

1. CALL TO ORDER

The regular meeting of the Superior Charter Township Board was called to order by the Supervisor at 7:30 p.m. on April 16, 2012, at the Superior Township Hall, 3040 North Prospect, Ypsilanti, Michigan.

2. PLEDGE OF ALLEGIANCE

The Supervisor led the assembly in the pledge of allegiance to the flag.

3. ROLL CALL

The members present were William McFarlane, Brenda McKinney, David Phillips, Nancy Caviston, Rodrick Green, Lisa Lewis and Alex Williams.

4. ADOPTION OF AGENDA

It was moved by Green, seconded by Caviston, to adopt the agenda with the addition of Set Public Hearing for Hyundai Industrial Facilities Tax Exemption as item j. under New Business and to move switch items a. and b. under Citizen Participation.

The motion carried by unanimous voice vote.

5. APPROVAL OF MINUTES

A. REGULAR MEETING OF MARCH 19, 2012

It was moved by Caviston, seconded by McKinney, to approve the minutes of the regular Board meeting of March 19, 2012, as presented.

The motion carried by a voice vote.

6. CITIZEN PARTICIPATION

A. PUBLIC HEARING ON APPROVING THE DEVELOPMENT PLAN AND TIF PLAN FOR THE LOCAL DEVELOPMENT AUTHORITY AND ACTION ON THE RESOLUTION NO. 2012-11, APPROVING THE DEVELOPMENT PLAN AND TIF PLAN FOR THE LDFA

It was moved by Caviston, seconded by Green, to open the Public Hearing.

The motion carried by a voice vote.

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Mark Torigian, Hyundai America Technical Center, Inc. (HATCI), General Counsel, and Patrick McGow, Attorney, Miller Canfield, who is representing the Township, made a presentation to the Board. They explained HATCI's desire to expand, but could not do so until the problems with obtaining quality electricity to the site were resolved. HATCI has been approved for a \$2.5 million grant from the Michigan Economic Development Council (MEDC) to install a new electrical substation which will resolve the electricity problems at the HATCI site. A Local Development Finance Authority (LDFA) was created which covers the entire 207 acre Planned Manufacturing District upon which HATCI is located. The LDFA district allows for the creation of a Development Plan and Tax Increment Finance plan (DPTIFP) on all or a portion of the LDFA district. The DPTIFP under consideration will apply only to the new construction. The DPTIFP will allow for a portion of the taxes collected on the new construction to be forwarded to the MEDC to repay a portion of the \$2.5 million grant. The DPTIFP has been reviewed by the LDFA Board. They recommended it be approved. The Board is required to hold a public hearing on the DPTIFP, after which they need to approve or deny the DPTIFP.

No members of the public had questions or comments about the DPTIFP, or anything else related to the LDFA.

It was moved by McKinney, seconded by Caviston, to close the public hearing.

Board members had some comments and questions about the DPTIFP. The DPTIFP is in effect for fifteen (15) years and captures 50% of the taxes collected (not including school taxes and debt millages). The new construction will also be granted an Industrial Facilities Tax abatement of 50%. The projected amount to be captured by the TIF over the fifteen years is \$565,211.25.

RESOLUTION APPROVING DEVELOPMENT
PLAN AND TAX INCREMENT FINANCING PLAN

Charter Township of Superior
County of Washtenaw, Michigan

RESOLUTION 2012-11

Minutes of a regular meeting of the Township Board of the Charter Township of Superior, County of Washtenaw, State of Michigan (the "Township") held in the Township Hall in the Township, on the 16th day of April, 2012, at 7:30 o'clock p.m. Eastern Daylight Time.

PRESENT: McFarlane, McKinney, Phillips, Caviston, Green, Lewis, Williams

ABSENT: None

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The following preamble and resolution were offered by Green and seconded by Caviston.

WHEREAS, the Local Development Finance Authority of the Charter Township of Superior (the "Authority") has prepared and recommended for approval a Development Plan and Tax Increment Financing Plan (together, the "Plan"); and

WHEREAS on April 16, 2012, the Township Board held a public hearing on the Plan pursuant to Act 281, Public Acts of Michigan, 1986, as amended (the "Act").

NOW, THEREFORE, BE IT RESOLVED, THAT:

1. Definitions. Where used in this Resolution the terms set forth below shall have the following meaning unless the context clearly requires otherwise:

"Base Year Assessment Roll" means the base year assessment roll prepared by the Township Assessor in accordance with this Resolution.

"Captured Assessed Value" shall have the meaning described in the Act.

"Eligible Property" shall have the meaning described in the Act.

"Initial Assessed Value" shall have the meaning described in the Act.

"Plan" means the "Development Plan and Tax Increment Financing Plan" prepared by the Authority, as transmitted to the Township Board by the Authority for public hearing, confirmed by this resolution, copies of which Plan are on file in the office of the Township Clerk.

"Project Fund" means the Local Development Finance Authority Project Fund established pursuant to this Resolution.

"Taxing Jurisdiction" shall mean each unit of government levying an ad valorem property tax on the Eligible Property.

"Local Development Finance Authority", "LDFA" or "Authority" means the Local Development Finance Authority of the Charter Township of Superior.

2. Review Considerations. As required by the Act, the Board has in reviewing the Plan taken into account the following considerations:

(a) The Development Plan included in the Plan meets the requirements set forth in section 15(2) of the Act and the Tax Increment Financing Plan included in the Plan meets the requirements set forth in section 12(1), (2) and (3) of the Act.

(b) The proposed method of financing the public facilities is feasible and the

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Authority has the ability to arrange the financing.

- (c) The development is reasonable and necessary to carry out the purposes of the Act.
- (d) The amount of Captured Assessed Value estimated to result from adoption of the Plan is reasonable.
- (e) The land to be acquired under the Development Plan, if any, is reasonably necessary to carry out the purposes of the Plan and the purposes of the Act.
- (f) The Development Plan is in reasonable accord with the master plan of the Township.
- (g) Public services, such as fire and police protection and utilities, are or will be adequate to service the property described in the Development Plan.
- (h) Changes in zoning, streets, street levels, intersections, and utilities, to the extent required by the Plan, are reasonably necessary for the project and for the Township.

3. Public Purpose. The Township Board hereby determines that the Plan constitutes a public purpose.

4. Best Interest of the Public. The Township Board hereby determines that it is in the best interests of the public to eliminate the conditions of unemployment, underemployment, and joblessness and to promote economic growth in the Township to proceed with the Plan.

5. Approval and Adoption of Plan. The Plan as submitted by the Authority is hereby approved and adopted. A copy of the Plan and all amendments thereto shall be maintained on file in the Township Clerk's office.

6. Preparation of Base Year Assessment Roll.

(a) Within 60 days of the adoption of this Resolution, the Township Assessor shall prepare the initial Base Year Assessment Roll. The initial Base Year Assessment Roll shall list each Taxing Jurisdiction levying taxes on the Eligible Property on the effective date of this Resolution and the amount of tax revenue derived by each Taxing Jurisdiction from ad valorem taxes on the Eligible Property, excluding millage specifically levied for the payment of principal and interest of obligations approved by the electors or obligations pledging the unlimited taxing power of the local governmental unit.

(b) The Township Assessor shall transmit copies of the initial Base Year Assessment Roll to the Township Treasurer, County Treasurer, Authority and each Taxing Jurisdiction which will have Tax Increment Revenues captured by the Authority, together with a notice that the Base Year Assessment Roll has been prepared in accordance with this Resolution and the tax increment financing plan contained in the Plan approved by this Resolution.

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7. Preparation of Annual Base Year Assessment Roll. Each year within 15 days following the final equalization of property in the Project Area, the Township Assessor shall prepare an updated Base Year Assessment Roll. The updated Base Year Assessment Roll shall show the information required in the initial Base Year Assessment Roll and, in addition, the Tax Increment Revenues for each Eligible Property for that year. Copies of the annual Base Year Assessment Roll shall be transmitted by the Assessor to the same persons as the initial Base Year Assessment Roll, together with a notice that it has been prepared in accordance with the Plan.

8. Establishment of Project Fund; Approval of Depository. The treasurer of the Authority shall establish a separate fund which shall be kept in a depository bank account or accounts in a bank or banks approved by the Treasurer of the Township, to be designated Local Development Finance Authority Project Fund. All moneys received by the Authority pursuant to the Plan shall be deposited in the Project Fund. All moneys in the Project Fund and earnings thereon shall be used only in accordance with the Plan.

9. Payment of Tax Increment Revenues to Authority. The Township Treasurer and the County Treasurer shall, as ad valorem taxes are collected on the Eligible Property, pay the Tax Increment Revenues, as defined in the Act, to the treasurer of the Authority for deposit in the Project Fund. The payments shall be made on the date or dates on which the Township Treasurer and the County Treasurer are required to remit taxes to each of the Taxing Jurisdictions.

10. Annual Report. Within 90 days after the end of each fiscal year, the Authority shall submit to the Township Board and the State Tax Commission, a report on the status of the tax increment financing plan. The report shall include the amount and source of tax increment revenues received, the amount in any Bond Reserve Account, the amount and purpose of expenditures of tax increment revenues, the amount of principal and interest on any outstanding bonded indebtedness of the Authority, the Initial Assessed Value of the Eligible Property, the Captured Assessed Value of the Eligible Property retained by the Authority, the number of jobs created as a result of the implementation of the Plan and any additional information requested by the Township Board or the State Tax Commission deemed appropriate by the Authority.

11. Refund of Surplus Tax Increments. Annual tax increment revenues in excess of estimated tax increment revenues or the actual costs of the Plan to be paid by tax increment revenues may be retained by the Authority only for purposes that by resolution of the Authority's Board are determined to further the development program in accordance with the Plan. Any surplus money in the Project Fund at the end of a year, as shown by the annual report of the Authority, shall be paid by the Authority to the Township Treasurer or the County Treasurer, as shown by the annual report of the Authority, as the case may be, and rebated by each to the appropriate Taxing Jurisdiction.

12. Repealer. All resolutions and parts of resolutions insofar as they conflict with the provisions of this resolution be and the same hereby are rescinded.

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AYES: McFarlane, McKinney, Phillips, Caviston, Green, Lewis, Williams

NAYS: None

RESOLUTION DECLARED ADOPTED.

David Phillips
Township Clerk

I hereby certify that the foregoing is a true and complete copy of a Resolution adopted by the Township Board of the Charter Township of Superior, County of Washtenaw, State of Michigan at a regular meeting held on April 16, 2012, and that said meeting was conducted and public notice of said meeting was given pursuant to and in full compliance with the Open Meetings Act, being Act 267, Public Acts of Michigan, 1976, and that the minutes of said meeting were kept and will be or have been made available as required by said Act.

