

GENOA CHARTER TOWNSHIP
Regular Meeting and Public Hearing
October 19, 2009
6:30 p.m.

AGENDA

Call to order

Pledge of Allegiance:

Call to the Public:

Approval of Consent Agenda:

1. Payment of Bills
2. Request to approve minutes: 10-5-09
3. Consider approval of resolution authorizing the Township Manager to apply for a Michigan Energy Efficiency and Conservation Block Grant.

Approval of Regular Agenda:

4. Public hearing and request to consider an Industrial Facilities Exemption request from CRW Plastics for property located at 5775 Brighton Pines Court (formerly Dr. Schneider).

A. Call to the Public

5. Discussion regarding township noise ordinance.

Correspondence

Member Discussion

Adjournment

CHECK REGISTERS FOR TOWNSHIP BOARD MEETING

DATE: October 19, 2009

TOWNSHIP GENERAL EXPENSES: Thru October 19, 2009	\$108,672.69
October 16, 2009 Bi-Weekly Payroll	\$38,136.24
OPERATING EXPENSES: Thru October 19, 2009	\$187,708.80
TOTAL:	\$334,517.73

<u>Check Number</u>	<u>Vendor No</u>	<u>Vendor Name</u>	<u>Check Date</u>	<u>Check Amount</u>
25631	STAPLES	Staples	09/28/2009	89.98
25632	EHIM	EHIM, INC	09/29/2009	479.26
25633	MiTaxTri	Michigan Tax Tribunal	09/29/2009	25.00
25634	MORTENSE	H.J. Mortensen	09/29/2009	684.38
25635	SKOLAR P	Paulette Skolarus	09/29/2009	53.90
25636	Clearwat	Clearwater Systems	10/06/2009	1,189.60
25638	DTE LAKE	DTE Energy	10/06/2009	823.66
25639	ETNA SUP	Etna Supply Company	10/06/2009	1,262.93
25641	GANNETT	PRESS & ARGUS	10/06/2009	385.00
25642	LivCTrea	Livingston County Treasurer	10/06/2009	18.20
25643	Perfect	Perfect Maintenance Cleaning	10/06/2009	923.00
25644	STAUDER	Stauder, Barch & Assoc, Inc.	10/06/2009	400.00
25645	WASTE MA	Waste Management	10/06/2009	720.00
25646	US POSTA	US Postal Service	10/06/2009	1,478.93
25647	Administ	Total Administrative Services	10/16/2009	446.12
25648	Equitabl	Equivest Unit Annuity Lock Box	10/16/2009	220.00
25649	ADT	ADT Security Services, Inc.	10/19/2009	366.32
25650	AMER IMA	American Imaging, Inc.	10/19/2009	305.82
25651	ATT& IL	AT&T	10/19/2009	730.83
25652	BLUE CRO	Blue Cross & Blue Shield Of Mi	10/19/2009	11,578.00
25653	BORDINE	Bordine Nursery	10/19/2009	110.13
25654	Brighton	Brighton Analytical , L.L.C.	10/19/2009	65.00
25655	CONSUMER	Consumers Energy	10/19/2009	18.75
25656	COOPERST	Cooper's Turf Management LLC	10/19/2009	1,711.00
25657	CRAMPTON	Crampton Electric Co., Inc.	10/19/2009	515.55
25658	DYKGOS	Dykema Gossett	10/19/2009	564.40
25659	EHIM	EHIM, INC	10/19/2009	304.12
25660	GANNETT	PRESS & ARGUS	10/19/2009	80.00
25661	HEIKKINE	Heikkinen Law Firm	10/19/2009	2,000.00
25662	LANGWORT	Langworthy Strader Leblanc	10/19/2009	2,876.31
25663	MASTER M	Master Media Supply	10/19/2009	422.67
25664	MichMuni	Michigan Municipal Risk Mngmt	10/19/2009	7,104.80
25665	Miller C	Miller,Canf,Paddock,&Stone,PLC	10/19/2009	222.37
25666	Net serv	Network Services Group, L.L.C.	10/19/2009	45.00
25667	PETTYCAS	Petty Cash	10/19/2009	128.91
25668	Sitnar	Susan Sitner	10/19/2009	50.75
25669	T.BLOOME	T.BLOOMER	10/19/2009	300.00
25670	WASTE MA	Waste Management	10/19/2009	69,972.00

Report Total: 108,672.69

Accounts Payable
Computer Check Register



User: diane
Printed: 10/09/2009 - 14:00
Bank Account: 101CH

Check	Vendor No	Vendor Name	Date	Invoice No	Amount
25647	Administ	Total Administrative Services	10/16/2009		446.12
				Check 25647 Total:	446.12
9798	AETNA LI	Aetna Life Insurance & Annuity	10/16/2009		25.00
				Check 9798 Total:	25.00
9799	EFT-FED	EFT- Federal Payroll Tax	10/16/2009		3,595.43 2,252.51 2,252.51 526.82 526.82
				Check 9799 Total:	9,154.09
9800	EFT-PENS	EFT- Payroll Pens Ln Pyts	10/16/2009		427.94
				Check 9800 Total:	427.94
25648	Equitabl	Equivest Unit Annuity Lock Box	10/16/2009		220.00
				Check 25648 Total:	220.00
9801	FIRST NA	First National Bank	10/16/2009		300.00 3,082.18 22,294.63

Check 9801 Total:

25,676.81

Report Total:

35,949.96

5 checks + 2186.28

\$38,136.24

Township of Genoa
User: diane

Payroll
Computer Check Register

Printed: 10/09/09 12:44
Batch: 604-10-2009

<u>Check No</u>	<u>Check Date</u>	<u>Employee Information</u>		<u>Amount</u>
11887	10/16/2009	BrookinsL	Lauren Brookins	422.40
11888	10/16/2009	BrownD	Douglas Brown	609.51
11889	10/16/2009	McManus	John McManus	147.76
11890	10/16/2009	MortensenH	H.J. Mortensen	415.57
11891	10/16/2009	Tengel	Dean Tengel	591.04
Total Number of Employees: 5		Total for Payroll Check Run:		2,186.28

**First National
Direct Deposit
OCTOBER 16, 2009
Bi-Weekly Payroll**

<u>Employee Name</u>	<u>Debit Amount</u>	<u>Credit Amount</u>
Adam Van Tassell		\$1,064.09
Amy Ruthig		\$973.59
Angela Williams		\$637.37
Caleb Klebig		\$414.92
Carol Hanus		\$1,286.82
Dave Estrada		\$1,047.59
Debbie Hagen		\$544.18
Deborah Rojewski		\$2,268.99
Diane Zerby		\$616.00
Genoa Township	\$25,676.81	
Greg Tatara		\$2,332.39
Judith Smith		\$1,153.30
Karen J. Saari		\$950.69
Kelly VanMarter		\$1,997.16
Laura Mroczka		\$1,561.46
Mary Krencicki		\$86.07
Michael Archinal		\$2,776.98
Renee Gray		\$961.59
Robin Hunt		\$1,249.92
Sue Sitner		\$616.02
Tammy Lindberg		\$966.43
Tesda Humphriss		\$2,171.25
Total Deposit		\$25,676.81

EFT #: _____
INTERNET: _____
CHECK BOOK: _____

11:09 AM
10/14/09

#592 OAK POINTE WATER/SEWER FUND
Payment of Bills
September 30 through October 14, 2009

<u>Type</u>	<u>Date</u>	<u>Num</u>	<u>Name</u>	<u>Memo</u>	<u>Amount</u>
Check	10/05/2009	1556	AT & T	8/20 - 9/19/09	-183.08
Check	10/05/2009	1557	BRIGHTON ANALYTICAL	Invoices 0909-64760, 64790, 64793, 64838	-268.00
Check	10/05/2009	1558	CONSUMERS ENERGY	08/27 - 09/25/09	-16.00
Check	10/05/2009	1559	DTE ENERGY	Electric Service 8/28/09 - 9/29/09	-620.55
Check	10/05/2009	1560	STATE OF MICHIGAN	Inv# 578012	-18.00
Check	10/05/2009	1561	GALLOUP	Invoice # 967642-00	-473.04
Check	10/05/2009	1562	SCHUTZ & CO., INC	Miscellaneous invoices September 09	-1,119.30
Check	10/07/2009	1563	GRUNDY ACE OF HOWELL	Inv # 65386 & 65446	-61.96
Check	10/07/2009	1564	WASTE MANAGEMENT	Inv 3666621-1389-8	-94.15
Check	10/07/2009	1565	DTE ENERGY	Electric Service 8/31 - 9/30/09	-7,715.09
Check	10/14/2009	1566	AT & T	10/7 - 11/6/09	-377.04
Check	10/14/2009	1567	BREHOB	Inv 512565	-471.20
Check	10/14/2009	1568	BRIGHTON ANALYTICAL	Invoices 0909-64932 & 64933	-134.00
Check	10/14/2009	1569	CLEARWATER SYSTEMS	Acct MI-15805	-1,099.00
Check	10/14/2009	1570	MMRMA		-8,390.87
Check	10/14/2009	1571	MICHIGAN PIPE AND VALVE	Inv 448941	-1,494.00
Check	10/14/2009	1572	PVS Nolwood Chemicals, Inc	Inv 291381	-1,114.60
Check	10/14/2009	1573	UIS PROGRAMMABLE SERVICES	Inv# 530334045 & 530335047	-912.00
Check	10/14/2009	1574	USA Bluebook	Invoice 906498	-94.44
Total					-24,656.32

