

**CHARTER TOWNSHIP OF YPSILANTI
MINUTES OF THE OCTOBER 28, 2013 REGULAR MEETING**

The meeting was called to order by Supervisor Brenda L. Stumbo, at approximately 7:00 p.m. in the Ypsilanti Township Civic Center Board Room, 7200 S. Huron River Drive, Ypsilanti Township. The Pledge of Allegiance was recited and a moment of silent prayer was observed.

Members Present: Supervisor Brenda L. Stumbo, Clerk Karen Lovejoy Roe, Treasurer Larry Doe, Trustees Stan Eldridge, Jean Hall Currie, Mike Martin and Scott Martin

Members Absent: None

Legal Counsel: Wm. Douglas Winters

PUBLIC HEARING

A. 7:00 P.M. REQUEST OF INTERCLEAN EQUIPMENT, INC. , LOCATED AT 709 JAMES L. HART PARKWAY IN YPSILANTI TOWNSHIP FOR AN INDUSTRIAL FACILITIES EXEMPTION CERTIFICATE – RESOLUTION NO. 2013-29 (PUBLIC HEARING SET AT THE OCTOBER 14, 2013 REGULAR MEETING)

The public hearing opened at 7:03 p.m.

David Newhouse, President, Interclean Equipment, Inc. gave a detailed presentation about the business. He explained that Interclean Equipment designed and manufactured equipment to wash large vehicles and other type of machinery.

JoAnn McCollum, Township Resident welcomed Interclean Equipment, Inc. to Ypsilanti Township and questioned the types of cleaning chemicals the company used that were being washed into the drains.

Mr. Newhouse reiterated that his company designed and manufactured the equipment to be sold and no chemicals were used when testing their products.

The public hearing closed at 7:10 p.m.

Supervisor Stumbo questioned why the request was for only two-year abatement.

Mr. Newhouse explained he was new to the abatement process but would request additional years if that was a possibility.

Supervisor Stumbo said she would support an abatement for a five-year period.

Clerk Lovejoy Roe read the resolution, amending the length of the abatement to five years. She said the application and agreement would also need to be revised to reflect the change.

A motion was made by Clerk Lovejoy Roe, seconded by Treasurer Doe to approve Resolution No. 2013-29 – Interclean Equipment, Inc. IFT as amended (see attached). The motion carried unanimously.

PUBLIC COMMENTS

JoAnn McCollum, Township Resident thanked the Board for their hard work regarding the AAATA proposal and she said she was surprised at the rejection of the Ann Arbor City Council.

Supervisor Stumbo explained the proposal was tabled but the AAATA Board was expected to take action at their November 14, 2013 meeting.

CONSENT AGENDA

- A. MINUTES OF THE OCTOBER 14, 2013 WORK SESSION AND REGULAR MEETING**
- B. STATEMENTS AND CHECKS**
- C. SEPTEMBER 2013 TREASURER'S REPORT**
- D. 2014 CONTRACTS AND RENEWALS**
- E. RESOLUTION NO. 2013-31 - DESIGNATION OF DEPOSITORIES**
- F. RESOLUTION NO. 2013-32 – DESIGNATION OF NEWSPAPER OF CIRCULATION**
- G. RESOLUTION NO. 2013-33 – ADOPTION OF ROBERT'S RULES OF ORDER**
- H. RESOLUTION NO. 2013-34 – ADOPTION OF 2014 WORK SESSION AND BOARD MEETING DATES**

A motion was made by Treasurer Doe, supported by Clerk Lovejoy Roe to approve the Consent Agenda (see-attached resolutions). The motion carried with Trustee Eldridge voting no.

SUPERVISOR REPORT

Supervisor Stumbo stated, at the request of the Board, Jeff Castro, YCUA Director was present to provide an update on fire hydrant maintenance. She also stated Mr. Castro was one of five professionals in the State of Michigan selected by the Detroit Water Department to review and make recommendations regarding the water department.

Mr. Castro stated that YCUA had 3000 hydrants, which required winterization. He provided a brief overview of the hydrant maintenance and the winterization process. Mr. Castro explained it did sometimes result in some murky water and/or vibration but in the future, businesses would be notified prior to the maintenance work.

Arloa Kaiser, Township Resident said her place of business had experienced a lot of vibration and a small leak during the process but it was taken care of it.

Bob Fry, YCUA Director of Service Operations briefly described the process they followed. He said the cost for preventative maintenance and the winterization of the hydrants was absorbed by YCUA.

Supervisor Stumbo expressed her thanks to YCUA for their assistance in clearing a blocked sewer main at Ford Lake Park. She said the blockage had the potential of causing a serious environmental situation, as well as major damage to the pump station. Supervisor Stumbo said the main was now scheduled for inspection every two years.

CLERK REPORT

Clerk Lovejoy Roe stated her report was given at the Work Session.

NEW BUSINESS

- 1. REQUEST PAYMENT AUTHORIZATION TO HABITAT FOR HUMANITY FOR PURCHASE OF 1330 PARKWOOD, 1360 PARKWOOD AND 1062 HAWTHORNE IN THE AMOUNT OF \$80,000, BUDGETED IN LINE ITEM #101.950.000.969.010, CONTINGENT UPON BUDGET AMENDMENT APPROVAL OF \$20,000**

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A motion was made by Treasurer Doe, supported by Trustee Mike Martin to authorize payment to Habitat For Humanity for purchase of 1360 Parkwood and 1062 Hawthorne in the amount of \$60,000.