David Phillips
Township Clerk

See Attachment #1

B. ROAD COMMISSION ANNUAL MEETING, REVIEW 2012 ROAD IMPROVEMENT PROJECTS

Roy Townsend, Director, Washtenaw County Road Commission (WCRC) made a presentation to the Board about the finances of the WCRC, the road projects completed in Superior Township in 2011 and those proposed for 2012. Mr. Townsend explained the WCRC is under continuing financial constraints due to a decrease in the amount of State and Federal funding they receive. Other WCRC staff members explained the proposed projects for 2012. The list includes fifteen projects with a total cost of about \$454,000. Supervisor McFarlane explained that the Township will budget about \$200,000 from the General Fund, \$32,000 in WCRC matching funds and \$36,000 from Community Development Block Grant (CDBG), for a total of about \$268,000, for road projects in 2012. He explained that some communities have established special assessment districts or millage to pay for repairing roads. Superior Township has only used General Fund money, WCRC matching funds and CDBG money to repair roads. One resident from Berry Road addressed the Board. He said that Berry Road was in very bad shape and it not received

limestone in the twelve years he has resided on the road. He emphatically requested that Berry Road, between Cherry Hill and Ford, receive limestone and grading this year. About five residents of Liverpool Court addressed the Board and reported that Liverpool Court was in bad shape and they requested it be resurfaced this year. One resident from Berry Road

C. CITIZEN COMMENTS

There were no citizen comments.

7. REPORTS

A. SUPERVISOR REPORT

Supervisor McFarlane reported on the following: On April 4, 2012, the Washtenaw County Sheriff's Department conducted an outreach in MacArthur Boulevard. Deputies patrolled on horses and interacted with residents. They also made one felony arrest. An Ann Arbor resident wrote a letter to the editor of a local newspaper. He alleged that the mutual aid arrangement Superior Township has with Ann Arbor Township for fire services is not cost effective. Supervisor McFarlane indicated the letter writer did not have all of the facts and that the automatic mutual aid arrangement with Ann Arbor Township is working good. The Ann Arbor Greenbelt, Washtenaw County Parks and the Southeast Michigan Land Conservancy recently purchased 100 acres at the southeast corner of Prospect and Cherry Hill Roads. The property will be owned by a non-profit and will have a conservation easement on it. He said that at some point the Township should not support taking property off of the tax rolls and that in the future, organizations should get the Board's opinion before they pursue obtaining property for such purchases. Trustee Rod Green is meeting with Geddes Ridge residents about storm water issues in the subdivision. If five residents sign a petition, the Water Resources Commission will hold a Board of Determination, which will make a decision on what improvements are necessary.

B. DEPARTMENT REPORTS: BUILDING DEPARTMENT, FIRE DEPARTMENT, HOSPITAL FALSE ALARM, ORDINANCE OFFICER REPORT, PARK COMMISSION MINUTES, SHERIFF'S REPORT, UTILITY DEPARTMENT

It was moved by Caviston, seconded by Green, that the Superior Township Board receive all reports.

The motion carried by a voice vote.

C. YEAR END FINANCIAL ANALYSIS AND FINANCIAL REPORTS FOR ALL FUNDS EXCEPT UTILITIES

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Board members were provided with the 2011 year- end analysis of the reserve funds and fund balance for all funds and financial reports for all funds. All reports are post-audit. Supervisor McFarlane explained that all funds have adequate reserve funds and fund balances. He indicated that the recommended renewal of 3.0 mills for the Fire Department should be adequate to fund their operations without any reduction in staff or service.

It was moved by Caviston, seconded by Green, that the Superior Township Board receive all of the financial reports.

The motion carried by a voice vote.

D. TREASURER'S INVESTMENT REPORTS AS OF DECEMBER 31, 2011

Treasurer McKinney explained that interest rates were still very low, but the Township has benefitted by her ability to negotiate with the banks so that they are not charging the Township fees on any of the accounts. She said some communities are paying more in fees than they are earning in interest.

It was moved by Caviston, seconded by Lewis, to accept the Treasurer's Investment Reports as of December 31, 2011.

8. COMMUNICATIONS

A. DIXBORO FARMER'S MARKET, LETTER OF SUPPORT

Supervisor McFarlane presented a letter to the Board in which he expressed support on behalf of the Charter Township of Superior's Board of Trustees support of Dixboro Village Green, Inc. and the Dixboro Farmers' Market. He indicated it would provide a source of fresh, locally grown vegetables to the area; help to restore and preserve the historic Dixboro Schoolhouse; would be consist with the goals and objectives of the Township's Master Plan; and, would promote and enhance the community.

It was moved by Caviston, seconded by McKinney, to approve the letter and to authorize the Supervisor to sign the letter and to provide a signed copy to the Dixboro Village Green, Inc.

The motion carried by a voice vote.

9. UNFINISHED BUSINESS

There was no unfinished business.

10. NEW BUSINESS

A. APPEAL OF DENIAL OF A BURN PERMIT IN MATTHAEI FARMS

Mr. Reg Baker, who resides in Matthaei Farms addressed the Board about his desire to complete a prescribed burn in the front yard and rear yard of his home in Matthaei Farms. He had hired Mr. Dave Borneman, to complete the burn. Mr. Borneman is a professional Prescribed Burn Contractor. Mr. Borneman was also present. Mr. Baker and Mr. Borneman addressed the Board and presented written material to the Board. There was also a memo provided by Richard Mayernik, Township Building and Zoning Official. James Roberts also provided verbal comments to the Board. There was extensive discussion of the issue by Board members and several other members of the public also addressed the Board. Supervisor McFarlane explained the current Ordinance No. 105, Burn Ordinance, and how it was recently amended, and the reasons why it was amended. He suggested that the Board may consider amending the current Burn Ordinance if the Board received a petition signed by a substantial number of residents.

It was moved by McKinney, seconded by Caviston to deny Mr. Baker's appeal of the denial of his burn permit application.

Roll call vote:

Ayes: McKinney, Phillips, Caviston, Green, Williams, McFarlane

Nays: Lewis

Absent: None

The motion carried and the appeal was denied.

B. DIXBORO UNITED METHODIST CHURCH, DIXBORO FAIR, APPLICATION TO OPERATE A TRANSIENT AMUSEMENT , THE DIXBORO FAIR

The Dixboro United Methodist Church has applied to the Township Building Department for permission on conduct their annual Dixboro Fair. The event is scheduled for Saturday, August 4, 2012 from 10:00 a.m. to 6:00 p.m. and will include the same layout, activities and events as previous years. Section 6.05 of the Superior Township Zoning Ordinance requires the application be forwarded to the Township Board for review and acceptance.

It was moved by Williams, seconded by Lewis, that the Superior Township Board accept the application for the Dixboro Fair's Transient Amusement Event to be held on August 4, 2012.

The motion carried by a voice vote.

C. HUMANE SOCIETY OF HURON VALLEY, APPLICATION TO OPERATE A TRANSIENT AMUSEMENT EVENT, AN ADOPTION EVENT

Kelly Schwartz, Director of Volunteer Programs and Operational Support, Humane Society of Huron Valley, was present. She explained that the Humane Society wanted to hold an Adopt-a-Thon event on Saturday, April 28, 2012, from 3:00 p.m. to 10:00 p.m. She indicated that the event would include an outside band, but rest of the activities would be consistent with their usual operations. The Board had concerns about the noise generated by the band, but was supportive of the rest of the event.

Section 6.05 of the Superior Township Zoning Ordinance requires the application be forwarded to the Township Board for review and acceptance.

It was moved by Phillips, seconded by McKinney for the Board to accept the application for the Humane Society of Huron Valley's Transient Amusement Event Application for the Adopt-a-Thon to be held on April 28, 2012, 3:00 p.m. to 10:00 p.m., with the condition that the outside music be stopped no later than 9:00 p.m.

The motion carried by a voice vote.

D. RESOLUTION NO. 2012-08, ADOPT MILLAGE BALLOT LANGUAGE FOR FIRE PROTECTION

Supervisor McFarlane explained that the proposed millage is a renewal of the current authorized millage that was approved by the voters in August of 2008. He said that in 2010 and 2011, the millage was reduced by Board action. Several Board members were very concerned that the ballot proposal did not indicate it was a renewal and were concerned that voters might view it as an increase. It was suggested to approve the resolution with the condition that Township Administrative staff research the issue with the Township Attorney to determine if the ballot proposal could be amended to indicate the millage request is a renewal.

It was moved by McKinney, seconded by Green, to approve the following Resolution, with the condition that if it was determined it was legal, to include renewal in the proposal where appropriate:

**CHARTER TOWNSHIP OF SUPERIOR
WASHTENAW COUNTY, MICHIGAN
APRIL 16, 2012
RESOLUTION 2012-08**

**A RESOLUTION TO ADOPT MILLAGE BALLOT LANGUAGE FOR
FIRE PROTECTION**

WHEREAS, the Superior Charter Township Board wishes to provide additional revenue for fire protection and prevention; and

WHEREAS, townships may provide fire protection and prevention as authorized by Section 42.13 of the Act 359 of 1947 as amended (the Charter Township Act); and

WHEREAS, townships may impose and levy ad valorem property taxes to finance lawful public services, as authorized by the Michigan Constitution of 1963 and other laws; and

WHEREAS, the Superior Charter Township Board wishes to levy 3.00 mills for fire protection and prevention;

NOW, THEREFORE, BE IT RESOLVED that the Township Board of Superior Charter Township, Washtenaw County, approves the following millage ballot question language and directs the Clerk to submit it to be placed on the August 7, 2012, election ballot:

**CHARTER TOWNSHIP OF SUPERIOR TAX-RATE LIMITATION
AND LEVY PROPOSAL FOR FIRE PROTECTION AND PREVENTION**

Shall the limitation on the total general ad valorem taxes which may be assessed in any one year upon real and tangible personal property in the Charter Township of Superior, Washtenaw County, Michigan, be increased, as provided by Section 6 of Article IX of the Constitution of Michigan, 1963, by an amount equal to 3.0 mills (\$3.00 per \$1,000) of taxable value for a period of Three (3) years, 2012 - 2014, inclusive, and shall the levy of such a tax be authorized for the purpose of providing additional revenue for fire protection and prevention, which increase will raise in the first year of such levy an estimated \$ 1,655,352.

Should this proposal be approved?

Yes

No

Roll call vote:

Ayes: McFarlane, McKinney, Phillips, Green, Lewis, Williams, McFarlane

Nays: Caviston

Absent: None

The Resolution was adopted.

E. RESOLUTION NO. 2012-09, ADOPT MILLAGE BALLOT LANGUAGE FOR LAW ENFORCEMENT

Supervisor McFarlane explained that the proposed millage is a renewal of the current authorized millage that was approved by the voters in August of 2008. He said the millage had been reduced by Board action in 2010 and 2011. As with Resolution 2012-08, several Board members were very concerned that the ballot proposal was not listed as a renewal and were concerned that voters might view it as an increase. It was again suggested to approve the resolution with the condition that Township Administrative staff research the issue with the Township Attorney to determine if the ballot proposal could be amended to indicate the millage request is a renewal.

It was moved by McKinney, seconded by Green, to approve the following Resolution, with the condition that if it was determined it was legal, to include renewal in the proposal where appropriate:

**CHARTER TOWNSHIP OF SUPERIOR
WASHTENAW COUNTY, MICHIGAN
APRIL 16, 2012
RESOLUTION 2012-09**

**A RESOLUTION TO ADOPT MILLAGE BALLOT LANGUAGE FOR
LAW ENFORCEMENT**

WHEREAS, the Superior Charter Township Board wishes to provide additional revenue for law enforcement; and

WHEREAS, townships may provide law enforcement as authorized by Section 42.12 of the Act 359 of 1947 as amended (the Charter Township Act); and

WHEREAS, townships may impose and levy ad valorem property taxes to finance lawful public services, as authorized by the Michigan Constitution of 1963 and other laws; and

WHEREAS, the Superior Charter Township Board wishes to levy 2.25 mills for law enforcement;

NOW, THEREFORE, BE IT RESOLVED that the Township Board of Superior Charter Township, Washtenaw County, approves the following millage ballot question language and directs the Clerk to submit it to be placed on the August 7, 2012, election ballot:

CHARTER TOWNSHIP OF SUPERIOR TAX-RATE LIMITATION
AND LEVY PROPOSAL FOR LAW ENFORCEMENT

Shall the limitation on the total general ad valorem taxes which may be assessed in any one year upon real and tangible personal property in the Charter Township of Superior, Washtenaw County, Michigan, be increased, as provided by Section 6 of Article IX of the Constitution of Michigan, 1963, by an amount equal to 2.25 mills (\$2.25 per \$1,000) of taxable value for a period of Three (3) years, 2012 - 2014, inclusive, and shall the levy of such a tax be authorized for the purpose of providing additional revenue for law enforcement, which increase will raise in the first year of such levy an estimated \$1,241,514.

