO ORDER: Supervisor Thomas 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
Robert Long, Trustee
Rick Sovel, Trustee

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

Students from Lakeland High School attended.

APPROVAL OF MINUTES

MOTION by Gross, supported by Sovel, to approve the Regular Township Board meeting minutes of February 8, 2011, as submitted.

MOTION CARRIED UNANIMOUSLY

PRESENTATIONS:

None

PETITIONS:

None

ITEM 1:3-8 APPROVAL OF AGENDA

MOTION by Munro, supported by Gross, to approve the Agenda with the addition of moving Item 14 C. to "Public Comments", the addition of Item 12 D. Library Advisory Board Suggestions and Recommendations and Item 6 A. and B. change "Zoning Amendment" to "Code Amendment".

MOTION CARRIED UNANIMOUSLY

ITEM 2:3-8 PUBLIC COMMENTS

Item 14 C. Penalty Waiver Request

Mary Jane Kashat was present to request a penalty waiver. She stated she mailed the deed transfer to the Township via United States Postal Service. After checking with the Township, she discovered the Township did not receive the paperwork. She said she is requesting waiver of the penalty fee due to the negligence of the post office.

MOTION by Munro, supported by Kirkwood, to authorize waiving the penalty fee assessed to Mary Jane Kashat, parcel E-17-33-106-301, 26200 Chesapeake Circle, Commerce Township, Michigan.

MOTION CARRIED UNANIMOUSLY

ITEM 3:3-8 PUBLIC HEARINGS

A. Burnet Road Dust Control Special Assessment District Roll Resolution

Supervisor Thomas Zoner opened the Public Hearing.

No one present had any questions or comments.

Supervisor Thomas Zoner closed the Public Hearing.

MOTION by Gross, supported by Munro, to approve the Resolution Confirming Special Assessment Roll for the Special Assessment District Designated Burnet Road Dust Control Special Assessment District. Resolution Attached.

MOTION CARRIED UNANIMOUSLY

B. Establishment Resolution for Special Projects No. 32

Supervisor Thomas Zoner opened the Public Hearing.

No one present had any questions or comments.

Supervisor Thomas Zoner closed the Public Hearing.

Establishment Resolution for Special Projects No. 32 (continued)

MOTION by Gross, 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 Special Projects No. 32. Resolution Attached.

MOTION CARRIED UNANIMOUSLY

ITEM 4:2-8 BOARD APPOINTMENTS

A. Resignation -- Rick Sovel ZBA

Rick Sovel is resigning from the Zoning Board of Appeals to allow another board member to represent the Township Board of Trustees.

MOTION by Gross, supported by Kirkwood, to accept the resignation letter from Rick Sovel from the Commerce Township Zoning Board of Appeals effective March 8, 2011.

MOTION CARRIED UNANIMOUSLY

B. Appointment -- David Law ZBA -- Term ending November 2012

MOTION by Sovel, supported by Munro, to appoint David Law to the Charter Township of Commerce Zoning Board of Appeals for a term ending November 2012.

MOTION CARRIED UNANIMOUSLY

C. Appointment -- Patrick Dohany DDA - Term ending March 2014

MOTION by Gross, supported by Kirkwood, to appoint Patrick Dohany to the Charter Township of Commerce Downtown Development Authority for a term ending March 2014.

MOTION CARRIED UNANIMOUSLY

D. Appointment -- Jorge Pacheco ZBA - Term ending March 2013

MOTION by Sovel, supported by Munro, to appoint Jorge Pacheco to the Charter Township of Commerce Zoning Board of Appeals for a term ending March 2013.

MOTION CARRIED UNANIMOUSLY

ITEM 5:3-8 CONTRACT AWARDS AND AGREEMENT

None

ITEM 6:3-8 INTRODUCTIONS

- A. An Ordinance to Amend The Code of Ordinances, Charter Township of Commerce, Oakland County, Michigan to be known as Zoning Code Amendment Ordinance No. 1.012.**

MOTION by Gross, supported by Munro, 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. 1.012. Post and publish according to law. Ordinance attached.