Rob Nissley, Habitat for Humanity Director expressed his appreciation for the unique partnership between Habitat and Ypsilanti Township and their efforts to stabilize township neighborhoods. He stated, in the past five years, 50 homes were renovated and six of those homes would be sold to Habitat families by the end of the year. Mr. Nissley said because of the Board's proactive approach, Habitat was able to acquire ten tax-foreclosed properties and recently purchased the first property through HUD's First Look program.

Supervisor Stumbo said the Board was also grateful for the partnership and to Habitat for Humanity for the work that they had done.

The motion carried unanimously.

2. REQUEST OF YPSILANTI AREA CONVENTION & VISITORS BUREAU FOR \$2,500 CONTRIBUTION TOWARD COST OF BECKETT & RADER PROPOSAL FOR WAYFINDING AND SIGNAGE PLAN AND DESIGN SERVICES, BUDGETED IN LINE ITEM #101.956.000.801.000

A motion was made by Clerk Lovejoy Roe, supported by Trustee Mike Martin to approve the request of Ypsilanti Area Convention & Visitors Bureau for a \$2,500 contribution toward the cost of the Beckett & Rader proposal for Wayfinding and Signage Plan and Design Services, budgeted in line item #101.956.000.801.000. The motion carried unanimously.

3. RESOLUTION NO. 2013-30 – OWNER DAM SAFETY PROGRAM

Clerk Lovejoy Roe read the resolution into the record.

A motion was made by Clerk Lovejoy Roe, supported by Trustee Scott Martin to approve Resolution No. 2013-30 – Owner Dam Safety Program (see attached). The motion carried unanimously.

4. BUDGET AMENDMENT #15

Clerk Lovejoy Roe read the budget amendment into the record.

A motion was made by Clerk Lovejoy Roe, supported by Trustee Hall Currie to approve Budget Amendment #15 (see attached). The motion carried unanimously.

5. SET PUBLIC HEARING DATE OF MONDAY, NOVEMBER 25, 2013 APPROXIMATELY 7:00 P.M. FOR 2014 FISCAL YEAR BUDGET

A motion was made by Clerk Lovejoy Roe, supported by Treasurer Doe to set a public hearing date of Monday, November 25, 2013 approximately 7:00 p.m. for the 2014 Fiscal Year Budget. The motion carried unanimously.

OTHER BUSINESS

1. DTE ENERGY STREET LIGHTING AGREEMENT FOR CONVERSION OF 55, 175W MERCURY VAPOR LIGHTS TO 65W, LED LIGHTS IN THE WEST WILLOW SUBDIVISION IN THE AMOUNT OF \$7,150, BUDGETED IN LINE ITEM #101.956.000.926.000

A motion was made by Treasurer Doe, supported by Clerk Lovejoy Roe to approve the DTE Energy Street Lighting Agreement for the conversion of 55, 175w Mercury Vapor lights to 65w, LED lights in the West Willow Subdivision in the amount of \$7,150, budgeted in line item #101.956.000.926.000, to authorize signing of the agreement and to send a postcard regarding the conversion to the affected residents (see attached). The motion carried unanimously.

Supervisor Stumbo explained the streetlight upgrade and the repair of the underground system would take some time and it was important to make the residents aware of what was being done and the length of time it would take to complete the project.

AUTHORIZATIONS AND BIDS

- 1. REQUEST OF JEFF ALLEN, RSD DIRECTOR FOR AUTHORIZATION TO PURCHASE NEW VEHICLES THROUGH THE STATE OF MICHIGAN PURCHASING PLAN, NOT TO EXCEED \$180,000, BUDGETED IN LINE ITEM #595.595.000.985.000, CONTINGENT UPON BUDGET AMENDMENT APPROVAL**

A motion was made by Trustee Hall Currie, supported by Clerk Lovejoy Roe to approve the purchase of new vehicles through the State of Michigan Purchasing Plan, not to exceed \$180,000, budgeted in line item #595.595.000.985.000. The motion carried unanimously.

- 2. REQUEST OF JEFF ALLEN, RSD DIRECTOR FOR AUTHORIZATION TO SELL USED VEHICLES AND EQUIPMENT USING ON-LINE AUCTION SITE, INTERACTIVE PROCUREMENT TECHNOLOGIES**

A motion was made by Treasurer Doe, supported by Clerk Lovejoy Roe to authorize selling of used vehicles and equipment using an on-line auction site, Interactive Procurement Technologies. The motion carried unanimously.

- 3. REQUEST OF JEFF ALLEN, RSD DIRECTOR FOR AUTHORIZATION TO OBTAIN COST FOR A CONSTRUCTION OFFICE TYPE BUILDING TO REPLACE EXISTING TRAILER AT COMPOST SITE WITH AMOUNT BROUGHT TO THE BOARD AT THE NEXT MEETING**

A motion was made by Clerk Lovejoy Roe, supported by Trustee Hall Currie to approve obtaining cost for a construction office type building to replace existing trailer at compost site with amount brought to the Board at the next meeting. The motion carried unanimously.

- 4. REQUEST OF JEFF ALLEN, RSD DIRECTOR FOR AUTHORIZATION TO SEEK SEALED BIDS FOR THE PURCHASE AND INSTALLATION OF SECURITY CAMERA SYSTEM FOR TOWNSHIP BUILDINGS IN THE AMOUNT OF \$100,000 TO BE COMPLETED IN TWO PHASES, WITH \$50,000 BUDGETED IN 2013, IN LINE ITEM #101.265.000.974.025**

A motion was made by Trustee Hall Currie, supported by Treasurer Doe to approve seeking sealed bids for the purchase and installation of a security camera system for Township buildings in the amount of \$100,000 to be completed in two phases, with \$50,000 budgeted in 2013, in line item #101.265.000.974.025. The motion carried unanimously.