Should this proposal be approved?

Yes

No

AYES: McFarlane, McKinney, Phillips, Green, Lewis, Williams

NAYS: Caviston

ABSENT: None

ABSTAINED: None

The Resolution was adopted.

**F. RESOLUTION NO. 2012-10, ADOPT MILLAGE BALLOT LANGUAGE FOR
MASTER PLAN AND ZONING ORDINANCE DEFENSE**

Supervisor McFarlane explained that in 2006, Superior Township voters approved a very similar ballot proposal, However, it was allowed to expire. He said there are still development issues which may result in legal costs to the Township. He feels it is important to put the proposal to the voter to determine the level of support for the Township to oppose such development issues. As with all Township authorized millage, the Board has the authority to levy less than the authorized amount.

It was moved by McKinney, seconded by Lewis, to approve the following Resolution:

**CHARTER TOWNSHIP OF SUPERIOR
WASHTENAW COUNTY, MICHIGAN
APRIL 16, 2012
RESOLUTION 2012-10**

**A RESOLUTION TO ADOPT MILLAGE BALLOT LANGUAGE FOR
MASTER PLAN AND ZONING ORDINANCE DEFENSE AND
PURCHASE OF DEVELOPMENT RIGHTS**

WHEREAS, the Superior Charter Township Board wishes to provide additional revenue for defense and promotion of its Master Plan, Zoning Ordinance and the purchase of Development Rights; and

WHEREAS, townships may impose and levy ad valorem property taxes to finance lawful public services, as authorized by the Michigan Constitution of 1963 and other laws; and

WHEREAS, the Superior Charter Township Board wishes to levy 0.25 mills for Master Plan protection and promotion, the defense of the Zoning Ordinance and the purchase of Development Rights; and

NOW, THEREFORE, BE IT RESOLVED that the Township Board of Superior Charter Township, Washtenaw County, approves the following millage ballot question language and directs the Clerk to submit it to be placed on the August 7, 2012, election ballot:

CHARTER TOWNSHIP OF SUPERIOR TAX-RATE LIMITATION AND LEVY

PROPOSAL FOR TOWNSHIP MASTER PLAN DEFENSE AND PROMOTION, DEFENSE
OF THE ZONING ORDINANCE AND THE PURCHASE OF DEVELOPMENT RIGHTS

Shall the limitation on the total general ad valorem taxes which may be assessed in any one year upon real and tangible personal property in the Charter Township of Superior, Washtenaw County, Michigan, as provided by Article IX, Section 6, of the Michigan Constitution, be increased by 0.25 mills (\$0.25 per \$1,000 of taxable value) for a period of three years, 2012 - 2014, inclusive, for the purpose of providing funds for legal services to defend the Township Master Plan, defend the Zoning Ordinance and to purchase development rights to further the goals of the Plan, and shall the Township levy this millage increase for those purposes, thereby raising in the first year an estimated \$ 137,945.

Should this proposal be approved?

Yes

No

AYES: McFarlane, McKinney, Phillips, Caviston, Green, Lewis, Williams

NAYS: None

ABSENT: None

ABSTAINED: None

The Resolution was adopted.

**G. ORDINANCE NO. 174-07, KENNELS, ZONING ORDINANCE TEXT
AMENDMENTS, FIRST READING**

On January 25, 2012, the Planning Commission reviewed the proposed text change and recommended approval. The changes include the standards apply to only dogs, as there is a section in the Zoning Ordinance that applies to non-farm animals. The definition of kennel was changed so that the standards apply to the housing of personal pets and dogs housed for remuneration.

**SUPERIOR CHARTER TOWNSHIP
WASHTENAW COUNTY, MICHIGAN**

ORDINANCE NO. 174-07

The Board of Superior Charter Township of Washtenaw County, Michigan, hereby ordains that Ordinance Number 174, being the Superior Charter Township Zoning Ordinance, adopted August 4, 2008, and effective August 14, 2008, as amended, be amended to amend Section 5.106 (Kennel) and Section 17.03 (Definitions) of the Superior Charter Township Zoning Ordinance No. 174 by authority of the Public Act 110 of 2006 (being MCL 125.3101 et. seq., as amended)]

**SUPERIOR CHARTER TOWNSHIP, WASHTENAW COUNTY, MICHIGAN, HEREBY
ORDAINS:**

ARTICLE 5

USE STANDARDS

[DELETE and REPLACE the text of Section 5.106, as follows]

Section 5.106 Kennel.

The standards of this Section shall ~~not~~ apply to the keeping, housing or raising of ~~fewer than four (4) animals of the same species that are more than six (6) or more dogs over~~ six (6) months old ~~(such as dogs, cats, outdoor fowl or other domestic animals) for pets~~ for breeding, showing, boarding, training, competition, or as pets hunting purposes Kennels shall be licensed as required by Washtenaw County or other outside agency with jurisdiction, and shall be subject to the following additional standards:

1. Kennels shall have a minimum lot area of ten (10) acres.
2. The Planning Commission shall establish a limit on the maximum number of dogs that may be kept, housed or raised at one time as part of any Conditional Use Permit approval for a kennel.
3. Structures or pens where ~~animals~~ dogs are kept, outdoor runs, exercise areas, and similar facilities shall not be located in any required yard setback areas. Such facilities shall be:
 - a. ~~Such facilities shall be~~ Set back a minimum of 300 feet from road rights-of-way, 100 feet from side and rear lot boundaries, and 50 feet from any watercourse.
 - b. ~~Structures where animals are kept, outdoor runs and exercise areas shall be~~ Screened in accordance with Section 14.10D (Methods of Screening).

4. The ~~facility~~ kennel shall be so constructed and maintained that odors, dust, noise, and drainage shall not constitute a nuisance or hazard to adjoining lots and uses.
5. The kennel shall be established and maintained in accordance with applicable sanitation regulations. The applicant shall submit a waste management plan for review as part of the Conditional Use Permit application.
6. ~~Animals-Dogs~~ shall be adequately housed, fenced, and maintained so as not to be or become a public or private nuisance.
7. All ~~animals~~ dogs shall be enclosed within a building at night.
8. All outdoor ~~animal~~ dog pens shall be enclosed with a six (6) foot high safety fence. ~~Animal-Dog~~ pen surfaces shall be of concrete pitched to contain and drain run-off from cleaning to a septic tank or other County approved system.
9. Preliminary and final site plans shall be required in accordance with Article 10.0 (Site Plan Review). The Planning Commission may impose other conditions and limitations deemed necessary to prevent or mitigate possible nuisances related to noise or odor.

ARTICLE 17

DEFINITIONS

[Revise the text of Section 17.03 to DELETE and REPLACE the definition of "kennel" and INSERT a sub-definition for "pen" as follows]

Section 17.03 Definitions.

107. **Kennel.** Any building, lot or premises where ~~four (4)~~ six (6) or more dogs ~~or cats over twelve (12) weeks over six (6) months~~ of age are kept, ~~or any structure, lot or premises where animals are kept or house for remuneration. housed or raised.~~ This definition shall not include the raising of animals for agricultural purposes, ~~or premises used for residential purposes, where the occupant keeps personal pets.~~ [also see Ord. No. 63 (Dog Control)]
- a. **Pen.** An enclosed and secured area in which one (1) or more dogs are restrained or confined for short or extended periods of time.

SECTION II

This Ordinance shall be published by posting in the Office of the Clerk, 3040 N. Prospect, Ypsilanti, 48198, and on the Township website – www.superior-twp.org – pursuant to Section 8

of the Charter Township Act, being MCL 42.8, 3(b) within thirty (30) days following the final adoption thereof. This Ordinance shall become effective on the eighth day following said publication or such later date as is provided by law. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION III

I, David Phillips, Clerk of the Charter Township of Superior, Washtenaw County, Michigan, hereby certify that this is a true copy of an Ordinance adopted by the Superior Charter Township Board for first reading at a regular meeting held on April 16, 2012 and for final reading on May 21, 2012. This Ordinance shall become effective on the eighth day following publication of second and final reading, or such later date as may be provided herein or by law.

David Phillips, Clerk

William McFarlane, Supervisor

AYES: McKinney, Phillips, Caviston, Green, Lewis, Williams, McFarlane

NAYS: None

ABSENT: None

ABSTAINED: None

The motion carried.

H. ORDINANCE NO. 174-09, DEVELOPMENT AGREEMENTS, ZONING ORDINANCE TEXT AMENDMENTS, FIRST READING

At their August 24, 2011 meeting, the Planning Commission reviewed and recommended approval of the following text amendments related to development agreements. The intent of the revisions are to clarify when a development agreement is required.

**SUPERIOR CHARTER TOWNSHIP
WASHTENAW COUNTY, MICHIGAN**

ORDINANCE NO. 174-09

The Board of Superior Charter Township of Washtenaw County, Michigan, hereby ordains that Ordinance Number 174, being the Superior Charter Township Zoning Ordinance, adopted August 4, 2008, and effective August 14, 2008, as amended, be amended to amend Section 14.03 (Development Agreement) of the Superior Charter Township Zoning Ordinance No. 174 by authority of the Public Act 110 of 2006 (being MCL 125.3101 et. seq., as amended)]

SUPERIOR CHARTER TOWNSHIP, WASHTENAW COUNTY, MICHIGAN, HEREBY ORDAINS:

ARTICLE 14

SPECIAL DEVELOPMENT REGULATIONS

[DELETE and REPLACE the text of Section 14.03 to clarify the circumstances under which a Development Agreement is required, as follows]

Section 14.03 Development Agreement.

[A Development Agreement between the Township and the owner\(s\)/developer\(s\) of any property subject to final site plan approval or equivalent final development plan approval under this Ordinance or other Township ordinances shall be subject to the following requirements:](#)

[A. General Requirements.](#)

Preparation ~~and approval~~ of a Development Agreement shall be subject to the following:

1. A Development Agreement ~~may shall~~ be ~~entered into~~ required between the Township and the owner(s)/developer(s) of any property upon which any RESIDENTIAL USES, OFFICE, SERVICE, AND COMMUNITY USES, COMMERCIAL USES, or INDUSTRIAL, RESEARCH, AND LABORATORY USES are to take place following final site plan approval or equivalent final development plan approval under this Ordinance or other Township ordinances, and prior to the commencement of ~~or~~ any site work or construction.
2. A Development Agreement may be entered into between the Township and the owner(s)/developer(s) of any property upon which any RURAL USES or OTHER USES are to take place following final site plan approval or equivalent final development plan approval under this Ordinance or other Township ordinances, and prior to the commencement of any site work or construction.
3. A Development Agreement shall not be required for any project subject only to administrative or minor site plan approval per Article 10.0 (Site Plan Review).