11:11 AM
10/14/09

#592 OAK POINTE WATER/SEWER FUND
Capital Improvement
Payment of Bills
September 30 through October 14, 2009

<u>Type</u>	<u>Date</u>	<u>Num</u>	<u>Name</u>	<u>Memo</u>	<u>Amount</u>
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no checks issued

11:06 AM
10/14/09

#595 PINE CREEK W/S FUND
Payment of Bills
September 30 through October 14, 2009

<u>Type</u>	<u>Date</u>	<u>Num</u>	<u>Name</u>	<u>Memo</u>	<u>Amount</u>
Check	10/01/2009	2048	GENOA-TWSP-ADMIN FEES	6/1/09 - 8/21/09 Billing	-3,509.44
Check	10/07/2009	2049	City of Brighton	7/1/09 - 09/30/09	-111,002.63
Total					-114,512.07

11:14 AM
10/14/09

#503 DPW UTILITY FUND
Payment of Bills
September 30 through October 14, 2009

<u>Type</u>	<u>Date</u>	<u>Num</u>	<u>Name</u>	<u>Memo</u>	<u>Amount</u>
Check	10/07/2009	1346	GRUNDY ACE OF HOWELL	Inv #'s 65346, 65792, 65868	-59.94
Check	10/14/2009	1347	CAVALIER	Acct 2119355	-17.35
Check	10/14/2009	1348	MMRMA	Inv 92755-1	-804.67
Total					-881.96

11:16 AM
10/14/09

#504 DPW RESERVE FUND
Payment of Bills
September 30 through October 14, 2009

<u>Type</u>	<u>Date</u>	<u>Num</u>	<u>Name</u>	<u>Memo</u>	<u>Amount</u>
no checks issued					

11:02 AM
10/14/09

#593 LAKE EDGEWOOD W/S FUND
Payment of Bills
September 30 through October 14, 2009

<u>Type</u>	<u>Date</u>	<u>Num</u>	<u>Name</u>	<u>Memo</u>	<u>Amount</u>
Check	10/07/2009	1606	City Of Brighton	Acct 003052-000 & 003053-000	-29,618.08
Check	10/07/2009	1607	GENOA TOWNSHIP-ADMIN FEES	Utility Bill Lake Edgewood 06/01 thru 08/31/2009	-2,428.28
Check	10/07/2009	1608	DTE Energy	Electric Service 09/2/09 - 09/30/09	-473.83
Check	10/14/2009	1609	AT&T	10/7 - 11/6/09	-233.12
Check	10/14/2009	1610	Brighton Analytical L.L.C.	Invoice 0909-64969, 64982	-887.00
Check	10/14/2009	1611	Consumers Energy	Gas Service 09/04 - 10/05/09	-99.73
Check	10/14/2009	1612	DTE Energy	Electric Service 008/31 - 09/30/09	-3,441.15
Check	10/14/2009	1613	M & K Jetting and Televising	Inv 09359	-756.00
Check	10/14/2009	1614	MMRMA	Inv 92755-1	-8,606.66
Check	10/14/2009	1615	PVS NOLWOOD CHEMICALS, INC	Inv 291383	-1,114.60
Total					-47,658.45

GENOA CHARTER TOWNSHIP

Regular Meeting

October 5, 2009

6:30 p.m.

MINUTES

Supervisor McCririe called the regular meeting of the Genoa Charter Township Board to order at 6:30 p.m. The Pledge of Allegiance was then said. The following persons were present constituting a quorum for the transaction of business: Gary McCririe, Paulette Skolarus, Robin Hunt, Todd Smith, Jean Ledford, Steve Wildman and Jim Mortensen. Also present were Township Manager Michael Archinal and approximately six persons in the audience.

A Call to the Public was made with the following response: Robert Kopicko – Please update me concerning your meeting with the Caldean Church. McCririe – The church agreed to perform the necessary sound testing concerning the noise and they will comply with our ordinance. Kopicko – Will your enforcement officer be there? McCririe - That depends on who the church hires. I understand they will hire a neutral party to enforce the ordinance. The volume from the music will be turned down. We will be meeting with the church for some future plans that they have for the property. Any plans will be submitted to the Planning Commission that meets the second Monday of each month. The agenda is on-line about one week before the meeting.

Sheila Canine – I have a neighbor who is a problem. He leaves junk cars in his yard and there is always noise. Does the nuisance problem vary from area to area? McCririe – Our ordinance with regard to nuisance would be universal within the township. Canine – Adam was out about a year ago and my neighbor was ticketed. He continues to have items such as a car seat, toilet and tires in his front yard. The noise is better but the yard is not good. The man never mows his yard and raccoons live in the roof of the house. His address is 1602 Skyview off Hacker in the Suburban Mobile Homes Estates. McCririe – We will talk to Adam again.

Patricia Kopicko – Please clarify your comments concerning the next festival that will be self monitored. McCririe – The situation at the camp got better in general. There were a lot less complaints this year than in the past. They actually made great progress. They will have people at the site to bring them into compliance. Kopicko – If they are not in compliance, the police will not deal with them. Where do we go? Smith – Adam should be at the concert next year. McCririe – The camp will send letters out to the neighbors next year concerning the festival. Kopicko – Green Oak Township is revising their ordinance with regard to the gun range; maybe the township should look at a revision to our ordinance. Mortensen – That is not a bad idea. We ought to revisit that ordinance.

Approval of Consent Agenda:

Moved by Hunt, supported by Mortensen, to approve all items listed under the consent agenda. The motion carried unanimously.

1. Payment of Bills

2. Request to approve minutes: 9-21-09

Approval of Regular Agenda:

Moved by Skolarus, supported by Ledford to approve for action items listed under the regular agenda with the addition of item 5. Request for approval of a franchise agreement with the City of Brighton, Brighton Township and Genoa Charter Township that would extend water to Brighton Township. 6. Request to adjourn to a closed session of the board to discuss the purchase of property for which there is no purchase agreement. The regular agenda was approved as requested. The motion carried unanimously.

3. Request to consider an Industrial Facilities Exemption request from CRW Plastics for property located at 5775 Brighton Pines Court (formerly Dr. Schneider).

A call to the public was made with no response. Moved by Smith, supported by Wildman, to table the request to the Oct. 19, 2009 meeting to allow time for notification of the taxing units of the request for exemption. The motion carried unanimously.

4. Update from the Township Treasurer regarding township finances.

Hunt provided data concerning an updated list of banks and township fund balances as of 09/30/2009 with \$12,621,501.95 being covered under federal insurance programs or local pledge.

5. Request for approval of a franchise agreement with the City of Brighton, Brighton Township and Genoa Charter Township that would extend water to Brighton Township.

Archinal provided an overview of the meetings with the City of Brighton, Brighton Township and Genoa. Reciprocal agreements have been reached in the past with both the City of Brighton and Brighton Township. The pipeline is already in the ground and it is just a matter of agreement on our part. Our township attorney has reviewed the draft and has suggested minor changes. Moved by Mortensen, supported by Wildman, to approve the franchise agreement as requested subject to a final review by the township attorney. The motion carried unanimously.

6. Request to adjourn to a closed session of the board to discuss the purchase of property for which there is no purchase agreement.

Moved by Skolarus, supported by Hunt, to adjourn to closed session to discuss the purchase of property at 6:55 p.m. The motion carried by roll call vote as follows: Ayes – Ledford, Smith, Hunt, Wildman, Mortensen, Skolarus and McCrie. Nays – None.

The Regular meeting of the board was re-adjourned and the regular business of the board was concluded as follows:

Moved by Smith, supported by Wildman to authorize the supervisor to execute a purchase agreement as discussed in the closed session. The motion carried unanimously.