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ADJOURNMENT

A motion was made by Clerk Lovejoy Roe, supported by Treasurer Doe to adjourn the meeting. The motion carried unanimously.

The meeting adjourned at approximately 7:45 p.m.

Respectfully submitted,

Brenda L. Stumbo, Supervisor
Charter Township of Ypsilanti

Karen Lovejoy Roe, Clerk
Charter Township of Ypsilanti

Application for Industrial Facilities Tax Exemption Certificate

Issued under authority of Public Act 198 of 1974, as amended. Filing is mandatory.

INSTRUCTIONS: File the original and two copies of this form and the required attachments (three complete sets) with the clerk of the local government unit. The State Tax Commission (STC) requires two complete sets (one original and one copy). One copy is retained by the clerk. If you have any questions regarding the completion of this form or would like to request an informational packet, call (517) 373-2408.

To be completed by Clerk of Local Government Unit	
Signature of Clerk <i>Aaren J. Murphy Kap</i>	Date received by Local Unit 09-25-2013
STC Use Only	
Application Number	Date Received by STC

APPLICANT INFORMATION
All boxes must be completed.

1a. Company Name (Applicant must be the occupant/operator of the facility) Interclean Equipment Inc.	1b. Standard Industrial Classification (SIC) Code - Sec. 2(10) (4 or 6 Digit Code) 33319	
1c. Facility Address (City, State, ZIP Code) (real and/or personal property location) 709 James L. Hart Parkway	1d. City/Township/Village (Indicate which) Ypsilanti	1e. County Washtenaw
2. Type of Approval Requested <input checked="" type="checkbox"/> New (Sec. 2(4)) <input type="checkbox"/> Transfer (1 copy only) <input type="checkbox"/> Speculative Building (Sec. 3(8)) <input type="checkbox"/> Rehabilitation (Sec. 3(1)) <input type="checkbox"/> Research and Development (Sec. 2(9))	3a. School District where facility is located Ypsilanti	3b. School Code 81020
	4. Amount of years requested for exemption (1-12 Years) 5	

5. Per section 5, the application shall contain or be accompanied by a general description of the facility and a general description of the proposed use of the facility, the general nature and extent of the restoration, replacement, or construction to be undertaken, a descriptive list of the equipment that will be part of the facility. Attach additional page(s) if more room is needed.

Facility is leased for the normal business day to day operations and manufacturing and design of heavy duty wash equipment. The warehouse area was renovated to include more office space. See attached description of property.

6a. Cost of land and building improvements (excluding cost of land).....	▶ \$178,804.98
* Attach list of improvements and associated costs.	
* Also attach a copy of building permit if project has already begun.	
6b. Cost of machinery, equipment, furniture and fixtures.....	▶ \$143,875.11
* Attach itemized listing with month, day and year of beginning of installation, plus total	
6c. Total Project Costs.....	▶ \$322,680.09
* Round Costs to Nearest Dollar	

7. Indicate the time schedule for start and finish of construction and equipment installation. Projects must be completed within a two year period of the effective date of the certificate unless otherwise approved by the STC.

	Begin Date (M/D/Y)	End Date (M/D/Y)	
Real Property Improvements ▶	2/1/13	5/31/13	▶ <input checked="" type="checkbox"/> Owned <input type="checkbox"/> Leased
Personal Property Improvements ▶	2/1/13	2/1/15	▶ <input checked="" type="checkbox"/> Owned <input type="checkbox"/> Leased

8. Are State Education Taxes reduced or abated by the Michigan Economic Development Corporation (MEDC)? If yes, applicant must attach a signed MEDC Letter of Commitment to receive this exemption. Yes No

9. No. of existing jobs at this facility that will be retained as a result of this project. 47	10. No. of new jobs at this facility expected to create within 2 years of completion. 5-7
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11. Rehabilitation applications only: Complete a, b and c of this section. You must attach the assessor's statement of SEV for the entire plant rehabilitation district and obsolescence statement for property. The Taxable Value (TV) data below must be as of December 31 of the year prior to the rehabilitation.

a. TV of Real Property (excluding land)	_____
b. TV of Personal Property (excluding inventory)	_____
c. Total TV	_____


12a. Check the type of District the facility is located in:
 Industrial Development District Plant Rehabilitation District

12b. Date district was established by local government unit (contact local unit) 1/1/83	12c. Is this application for a speculative building (Sec. 3(8))? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
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APPLICANT CERTIFICATION - complete all boxes.

The undersigned, authorized officer of the company making this application certifies that, to the best of his/her knowledge, no information contained herein or in the attachments hereto is false in any way and that all are truly descriptive of the industrial property for which this application is being submitted.

It is further certified that the undersigned is familiar with the provisions of P.A. 198 of 1974, as amended, being Sections 207.551 to 207.572, inclusive, of the Michigan Compiled Laws; and to the best of his/her knowledge and belief, (s)he has complied or will be able to comply with all of the requirements thereof which are prerequisite to the approval of the application by the local unit of government and the issuance of an Industrial Facilities Exemption Certificate by the State Tax Commission.

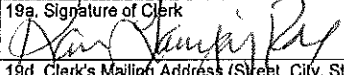
13a. Preparer Name Laura Spears	13b. Telephone Number (734) 961-3300	13c. Fax Number (734) 961-0092	13d. E-mail Address laura.spears@interclean.com
14a. Name of Contact Person Laura Spears	14b. Telephone Number (734) 961-3300	14c. Fax Number (734) 961-0092	14d. E-mail Address laura.spears@interclean.com
▶ 15a. Name of Company Officer (No Authorized Agents) David Newhouse			
15b. Signature of Company Officer (No Authorized Agents) 		15c. Fax Number (734) 961-0092	15d. Date SEPTEMBER 25, 2013
▶ 15e. Mailing Address (Street, City, State, ZIP Code) 709 James L. Hart Parkway		15f. Telephone Number (734) 961-3300	15g. E-mail Address david.newhouse@interclean.c

LOCAL GOVERNMENT ACTION & CERTIFICATION - complete all boxes.