4. [The Township Supervisor may waive the Development Agreement requirement for any project after recommendation by the Township Planner and Township Engineer. The denial of a written request for a waiver by an owner/developer may be appealed to the Township Board for a final decision on whether to require a Development Agreement for the project.](#)
5. The cost to prepare and record this Agreement shall be borne by the owner(s)/developer(s).

A. Contents of a Development Agreement.

At a minimum, a Development Agreement shall:

1. Set forth any conditions of development approval to be met by an applicant or developer with respect to an approved project;
2. Provide for any dedication of easements, rights-of-way, and other dedications incorporated into the approved project;
3. Provide for maintenance of any common facilities and open space areas;
4. Identify any covenants, deed restrictions, and other limitations to be imposed upon the uses of the land and structures;
5. Describe the phasing and timing of development activities;
6. Detail the cost of installing all required infrastructure improvements and utilities, and manner for enforcement of any assessments and costs;
7. Describe any required escrow accounts or performance guarantees; and
8. Address other issues that the Township and owner(s)/developer(s) deem appropriate.

B. Approval of a Development Agreement.

The proposed Development Agreement may be subject to review by designated Township officials and consultants; and shall be subject to approval by the Township Board. Following approval, the Township Clerk or designee shall record the approved Development Agreement in the Washtenaw County Register of Deeds office, and shall provide a copy of the recorded Agreement to the owner(s)/developer(s) of the subject property. The owner(s)/developer(s) shall be responsible for reimbursing the Township for all costs associated with recording of the Development Agreement.

SECTION II

This Ordinance shall be published by posting in the Office of the Clerk, 3040 N. Prospect, Ypsilanti, 48198, and on the Township website – www.superior-twp.org – pursuant to Section 8 of the Charter Township Act, being MCL 42.8, 3(b) within thirty (30) days following the final adoption thereof. This Ordinance shall become effective on the eighth day following said publication or such later date as is provided by law. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION III

I, David Phillips, Clerk of the Charter Township of Superior, Washtenaw County, Michigan, hereby certify that this is a true copy of an Ordinance adopted by the Superior Charter Township Board for first reading at a regular meeting held on April 16, 2012 and for final reading on This Ordinance shall become effective on the eighth day following publication of second and final reading, or such later date as may be provided herein or by law.

David Phillips, Clerk

William McFarlane, Supervisor

It was moved by Caviston, seconded by Green, to approve Ordinance 179-09 for First Reading.

AYES: McFarlane, McKinney, Phillips, Caviston, Green, Lewis, Williams

NAYS: None

ABSENT: None

ABSTAINED: None

The motion carried.

I. ORDINANCE NO. 184, AMEND ORDINANCE NO. 63, DOG CONTROL ORDINANCE, FIRST READING

As a result of Ordinance 174-07, which proposed changes to the standards for kennels, it was also necessary to change Ordinance No. 63, Dog Control. The changes proposed by Ordinance No. 180, make the standards for kennels consistent in both Ordinance No. 63 and the Zoning Ordinance. It was explained that the proposed Ordinance No. 63 contains some incorrect

references and use of the term “law enforcement officer”, and that the language will be corrected for second reading.

**CHARTER TOWNSHIP OF SUPERIOR
WASHTENAW COUNTY, MICHIGAN**

ORDINANCE 184

AN ORDINANCE TO AMEND ORDINANCE 63 – DOG CONTROL ORDINANCE

THE CHARTER TOWNSHIP OF SUPERIOR ORDAINS THAT THE TEXT OF THE ORDINANCE ADDRESSING DOG CONTROL, IS HEREBY AMENDED AS FOLLOWS:

Section 18_.01, A new Section 63-02(1), Definitions, shall be added as follows and the remaining subsections of 63-02, Definitions, shall be numbered properly:

“Animal Control Officer. An animal control officer means any person employed by Washtenaw County whose duty it is to enforce local and state laws related to animal control.”

Section 18_.02, Section 63-02(3), Definitions, shall be amended as follows:

Delete “Act No. 191 of the Public Act of 1929, as amended, being sections 317.71 to 317.85 of the Compiled Laws of 1948” and replace with “Part 427 (Breeders and Dealers) of the Natural Resources and Environmental Protection Act (Public Act 451 of 1994, as amended)”

Section 18_.03, Amend Sections 63-09, Confinement for Rabies Observation; 63-10, Procedure for Recovery of Damages For Loss Of or Injury To Livestock or Poultry Caused By Dogs; and 63-14, Issuance and Contents, as follows:

Remove all references to “dog warden” and replace it with “animal control officer”

Section 18_.04, Amend Section 63.11, License Required, as follows:

Remove “this division” and replace with “the Washtenaw County Treasurer”

Section 18_.05, Amend Sections 63.12, Application for Proof of Rabies Vaccination; 63.13, Fee; 63.14, Issuance and Contents; 63.15, Issuance, Size and Contents of Tag; Tag to be Worn by Dog; 63.18, Report of Unlicensed Dog; and 63.20, Effective Date, as follows:

Remove the Sections entirely and number the final ordinance properly.

Section 18_.06, Amend Section 63.17 as follows

“Section 63-20 - Maximum Number of Permitted Dogs

No person who owns, keeps, cares for or harbors dogs over six (6) months in age shall permit such dogs to remain on or about any premises in a manner that exceeds the following standards:”

Maximum Number of Permitted Dogs over Six (6) Months in Age	Minimum Requirements
Up to three (3) dogs	Less than two (2) acres of gross lot area
Four (4) or five (5) dogs	Two (2) acres or greater of gross lot area
More than five (5) dogs	Compliance with all requirements for a kennel per the Superior Charter Township Zoning Ordinance No. 174, as amended

Section 18_.03, a new “Section 63-21-Severability” shall be added as follows:

“Section 63-21 - Severability

All sections, terms, provisions or clauses of this Ordinance shall be deemed independent and severable. Should a court of competent jurisdiction hold any section, term, provision or clause void or invalid, all remaining sections, terms, provisions and clauses not held void or invalid shall continue in full force and effect.”

Section 18_-04, a new “Section 63-22-Effective Date” shall be added as follows:

“Section 63-22 - Effective Date

This Ordinance shall be published by posting in the Office of the Clerk, 3040 N. Prospect, Ypsilanti, 48198, and on the Township website – www.superior-twp.org – pursuant to Section 8 of the Charter Township Act, being MCL 42.8, 3(b) within 30 days following the final adoption thereof. This Ordinance shall become effective immediately upon said publication.”

CERTIFICATION

I, David Phillips, the duly qualified Clerk of the Charter Township of Superior, Washtenaw County, Michigan, do hereby certify that the foregoing is a true and correct copy of Ordinance 184 adopted at a regular meeting of the Superior Charter Township Board held on _____, 2012.

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David Phillips, Superior Charter Township Clerk

William McFarlane, Superior Charter Township Supervisor

It was moved by McKinney, seconded by Lewis, to approve Ordinance No. 184, An Ordinance to Amend Ordinance No. 63, Dog Control Ordinance, for first reading.

AYES: Phillips, Caviston, Green, Lewis, Williams, McFarlane, McKinney

NAYS: None

ABSENT: None

ABSTAINED: None

The motion carried.

J. TAX ABATEMENT, HYUNDAI

Supervisor McFarlane explained that Hyundai has submitted an application for an Industrial Facilities Tax Exemption on the proposed new construction. Hyundai has estimated the expansion to cost about \$20 million and create about 50 new jobs. The exemption would grant a 50% reduction on the millage levied on the new construction for a period of twelve years. The Board has to conduct a public hearing on the application.

It was moved by McKinney, seconded by Lewis, that the Charter Township of Superior Board receive the application for an Industrial Facilities Tax Exemption from Hyundai America Technical Center, Inc., and set a public hearing on the application for Monday, May 21, 2012 at 7:30 p.m. at the Superior Township Hall.

The motion carried by a unanimous voice vote.

11. PAYMENT OF BILLS

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It was moved by Caviston, seconded by Green, that the bills be paid as submitted in the following amounts: Law Fund-\$5,062.65, and Utility Fund - \$3,758.00; for a total of \$8,821.15. Further, that the Record of Disbursements be received.

The motion carried by a unanimous voice vote.

12. PLEAS AND PETITION

There were none.

13. ADJOURNMENT

It was moved by McKinney, seconded by Green, that the meeting be adjourned. The motion carried by a voice vote and the meeting adjourned at 9:45 p.m.

Respectfully submitted,

David Phillips, Clerk

William McFarlane, Supervisor

Exhibit #1

**Local Development Finance Authority
of the
Charter Township of Superior**

**DEVELOPMENT PLAN
AND
TAX INCREMENT FINANCE PLAN**

April 2012

Charter Township of Superior
3040 North Prospect Rd.
Ypsilanti, MI 48198

Charter Township of Superior Officials

Supervisor William McFarlane
Clerk David Phillips
Treasurer Brenda McKinney

Board of Trustees

Nancy Caviston
Rodrick Green
Lisa A. Lewis
Alex Williams

LDFA Board Members

William McFarlane
David Phillips
Brenda McKinney
Dan Smith
Mirada Jenkins
Ellen Champagne
Dan Smoke
Andy Fanta
Rhonda J. McGill
Kenneth Mohrlock
Ben Colmery

LDFA Board Advisor/Liaison
Miller Canfield
Ann Arbor SPARK

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Executive Summary

The Board of Trustees of the Charter Township of Superior (the Township), Washtenaw County, Michigan, having determined that it is necessary for the best interests of the public to encourage local development to prevent conditions of unemployment and promote economic growth, adopted a resolution on October 17th, 2011 declaring its intention to create and provide for the operation of a Local Development Finance Authority (LDFA). The resolution stated that the Township Board is strongly committed to the development of local properties to prevent conditions of unemployment and promote economic growth.

The Township Board has received and reviewed reports from the Township administration that these objectives are furthered by the creation of a local development financing authority and the exercise of powers granted to a board authority pursuant to the Local Development Financing Act, Act 281 of 1986, as amended (the "Act").

In order to create a local development financing authority, the Act requires the Township Board (a) to declare by resolution its intention to create and provide for the operation of a local development financing authority (LDFA) and designate the boundaries of the authority district or districts; (b) to publish and provide a notice of the public hearing in accordance with the requirements set forth in §4 of the Act (MCL 125.2154); (c) to conduct a public hearing affording a resident, taxpayer, or property owner from a taxing jurisdiction in which the proposed district is located or an official from the taxing jurisdiction with millage that would be subject to capture a right to be heard in regard to the establishment of the LDFA and the boundaries of the proposed district; and, (d) to adopt a resolution establishing the LDFA and designating the boundaries of the district or districts within which its powers are exercised.

In accordance with the Act, on November 21st, 2011 the Board held a public hearing to consider the creation of a LDFA. The Board directed Township Administration to proceed with the preparation of a resolution establishing the Local Development Finance Authority of the Charter Township of Superior (the "LDFA") and designating the boundaries of the authority district pursuant to and in accordance with the provisions of the Act, as amended, for consideration at a special meeting on Thursday, January 19th, 2012.