McCrie advised the board that the State of Michigan granted the purchase of land off Oak Haven that will be divided (with deed restrictions) between the homeowners along the 33' roadway. A check will be mailed to the Department of Natural Resources with regard to Land Transaction Case #30080019 for \$2,300.00 to complete the purchase.

McCrie asked that the 11/16/09 regular meeting of the board be cancelled. Moved by Skolarus, supported by Smith, to approve the request. The motion carried unanimously.

Ledford advised the board that the recreation director for SELCRA had submitted his resignation and that SELCRA is looking for a new director.

The regular meeting of the Genoa Charter Township Board was adjourned at 7:10 p.m.



Paulette A. Skolarus
Genoa Township Clerk

(Press/Argus 10/09/2009)

MEMORANDUM

TO: Township Board

FROM: Mike Archinal, Township Manager

DATE: 10/16/09

RE: Michigan Energy Efficiency & Conservation Block Grant Application

Attached you will find a rough draft of a grant application staff has been working on over the past few days for the installation of five wind energy conversion systems on the Township Hall property. The applicable grant program was pushed through the Michigan Department of Energy, Labor and Economic Growth extremely quickly with funding from the American Recovery and Reinvestment Act. The application is due in Lansing next Thursday. For that reason I am asking the Board to consider a resolution authorizing me to make application for the grant.

As you will notice we are still quantifying budget numbers. Our grant request will be in the amount of approximately \$100,000. I look forward to discussing this matter with you Monday night if you should have any questions.



Proposal Cover Page

Michigan Department of Energy, Labor, & Economic Growth
Bureau of Energy Systems
Energy Efficiency and Conservation Block Grant Program
American Recovery and Reinvestment Act of 2009

<u>NAME OF APPLICANT ORGANIZATION(s)</u>	
Genoa Charter Township	
<u>CONTACT INFORMATION</u>	
Michael Archinal Township Manager Genoa Charter Township Mike@genoa.org (810) 227-5225	
<u>APPLICABLE POPULATION</u> (according to 2007 US Census; also, see Attachment B worksheet): 19,972	
<u>Grant Amount Requested</u> \$	<u>Single</u> or <u>Multi-jurisdictional Applicant</u> (circle one)
<u>Multi-purpose or LED Demonstration Grant</u> (circle one)	<u>If Multi-purpose Grant, check activity area(s) that apply:</u>
<u>NEPA (National Environmental Policy Act) GO-EF-1 Questionnaire attached?</u> <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Develop an energy efficiency and conservation strategy and/or hire technical consultant services to assist in developing such a strategy.
<u>SHPO (State Historic Preservation Office) Section 106 Review. Is your building or structure:</u>	<input type="checkbox"/> Offer residential and/or commercial building energy audits.
1. Fifty years of age or older? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Create financial incentive programs and mechanisms for energy efficiency improvements e.g. performance contracting, on-bill financing, revolving loans.
2. Listed or eligible for listing on the National Register of Historic Places? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Grants to nonprofit organizations and government agencies for ee retrofits.
3. Located in a historic district or eligible historic district? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Energy efficiency and conservation programs for buildings and facilities.
If your building or structure is fifty years of age or older you MUST include the Bureau of Energy Systems/SHPO Application for Section 106 Review with supplemental documents requested on the application form. (RFP Attachment E)	<input type="checkbox"/> Develop and implement transportation programs to conserve energy.
	<input type="checkbox"/> Accelerate building codes training and inspections to promote building energy efficiency.
	<input type="checkbox"/> Apply and implement energy distribution technologies that significantly increase energy efficiency including distributed resources, combined heat and power and district heating and cooling systems.
	<input type="checkbox"/> Increase participation and efficiency rates of material conservation programs e.g. source reduction, recycling and recycled content procurement programs.
	<input type="checkbox"/> Purchase and implement technologies that reduce and capture and use methane and greenhouse gases generated by landfills or similar sources.
	<input type="checkbox"/> Replace traffic signals and street lighting w. energy efficient lighting technologies, including LED and other technology of equal or greater energy efficiency.
	<input checked="" type="checkbox"/> Install renewable energy technology on or in any government building that generates electricity from renewable resources including solar, wind, biomass energy.
<u>In this box, please provide a succinct description of your project's scope:</u>	
Installation of five hybrid (wind and solar) Windspire/CBS renewable energy systems and connection to the Genoa Charter Township Hall.	

GENOA CHARTER TOWNSHIP




PROPOSAL FOR MULTI-PURPOSE GRANT FOR NON-ENTITLEMENT LOCAL GOVERNMENTS

Conversion GENOA CHARTER TOWNSHIP WIND ^{Energy} POWER
GENERATOR SYSTEM INSTALLATION

Add Table of Contents

V-A Identification of Organization

Genoa Charter Township
2911 Dorr Road
Brighton MI 48116

Federal I.D. # 

V-B Authorized Negotiators

Michael C. Archinal
Township Manager
810.227.5225

V-C Management Summary

Primary project management will be the responsibility of the Township Manager, Michael Archinal, M.P.A. A.I.C.P.. The Township Engineer, Tesha Humphriss, P.E. will be responsible for survey, construction coordination and materials testing. The Township Utility Director, Dr. Gregory Tatara will coordinate underground construction. The Township Planning Director, Kelly VanMarter, A.I.C.P. will coordinate Planning Commission approvals and permits. Financial management and reporting shall be the responsibility of the Township Manager. All matters related to the financial management of this project will be audited by an Independent Auditor, Kenneth Palka, C.P.A. in accordance with Generally Accepted Accounting Principles.

As a sole source provider the five CBS/Mariah Power Hybrid Renewable Energy Systems will be installed by Contractors Building Supply for an agreed to unit price. Concrete, underground and electrical work will be competitively bid. At least three bids will be solicited for each of these scopes of work. Payments to contractors will only be made after review and approval by the Township Engineer and Township Manager. Checks must be signed by at least two of the following individuals: Supervisor, Clerk, Treasurer, Deputy Clerk and Deputy Treasurer. Any and all payments are approved by the Township Board.

Quarterly and final reports will be provided to the State Project Manager and will include an evaluation of the project in terms of: job creation, energy savings per dollar invested, renewable energy capacity installed and greenhouse gas emissions reduced. Wireless software will be provided by Contractors Building Supply which will continuously report and record energy production. This data will be

Add Pre: job creation + retention

used to analyze energy savings and greenhouse gas emission reductions. The final report will specifically identify the benefits attributable to the grant.

V-D Statement of the Problem

The installation of the wind and solar renewable energy systems will reduce the Township's use of electricity derived by fossil fuels. This will result in energy savings and reduced greenhouse gas emissions. Jobs will be created directly through the provision of work for electrical, underground, concrete and installation contractors. Also the Mariah Power Windspire is a Michigan ~~Made~~ product with production facilities in Manistee.

On a broader level the installation will provide a highly visible demonstration of the benefits of renewable energy systems and the ability to install such systems in harmony with surrounding land uses. We are in the process of updating our Zoning Ordinance to accommodate wind and ~~solar~~ systems. Much of the public's concern with these systems is related to visual and auditory nuisance. Because of the Windspire's minimal aesthetic and noise impacts and the Township Hall's prominent location on Interstate 96 the project will encourage residential and other small scale applications. This will leverage private investment in renewable energy thereby reducing dependence on out-of-state fossil fuels.

V-E Work Plan

(Appendix A)

Five 50' tall Windspire/CBS Renewable Energy Systems will be installed as part of this project. The site is currently covered by fallow pasture with scrub Russian Olive. The site will be cleared. The Township Engineer will coordinate with the installation contractor to identify pier locations. The Township Engineer will survey and mark the locations and obtain soil borings. The underground contractor will excavate pier locations and provide a trench for electrical conduit. The concrete contractor will install pier foundations and reinforcing steel as provided in the attached shop drawings provided by Mark A. Pressell P.E. The Township Engineer will test the concrete to confirm design stresses including slump tests and 28 day core compression. Contractor's Building Supply will perform the structural installation. The electrical contractor will provide conduit and connection to the Township Hall's main panel. The underground contractor will stabilize disturbed areas with seed and mulch.

Cascade Case Contractor

The Township already provides a computer work station where customers can access utility, tax, assessing and other Township information. ~~An additional work station will be added~~ ^{A link will be} that will show real-time and historic power generation by the Renewable Energy Systems. Informational brochures will be on hand to distribute to interested walk up customers. A quarterly Township newsletter article will be dedicated to the project and will inform residents of the benefits of

added to an existing workstation

Estimate energy savings + greenhouse gas emission reduction, How Quantified. ^{renewable cost savings}

green energy options. The Township website www.genoa.org will include project information and provide a link to view real time wind and solar energy production.