This section must be completed by the clerk of the local governing unit before submitting application to the State Tax Commission. Check items on file at the Local Unit and those included with the submittal.

▶ 16. Action taken by local government unit <input checked="" type="checkbox"/> Abatement Approved for <u>5</u> Yrs Real (1-12), <u>5</u> Yrs Pers (1-12) After Completion <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Denied (Include Resolution Denying)	16b. The State Tax Commission Requires the following documents be filed for an administratively complete application: Check or Indicate N/A if Not Applicable <input checked="" type="checkbox"/> 1. Original Application plus attachments, and one complete copy <input checked="" type="checkbox"/> 2. Resolution establishing district <input checked="" type="checkbox"/> 3. Resolution approving/denying application. <input checked="" type="checkbox"/> 4. Letter of Agreement (Signed by local unit and applicant) <input checked="" type="checkbox"/> 5. Affidavit of Fees (Signed by local unit and applicant) <input checked="" type="checkbox"/> 6. Building Permit for real improvements if project has already begun <input checked="" type="checkbox"/> 7. Equipment List with dates of beginning of installation <input checked="" type="checkbox"/> 8. Form 3222 (if applicable) <input type="checkbox"/> 9. Speculative building resolution and affidavits (if applicable)
16a. Documents Required to be on file with the Local Unit Check or Indicate N/A if Not Applicable <input checked="" type="checkbox"/> 1. Notice to the public prior to hearing establishing a district. <input checked="" type="checkbox"/> 2. Notice to taxing authorities of opportunity for a hearing. <input checked="" type="checkbox"/> 3. List of taxing authorities notified for district and application action. <input checked="" type="checkbox"/> 4. Lease Agreement showing applicants tax liability.	16c. LUCI Code
17. Name of Local Government Body Charter Twp. of Ypsilanti	16d. School Code 81020
	▶ 18. Date of Resolution Approving/Denying this Application October 28, 2013

Attached hereto is an original and one copy of the application and all documents listed in 16b. I also certify that all documents listed in 16a are on file at the local unit for inspection at any time.

19a. Signature of Clerk 	19b. Name of Clerk Karen Lourey-Roe	19c. E-mail Address kloureyrae@ytown.org
19d. Clerk's Mailing Address (Street, City, State, ZIP Code) 7200 S. Huron River Dr. Ypsilanti, MI 48197		
19e. Telephone Number 734. 484. 4700	19f. Fax Number 734. 484. 5156	

State Tax Commission Rule Number 57: Complete applications approved by the local unit and received by the State Tax Commission by October 31 each year will be acted upon by December 31. Applications received after October 31 may be acted upon in the following year.

Local Unit: Mail one original and one copy of the completed application and all required attachments to:

State Tax Commission
Michigan Department of Treasury
P.O. Box 30471
Lansing, MI 48909-7971

(For guaranteed receipt by the STC, it is recommended that applications are sent by certified mail.)

STC USE ONLY				
▶ LUCI Code	▶ Begin Date Real	▶ Begin Date Personal	▶ End Date Real	▶ End Date Personal

AGREEMENT BETWEEN
THE CHARTER TOWNSHIP OF YPSILANTI
AND INTERCLEAN EQUIPMENT INC.

This Agreement ("Agreement") is entered into this 28th day of October, 2013, between the CHARTER TOWNSHIP OF YPSILANTI ("*Township*"), a Michigan municipal corporation, whose address is 7200 South Huron River Drive, Ypsilanti, Michigan 48197-7099, and INTERCLEAN EQUIPMENT INC. ("*INTERCLEAN*"), a duly authorized domestic profit corporation incorporated under the laws of the State of Michigan, whose address is 709 James L. Hart Parkway, Ypsilanti, MI 48197, through their undersigned authorized representatives.

Definitions: As used in this *Agreement*, the term "*Township*" shall mean the CHARTER TOWNSHIP OF YPSILANTI; the term "*INTERCLEAN*" shall mean INTERCLEAN EQUIPMENT INC.; the term "*Certificate*" shall mean the Industrial Facilities Exemption Certificate pursuant to Act 198 of 1974, as amended; the term "*Facility*" shall mean the facility located at 709 James L. Hart Parkway, Ypsilanti Township, Washtenaw County, Michigan 48197; the term "*Act*" shall mean Act 198 of 1974, as amended; and the term "*Application*" shall mean Application for Industrial Facilities Exemption Certificate.

WHEREAS, INTERCLEAN has requested, and following a public hearing on October 28, 2013, the **Township** adopted a resolution approving a **Certificate** pursuant to Act 198 of 1974, as amended; for the **Facility** located at 709 James L. Hart Parkway, Ypsilanti Township, Washtenaw County, Michigan 48197, for a period of five (5) years.

WHEREFORE, the parties hereto agree as follows:

1. **Real and Personal Property Improvements.** **INTERCLEAN** will construct the improvements to the **Real Property** as well as purchase and install the "**Personal Property**," as set forth in the **Application** (a copy of which is attached hereto, labeled **Exhibit A**) within five (5) years of the approval date of the certificate. **INTERCLEAN** shall also attach a copy of the legal description (labeled **Exhibit B**) for the real property which is the subject of this **Agreement**.