On January 19th, 2012 the Township Board adopted a resolution confirming the creation of the LDFA and designated the boundaries of the authority district pursuant to and in accordance with the provisions of the Act. The district is located at 6800 Geddes Road (Parcel 1: 10-32-100-003), and includes two additional Geddes Road parcels: Parcel 2: 10-32-100-007; and Parcel 3:

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10-33-200-002. Parcels 1 and 2 are adjacent and contiguous and under Hyundai North America Technical Center Inc. (HATCI) ownership. These properties are bordered by Geddes Road to the north and LeForge to the east. Parcel 3 is owned by Eyde et. al. and is bordered by Geddes Road to the north and LeForge Road to the west.

On February 13th, 2012 the Board of the LDFA approved a Development and Tax Increment Financing Plan for the HATCI expansion project. On April 16, 2012, the Township Board held a public hearing in accordance with the Act, to consider the approval of the Development Plan and Tax Increment Financing Plan and adopted a resolution approving the Development and Tax Increment Financing Plan.

HATCI will expand the current facility by 19,000 square feet that will provide a new dynamometer test facility (HATCI refers to this as the Environmental Chassis Chamber) that can provide an extreme cold and heat environment of -40 centigrade and up to +120 centigrade. HATCI will also add 50 engineers, at an average wage of \$90,000 annually. The LDFA district created on behalf of HATCI will facilitate this expansion.

The HATCI is a key design, technology, and engineering facility for Korean-based Hyundai-Kia Motors Group. This investment continues to demonstrate that the Ann Arbor region and southeast Michigan is a global hub for automotive research and development.

The Development Plan addresses electrical infrastructure issues associated with HATCI's expansion. The current site (Parcel 1) consists of a 194,213 square foot building on 55.44 acres. To address this issue HATCI must increase their electrical capacity from a 40kv line to a 120kv line. The additional capacity requires a substation and underground electrical infrastructure to HATCI at an estimated cost of \$2,500,000.

The Tax Increment Financing Plan (TIF Plan) was prepared utilizing a December 31st 2010 assessment year taxable value for the District of \$26,532,000. The projected capital investment in real property is \$15,000,000. With the uncertainty of industrial property values, a 0% inflationary growth rate is considered. Over the fifteen year life of the LDFA tax increment finance plan the estimated tax incremental revenues generated is estimated at \$565,211.

The Michigan Economic Development Corporation (MEDC) has provided a letter of support for a \$2.5 million cash grant to HATCI for this expansion contingent on the approval of the Michigan Strategic Fund Board. The MEDC's contribution toward this project has required a unique partnership with the LDFA. The LDFA will reimburse the MEDC tax increment revenue over a 15 year period to satisfy the local contribution request by the MEDC.

Introduction

The Township is located in the eastern edge of Washtenaw County. The Township encompasses 35.5 square miles and is located east of the western most suburbs of Metro Detroit, Ann Arbor to the west, and Ypsilanti to the south. The Township is a carefully planned mix of urban and rural interspersed with many square miles, of woods, wetlands, farmlands, and many other open spaces. In addition, the unique settlement of Dixboro located in the Northwest quadrant of the community, offers an historic dimension. With a population approaching 13,058 residents, the Township shares borders with 9 other jurisdictions.

The Township has developed into 6 distinct areas: The urban residential south; the rural residential north; the Dixboro Hamlet area; the Medical/Educational Center area (St. Joseph Mercy Hospital and in close proximity to Washtenaw Community College); The Technology Center Area (including HATCI); and the agricultural center. It is certainly reasonable to expect these patterns of development to continue. Overall, the Township has developed as a residential and agricultural community. With the exceptions of the St. Joseph Mercy Hospital, Washtenaw Community College, and HATCI, the Township does not have a concentration of commercial and industrial uses.

The Township Board, having determined that it is necessary for the best interests of the public to encourage local development to prevent conditions of unemployment and promote economic growth, established the LDFA on January 19, 2012, in accordance with the Act, as amended. The intent of the enabling legislation is to encourage manufacturing and high technology development in the Township.

The Act seeks to accomplish its goals by providing local units of government with the necessary legal, monetary and organization tools, to eliminate conditions of unemployment, underemployment, and joblessness and to promote economic growth through publicly initiated projects undertaken cooperatively with private sector participation.

The Development Plan outlines public facilities that are needed to support continued economic growth and prosperity in the Township by assisting HATCI with their expansion project. It is recognized that local economic development efforts will not only benefit Township residents, but also the region as a whole. It is for this reason, that tax increment financing is proposed to be utilized to help finance planned improvements by HATCI. Using this method, the financial burden for making public improvements (primarily electrical infrastructure) is shared with larger taxing jurisdictions under a partnership agreement.

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The Finance Plan will provide for the capture of tax revenues from specific property within the LDFA including the capture of 50% of the local millages levied against real property. The HATCI expansion will also be approved for a 12 year Industrial facilities exemption certificate. To meet the requirements of the Act, it is necessary to prepare a Development Plan and TIF Plan for the LDFA to adhere to when implementing and financing the District improvements.

The organization of the Development Plan and TIF Plan are in accordance with the requirements and follow the format presented in The Act. The Development Plan must include a legal description and map of the district, a description of the proposed construction activities, an implementation schedule, estimated construction costs and other pertinent information regarding the District.

The TIF Plan provides a summary of the methods proposed to generate the revenue needed to fund the proposed projects. As outlined in the TIF Plan, funding for projects will be generated through tax increment financing, grants, local cooperation and funding eligible under Section 10 of the Act.

Development Plan

The presentation of the Development Plan follows the statutory requirements of the Act, specifically Section 15(2)(a) through (p). (MCL 125.2165(a) through (p)).

The Act requires that a development plan contain all of the following:

- (a) A description of the property to which the plan applies in relation to the boundaries of the authority district and a legal description of the property.
- (b) The designation of boundaries of the property to which the plan applies in relation to highways, streets, or otherwise.
- (c) The location and extent of existing streets and other public facilities in the vicinity of the property to which the plan applies; the location, character, and extent of the categories of public and private land uses then existing and proposed for the property to which the plan applies, including residential, recreational, commercial, industrial, educational, and other uses.
- (d) A description of public facilities to be acquired for the property to which the plan applies, a description of any repairs and alterations necessary to make those improvements, and an estimate of the time required for completion of the improvements.
- (e) The location, extent, character, and estimated cost of the public facilities for the property to which the plan applies, and an estimate of the time required for completion.
- (f) A statement of the construction or stages of construction planned, and the estimated time of completion of each stage.
- (g) A description of any portions of the property to which the plan applies, which the authority desire to sell, donate, exchange, or lease to or from the municipality and the proposed terms..
- (h) A description of desired zoning changes and changes in streets, street levels, intersections, traffic flow modifications, or utilities.
- (i) An estimate of the cost of the development, a statement of the proposed method of financing the development, and the ability of the authority to arrange the financing.

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(j) Designation of the person or persons, natural or corporate, to whom all or a portion of the development is to be leased, sold, or conveyed in any manner and for whose benefit the project is being undertaken if that information is available to the authority.

(k) The procedures for bidding for the leasing, purchasing, or conveying in any manner of all or a portion of the development upon its completion, if there is no express or implied agreement between the authority and persons, natural or corporate, that all or a portion of the development will be leased, sold, or conveyed in any manner to those persons.

(l) Estimates of the number of persons residing in the development area and the number of families and individuals to be displaced. If occupied residences are designated for acquisition and clearance by the authority, a development plan shall include a survey of the families and individuals to be displaced, including their income and racial composition, a statistical description of the housing supply in the community, including the number of private and public units in existence or under construction, the condition of those units in existence, the number of owner-occupied and renter-occupied units, the annual rate of turnover of the various types of housing and the range of rents and sale prices, an estimate of the total demand for housing in the community, and the estimated capacity of private and public housing available to displaced families and individuals.

(m) A plan for establishing priority for the relocation of persons displaced by the development in any new housing in the development area.

(n) Provisions for the costs of relocating persons displaced by the development and financial assistance and reimbursement of expenses, including litigation expenses and expenses incident to the transfer of title, in accordance with the standards and provisions of the uniform relocation assistance and real property acquisition policies act of 1970, Public Law 42 U.S.C 4601 to 4655.

(o) A plan for compliance with 1972 PA 227, MCL 213.321 to 231.332. of the Michigan Compiled Laws.

(p) Other material that the authority, local public agency, or governing body considers pertinent. It shall be necessary for the board to prepare a development plan pursuant to this section if a development plan that adequately provides for accomplishing the proposed development program has already been prepared and where the development plan has been approved by the board and the governing body pursuant to sections 16 (MCL 125.2166) and 17(MCL 125.2167).

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Section 15(2)(a)

A description of the property to which the plan applies in relation to the boundaries of the authority district and a legal description of the property. (MCL 125.2165(2)(a)).

At the January 19th, 2012 special meeting, the Township Board adopted a resolution creating the LDFA and establishing the boundaries of the development area now identified as the District.

Parcel 1: 10-32-100-003 (6800 Geddes Road):

ASSR REQ QCD L4621 P837 06/08/04 SU 32-1A PCL "I" COM AT NE COR OF SEC 32, TH S 87-03-35 W 60.00 FT TO A POB, TH S 02-12-36 E 2118.18 FT, TH S 87-03-35 W 1140.10 FT, TH N 02-12-36 W 2118.18 FT, TH N 87-03-35 E 1140.10 FT TO THE POB. PT OF NE 1/4 SEC 32, T2S-R7E. 55.44 AC.

Parcel 2: 10-32-100-007:

OWNER REQUEST SU 32-1B-1A PCL " II-A " COM AT NE COR OF SEC 32, TH S 02-12-36 E 2178.18 FT TO A POB, TH CONT S 02-12-36 E 369.59 FT, TH S 87-33-10 W 1803.00 FT, TH S 02-12-36 E 108.00 FT, TH S 87-33-10 W 504.33 FT, TH N 02-00-37 W 2636.05 FT, TH N 87-03-35 E 1098.21 FT, TH S 02-12-36 E 2178.18 FT, TH N 87-03-35 E 1200.10 FT TO THE POB. PT OF NE 1/4 SEC 32, T2S-R7E. 75.40 AC.

Parcel 3:10-33-200-002:

REWRITE PER QCD L4621 P833 03/23/07 SU 33-4 W 1/2 OF NW 1/4 SEC 33, EXC BEG AT NW COR SEC 33, TH N 87-46-00 E 350.00 FT, TH S 02-12-36 E 60.00 FT, TH S 87-46-00 W 290.00 FT, TH S 02-12-36 E 1690.00 FT, TH S 87-46-00 W 60.00 FT, TH N 02-12-36 W 1750.00 FT TO THE POB. PT OF NW 1/4 SEC 33, T2S-R7E. 77.19 AC

The district is now generally located in the PM District (Planned Manufacturing District) of the Township with Geddes Road being the north boundary. LeForge is the east boundary for Parcel 1 and 2, and the west boundary for Parcel 3. Generally, the LDFA district is adjacent to undeveloped residential and agricultural property on all sides.

Please see attached exhibit Map 1.

Charter Township of Superior

LDFA Development Plan and TIF Plan

Section 15(2)(b) The designation of boundaries of the property to which the plan applies in relation to highways, streets, or otherwise. (MCL 125.2165(2)(b)).

Please See Attached Map 1 – The Township LDFA District Boundaries

The district is now generally located in the PM District (Planned Manufacturing District) of the Township with Geddes Road being the north boundary. LeForge is the east boundary for Parcel 1 and 2, and the west boundary for Parcel 3. Generally, the LDFA district is adjacent to undeveloped residential and agricultural property on all sides.