See Appendix B

Staff Member	Task	Hours
Township Manager	Prepare Bid Documents	10
Planning Director	Obtain Permits	3
Township Manager	Review Bids and Award	2
Township Manager	Prepare Contracts	8
Township Board	Authorize Contracts	1
Township Engineer	Coordinate Pier Locations	2
Township Engineer	Survey & Soil Borings	8
Twp. Utility Director	Inspect Excavation and	8
	Conduit Installation	
Township Engineer	Concrete Testing	4
IT Director	Workstation Installation	4
IT Director	Website Update	4
Township Manager	Newsletter Article	2
Township Manager	Create Brochure	8

Reporting →

8

V-F National Environmental Policy Act Questionnaire

The form has been completed and is attached to this application.

V-H State Historic Preservation Office (SHPO) Review

The form has been completed and is attached to this application.

V-I Prior Experience

Genoa Charter Township has established itself as a leader in outstanding municipal management. This includes the ability to coordinate complex projects. During the explosive growth of the last two decades the Township has been responsible for the installation of \$48,500,000 worth of water and sewer infrastructure. In the last eight years the Township has constructed five miles of pedestrian pathways. Part of this construction was funded by a \$34,000 Community Foundation Grant. Over the last 12 years the Township has expended \$3,600,000 on local road improvements. We have also received DTE Energy Community Forestry Grants and have maintained compliance with the terms of the grants. Despite difficult economic times Genoa Township's Standard & Poor's Bond rating was upgraded from A to AA.

V-J Personnel

The project management team will include the following personnel:

Michael Archinal M.P.A./A.I.C.P., Manager
 Tesha Humphriss P.E., Engineer
 Kelly VanMarter M.U.P./A.I.C.P., Planning Director
 Dr. Gregory Tatara, Utilities Director

Resumes for the team are attached. Individual task assignments for the project will as provided in the work plan which is repeated here:

Grant Preparation 10 hours

Staff Member	Task	Hours
Township Manager	Prepare Bid Documents	10
Planning Director	Obtain Permits	5
Township Manager	Review Bids and Award	2
Township Manager	Prepare Contracts	8
Township Board	Authorize Contracts	1
Township Engineer	Coordinate Pier Locations	2
Township Engineer	Survey & Soil Borings	8
Twp. Utility Director	Inspect Excavation and	8
	Conduit Installation	
Township Engineer	Concrete Testing	4
IT Director	Workstation Installation	4
IT Director	Website Update	4
Township Manager	Newsletter Article	2
Township Manager	Create Brochure	8

V-K Time Frame

Genoa Charter Township is prepared to proceed with either a December 2009 or March 2010 start date.

V-L Budget Considerations

Township is not seeking to recoup personnel/fringes

Line Item	State	Applicant	Total
Personnel/fringes		X	
Contracted Underground			
Contracted Electrical			
Contracted Concrete			
Contracted Installation			
Soil Borings	2000		
Prepare Bid Documents	5000		
Windspire x 5 qual	12	50000	60000
Site Work	15000		
Upgrade Existing Electrical Panel	10000		

Wind Energy Conversion System

add to make grant max.

New Workstation and Output Interface	2000		
Information Brochures	1000		
	500		

V-M Additional Information and Comments

The Genoa Charter Township Hall is located on 45 acres directly adjacent to I-96. The proposed wind system installation will be placed on a hill-top setting next to the building. This will provide the benefits of high visibility and high wind speeds. The Township property also has two soccer fields and a walking path that winds its way around ponds and wetlands. These amenities draw a large number of people to our site. In addition to reducing fossil fuel use the project will draw attention to a system with low aesthetic and auditory impacts and will encourage residential and small scale applications. Photographs are attached showing the advantages of the selected location.

and thereby leverage private invest. to accomplish the goal.

A certified copy of a resolution by the Genoa Charter Township Board authorizing of the EECBG submittal of the proposal is also attached.

Pier foundation information and product information are attached.

V-N Authorization to Submit Proposal

I certify that all information contained in the proposal is true to the best of my knowledge and belief, and that the organization is in compliance and agreement with all sections of the request for proposal.

Michael C. Archinal
Township Manager
Genoa Charter Township
810.227.5225
mike@genoa.org

MICHAEL CHRISTIAN ARCHINAL
2705 Hubert
Brighton, MI 48114
(810) 225-0301

EDUCATION:

Central Michigan University, Mt. Pleasant Michigan

**September 1985/
May 1989**

Bachelor of Science Degree in the Liberal Arts
Major in Political Science with a Concentration in Public Administration
Minors in Economics and German

Wayne State University, Detroit Michigan

**January 1990/
August 1993**

Master of Public Administration (*Cum Laude*)
Dual Concentration in Planning Techniques and Research Methods
Member Pi Alpha Alpha National Public Affairs and Administration Honorary

EMPLOYMENT:

Genoa Charter Township, Brighton Michigan

**March 1998/
Present**

Township Manager

Chief Appointed Officer for a 20,000+ person Charter Township with 20 employees, \$1,436,269,850 property value and a \$5.3 Million General Fund and Enterprise Fund Budget. Since 1998 the Township's population has grown by 7,000 and property value has increased \$800,000,000. Implemented first Township Capital Improvements Program identifying \$57 Million in projects. Successfully applied for grants including Michigan Community Development Block Grants. Responsible for day-to-day administration of regional water and sewer authorities with over 7,500 customers. Drafted request for proposal and successfully bid water and sewer operations contract resulting in \$560,000 in savings. Established several Special Assessment Districts including \$6.4 Million Water and Sewer District. Secured intergovernmental agreements for the provision of regional utility service. Drafted and implemented pilot employee performance evaluation program. Coordinated \$115,000 computer hardware and software upgrade.

City of Brighton, Brighton Michigan

**September 1993/
March 1998**

Assistant City Manager/Community Development Director

Administrative director position responsible for a six person department including City Assessing, Planning, Building and Zoning Divisions with a \$442,000 budget. Duties include purchasing, risk management, coordination of City Planning, Engineering, Economic Development and legal consultants, labor relations and personnel management with police, fire, public works and clerical unions, Capital Improvements and operating budget analysis, creation, implementation and project management. Drafting of policies and City Ordinances and formal bid procedures oversight. Procurement of State and Federal grants. Assistance in creating and implementing intergovernmental agreements. Coordination of City data processing and information systems. Acting City Manager in the City Manager's absence. Direct administrative support to the City Manager.

MICHAEL CHRISTIAN ARCHINAL

2705 Hubert
Brighton, MI 48114
(810) 225-0301

Charter Township of Milford, Milford Michigan

June 1992/
September 1993

Deputy Code Official

Duties included performing residential and commercial plan review, preparing written inspection and review reports, conducting residential and commercial site inspections. Administrative support for Township Officials. Complied departmental budget reports. Created various forms and permit procedures.

City of South Lyon, South Lyon Michigan

July 1991/
June 1992

Code Enforcement Officer

Responsible for organization of site plan review process, assistant to the Planning Commission, oversight for adherence to approved site plans, building inspection, ordinance enforcement, enforcement of City engineering specifications. Researched and promulgated amendments to the City Code.

City of Wixom, Wixom Michigan

October 1990/
June 1991

Code Enforcement Officer

Duties included enforcement of site plan compliance, investigation of ordinance violations, serving of appearance tickets, court and other judicial proceedings and building inspection. Administrative assistant to the Building Director and the Planning Commission.

Highland Park Development Corporation, Highland Park Michigan

January 1991/
May 1991

City/University Consortium Intern

Economic development corporation. Constructed a registry of all businesses within the City through surveys and interviews. Worked closely with municipal offices and Chamber of Commerce. Compiled results and analyzed data.