2. **Reimbursement of Abated Taxes to the Township and Other Taxing Units.** In the event that **INTERCLEAN** revokes, cancels or relinquishes the **Certificate** prior to the end of the term of the **Certificate** as approved by the State Tax Commission, or in the event **INTERCLEAN** relocates its **Facility** located at 709 James L. Hart Parkway, Ypsilanti Township, Washtenaw County, Michigan 48197, outside of the **Township** prior to the end of the term of the

Certificate and such revocation, cancellation, relinquishment or relocation is effectuated without either (a) the consent of the **Township**, or (b) the approval of the **Township** of a transfer of the **Certificate** by **INTERCLEAN** to a new owner or lessee of the **Facility**, then in such event, **INTERCLEAN** shall be obligated to reimburse the **Township** and all other taxing units affected by said abatement, an amount equal to 100% of the amount of property taxes abated pursuant to the issuance of the **Certificate**.

The reimbursement shall be immediately payable in full by **INTERCLEAN** within 30 days upon receipt of an invoice and demand for reimbursement from the **Township** on behalf of itself and all other taxing units affected by said abatement.

If for any reason **INTERCLEAN** fails to pay the amount of the invoice for abated taxes to the taxing units affected thereby within 30 days of the date of said invoice, **INTERCLEAN** shall be responsible for any additional costs incurred by the **Township** in seeking recovery of said abated taxes, including, but not limited to administrative fees, court costs and actual attorney fees incurred.

3. **Responsibilities of INTERCLEAN EQUIPMENT INC.** If prior to the end of the term of the **Certificate** as issued by the State Tax Commission **INTERCLEAN** chooses to vacate the **Facility**, **INTERCLEAN** agrees to be responsible for the following:

A. **INTERCLEAN** agrees to the cleanup of any environmental contamination which was caused by **INTERCLEAN**, its employees or agents acting within the scope of their agency, which cleanup shall include, but not be limited to, demolition of obsolete property.

B. **INTERCLEAN** shall, if requested by the **Township**, post a surety bond in an amount equal to the unpaid amounts anticipated to be due from **INTERCLEAN** under this **Agreement** as a result of **INTERCLEAN** vacating the **Facility** prior to the term for which the **Certificate** was approved by the State Tax Commission, including, but not limited to, any reasonable cleanup or maintenance costs under this paragraph, including any appropriate administrative fees charged thereto.

C. **INTERCLEAN** shall, during the time period in which this **Certificate** is in effect, prior to filing any petition with the Michigan Tax Tribunal seeking a reduction in the assessment of real or personal property (which property is covered by the **Certificate** herein) shall request a meeting with the Township's full time administrative officials and the Township Assessor in a good faith effort to resolve any dispute, which meeting shall constitute a condition precedent to the filing of a petition in the Michigan Tax Tribunal. It is further agreed by the parties that in the event

INTERCLEAN requests a meeting with the Township to discuss real and/or personal property tax disputes, a meeting shall be held by the parties within 45 days of **INTERCLEAN** making said request.

It is furthermore agreed by the parties that in the event the parties are not successful in resolving the real and/or personal property tax dispute, **INTERCLEAN** shall pay prior to filing a petition with the Michigan Tax Tribunal the all of the real and personal property taxes in dispute pending a final decision from the Michigan Tax Tribunal.

4. **Compliance with Applicable Laws and Regulations.**

INTERCLEAN agrees that it will operate the **Facility** in accordance with all applicable federal, state and local laws and regulations, including, but not limited to, zoning, outside storage, industrial waste disposal, air and water quality, noise control and other environmental regulations.

5. **State Education Tax.** **INTERCLEAN** agrees that during the duration of this **Certificate** as approved by the State Tax Commission that it will not seek an abatement of the State Education Tax pursuant to Public Act 1993, effective March 15, 1994, entitled "**State Education Tax Act**", MCL 211.901 et seq.

6. **Administration Fee.** *INTERCLEAN* agrees to remit to the *Township* during the duration of the *Certificate* as approved by the State Tax Commission the administrative fee provided in section 11(1) of Public Act 198 of 1974, MCL 207.561(1), as amended.

7. **Reporting.** *INTERCLEAN* shall provide in a timely manner, all reports or other information required to be provided to the *Township* pursuant to the *Act*, and such supplemental information as may be reasonably requested by the *Township* in connection therewith, including, but not limited to the following:

A. Balance sheets which list the assets (both current and fixed), liabilities and net worth;

B. Detailed reports which verify all machinery and equipment, furniture, fixtures and special tools from the general ledger.

C. List of locations and their numbers as reflected on your trial balance.

D. Financial statements (Detailed Balance Sheet, Detailed Income Statement with footnotes).

E. Lease agreements in effect for all personal property.

F. Detailed Trial Balance which reflects ending balances for the audit locations.

G. Invoices as selected.

H. General Ledger.

I. Copy of Michigan Single Business Tax Return with supporting schedules.

J. Complete copy of Corporate Federal Income Tax returns including Depreciation Schedules and Attachments.

K. Any other document deemed necessary for completion of a complete audit of all personal property.

8. **Initial Status Report.** *INTERCLEAN* will submit to the **Township Clerk**, not later than January 10th of the second year *INTERCLEAN* occupies the **Facility** , an Initial Status Report, in a form requested by the **Township**, which shall indicate the actual project cost, the estimated project cost, the number of jobs created and projected to be created within the time period described in paragraph 1 of said **Agreement** with an explanation of any variations from what was set forth in the **Application** and the actual costs or actual employment levels achieved.