Sovel – questioned why there is a change in the Ordinance. Township Attorneys explained the reasons for the Amendment.

ROLL CALL VOTE:

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

MOTION CARRIED

- B. An Ordinance to Amend the Code of Ordinances, Charter Township of Commerce, Oakland County, Michigan to be known as Zoning Code Amendment Ordinance No. 1.013.**

MOTION by Gross, supported by Kirkwood, 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. 1.013. Post and publish according to law. Ordinance attached.

ROLL CALL VOTE:

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

MOTION CARRIED

ITEM 7:3-8 ADOPTIONS

- A. An Ordinance to Amend ARTICLE 10, SECTION 10.02, of Zoning Ordinance 3.000, Charter Township of Commerce, Oakland County, Michigan to be known as Zoning Ordinance No. 3.002**

MOTION by Munro, supported by Sovel, to Adopt an Ordinance to Amend ARTICLE 10, SECTION 10.02, of Zoning Ordinance 3.000, Charter Township of Commerce, Oakland County, Michigan to be known as Zoning Amendment Ordinance No. 3.002. Post and publish according to law. Ordinance attached.

MOTION CARRIED UNANIMOUSLY

ITEM 8:3-8 SITE CONDOMINIUMS AND PLATS

None

ITEM 9:3-8 CONSENT AGENDA

- A. Banner Request – St. Mary's Fair
- B. Resolution – Trailway Resolution
- C. Resolution – Tour de Lakes

MOTION by Gross, supported by Munro, to approve the Resolution of the Township Board of the Charter Township of Commerce Approving Consent Agenda with the removal of A. Resolution attached.

ROLL CALL VOTE:

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

NAYS:

MOTION CARRIED UNANIMOUSLY

Item A. Banner Request – St. Mary's Fair

MOTION by Munro, supported by Long, to approve the request from Diane Posa, St. Mary's Preparatory, to hang a banner advertising the St. Mary's Polish Country Fair over Union Lake Road near Cooley Lake Road from May 15, 2011 through June 1, 2011.

MOTION CARRIED UNANIMOUSLY

ITEM 10:3-8 PURCHASES

None

ITEM 11:3-8 OLD BUSINESS

None

ITEM 12:3-8 NEW BUSINESS

A. Liquor License Annual Review

Kathleen Jackson, Township Planner explained the Liquor License renewal process.

MOTION by Munro, supported by Gross, to approve the annual Liquor License review.

MOTION CARRIED UNANIMOUSLY

B. Dodge Park No. 5 Paving Project

Supervisor Thomas Zoner explained the project.

MOTION by Munro, supported by Gross, to approve the Dodge Park No. 5 Paving Project and direct the Township Engineers to go out for bids.

MOTION CARRIED UNANIMOUSLY

C. Parks & Recreation Event Budget

Emily England, Director of Senior/Parks and Recreation, explained the budget for the event "Music under the Stars".

MOTION by Munro, supported by Sovel, to recommend the Parks and Recreation Committee allow for a \$15,000 budget for the purpose of a concert in the parks events.

MOTION CARRIED UNANIMOUSLY

Addition to the budget - Emily England requests approval for Wade Trim to apply for grants to repair the bridge at Hickory Glen Park for a fee of \$3,000.00 per grant. After discussion, Emily will provide the Township Board with a breakdown of costs from Wade Trim and to research other alternatives.

Library Advisory Board Suggestions and Recommendations

The Library Advisory Board is requesting a joint meeting with the Township Board of Trustees. They are asking to be on the April 26, 2011 Discussion Meeting agenda. Zoner directed Sovel to coordinate with Library Advisory Board for a joint meeting on April 26, 2011.

ITEM 13:3-8 ORDERS

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

MOTION CARRIED UNANIMOUSLY

ITEM 14:3-8 OTHER MATTERS

A. AFSCME – Part Time Ordinance Enforcement

Supervisor Thomas Zoner stated he received positive feedback from AFSCME for a part time Ordinance Enforcement Officer. No action taken.

B. AFSCME – Restoration of pension benefits

To be discussed under Executive Session.