REFERENCES:

Gary McCririe Supervisor Genoa Township (810) 227-5225	Dana Foster City Manager City of Brighton (810) 227-1911	Brad Strader Principal Langworthy, Strader & LeBlanc (248) 586-0505
Richard Heikkinen Township Attorney Genoa Township (517) 546-1434	Gary Markstrom Vice President TetraTech/MPS (810) 225-8419	Robert Block County Administrator Livingston County (517) 546-3669

MEMBERSHIPS:

- ICMA International City/County Management Association (14 Years)
- AICP American Institute of Community Planners
- MLGMA Michigan Local Government Management Association
- Chairman Livingston County Manager's Association

GREGORY M. TATARA

720 Glenlivet Street
Howell, MI 48843

Phone: (517) 548-9967
e-mail: Mtatara7@wmconnect.com

EDUCATION

Ph.D., MICHIGAN STATE UNIVERSITY
Major: Environmental Microbiology

East Lansing, MI
1996

B.S., *magna cum laude*, GANNON UNIVERSITY
Major: Biology

Erie, PA
1991

PROFESSIONAL EXPERIENCE

LIVINGSTON COUNTY
Deputy Drain Commissioner

Howell, MI
2000 - Present

Project Experience: Administered the operation of a 0.75 MGD Class-B Tertiary Discharge Wastewater Treatment Plant, two Class-SC groundwater discharge treatment plants, and 10 Community Wastewater Treatment Systems. Focused on improve biological operation of wastewater systems and implemented: a work order system for maintenance and repair, asset management plan for equipment replacement, budget tracking mechanisms, and sanitary design standards. Administered the construction of two wastewater treatment plants and associated collection systems for local townships. Managed Livingston County wastewater treatment plant personnel and prepared proposal requests for the selection of contract operation firms for wastewater systems not operated by Livingston County. Managed the operation and maintenance of the closed Livingston County landfill including methane gas collection systems, groundwater monitoring, leachate management and cap maintenance. Managed lake level and lake improvement projects including aquatic vegetation control, preparation of assessment districts, public education, and the acquisition, receipt, and administration of a \$700,000 hazard mitigation grant for the acquisition of floodplain properties.

THE TRAVERSE GROUP
Environmental Consultant / Project Manager

Ann Arbor, MI
(1997 - 2000)

Project Experience: Designed innovative bioremediation systems in conjunction with Michigan State University Researchers and, performed surfactant hydrocarbon solubilization and remediation at a diesel impacted site. Performed technical leadership on Phase I and Phase II Environmental Site Assessments; performed compliance audits for automobile manufacturing facility, including chemical inventories, storm water pollution prevention plans (SWPPP), and Resource Conservation and Recovery Act (RCRA) Contingency Plans. Performed flow balance studies for the diversion of industrial process waste water to Publicly Owned Treatment Works (POTW) and developed process flow minimization plans.

WASHTENAW COMMUNITY COLLEGE
Part Time Faculty in the Biology Department

Ypsilanti, MI
1999 - 2000

Instructed Biology 237 which is an introductory microbiology course with a laboratory Component

MICHIGAN STATE UNIVERSITY
Research Assistant in Environmental Engineering Laboratory

East Lansing, MI
1991 - 1995

Research Interests: Carbon tetrachloride transformation by *Pseudomonas* sp. strain KC, (kinetics, physiology, and field application), trichloroethylene transformation by methanotrophic mixed cultures.

Teaching Assistant:

1992 - 1994

Biological Science Laboratory: supervised two sections on basic biological laboratory principles. Responsible for recitations and writing exams. Students also received instruction on Microsoft Excel and Microsoft Word for data analysis, (one semester)

Microbiology for Environmental Health Engineering: Graded assignments and presented lectures in the professors absence, (one semester)

Medical Microbiology Lab: Provided instruction to medical students on clinical and diagnostic microbiological techniques pertinent to the medical profession, (two semesters).

GANNON UNIVERSITY
Teaching Assistant:

Erie, PA
1989-1991

Invertebrate Zoology Lab: supervised two lab sections on invertebrate physiology, anatomy, and phylogeny. Responsible for recitations and exams.

PUBLICATIONS

Tatara, G.M., M.J. Dybas, and C.S. Criddle. 1993. "Effects of medium and trace metals on kinetics of carbon tetrachloride transformation by *Pseudomonas* sp. strain KC," Journal of Applied and Environmental Microbiology. 59, 2126 - 2131.

Dybas, M.J., G.M. Tatara, and C.S. Criddle 1995. "Localization and characterization of the carbon tetrachloride transformation activity of *Pseudomonas* sp. strain KC," Journal of Applied and Environmental Microbiology, **61**,758 - 762.

Tatara, G.M., M.J. Dybas, and C.S. Criddle 1995. "Biofactor mediated transformation of carbon Tetrachloride by diverse cell types," Bioaugmentation of Chlorinated Solvents. Pp 69-76. Ed: R.E. Hinchee, A. Leeson, and L. Semprini, Bioremediation Series3(4), Battelle Press, Columbus, Ohio.

Dybas, M., G. Tatara, W. Knoll, T. Mayotte, and C.S. Criddle, 1995. "Niche adjustment for bioaugmentation with *Pseudomonas* sp. strain KC," Bioaugmentation for Site Remediation. pp 77-84. Ed: R.E. Hinchee, J. Fredrickson, and B.C. Allerman, Bioremediation Series 3(3), Battelle Press, Columbus Ohio.

Hyndman, D.W., M.J. Dybas, L. Forney, R. Heine, T. Mayotte, M.S. Phanikumar, G. Tatara, J. Tiedje, T. Voice, R. Wallace, D. Wiggert, X. Zhou, and C.S. Criddle, 2000. Hydraulic characterization and design of a full scale biocurtain. Ground Water 38 (3), 462-474.

PROCEEDINGS AND OTHER PUBLICATIONS

Tatara, G.M., B.Z. Fathpure, and C.S. Criddle. 1992 "Novel aspects of the transformation of carbon tetrachloride by *Pseudomonas* sp. strain KC." Insights 1, p. 3-5.

Dybas, M.J., G.M. Tatara, and C.S. Criddle. 1992 "Localization and characterization of carbon tetrachloride transformation activity of *Pseudomonas* sp. strain KC," Center for Microbial Ecology Research Findings, p. 114-120.

Tatara, G.M., J.V. Vidrine, B. Kach, and C.S. Criddle. 1993 "Strategies for enhanced transformation of TCE by methanotrophic cultures," Center for Microbial Ecology Research Findings, p. 247 - 249.

Tatara, G.M., M.J. Dybas, and C.S. Criddle. 1993. "Characterization of the components required for carbon tetrachloride transformation by *Pseudomonas* sp. strain KC," Center for Microbial Ecology Research Findings, p. 240 - 242.

Tatara, G.M., B.Z. Fathpure, and C.S. Criddle "Novel aspects of the transformation of carbon tetrachloride by *Pseudomonas* sp. strain KC," Abstr. American Society of Microbiology 92nd general meeting, New Orleans, LA, May, 1992.

Tatara, G.M., M.J. Dybas, and C.S. Criddle. "Initial characterization of the carbon tetrachloride transformation activity of *Pseudomonas* sp. strain KC," Abstr. American Society of Microbiology 93rd general meeting, Atlanta, GA, May 1993.

Dybas, M.J. G.M. Tatara, and C.S. Criddle. "Localization and characterization of the carbon tetrachloride transformation activity of *Pseudomonas* sp. strain KC," Abstr. American Society of Microbiology 93rd general meeting, Atlanta, GA, May 1993.

Dybas, M.J., Tatara, G.M. and C.S. Criddle. Bench scale demonstration of bioaugmentation-bioremediation of carbon tetrachloride contaminated groundwater and aquifer materials by *Pseudomonas* sp. Strain KC. National Science Foundation: Science and Technology Center Research Findings. 1993.

Tatara, G.M., M.J. Dybas, and C.S. Criddle. "Preliminary size determination and purification of the supernatant component involved in carbon tetrachloride transformation by *Pseudomonas* sp. strain KC," Abstr. American Society for Microbiology 94th general meeting, Las Vegas, NV, May 1994.

Tatara, G.M., M.J. Dybas, and C.S. Criddle "Rapid carbon tetrachloride transformation by diverse cell types in the presence of partially purified culture filtrate from *Pseudomonas* sp. strain KC," Third International Symposium on In-Situ and On-Site Bioreclamation, San Diego, CA, April 1995.

Dybas, M.J., Criddle, C.S., Klappendbach, J.A., Tatara G.M. Lubman, D., Cain, T., and B. Key. Characterization of carbon tetrachloride transformation activity of *Pseudomonas stutzeri* KD. EPA GLMAC HSRC Meeting, Ann Arbor, MI. 1997.

Criddle, C., Dybas, M., Tiedje, J., Hyndman, D. Voice, T., Wallace, R., Wiggert, D., Linning, K., Marchs, T., Geghard, R., Smalla, K., Zhou, J., Heine, R., and G. Tatara. Full scale biocurtain for efficient long-term removal of carbon tetrachloride and nitrate. Second International Conference on Remediation of Chlorinated and Recalcitrant Compounds, Monterey, CA. 2000.

Dybas, M. J. Zhao, X., Dybas, L., Wiggert, D., Hyndman, D., and G. Tatara. In situ evaluation of slow release nutrients for carbon tetrachloride degradation. Sixth International In situ and On site Bioremediation Symposium. San Diego, CA. 2001.