Parcel 1: 10-32-100-003 (6800 Geddes Road):

ASSR REQ QCD L4621 P837 06/08/04 SU 32-1A PCL "I" COM AT NE COR OF SEC 32, TH S 87-03-35 W 60.00 FT TO A POB, TH S 02-12-36 E 2118.18 FT, TH S 87-03-35 W 1140.10 FT, TH N 02-12-36 W 2118.18 FT, TH N 87-03-35 E 1140.10 FT TO THE POB. PT OF NE 1/4 SEC 32, T2S-R7E. 55.44 AC.

Parcel 2: 10-32-100-007:

OWNER REQUEST SU 32-1B-1A PCL " II-A " COM AT NE COR OF SEC 32, TH S 02-12-36 E 2178.18 FT TO A POB, TH CONT S 02-12-36 E 369.59 FT, TH S 87-33-10 W 1803.00 FT, TH S 02-12-36 E 108.00 FT, TH S 87-33-10 W 504.33 FT, TH N 02-00-37 W 2636.05 FT, TH N 87-03-35 E 1098.21 FT, TH S 02-12-36 E 2178.18 FT, TH N 87-03-35 E 1200.10 FT TO THE POB. PT OF NE 1/4 SEC 32, T2S-R7E. 75.40 AC.

Parcel 3:10-33-200-002:

REWRITE PER QCD L4621 P833 03/23/07 SU 33-4 W 1/2 OF NW 1/4 SEC 33, EXC BEG AT NW COR SEC 33, TH N 87-46-00 E 350.00 FT, TH S 02-12-36 E 60.00 FT, TH S 87-46-00 W 290.00 FT, TH S 02-12-36 E 1690.00 FT, TH S 87-46-00 W 60.00 FT, TH N 02-12-36 W 1750.00 FT TO THE POB. PT OF NW 1/4 SEC 33, T2S-R7E. 77.19 AC

Section 15(2)(c) The location and extent of existing streets and other public facilities in the vicinity of the property to which the plan applies; the location, character, and extent of the categories of public and private land uses then existing and proposed for the property to which the plan applies, including residential, recreational, commercial, industrial, educational, and other uses. (MCL 125.2165(2)(c))

Map 1 shows the district is now generally located in the PM District (Planned Manufacturing District) of the Township with Geddes Road being the north boundary. LeForge is the east boundary for Parcel 1 and 2, and the west boundary for Parcel 3. Generally, the LDFA district is adjacent to undeveloped residential and agricultural property on all sides. The LDFA district comprises all of the Township property zoned PM.

Existing public facilities include water main, sanitary sewer, are provided by the Township; and storm sewer, provided by Washtenaw County, located in right-of-way. All other telecommunications utilities are also available.

The zoning adjacent and contiguous to the LDFA is residential and agricultural.

Section 15(2)(d) A description of public facilities to be acquired for the property to which the plan applies, a description of any repairs and alterations necessary to make those improvements, and an estimate of the time required for completion of the improvements. (MCL 125.2165(2)(d)).

Chart 1-HATCI

Site Infrastructure Improvements	Projected Timeline
Electrical Infrastructure-Substation and Required Lines and Connections	2012-2013

Section 15(2)(e) The location, extent, character, and estimated cost of the public facilities for the property to which the plan applies, and an estimate of the time required for completion. (MCL 125.2165(2)(e)).

The LDFA Board is empowered to undertake a variety of assignments to revitalize and expand the industrial district. These powers include (MCL 125.2157 (7)), but are not limited to:

- Study and analyze unemployment, underemployment, and joblessness and the impact of the growth upon the authority district or districts;
- Plan and propose the construction, renovation, repair, remodeling, rehabilitation, restoration, preservation, or reconstruction of a public facility;
- Develop long range plans, in cooperation with the agency which is chiefly responsible for planning the municipality, to promote the growth of the authority district or districts, and take steps that are necessary to implement the plans to the fullest extent possible to create jobs, and promote economic growth;
- Implement any plan of development necessary to achieve the purposes of this act in accordance with the powers of the authority as granted by this act;
- Make and enter into contracts necessary or incidental to the exercise of the board's powers and the performance of its duties;
- Acquire by purchase or otherwise on terms and conditions and in a manner the authority considers proper, own or lease as lessor or lessee, convey, demolish, relocate, rehabilitate, or otherwise dispose of real or personal property, or rights or interest in that property, which the authority determines is reasonably necessary to achieve the purposes of this act, and to grant or acquire licenses, easements, and options with respect to property;
- Improve land, prepare sites for buildings, including the demolition of existing structures, and construct, reconstruct, rehabilitate, restore and preserve, equip, improve, maintain, repair, or operate a building, and any necessary or desirable appurtenances to a building , as provided in section 12 (2) for the use, in whole or in part, of a public or private person or corporation, or a combination thereof;
- Fix, charge, and collect fees, rents, and charges for the use of a building, or property or a part of a building or property under the board's control, or a facility in the building or on the property, and pledge the fees, rents, and charges for the payment of revenue bonds issued by the authority;
- Lease a building or property or part of a building or property under the board's control;
- Accept grants and donations of property, labor, or other things of value from a public or private source;
- Acquire and construct public facilities;

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- Incur costs in connection with the performance of the board's authorized functions including, but not limited to, administrative costs, and architects, engineers, legal, and accounting fees;
- Plan, propose, and implement an improvement to a public facility on eligible property to comply with the barrier free design requirements of the state construction code promulgated under the state construction code act.

Public facilities are defined in accordance with MCL 125.2152 (2)(aa)

- A street, road, bridge, storm water or sanitary sewer;
- Sewage treatment facility, facility designed to reduce, eliminate, or prevent the spread of identified soil or groundwater contamination;
- Drainage system, retention basin, pretreatment facility, waterway, waterline, water storage facility;
- Rail line;
- Electric, gas, telephone or other communications, or any other type of utility line or pipeline;
- Or other similar or related structure or improvement, together with necessary easements for the structure or improvement;
- Except for rail lines, utility lines, or pipe lines, the structures or improvements described in this sub paragraph shall be either owned or used by a public agency, functionally connected to similar or supporting facilities owned or used by a public agency, or designed and dedicated to use by, for the benefit of, or for the protection of the health, welfare, or safety of the public generally, whether or not used by a single business entity;
- Any road street or bridge shall be continuously open to the public;
- A public facility shall be located on public property or in a public, utility, or transportation easement or right-of-way;
- The acquisition and disposal of land that is proposed or intended to be used in the development of eligible property or an interest in that land, demolition of structures, site preparation, and relocation costs.
- All administrative and real and personal property acquisition and disposal costs related to a public facility described in subparagraphs (i) and (iv), including, but not limited to, architects', engineer's, legal, and accounting fees as permitted by the district's development plan.
- An improvement to a facility used by the public or a public facility as those terms are defined in section 1 of 1996 PA1, MCL 125.1351, which improvement is made to comply with the barrier free design requirements of the state construction code promulgated under the Stille-DeRossett-Hale single state construction code act, 1972 PA 230, MCL 125.1501 to 125.1531

HATCI Expansion

Chart 2

Site Infrastructure Improvements	
Total DTE upgrade (Electrical Substation and 120KV Line)	\$1,680,000
Underground Infrastructure and Electrical to HATCI	\$820,000
Total	\$2,500,000

Section 15 (2)(f)

A statement of the construction or stages of construction planned, and the estimated time of completion of each stage. (MCL 125.2165(2)(f)).

HATCI Expansion

Staged construction is expected to commence in June of 2012. HATCI will construct a 19,000 Environmental Chassis Chamber with anticipated occupancy of February 2013.

The underground infrastructure improvements are also expected to commence in the summer of 2012. The expected installation of the DTE Substation and installation of the 120 KV line is expected January 2013.

Section 15(2)(g)

A description of any portions of the development area that the authority desires to sell, donate, exchange, or lease to or from the municipality and the proposed terms. (MCL 125.2165(2)(g)).

Not applicable.

Section 15(2)(h)

A description of desired zoning changes and changes in streets, street levels, intersections, and traffic flow modifications, or utilities. (MCL 125.2165(2)(h)).

There are no proposed changes in zoning, streets, street levels, intersections, or traffic flow modifications. Changes in utilities are detailed in the section **15.(2)(e)** of this Development Plan. **(MCL 125.2165(2)(e)).**

Section 15(2)(i)

An estimate of the cost of the development, a statement of the proposed method of financing the development, and the ability of the authority to arrange the financing. (MCL 125.2165(2)(i)).

HATCI Expansion

The total cost for the implementation of the projects as outlined in Chart 1 in section 15(2)(e) is approximately \$2,500,000. HATCI will expand the current facility by 19,000 square feet that will provide a new dynamometer test facility (HATCI refers to this as the Environmental Chassis Chamber) that can provide an extreme cold and heat environment of -40 centigrade and up to +120 centigrade. HATCI will also add 50 engineers, at an average wage of \$90,000 annually. The LDFA district created on behalf of HATCI will facilitate this expansion.

The activities of the authority and the development of public improvements shall be financed from the following sources:

- Tax Incremental Financing (TIF)
- MEDC New Business Development Incentives (\$2,500,000)
- Municipal participation/Ann Arbor SPARK (Staff and Administrative Support/Start Up Costs)

The MEDC has approved a \$2,500,000 grant to HATCI for the costs related to electrical infrastructure. This approval is subject to final review and approval by the Michigan Strategic Fund Board. Tax Increment Financing will be the primary source of funding for the project. The LDFA and MEDC will enter into a reimbursement agreement for the grant to HATCI, the agreement will outline a 15 year reimbursement using 50% of available LDFA revenues.

Section 15 (2)(j)

Designation of the person or persons, natural or corporate, to whom all or a portion of the development is to be leased, sold, or conveyed in any manner and for whose benefit the project is being undertaken if that information is available to the authority. (MCL 125.2165(2)(j)).

HATCI Expansion

The project is being undertaken for the benefit the HATCI Technical Center expansion. The electrical improvements will also benefit The Detroit Edison Company as part of their electrical transmission system.

Section 15.(2)(k)

The procedures for bidding for the leasing, purchasing, or conveying in any manner of all or a portion of the development upon its completion, if there is no express or implied agreement between the authority and persons, natural or corporate, that all or a portion of the development will be leased, sold, or conveyed in any manner to those persons. (MCL 125.2165(2)(k)).

Not applicable.

Section 15(2)(l)

Estimates of the number of persons residing in the development area and the number of families and individuals to be displaced. If occupied residences are designated for acquisition and clearance by the authority, a development plan shall include a survey of the families and individuals to be displaced, including their income and racial composition, a statistical description of the housing supply in the community, including the number of private and public units in existence or under construction, the condition of those units in existence, the number of owner-occupied and renter-occupied units, the annual rate of turnover of the various types of housing and the range of rents and sale prices, an estimate of the total demand for housing in the community, and the estimated capacity of private and public housing available to displaced families and individuals. (MCL 125.2165(2)(l)).

Not applicable

Section 15(2)(m)

A plan for establishing priority for the relocation of persons displaced by the development in any new housing in the development area. (MCL 125.2165(2)(m)).

Not applicable.