C. Penalty Waiver request

Gross – Advised the Township Board there are no funds remaining in the Flower Fund.

Kirkwood – Does not believe residents should hire someone to snowplow their subdivision when it is the duty of the Road Commission for Oakland County.

Tuesday, March 8, 2011

MOTION by Munro, supported by Gross, to enter into Executive Session for discussing property acquisition and labor negotiations.

ROLL CALL VOTE:

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

NAYS:

MOTION CARRIED UNANIMOUSLY

Recess 8:35pm

ITEM 15:3-8 EXECUTIVE SESSION 8:45pm

A. Discuss Property Acquisition

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

Return from Executive Session 9:13pm

MOTION by Sovel, supported by Gross, to resume pension contributions of 13% for current AFSCME employees effective March 13, 2011.

ROLL CALL VOTE:

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

NAYS: Long

MOTION by Sovel, supported by Gross, to limit the cost of an increase in Health Care Premium contributions to 50% for currently enrolled Township employees.

ROLL CALL VOTE:

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

NAYS: Long

ITEM 16:3-8 ADJOURNMENT

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

MOTION by Munro, supported by Gross, to adjourn at 9:18 p.m.

MOTION CARRIED UNANIMOUSLY


Daniel P. Munro, Clerk
Charter Township of Commerce

**RESOLUTION CONFIRMING SPECIAL ASSESSMENT ROLL FOR
THE SPECIAL ASSESSMENT DISTRICT DESIGNATED
BURNET ROAD DUST CONTROL SPECIAL ASSESSMENT DISTRICT**

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 8th day of March, 2011, 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 Daniel Munro.

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 the payment of expenses, fees and charges related to the dust control maintenance of Burnet Road, 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 Burnet Road Dust Control Special Assessment District ("Exhibit A"), 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 8th day of March, 2011, at 7:00 p.m. at the Township offices.

NOW, THEREFORE, BE IT RESOLVED THAT:

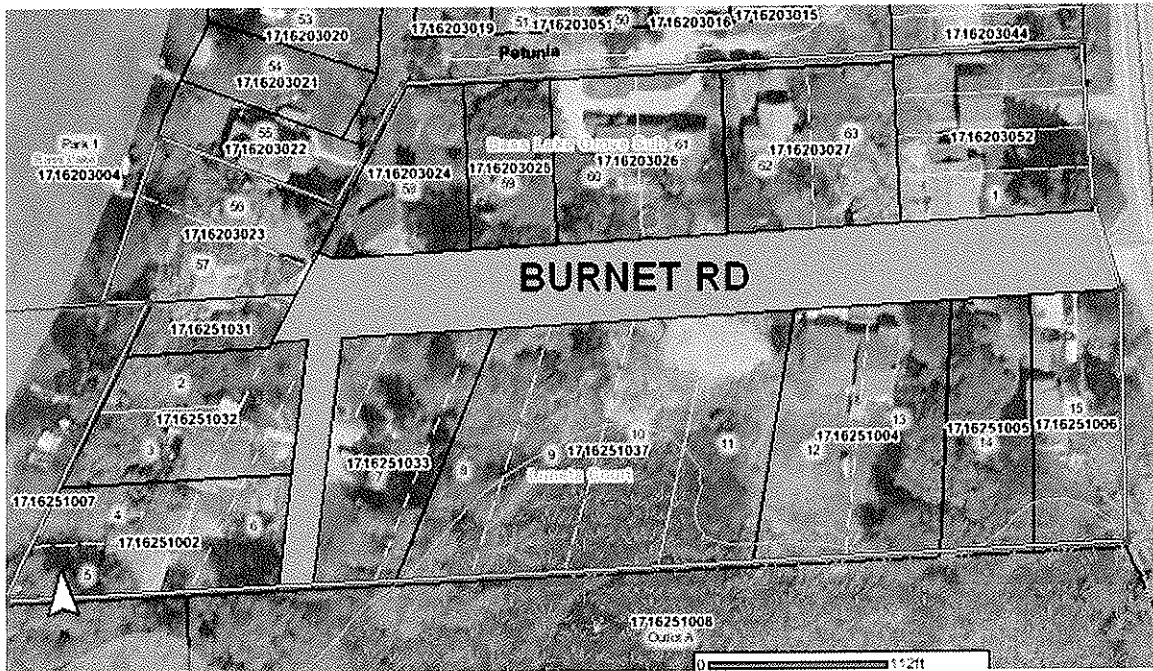
1. Payment of Project Costs. Project costs shall be paid with funds advanced from the Township Improvement Revolving Fund.
2. Roll Filed. The Township Board acknowledges that the Township Supervisor has filed the proposed Special Assessment Roll for the Burnet Road Dust Control Special Assessment District (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 annual installments, with the first installment due on or before December 1, 2011. Each subsequent installment shall be due at intervals 12 months from the due date of the first 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 8th day of March, 2011, 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