Dybas, M.J. Hyndmand, D., Phanikumar, M.S., Heine, R., Mayotte, T., Tatara, G.M., Voice, T., Wiggert, D., Tiedje, J., Wallace, R., Zhao, X., and C.S. Criddle. The Schoolcraft bioaugmentation experiment; efficient long-term bioremediation in a heterogeneous aquifer. National Groundwater Association Ground Water Expo. Las Vegas, NV. 2002.

PATENTS

Dybas, M.J., C.S. Criddle, and G.M. Tatara, Method for Conversion of a Halogenated Hydrocarbon using a *Pseudomonas* sp., Issued 9/2/03. US Patent No. US 6,613,558.B1

Criddle, C.S., M.J. Dybas, and G.M. Tatara. Method for remediation of an environment contaminated with carbon tetrachloride. Issued 11/11/03. U.S. Patent No. 6,645,756 B1.

Criddle, C.S., G.M. Tatara, and M.J. Dybas, Method and composition for bioremediation, 1994. Issued 2/11/97. U.S Patent No. 5,602,036

AWARDS AND HONORS

Shubert Award for Biological Research, 1991, Gannon University, Erie, PA.

Excellence in Biology, 1991, Gannon University, Erie, PA.

Outstanding Senior Award, 1991, Gannon University, Erie, PA.

Outstanding Senior Representative of the Year, 1991, Gannon University, Erie, PA.

Duvall Scholar in Microbiology, 1994, Microbiology Department, Michigan State University, East Lansing, MI.

Kelly K. VanMarter, AICP

967 Oakcrest Road, Howell, Michigan 48843
Phone: (517) 545-3456, E-mail: kellykola@sbcglobal.net

Education: **Master of Science in Resource Development**
1999-2002 Michigan State University, East Lansing, Michigan

Bachelor of Science in Urban and Regional Planning
1995-1999 Eastern Michigan University, Ypsilanti, Michigan
Minor in Environmental Analysis

Experience: **Planning Director**
1999–Present Genoa Township, Brighton, Michigan

- Supervise and coordinate the planning and zoning department;
- Administration, enforcement, monitoring, and updating the Township zoning ordinance, map, and master plan;
- Coordinate planning commission and plan review process;
- Staff representative to the Planning Commission;
- Coordination and oversight of the Township's GIS program;
- Issuance of land use permits;
- Involved in regional watershed, wellhead, and recreational planning projects and initiatives;
- Responsible for capital improvement planning;
- Procurement of easements related to Township projects;
- Grant investigation, application, and administration.

Research Assistant
1999-2001 Michigan State University, East Lansing, Michigan

- Research the connection between local government and neighborhood participation in the Cities of Lansing, Grand Rapids and Flint, Michigan;
- Research Transfer of Development Right programs in the United States;
- Research of growth management techniques that foster interjurisdictional cooperation for the Michigan Legislature's Urban Caucus
- Co-author "Developments of Regional Impact" and "Urban Growth Boundaries", A policy brief for the Michigan Legislature (December 2000);
- Research, write, implement, and analyze a survey of M.S.U. students assessing their environmental knowledge, attitudes and behaviors for a campus-wide watershed management plan of the Red Cedar River;

Planning Intern
1998-1999 Charter Township of Ypsilanti, Ypsilanti, Michigan

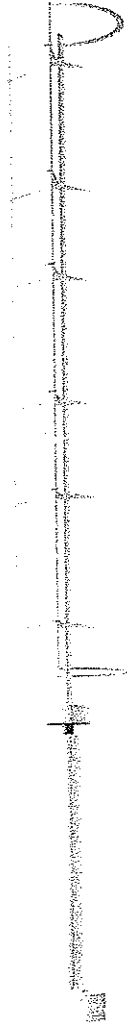
- Assist residents and professionals on planning and zoning issues;
- Review permits for compliance with Township Ordinances;
- Inspect sites for compliance with plan approval;

Certifications: American Institute of Certified Planners

Professional Memberships: American Planning Association
Michigan Association of Planning
Scholarship Committee for the Michigan Society of Planning
Notary public

Key Features:

- Clean Renewable Energy
- Complete Wind Power System
- Sleek, Attractive Design
- Cost Effective
- Silent Operation
- Made in the USA
- Made from Recycled Materials
- Low Profile, only 30 Feet Tall
- Annual Energy ~ 2000+ kWh/yr
- Grid-Ready, Plug 'n Produce™
- Integrated Inverter
- High Efficiency Generator
- Hinged Monopole Makes Installation Simple
- Wireless Performance Monitor
- Maintenance-Free
- Independently Tested
- IEEE & UL Certified
- Popular Science "Best of What's New 2008" Award



Power to Inspire™

Clean Energy for You

Affordable, attractive and ultra quiet, the Windspire® wind turbine gives you the power to create clean energy from the natural wind just outside your door. At only 30 feet tall and 4 feet wide, the Windspire wind turbine is distinguished by its sleek propeller-free design and ultra-quiet operation. Designed for use where you live or work, the Windspire is currently powering homes, small businesses, schools, museums, parks, and much more.

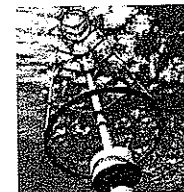


Power from Wind

The Windspire® wind turbine generates power when the wind blows against its vertical airfoils causing them to spin. This power is then converted into AC electricity and is immediately available to power your home grid and all the appliances that draw electricity from it, such as lights, refrigerators, and air conditioners. While the technology behind the Windspire is complex, the basic premise is simple: the stronger the wind the more power it generates.

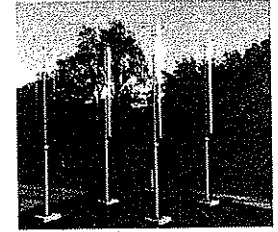
Wind & Site Requirements

The Windspire® wind turbine was designed to operate in areas with minimum average wind speeds of at least 10 mph (4.5 m/s) though it works best where average winds exceed 12 mph (5.4 m/s). Wind speeds vary by location, even within a property, and generally preferred sites are clear of any nearby obstructions such as tall trees or buildings. Your Windspire Dealer can discuss siting guidelines with you in more detail.

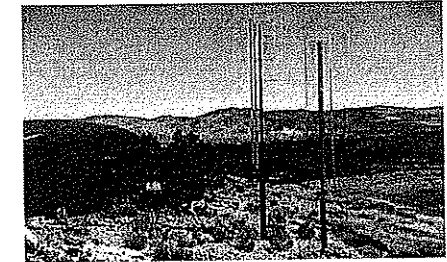


Installation is Quick & Easy

Simple to install and use, the Windspire® wind turbine comes as a complete system with a high-efficiency generator, integrated inverter, hinged monopole, and wireless performance monitor. Once your foundation is properly laid, your Windspire Dealer can install your new Windspire in as few as three hours without the use of heavy machinery.



Credit: Devon Bank



Be Smart & Save Money

Starting at \$6,500 for the complete system (before installation) the Windspire® is priced much lower than comparable wind turbines and other alternative energy options. Independent tests confirm the Windspire will produce approximately 2,000 kilowatt hours per year in 12-mile per hour average winds. This equates to around a quarter of the average energy needs of a residential home.

Depending on wind conditions, electricity rates, and local incentives, the Windspire can pay for itself in as little as five years. The U.S. Federal Government provides a 30% tax credit off the total cost of the Windspire including installation fees. Other local incentives may be available in your area.



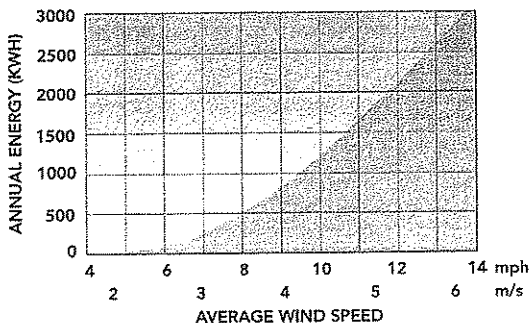
www.mariahpower.com
5450 Louie Lane,
Reno, NV 89511
775-857-4888

Windspire

Clean. Simple. Smart.