9. **Annual Status Report.** *INTERCLEAN* further agrees to submit not later than December 31st of each year, beginning one year after submission of the Initial Status Report required by Paragraph 10, an Annual Status Report regarding status of employment in a form requested by the **Township**. If

employment has not equaled or exceeded the numbers set forth in the ***Application***, an explanation for this variance shall be provided by ***INTERCLEAN***.

10. **Fulfillment of Obligations**. In the event that ***INTERCLEAN*** occupies the ***Facility*** for the full term of the ***Certificate*** as approved by the State Tax Commission or in the alternative ***INTERCLEAN*** obtains either (a) the consent of the ***Township*** to relocate its operation prior to the end of the term of the ***Certificate***, or (b) the approval of the ***Township*** to transfer the ***Certificate*** to a new owner or lessee of the ***Facility***, then ***INTERCLEAN*** shall be considered to have fulfilled any and all of its obligations to the ***Township*** pursuant to the ***Certificate*** and this ***Agreement***. Notwithstanding anything else in this ***Agreement***, in the event ***INTERCLEAN*** does not occupy the ***Facility*** or does not receive any tax abatement pursuant to this ***Agreement***, ***INTERCLEAN*** will not be liable for any costs, damages, fees or other amounts or payments of any kind under this ***Agreement***.

11. **Corporate Authority**. The execution, delivery and performance by ***INTERCLEAN*** of this ***Agreement*** has been duly authorized by all necessary corporation action and will not violate its articles of the corporation or its by-laws.

12. **Binding Agreement.** When executed by ***Township*** and ***INTERCLEAN***, this ***Agreement*** shall be a valid and binding obligation of ***INTERCLEAN*** and shall be enforceable against the parties in accordance with its terms herein.

13. **Notices.** Any notice required or permitted to be given or served upon any party hereto in connection with this ***Agreement*** shall be deemed to be completed and legally sufficient when:

- A. Personally delivered with written acknowledgment of receipt; or,
- B. Deposited with an expedited mail service company for delivery on the next business day; or,
- C. Sent by telegram; or,
- D. By facsimile transmission; or,
- E. On the next business day after the date when deposited in the United States Mail, certified, return receipt requested, postage pre-paid, addressed as follows:

If to the **Township**: Charter Township of Ypsilanti
7200 S. Huron River Drive
Ypsilanti, MI 48197
ATTN: Karen Lovejoy Roe, Twp. Clerk
and/or her successor
(734) 484-4700

If to **INTERCLEAN**: David Newhouse
david.newhouse@interclean.com
President of Interclean Equipment Inc.
709 James L. Hart Parkway
Ypsilanti, MI 48197
(734) 961-3300

14. **Entire Agreement and Amendment.** Subject to the provisions of the Act, this **Agreement** and the Exhibits attached thereto contain the entire agreement between the **Township** and **INTERCLEAN** with respect to the matters described herein. This **Agreement** may not be amended, except with the written consent of the **Township** and **INTERCLEAN** and approval by the State Tax Commission.

15. **Captions.** The captions in this **Agreement** are for convenience only and in no way define, limit or describe the scope of intent of any provisions or sections of this **Agreement**.

16. **Interpretation.** This **Agreement** shall be governed by and interpreted in accordance with the laws of the State of Michigan.

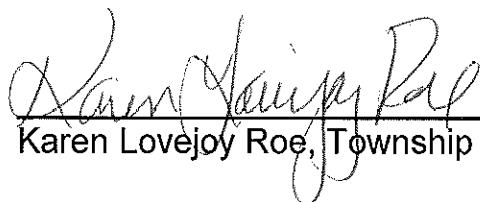
17. **Acceptance.** The terms of this **Agreement** are hereby accepted
this 28th day of October, 2013.

18. It is the intent of the parties that this **Agreement** shall be filed and
recorded with the Washtenaw County Register of Deeds.

CHARTER TOWNSHIP OF YPSILANTI




Brenda L. Stumbo, Supervisor



Karen Lovejoy Roe, Township Clerk

INTERCLEAN EQUIPMENT INC.



By: David Newhouse,
Its: President of Interclean Equipment, Inc.
709 James L. Hart Parkway
Ypsilanti, MI 48197
(734) 961-3300

CHARTER TOWNSHIP OF YPSILANTI

RESOLUTION NO. 2013-31

**DESIGNATION OF DEPOSITORIES
FOR 2014**

NOW THEREFORE, BE IT RESOLVED that First Merit Commercial and Savings Bank, Bank of America, Bank of Ann Arbor-Ypsilanti Office, Bank One-Michigan, Comerica Bank, Charter One, Ann Arbor State Bank, Fifth Third Bank, Chase Bank, United Bank & Trust, Fidelity Bank, Huntington National Bank and Key Bank, and their successors be designated depositories for all Charter Township of Ypsilanti funds and securities for the 2014 calendar year.

I, Karen Lovejoy Roe, Clerk of the Charter Township of Ypsilanti, County of Washtenaw, State of Michigan hereby certify the above resolution is a true and exact copy of Resolution No. 2013-31 approved by the Charter Township of Ypsilanti, Board of Trustees assembled at a Regular Meeting held on October 28, 2013.



Karen Lovejoy Roe, Clerk
Charter Township of Ypsilanti

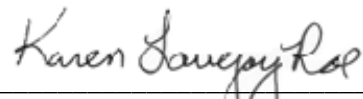
CHARTER TOWNSHIP OF YPSILANTI

RESOLUTION NO. 2013-32

DESIGNATION OF NEWSPAPER OF CIRCULATION

NOW THEREFORE, BE IT RESOLVED that the Ypsilanti Courier and AnnArbor.com be designated as the newspapers of general circulation for the Charter Township of Ypsilanti advertisements and publications for the 2014 calendar year.