EXHIBIT A

Parcel Nos.

17-16-203-023	17-16-203-027	17-16-251-005	17-16-251-033
17-16-203-024	17-16-203-052	17-16-251-006	17-16-251-037
17-16-203-025	17-16-251-002	17-16-251-031	
17-16-203-026	17-16-251-004	17-16-251-032	

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



= Proposed SAD Boundary
 = Road area for dust control

Legal Description:

Bass Lake Grove
Lots 1-4 & 56-63

Luneta Court Sub
Lots 1-15

Single Year

Burnett Dust Control 12/1/2010

Total Lineal Feet	640
Cost per foot	<u>0.32</u>
	\$ 204.80
Administration Fee 5%	<u>\$ 10.24</u>
	\$ 215.04 Total cost per year
14 units to be assessed	\$ 15.36 per unit

To late to bill for 2011 so the De Tax bill will be twice the yearly amount.

Total to be assessed for 2011 and 2012 = \$ 30.72

**THE QUARTER TOWNSHIP OF COMMERCE
BURNET ROAD DUST CONTROL S.A.D. ROLL**

DATE APPROVED

PROPERTY DESCRIPTION	LEGAL DESCRIPTION	AMOUNT CERTIFIED
17-16-203-023 Rosemary Larkin M/A: 4001 Burnet Rd Commerce Township MI 48382-1837 P/A: 4001 Burnet Rd Commerce Township MI 48382-1837	BASS LAKE GROVE SUB LOTS 56 & 57	\$30.72
17-16-203-024 Robert B Cousineau M/A: 4005 Burnet Rd Commerce Twp MI 48382-1837 P/A: 4005 Burnet Rd Commerce Twp MI 48382-1837	BASS LAKE GROVE SUB LOT 58	\$30.72
17-16-203-025 Douglas Miller & Donna Miller M/A: 1730 Burnet Rd Commerce Township MI 48382-1834 P/A: 1730 Burnet Rd Commerce Township MI 48382-1834	BASS LAKE GROVE SUB LOT 59	\$30.72
17-16-203-026 Douglas C Jorgensen & Susan Jorgensen M/A: 1726 Burnet Rd Commerce Township MI 48382-1834 P/A: 1726 Burnet Rd Commerce Township MI 48382-1834	BASS LAKE GROVE SUB LOTS 60 & 61	\$30.72

THE TARTER TOWNSHIP OF COMMERCE
 BURNET ROAD DUST CONTROL S.A.D. ROLL

DATE APPROVED

PROPERTY DESCRIPTION	LEGAL DESCRIPTION	
17-16-203-027 Richard E Sekmistrz M/A: 1715 Burnet Rd Commerce Township MI 48382-1839 P/A: 1715 Burnet Rd Commerce Township MI 48382-1839	BASS LAKE GROVE SUB LOTS 62 & 63	\$30.72
17-16-203-052 Roy H Johnson & Donna Rae Johnson M/A: 2422 Terry Wolverine Lake MI 48390 P/A: 1708 Burnet Rd Commerce Township MI 48382-1834	BASS LAKE GROVE SUB LOTS 1 TO 4 INCL	\$30.72
17-16-251-002 Michael Giordano M/A: 3951 Burnet Rd Commerce Township MI 48382-1838 P/A: 3951 Burnet Rd Commerce Township MI 48382-1838	LUNETTA COURT LOTS 4 & 5, ALSO PART OF VAC ALLEY & PART OF LOT 6 DESC AS	\$30.72
17-16-251-004 Eric J Rodriguez M/A: 1711 Burnet Rd Commerce Township MI 48382-1839 P/A: 1711 Burnet Rd Commerce Township MI 48382-1839	LUNETTA COURT LOTS 12 & 13	\$30.72