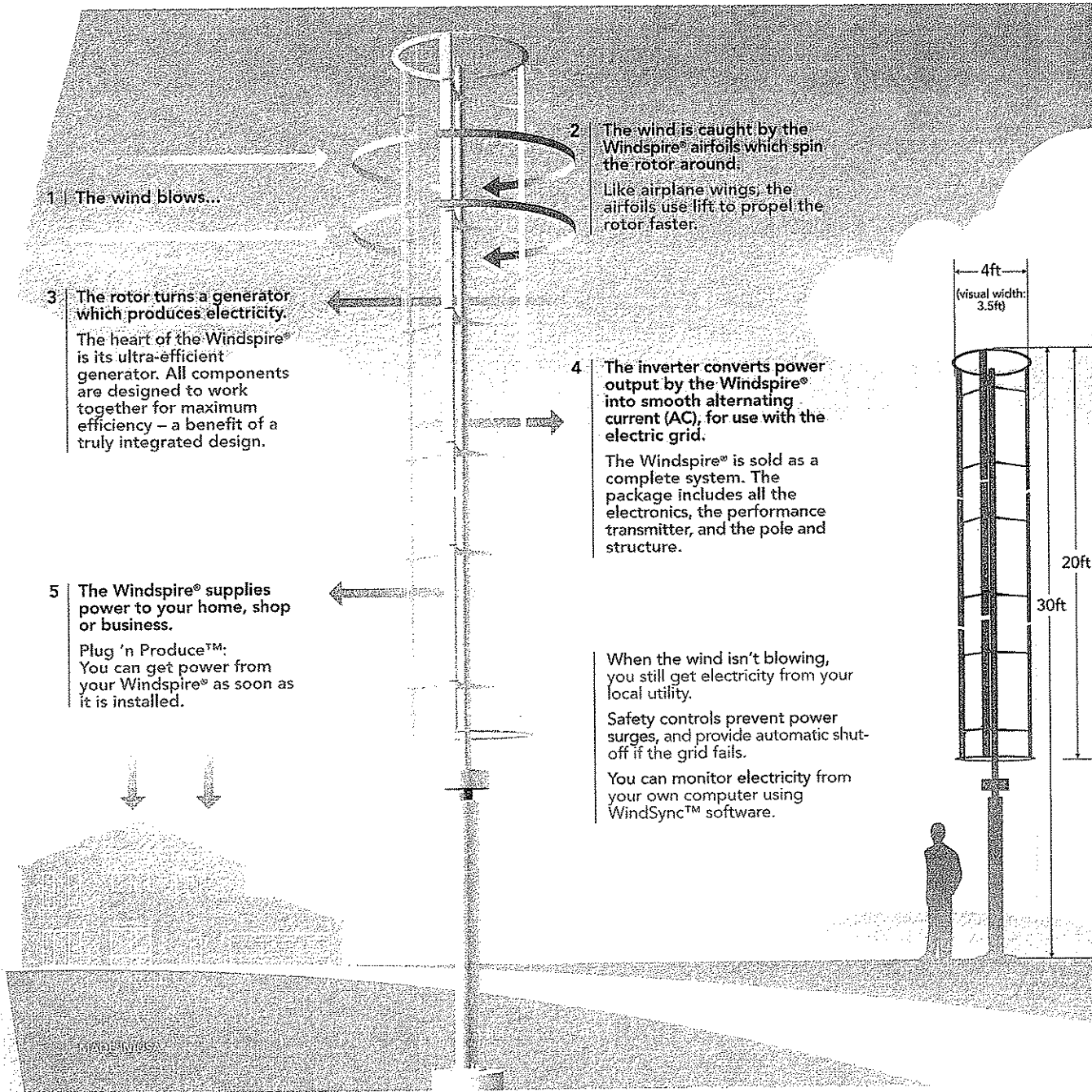
Windspire® Annual Energy Production



Specifications

Annual Energy Production (AEP) with 12 mph 5.4m/s average wind speed	2000 kWh*
Instantaneous Power Rating (IPR) at 25 mph	1.2 kW
Standard Unit Height	30 ft 9.1 m (pole extension options)
Sound Measurement	6 dB above ambient (15 mph wind, 6 ft from base)
Total Weight	624 lb 283 kg
Min Wind Required for Power	8 mph 3.6 m/s
Survival Wind Speed	105 mph 47 m/s
Rotor Material	Recycled Aircraft Grade Extruded Aluminum
Monopole/Structure Material	Recycled High-Grade Steel
Standard Warranty	5 years

*AEP is based on assumptions, including a Rayleigh wind speed distribution and sea level air density.



1 The wind blows...

3 The rotor turns a generator which produces electricity. The heart of the Windspire® is its ultra-efficient generator. All components are designed to work together for maximum efficiency – a benefit of a truly integrated design.

5 The Windspire® supplies power to your home, shop or business. Plug 'n Produce™: You can get power from your Windspire® as soon as it is installed.

2 The wind is caught by the Windspire® airfoils which spin the rotor around. Like airplane wings, the airfoils use lift to propel the rotor faster.

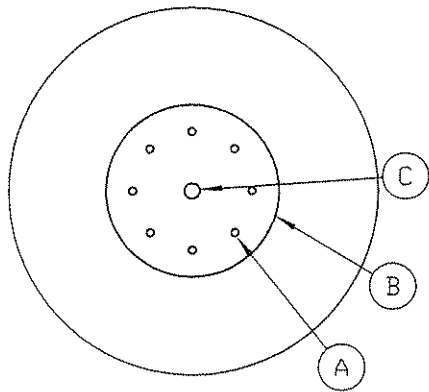
4 The inverter converts power output by the Windspire® into smooth alternating current (AC), for use with the electric grid.

The Windspire® is sold as a complete system. The package includes all the electronics, the performance transmitter, and the pole and structure.

When the wind isn't blowing, you still get electricity from your local utility.

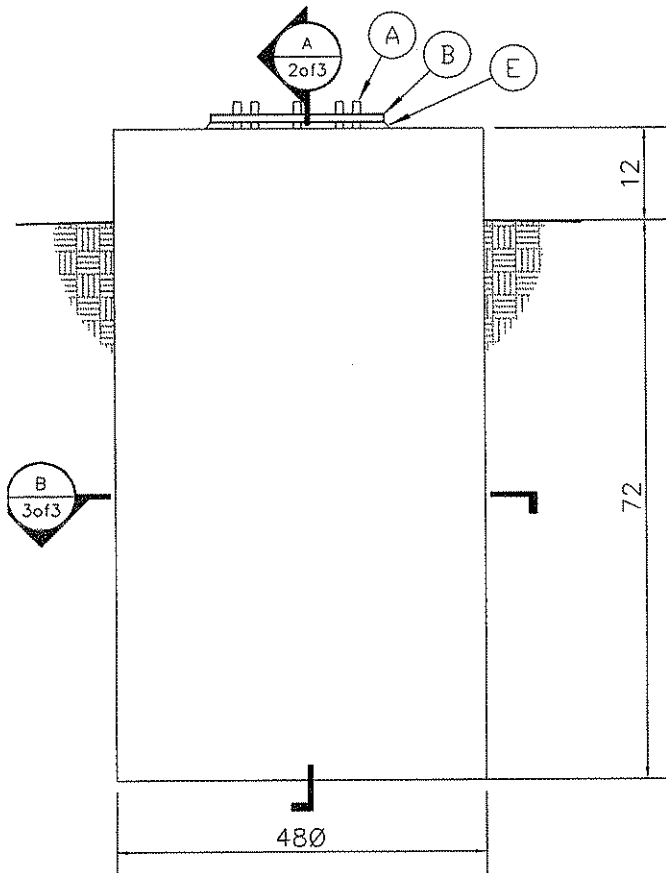
Safety controls prevent power surges, and provide automatic shut-off if the grid fails.

You can monitor electricity from your own computer using WindSync™ software.



PLAN

SCALE: $\frac{1}{2}'' = 1'-0''$



ELEVATION

SCALE: $\frac{1}{2}'' = 1'-0''$

HARDWARE SCHEDULE

TAG	DESCRIPTION
A	ANCHOR ROD 8-1"Ø x 36" A307
B	20" x 20" BASE PLATE
C	ELECTRICAL CONDUIT
D	GROUND PLATE
E	NON-SHRINK GROUT

CODES

MICHIGAN DEPARTMENT OF LABOR & ECONOMIC GROWTH, BUREAU OF CONSTRUCTION CODES, MICHIGAN BUILDING CODE

ENGINEERING DATA

WIND LOAD

BASIC WIND SPEED 90 mph
 WIND LOAD IMPORTANCE 1.0
 WIND EXPOSURE D

EARTH QUAKE LOAD

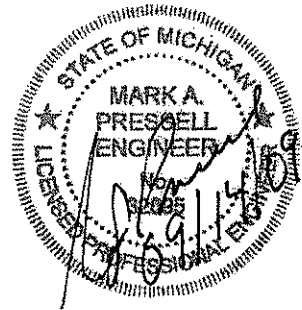
SEISMIC IMPORTANCE 1.0
 SEISMIC USE GROUP I
 SITE CLASS D

DESIGN STRESSES

SOIL BEARING CAPACITY 1500 psf

CONCRETE

28 day comp strength 3000 psi
 Air Entrainment 6±1%
 Min Cement content 6 SACK
 Max water/cement ratio 0.55



pressell
 engineering
 &
 design
 8995 W. Kelly Rd.
 Lake City, MI 49651
 231.839.3969

PREPARED BY:
 Mark A. Pressell P.E.