I, Karen Lovejoy Roe, Clerk of the Charter Township of Ypsilanti, County of Washtenaw, State of Michigan hereby certify the above resolution is a true and exact copy of Resolution No. 2013-32 approved by the Charter Township of Ypsilanti, Board of Trustees assembled at a Regular Meeting held on October 28, 2013.



Karen Lovejoy Roe, Clerk
Charter Township of Ypsilanti

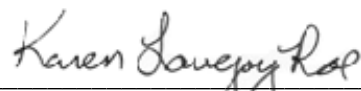
CHARTER TOWNSHIP OF YPSILANTI

RESOLUTION NO. 2013-33

ADOPTION OF ROBERT'S RULES OF ORDER

NOW THEREFORE, BE IT RESOLVED that Robert's Rules of Order shall be adopted by the Charter Township of Ypsilanti Board of Trustees for the 2014 calendar year.

I, Karen Lovejoy Roe, Clerk of the Charter Township of Ypsilanti, County of Washtenaw, State of Michigan hereby certify the above resolution is a true and exact copy of Resolution No. 2013-33 approved by the Charter Township of Ypsilanti, Board of Trustees assembled at a Regular Meeting held on October 28, 2013.



Karen Lovejoy Roe, Clerk
Charter Township of Ypsilanti

**CHARTER TOWNSHIP OF YPSILANTI
Resolution No. 2013-34**

**ADOPTION OF REGULAR BOARD MEETING DATES
FOR THE 2014 CALENDAR YEAR**

NOW THEREFORE, BE IT RESOLVED that the attached schedule of dates and times be adopted for the Charter Township of Ypsilanti for the 2014 calendar year.

**CHARTER TOWNSHIP OF YPSILANTI
BOARD OF TRUSTEES**

SCHEDULE OF MEETINGS FOR 2014

Work Session
5:00 p.m.
Civic Center Board Room

Regular Meeting
7:00 p.m.
Civic Center Board Room

In 2014, the Township Board will meet on the 1st and 3rd Tuesday of each month in February, March, April, October, November and December and on the 3rd Tuesday of each month in January, May, June, July, August and September

Tuesday, January 21, 2014

Tuesday, February 4, 2014
Tuesday, February 18, 2014

Tuesday, March 4, 2014
Tuesday, March 18, 2014

Tuesday, April 1, 2014
Tuesday, April 15, 2014

Tuesday, May 20, 2014

Tuesday, June 17, 2014

Tuesday, July 15, 2014

Tuesday, August 19, 2014

Tuesday, September 16, 2014

Tuesday, October 7, 2014
Tuesday, October 21, 2014

Tuesday, November 4, 2014
Tuesday, November 18, 2014

Tuesday, December 2, 2014
Tuesday, December 16, 2014

All meetings are held at the Ypsilanti Township Civic Center Building, 7200 S. Huron River Drive, Ypsilanti Township

Special Meetings may be called with 24-hour notification.

Pre-approval of Statements and Checks is authorized when no Board Meeting is held, with formal approval at the next regularly scheduled meeting, contingent on Board Members review and no objection.

I, Karen Lovejoy Roe, Clerk of the Charter Township of Ypsilanti, County of Washtenaw, State of Michigan hereby certify the above resolution is a true and exact copy of Resolution No. 2013-34 approved by the Charter Township of Ypsilanti, Board of Trustees assembled at a Regular Meeting held on October 28, 2013.



Karen Lovejoy Roe, Clerk
Charter Township of Ypsilanti

RESOLUTION NO. 2013-30

OWNERS DAM SAFETY PROGRAM (ODSP)

WHEREAS, the Charter Township of Ypsilanti, in Washtenaw County Michigan, currently holding a license with the Federal Energy Regulatory Commission (FERC) to operate the Ford Lake Hydroelectric Project (Project) #5334, and

WHEREAS, the FERC requires the Charter Township of Ypsilanti to develop, implement, fund and continue to support the ODSP, per the FERC guideline, for the Project until such time that the Charter Township of Ypsilanti releases ownership or the Project is longer under the jurisdiction of the FERC, and

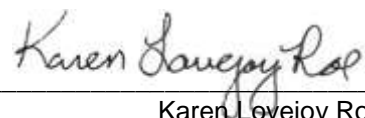
WHEREAS, the ODSP document clearly defines the responsibility for the Charter Township Of Ypsilanti and its employees, and consultants, and

WHEREAS, the purpose if this Resolution is not new to the Charter Township of Ypsilanti, but rather a re-dedication to dam safety and the responsibilities that come with owning the Project, and

WHEREAS, by the action of this document, the Charter Township of Ypsilanti is showing the commitment to the FERC to operate a safe Project, prioritizing safety over any other goals, and

NOW THEREFORE, be it resolved that the Charter Township of Ypsilanti Board of Trustees adopts the Owners Dam Safety Program to maintain compliance with the FERC and define the role of Charter Township of Ypsilanti related to the Project.

I, Karen Lovejoy Roe, Clerk of the Charter Township of Ypsilanti, County of Washtenaw, State of Michigan hereby certify the above resolution is a true and exact copy of Resolution No. 2013-30 approved by the Charter Township of Ypsilanti, Board of Trustees assembled at a Regular Meeting held on October 28, 2013.



Karen Lovejoy Roe, Clerk
Charter Township of Ypsilanti

CHARTER TOWNSHIP OF YPSILANTI

2013 BUDGET AMENDMENT #15

October 28, 2013

101 - GENERAL OPERATIONS FUND

Total Increase \$261,500.00

Increase legal services for public nuisance litigation services to promote community stabilization. The public nuisance abatements for fires was higher than anticipated. This is funded by an Appropriation of Prior Year Fund Balance.