THE TARTER TOWNSHIP OF COMMERCE
 BURNET ROAD DUST CONTROL S.A.D. ROLL

DATE APPROVED

PROPERTY DESCRIPTION	LEGAL DESCRIPTION	
17-16-251-005 Helen I Bartlett & Charles Bartlett M/A: 1290 Thurston St Walled Lake MI 48390-1951 P/A: 1707 Burnet Rd Commerce Township MI 48382-1839	LUNETTA COURT LOT 14	\$30.72
17-16-251-006 Jason Coulter & George M Rodman M/A: 1703 Burnet Rd Commerce Township MI 48382-1839 P/A: 1703 Burnet Rd Commerce Township MI 48382-1839	LUNETTA COURT LOT 15	\$30.72
17-16-251-031 Rosemary Larkin M/A: 4001 Burnet Rd Commerce Twp MI 48382-1837 P/A: 4001 Burnet Rd Commerce Twp MI 48382-1837	LUNETTA COURT LOT 1	\$30.72
17-16-251-032 James F Carpenter & Penni A Carpenter M/A: 3965 Burnet Rd Commerce Township MI 48382-1838 P/A: 3965 Burnet Rd Commerce Township MI 48382-1838	LUNETTA COURT LOTS 2 & 3, ALSO ALL OF VAC ALLEY ADJ TO SAME, ALSO THAT PART OF LOT 6	\$30.72

THE QUARTER TOWNSHIP OF COMMERCE
 BURNET ROAD DUST CONTROL S.A.D. ROLL

DATE APPROVED

PROPERTY DESCRIPTION	LEGAL DESCRIPTION	
17-16-251-033 James F Carpenter M/A: 3965 Burnet Rd Commerce Twp MI 48382 P/A: 3965 Burnet Rd Commerce Twp MI 48382	LUNETTA COURT THAT PART OF LOTS 6 & 7 LYING ELY OF RELOCATED ALLEY, ALSO WLY 15 FT OF LOT 8	\$30.72
17-16-251-037 Patrick Brinker M/A: 4001 Burnet Rd Commerce Twp MI 48382-1837 P/A: 4001 Burnet Rd Commerce Twp MI 48382-1837	LUNETTA COURT LOT 8 EXC W 15 FT, ALSO ALL OF LOTS 9, 10 & 11	\$30.72
TOTAL		\$430.08

SEARCHED
3-16-11 ESW

**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
*Special Projects No. 32***

At the regular meeting of the Township Board of the Charter Township of Commerce, County of Oakland, Michigan, held on the 8th day of March, 2011 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 Daniel Munro.

WHEREAS, the Township Board of the Charter Township of Commerce, Oakland County, Michigan, has tentatively declared its intention to finance capital and other miscellaneous charges related to the connection to the public sewer system, 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 8th day of March, 2011, at 7:00 p.m. for the purpose of receiving comments regarding the improvements and the Special Assessment District to be established therefor;

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 capital and other miscellaneous charges related to the connection to the public sewer system 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 \$81,675.12. The aggregate of all such costs will be spread against the Special Assessment District hereby established.
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 as "*Special Projects No. 32.*" It includes the property described in "Exhibit A" attached hereto.
5. The term of the Special Assessment District shall end on December 31, 2020, 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 12th day of April, 2011, 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 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 8th day of March, 2011.

CHARTER TOWNSHIP OF COMMERCE



DANIEL MUNRO, Clerk
Dated March 9, 2011

EXHIBIT A

Parcel Nos.

17-10-302-013
17-11-430-009
17-11-430-012
17-12-351-019
17-12-351-028
17-25-126-125
17-28-452-002