Section 15(2)(n)

Provisions for the costs of relocating persons displaced by the development and financial assistance and reimbursement of expenses, including litigation expenses and expenses incident to the transfer of title, in accordance with the standards and provisions of the uniform relocation assistance and real property acquisition policies act of 1970, Public Law 91-646, 84 Stat. 1894. (MCL 125.2165(2)(n)).

Not applicable.

Section 15(2)(o)

A plan for compliance with 1972 PA 227, MCL 213.321 to 231.332. (MCL 125.2165(2)(o)).

Not applicable.

Section 15(2)(p)

Other material that the authority, local public agency, or governing body considers pertinent. It shall be necessary for the board to prepare a development plan pursuant to this section if a development plan that adequately provides for accomplishing the proposed development program has already been prepared and where the development plan has been approved by the board and the governing body pursuant to sections 16 and 17. (MCL 125.2165(2)(p)).

As required, the LDFA shall submit amendments to the Development Plan or Tax Increment Plan to the governing body (Board) for review and approval.

Tax Increment Financing Plan

The projects detailed within the Development Plan are designed to stimulate private sector investment within the District. Proposed project expenditures are intended to directly reimburse private entities redevelopment construction costs. A number of potential funding sources are available to the LDFA. The following narrative describes how programming expenditures will be funded.

It is the intention of this Plan to capture the incremental tax revenues generated within the District, and utilized ancillary funding sources such as grant programs, private cooperation, municipal participation, or other funding sources to which the LDFA may be eligible for under Section 10 of the Act (MCL 125.2160).

The presentation of the Tax Increment Financing Plan follows the statutory requirements of The Act, specifically Section 12(1)(a) through (k). (MCL 125.2162(a) through (k)).

- (a) A statement of the reason that the plan will result in the development of captured assessed value that could not otherwise be expected. The reason may include, but are not limited to, activities of the municipality, authority, or others undertaken before formulation or adoption of the plan in reasonable anticipation that the objectives of the plan would be achieved by some means.
- (b) An estimate of the captured assessed value for each year of the plan. The plan may provide for the use of part or all of the captured assessed value or, subject to subsection (3).
- (c) The estimated tax increment revenues for each year of the plan.
- (d) A detailed explanation of the tax increment procedure.
- (e) The maximum amount of bond indebtedness to be incurred if any.
- (f) The amount of operating and planning expenditures of the authority and municipality, the amount of advances extended by or indebtedness incurred by the municipality, and the amount of advances by others to be repaid from tax increment revenues.
- (g) The costs of the plan anticipated to be paid from tax increment revenues are received.
- (h) The duration of the development plan and tax increment-financing plan.

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- (i) An estimate of the impact of tax increment financing on the revenues of all taxing jurisdictions in which the eligible property is or is anticipated to be located.
- (j) A legal description of the eligible property to which the tax increment financing plan applies or shall apply upon qualification as eligible property.
- (k) An estimate of the number of jobs to be created as a result of the implementation of the tax increment financing

Section 12(a)

A statement of the reasons that the plan will result in the development of captured assessed value that could no otherwise be expected. The reasons may include, but are not limited to, activities of the municipality, authority, or others undertaken before formulation or adoption of the plan in reasonable anticipation that the objectives of the plan would be achieved by some means. (MCL 125.2162)(1)(a)).

HATCI will expand the current (194, 213 square feet) by 19,000 square feet that will provide a new dynamometer test facility (HATCI refers to this as the Environmental Chassis Chamber) that can provide an extreme cold and heat environment of -40 centigrade and up to +120 centigrade. HATCI will also add 50 engineers, at an average wage of \$90,000 annually.

HATCI has to increase their power capacity on-site. They currently have a 40kv line which is woefully inadequate for current and future needs. HATCI needs to increase their power capacity to a 120 KV line. The increase in power capacity will eliminate current power issues, but will also provide enough power for HATCI to complete an expansion of their facility.

The MEDC has provided a letter of support, contingent on Michigan Strategic Fund Board approval, for a \$2,500,000 grant to HATCI for the costs related to electrical infrastructure. This approval is subject to final review and approval by the Michigan Strategic Fund Board. Tax Increment Financing will be the primary source of funding for the project. As a condition to the MEDC incentive the LDFA and MEDC will enter into a reimbursement agreement that will outline the repayment for the grant to HATCI over a 15 year term.

The Township Board will also support a 12 year Industrial Facility Exemption Certificate for real and personal property improvements. It is expected that the LDFA will commit at least 50% of its available tax increment revenues as a repayment stream to the MEDC.

It is anticipated that the taxable value of the property will increase from \$26,532,000 to \$34,032,000.

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Section 12(b)

An estimate of the captured assessed value for each year of the plan. (MCL 125.2162)(1)(b)).

Table 1
 Estimated Capture of Assessed Value

<u>Year</u>	<u>Fiscal Year</u>	<u>Base Value</u>	<u>Investment</u>	<u>New Value</u>	<u>Inflation</u>	<u>Captured Assessed Value</u>
1	2012	\$26,532,000.00	\$15,000,000.00			
2	2013	\$26,532,000.00		\$34,032,000.00	0%	\$7,500,000.00
3	2014	\$26,532,000.00		\$34,032,000.00	0%	\$7,500,000.00
4	2015	\$26,532,000.00		\$34,032,000.00	0%	\$7,500,000.00
5	2016	\$26,532,000.00		\$34,032,000.00	0%	\$7,500,000.00
6	2017	\$26,532,000.00		\$34,032,000.00	0%	\$7,500,000.00
7	2018	\$26,532,000.00		\$34,032,000.00	0%	\$7,500,000.00
8	2019	\$26,532,000.00		\$34,032,000.00	0%	\$7,500,000.00
9	2020	\$26,532,000.00		\$34,032,000.00	0%	\$7,500,000.00
10	2021	\$26,532,000.00		\$34,032,000.00	0%	\$7,500,000.00
11	2022	\$26,532,000.00		\$34,032,000.00	0%	\$7,500,000.00
12	2023	\$26,532,000.00		\$34,032,000.00	0%	\$7,500,000.00
13	2024	\$26,532,000.00		\$34,032,000.00	0%	\$7,500,000.00
14	2025	\$26,532,000.00		\$34,032,000.00	0%	\$7,500,000.00
15	2026	\$26,532,000.00		\$34,032,000.00	0%	\$7,500,000.00
16	2027	\$26,532,000.00		\$34,032,000.00	0%	\$7,500,000.00

The LDFA will only capture 50% of available revenue generated by the construction of the environmental chassis chamber. The LDFA will not capture any revenues from personal property taxes attributable to this investment. Additionally, the LDFA does not project any inflationary increases from either the value of existing HATCI property or on the new investment. Declines in real property value have been consistent and this trend is expected to continue into the foreseeable future.

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*The development will occur during fiscal year 2012 with first revenue anticipated summer billing during fiscal year 2013.

Section 12(c)

The estimated tax increment revenues for each year of the plan. (MCL 125.2162)(1)(c)).

See attached Table 2 for the local tax increment revenues

Section 12(d)

Detailed explanation of the tax increment procedure. (MCL 125.2162)(1)(d)).

Tax increment financing (TIF) is a governmental financing mechanism which contributes to economic growth and development by dedicating a portion of the tax base resulting from economic growth and development to certain public facilities and structures or improvements of the type designed and dedicated to public use and thereby facilitates certain projects which create economic growth and development.

The LDFA adopts by reference and incorporates the contents of the Development Plan contained herein to be adopted simultaneously with the TIF Plan.

Tax Increment Procedure

TIF is a method of funding public investments in an area slated for redevelopment by capturing, for a time, all or a portion of the incremental tax revenues that results from increased property values through private investment and inflation. The capture of incremental tax revenues is applied only to the designated district for which a development plan has been prepared and approved by the LDFA and governing body. This plan contains both the development plan and TIF plan.

The Act treats all increases in valuation resulting from the development plan whether in fact these increases bear any relation to the development or from inflationary increases on taxable values in the district. With some exceptions, the incremental tax revenues levied by other governmental units are captured through the approved TIF Plan. These include the Township, county, community college, Ypsilanti District Library, or any other millages that may apply in the future. The amount to be transmitted to a LDFA is that portion of the tax levy of all of these applicable taxing bodies paid each year on real property. Personal property taxes, although eligible, have been excluded from capture within the boundaries of this district. The LDFA will only receive 50% of the available revenues, while the taxing jurisdictions will be transmitted the remaining 50%.

"Initial value" means the taxable value, of the property within the boundaries of the district area at the time the resolution establishing the tax increment-financing plan is approved, as shown by the most recent assessment roll of the municipality at the time the resolution is adopted. "Captured value," means the amount in any one year by which the current taxable value of the district, exceeds the initial value. Property for which a commercial facilities exemption certificate an industrial facilities exemption certificate, or a commercial housing facilities exemption certificate, is in effect shall not be considered to be property that is exempt from

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taxation and they will be included in the overall initial value of the district. Tax dollars accrued from any incremental increase in taxable value, as a result of new development or annual inflationary increases, above the initial value (base year total) will then be captured and used by the LDFA for projects in the district. New taxable value resulting in personal property investment will be excluded from the tax increment-financing plan. The proposed personal property investment is less than the real property investment and its eventual depreciation is counterintuitive to tax increment financing.

Data presented in Table 1 represents the anticipated capture on the taxable value for the District through the year 2028. The base year, assessment year December 31, 2010 (Fiscal Year 2011), Taxable Value for the District is \$26,532,000. The basic assumptions in this table are a 0% annual inflationary growth due to continued uncertainty of property values, and \$15,000,000 million in new real property investment, resulting in \$34,032,000 million in new taxable value.

Total Potential Revenue

HATCI Expansion

The total potential TIF revenue from local taxing units available to the LDFA from captured taxable value is displayed in Table 2. By the end of the term of this TIF Plan, it is estimated that approximately \$565,211 could be captured and used for the projects designated by the LDFA for the District. The potential TIF revenue is derived from an estimated \$15,000,000 million in new real property investment, including a projected annual 0% inflationary growth in the District over a 15 year time period. The Township Board will consider a 12 year Industrial Facilities Exemption Certificate for real and personal property related to this expansion. Personal property is not included in any potential revenue calculations.

The TIF Plan will capture 50% of the available tax increment revenues on the real property only, after a 12 year IFT has been calculated into the projections. The remaining revenues, including any related to personal property taxes, will be re-distributed to the affected taxing jurisdictions.

Section 12(e)

The maximum amount of note or bonded indebtedness to be incurred. (MCL 125.2162)(e)).

HATCI Expansion

Certain state, federal, and local grants, loans, loan guarantees and other funding sources will be pursued for financing the projects approved for the District. The Development Plan can be financed through the authorization, issuance, and sale of revenue bonds, general obligation bonds and tax increment bonds. It is expected that the LDFA will be implemented on a “pay-as-you-go” basis as tax increment revenues are transmitted to the LDFA on an annual basis. The LDFA intends to create a project fund to deposit captured tax increment revenues to be used to finance the projects described in the Development Plan as sufficient funds become available. No bonded indebtedness is expected for the project.

Section 12(f)

The amount of operating and planning expenditures of the authority and municipality, the amount of advances extended by or indebtedness incurred by the municipality, and the amount of advances by others to be repaid by tax increment financing. (MCL 125.2162)(f).

The LDFA may use tax increment funds to pay or reimburse the Township for operating and planning expenditures related to the creation of the LDFA and the tax increment finance and development plans. The estimated cost of the expenditures is \$50,000.