Revenues:	Prior Year Fund Balance	101-000-000-699.000	\$253,000.00
			<u>\$253,000.00</u>
			<u><u>\$253,000.00</u></u>
Expenditures:	Public Nuisance Legal services	101-950-000-801.023	\$253,000.00
			<u>\$253,000.00</u>
			<u><u>\$253,000.00</u></u>

Increase maintenance property for mowing of properties acquired by Township). This is funded by an Appropriation of Prior Year Fund Balance.

Revenues:	Prior Year Fund Balance	101-000-000-699.000	\$8,500.00
			<u>\$8,500.00</u>
			<u><u>\$8,500.00</u></u>
Expenditures:	Maintenance Prop & Right of Way	101-950-000-880.001	\$8,500.00
			<u>\$8,500.00</u>
			<u><u>\$8,500.00</u></u>

595-MOTORPOOL FUND

Total Increase \$201,370.00

Increase depreciation and capital outlay for the purchase of vehicles to maintain our fleet in a reasonable condition. List of vehicle details submitted to Board for approval include 1 Explorer, 4 Ford Trucks, and 1 Escape not to exceed \$180,000 with daytime running lights and decals. The lead time on vehicles is 10 to 16 weeks from receipt of purchase order. Therefore, if passed, 2014 should also reflect the budgeted expenditures. This is an internal fund and each fund and department using these vehicles will be allocating funds back to the Motor Pool to pay for the vehicles and their upkeep. This will be funded up front by an Appropriation of Prior Year Fund Balance.

Revenues:	Prior Year Fund Balance	595.000.000.699.000	\$201,370.00
			<u>\$201,370.00</u>
			<u><u>\$201,370.00</u></u>
Expenditures:	Depreciation Expense	595-595.000.968.001	\$21,370.00
	Capital Outlay - Vehicles	595-595.000.985.000	\$180,000.00
			<u>\$180,000.00</u>
			<u><u>\$201,370.00</u></u>

Motion to Amend the 2013 Budget (#15):

Move to increase the General Fund budget by \$261,500 to \$10,147,041 and approve the department line item changes as outlined.

Move to increase the Motor Pool Fund budget by \$201,370 to \$506,067 and approve the department line item changes as outlined.

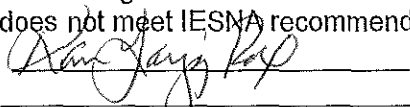
Exhibit A to Master Agreement

Purchase Agreement

This Purchase Agreement (this "Agreement") is dated as of October 25, 2013 between The Detroit Edison Company ("Company") and Ypsilanti Township ("Customer").

This Agreement is a "Purchase Agreement" as referenced in the Master Agreement for Municipal Street Lighting dated March 28, 2013 (the "Master Agreement") between Company and Customer. All of the terms of the Master Agreement are incorporated herein by reference. In the event of an inconsistency between this Agreement and the Master Agreement, the terms of this Agreement shall control.

Customer requests the Company to furnish, install, operate and maintain street lighting equipment as set forth below:

1. DTE Work Order Number:	37472511 If this is a conversion or replacement, indicate the Work Order Number for current installed equipment: N/A	
2. Location where Equipment will be installed:	South of Tyler, North of I-94 and West of Nash, as more fully described on the map attached hereto as <u>Attachment 1</u> .	
3. Total number of lights to be installed:	55	
4. Description of Equipment to be installed (the " <u>Equipment</u> "):	Series Circuit 5205 YPSIL conversion of 55 lights from 175w Mercury Vapor to 65w LED	
5. Estimated Total Annual Lamp Charges	\$16,104	
6. Computation of Contribution in aid of Construction (" <u>CIAC Amount</u> ")	Total estimated construction cost, including labor, materials, and overhead:	\$7,150
	Credit for 3 years of lamp charges:	N/A
	CIAC Amount (cost minus revenue)	\$7,150
7. Payment of CIAC Amount:	Due promptly upon execution of this Agreement	
8. Term of Agreement	5 years. Upon expiration of the initial term, this Agreement shall continue on a month-to-month basis until terminated by mutual written consent of the parties or by either party with thirty (30) days prior written notice to the other party.	
9. Does the requested Customer lighting design meet IESNA recommended practices?	(Check One) <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO If "No", Customer must sign below and acknowledge that the lighting design does not meet IESNA recommended practices 	
10. Customer Address for Notices:	Karen Lovejoy Roe 7200 S Huron River Drive Ypsilanti, MI 48197	

12. Experimental Emerging Lighting Technology ("EELT") Terms:

All or a portion of the Equipment consists of EELT: (check one) YES NO

If "Yes" is checked, Customer and Company agree to the following additional terms.

A. The annual billing lamp charges for the EELT equipment has been calculated by the Company are based upon the estimated energy and maintenance cost expected with the Customer's specific pilot project EELT equipment. .

B. Upon the approval of any future MPSC Option I tariff for EELT street lighting equipment, the approved rate schedules will automatically apply for service continuation to the Customer under Option 1 Municipal Street Lighting Rate, as approved by the MPSC. The terms of this paragraph B replace in its entirety Section 7 of the Master Agreement with respect to any EELT equipment purchased under this Agreement.

Company and Customer have executed this Purchase Agreement as of the date first written above.

Company:

The Detroit Edison Company

By: _____

Name: _____

Title: _____

Customer:

Ypsilanti Township

By: Brenda L. Stumbo

Name: Brenda L. Stumbo

Title: Supervisor

By: Karen Lovejoy Roe

Name: Karen Lovejoy Roe

Title: Clerk