Section 12(g)

The costs of the plan anticipated to be paid from tax increment revenues as received. (MCL 125.2162)(g)).

All of the costs of the public facilities identified in the development plan are to be paid from tax increment revenues.

Section 12(h)

The duration of the development plan and tax increment plan. (MCL 125.2162)(h)).

The duration of this Development Plan and Tax Increment Financing Plan is 15 years, terminating at the end of the LDFA's fiscal year on December 31, 2027 unless the Development Plan and TIF Plan are amended to extend or shorten its duration.

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Section 12(i)

An estimate of the impact of tax increment financing on the revenues of all taxing jurisdictions in which the eligible property is or is anticipated to be located. (MCL 125.2162)(i)).

Table 3- Estimated Impact on Local Taxing Units

Government Entity	Current Tax Rate	Percent of Total	Total Captured Non-Township Taxes	Total Captured Taxes By Entity	Percent of District Taxes Captured
County	1.4362	34.30%	\$193,887.00	\$193,887.00	34.30%
Ypsilanti Library	0.3769	9.00%	\$50,875.75	\$50,875.75	9.00%
Washtenaw CC	0.9214	22.01%	\$124,389.00	\$124,389.00	22.01%
Superior Township (Includes Fire/Law/General Operating)	1.4530			\$196,060.50	34.69%
	4.1868	65.31%	\$369,150.75	\$565,211.25	100%

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LDFA Development Plan and TIF Plan

Section 12(j)

A legal description of the eligible property to which the tax increment financing plan applies or shall apply upon qualification as eligible property. (MCL 125.2162)(j)).

The district is now generally located in the PM District (Planned Manufacturing District) of the Township with Geddes Road being the north boundary. LeForge is the east boundary for Parcel 1 and 2, and the west boundary for Parcel 3. Generally, the LDFA district is adjacent to undeveloped residential and agricultural property on all sides. The tax increment finance plan is applicable to Parcel 1 only.

Parcel 1: 10-32-100-003 (6800 Geddes Road):

ASSR REQ QCD L4621 P837 06/08/04 SU 32-1A PCL "I" COM AT NE COR OF SEC 32, TH S 87-03-35 W 60.00 FT TO A POB, TH S 02-12-36 E 2118.18 FT, TH S 87-03-35 W 1140.10 FT, TH N 02-12-36 W 2118.18 FT, TH N 87-03-35 E 1140.10 FT TO THE POB. PT OF NE 1/4 SEC 32, T2S-R7E. 55.44 AC.

Section 12(k)

An estimate of the number of jobs to be created as a result of implementation of the tax increment-financing plan. (MCL 125.2162)(k)).

HATCI Expansion

HATCI has announced that 50 high tech jobs will be created with an average annual wage of \$90,000.

Section 12(l)

The proposed boundaries of a certified technology park to be created under an agreement proposed to be entered into pursuant to section 12a, an identification of the real property within the certified technology park to be included in the tax increment financing plan for purposes of determining tax increment revenues, and whether personal property located in the certified technology park is exempt from determining tax increment revenues. (MCL 125.2162)(l)).

Not applicable

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Table 2
 Estimated Local Tax Increment Revenue
 Of The Township
 LDFA

<u>Year</u>	<u>Fiscal Year</u>	<u>Base Value</u>	<u>Tax Increment Value</u>	<u>New Value</u>	<u>County</u>	<u>Township</u>	<u>Fire Fund</u>	<u>Law Fund</u>	<u>Library Fund</u>	<u>WCC</u>	<u>Annual LDFA Capture</u>	<u>Cumulative LDFA Capture</u>
					1.4362	0.2048	0.7125	0.535	0.37685	0.9214		
1	2013	\$26,532,000.00	\$7,500,000.00	\$34,032,000.00	\$10,771.50	\$1,536.00	\$5,343.75	\$4,012.50	\$2,826.38	\$6,910.50	\$31,400.63	\$31,400.63
2	2014	\$26,532,000.00	\$7,500,000.00	\$34,032,000.00	\$10,771.50	\$1,536.00	\$5,343.75	\$4,012.50	\$2,826.38	\$6,910.50	\$31,400.63	\$62,801.25
3	2015	\$26,532,000.00	\$7,500,000.00	\$34,032,000.00	\$10,771.50	\$1,536.00	\$5,343.75	\$4,012.50	\$2,826.38	\$6,910.50	\$31,400.63	\$94,201.88
4	2016	\$26,532,000.00	\$7,500,000.00	\$34,032,000.00	\$10,771.50	\$1,536.00	\$5,343.75	\$4,012.50	\$2,826.38	\$6,910.50	\$31,400.63	\$125,602.50
5	2017	\$26,532,000.00	\$7,500,000.00	\$34,032,000.00	\$10,771.50	\$1,536.00	\$5,343.75	\$4,012.50	\$2,826.38	\$6,910.50	\$31,400.63	\$157,003.13
6	2018	\$26,532,000.00	\$7,500,000.00	\$34,032,000.00	\$10,771.50	\$1,536.00	\$5,343.75	\$4,012.50	\$2,826.38	\$6,910.50	\$31,400.63	\$188,403.75
7	2019	\$26,532,000.00	\$7,500,000.00	\$34,032,000.00	\$10,771.50	\$1,536.00	\$5,343.75	\$4,012.50	\$2,826.38	\$6,910.50	\$31,400.63	\$219,804.38
8	2020	\$26,532,000.00	\$7,500,000.00	\$34,032,000.00	\$10,771.50	\$1,536.00	\$5,343.75	\$4,012.50	\$2,826.38	\$6,910.50	\$31,400.63	\$251,205.00
9	2021	\$26,532,000.00	\$7,500,000.00	\$34,032,000.00	\$10,771.50	\$1,536.00	\$5,343.75	\$4,012.50	\$2,826.38	\$6,910.50	\$31,400.63	\$282,605.63
10	2022	\$26,532,000.00	\$7,500,000.00	\$34,032,000.00	\$10,771.50	\$1,536.00	\$5,343.75	\$4,012.50	\$2,826.38	\$6,910.50	\$31,400.63	\$314,006.25
11	2023	\$26,532,000.00	\$7,500,000.00	\$34,032,000.00	\$10,771.50	\$1,536.00	\$5,343.75	\$4,012.50	\$2,826.38	\$6,910.50	\$31,400.63	\$345,406.88
12	2024	\$26,532,000.00	\$7,500,000.00	\$34,032,000.00	\$10,771.50	\$1,536.00	\$5,343.75	\$4,012.50	\$2,826.38	\$6,910.50	\$31,400.63	\$376,807.50
13	2025	\$26,532,000.00	\$7,500,000.00	\$34,032,000.00	\$21,543.00	\$3,072.00	\$10,687.50	\$8,025.00	\$5,652.75	\$13,821.00	\$62,801.25	\$439,608.75
14	2026	\$26,532,000.00	\$7,500,000.00	\$34,032,000.00	\$21,543.00	\$3,072.00	\$10,687.50	\$8,025.00	\$5,652.75	\$13,821.00	\$62,801.25	\$502,410.00
15	2027	\$26,532,000.00	\$7,500,000.00	\$34,032,000.00	\$21,543.00	\$3,072.00	\$10,687.50	\$8,025.00	\$5,652.75	\$13,821.00	\$62,801.25	\$565,211.25

Charter Township of Superior

LDFA Development Plan and TIF Plan

HATCI Expansion

SUPERIOR CHARTER TOWNSHIP BOARD
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*The millage rate in the above schedule is reflective of two conditions: 1) The Superior Township Board of Trustees is expected to support a 12 year Industrial Facilities Exemption Certificate on real property investment, therefore this schedule includes a 12 year IFT rate. This rate concludes and years 13, 14, and 15 demonstrate that. 2) The Superior Township Board of Trustees is desirous to capture 50% of the available revenue after the IFT is accounted for. The remaining uncaptured 50% will be reimbursed to the taxing jurisdictions.

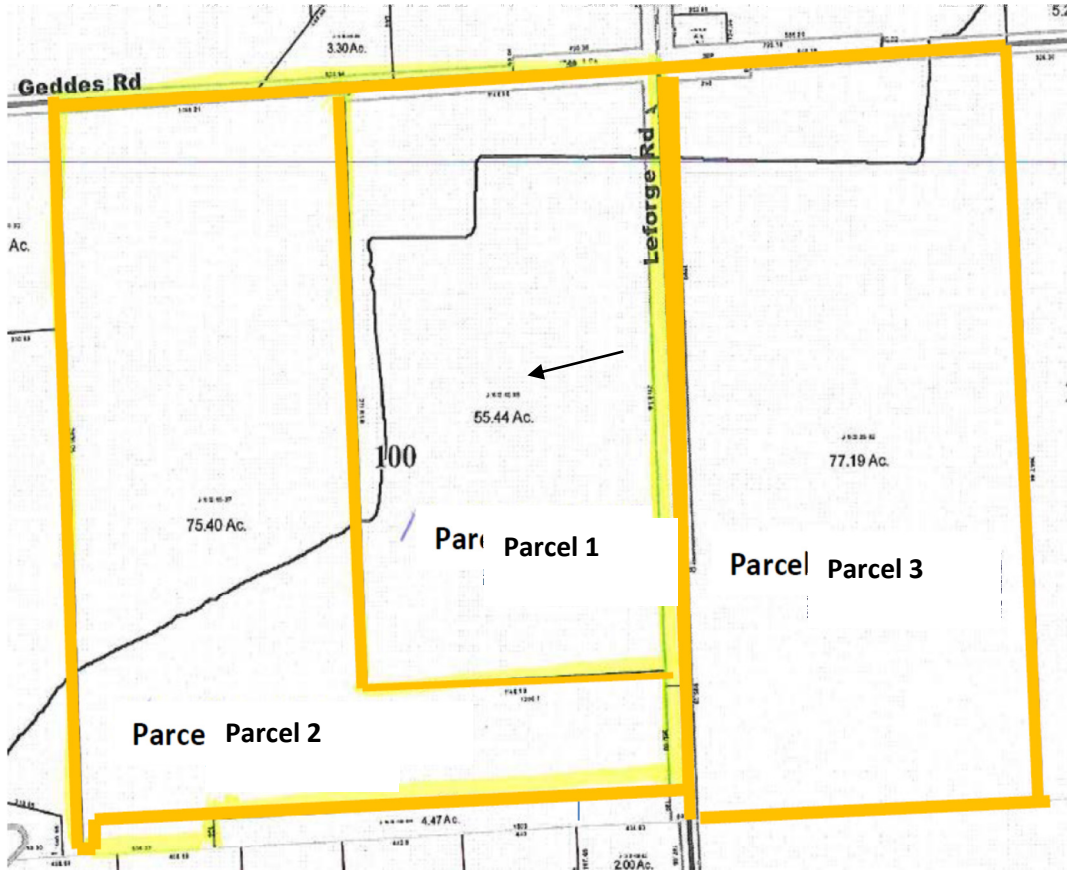
The millage rates in the schedule are 25% of the current rates for each taxing jurisdictions

Charter Township of Superior

LDFA Development Plan and TIF Plan

HATCI Expansion

Map 1 The Township LDFA



Charter Township of Superior

LDFA Development Plan and TIF Plan

HATCI Expansion

Map 2
Aerial
The Township
LDFA



Charter Township of Superior

LDFA Development Plan and TIF Plan

HATCI Expansion

Charter Township of Superior

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HATCI Expansion