PREPARED BY:
 Contractor's Building Supply

PROJECT:
 Hybrid Tower
 50' Windspire Turbine
 Pier Foundation

DATE:
 09/11/09

SHEET:
 1 of 3

EXTEND 3½" MIN
EMBED 20" MIN

5-#4 TIE
@ 4" o.c.

5-#4 TIE @ 8" o.c.

4-#4 TIE
@ 4" o.c.

4 CL

3 CL

480

3 CL


SLOPE GRADE
AWAY FROM PIER

12

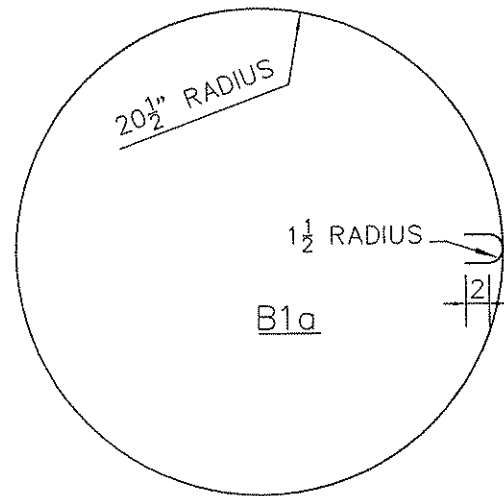
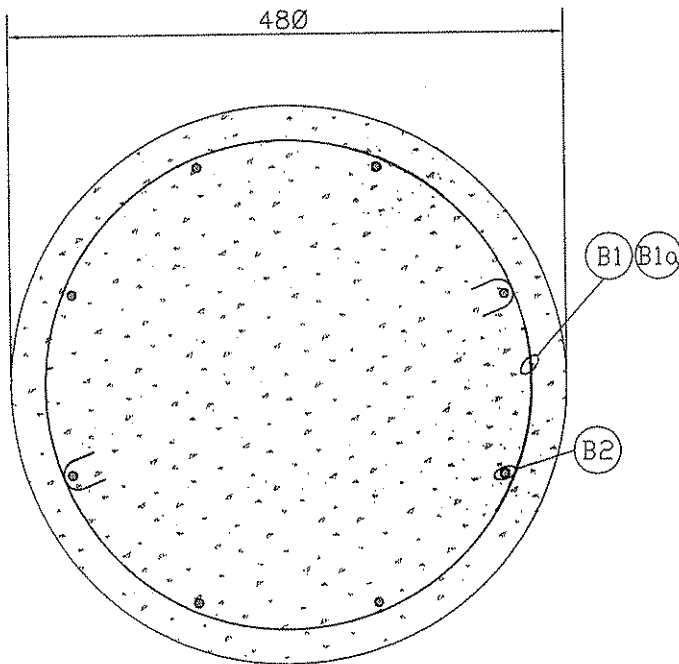
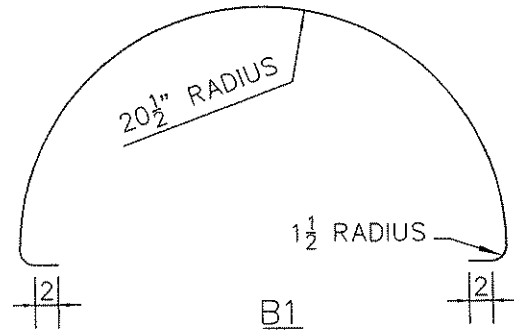
84

CLEAN GRANULAR FILL
COMPACT IN 8" LIFTS

A SECTION
SCALE: ¾" = 1'-0"

 <p>pressell engineering & design 8995 W. Kelly Rd. Lake City, MI 49651 231.839.3969</p>	PREPARED BY: Mark A. Pressell P.E.
	PREPARED BY: Contractor's Building Supply
	PROJECT: Hybrid Tower 50' Windspire Turbine Pier Foundation
	DATE: 09/11/09 SHEET: 2 of 3

BAR SCHEDULE			
TAG	SIZE	LENGTH	QTY
B1	#4	74"	28
B1a	#5	140"	14
B2	#5	78"	8



B SECTION
 SCALE: $\frac{3}{4}'' = 1'-0''$

pressell
 engineering
 design
 8995 W. Kelly Rd.
 Lake City, MI 49651
 231.839.3969

PREPARED BY: Mark A. Pressell P.E.	
PREPARED BY: Contractor's Building Supply	
PROJECT: Hybrid Tower 50' Windspire Turbine Pier Foundation	
DATE: 09/11/09	SHEET: 3 of 3

GO-EF1
(2/06/02)U.S. DEPARTMENT OF ENERGY
GOLDEN FIELD OFFICE

ENVIRONMENTAL CHECKLIST

(To Be Completed by Potential Recipient)

The Department of Energy (DOE) is required by the National Environmental Policy Act (NEPA) of 1969 as amended (42 U.S.C. 4332(2), 40 CFR parts 1500-1508) and DOE implementing regulations (10 CFR 1021) to consider the environmental effects resulting from federal actions, including providing financial assistance. Please provide the following information to facilitate DOE's environmental review. DOE needs to evaluate the requested information as part of your award negotiation.

Instructions and Handbook: Terms that appear in blue have more detailed information available to assist you in completing the form. Save the form to your local directory. Leave your internet browser open and open the form in Word from the local directory. Click on the blue term and it will automatically open the handbook at the appropriate place. Click on the back button to return to your form. Or, you may click [here](#) to open the handbook.

PART I: General Information

Project

Title: Genoa Charter Township Wind and Solar System InstallationSolicitation Number: DE-FOA-0000013

1. Please describe the intended use of DOE funding in your proposed project. For example, would the funding be applied to the entire project or only support a phase of the project? Describe the activity as specifically as possible, i.e. planning, feasibility study, design, data analysis, education or outreach activities, construction, capital purchase and/or equipment installation or modification. Installation of five hybrid (wind and solar) Windspire/CBS renewable energy systems and connection to the Genoa Charter Township Hall through a Michigan Energy Efficiency & Conservation Block Grant
2. Does any part of your project require review and/or permitting by any other federal, state, regional, local, environmental, or regulatory agency? Yes No

If yes, please provide a list of required reviews and permits in the appropriate item number in Part II.
Local Zoning Review and Land Use Permit from Genoa Charter Township.
Building Permit from Livingston County Building Department.

3. Has any review (e.g., NEPA documentation, permits, agency consultations) been completed?
 Yes No If yes, is a finding or report available and how can a copy be obtained?
4. Is the proposed project part of a larger scope of work?
 Yes No If yes, please describe.

Do you anticipate requesting additional federal funding for subsequent phases of this project?

- Yes No

If yes, please describe.

5. Does the scope of your project **only** involve one or more of the following:

- Information gathering such as literature surveys, inventories, audits,
- Data analysis including computer modeling,
- Document preparation such as design, feasibility studies, analytical energy supply and demand studies,
or
- Information dissemination, including document mailings, publication, distribution, training, conferences,
and informational programs.

If the scope of your project is **limited to** the block(s) checked above, please skip to Part III,
otherwise, continue to Part II.

PART II: Environmental Considerations

Table A. Please indicate if any of the following conditions or special areas is present, required, or could be affected by your project:

Item No.	Description	Yes/No	Specific nature or type of activity or condition. If a consultation, approval, or permit applies, please describe.
1	<u>Clearing or Excavation</u> (indicate if greater than 1 acre)	NO	
2	<u>Dredge and/or Fill</u> . Specify the number of acres involved.	NO	
3	<u>New or Modified Federal/State Permits And/or Requests for Exemptions</u>	NO	
4	<u>Pre-Existing Contamination</u>	NO	
5	<u>Asbestos</u>	NO	
6	<u>Criteria Pollutants</u>	NO	
7	<u>Non-Attainment Areas</u>	NO	
8	<u>Class I Air Quality Control Region</u>	NO	
9	<u>Navigable Air Space</u>	NO	
10	<u>Areas with Special Designation</u> (e.g., National Forests, Parks, Trails)	NO	
11	<u>Prime, Unique or Important Farmland</u>	NO	
12	<u>Archeological/Cultural Resources</u>	NO	
13	<u>Threatened/Endangered Species and/or Critical Habitat</u>	NO	
14	<u>Other Protected Species</u> (Wild Burros, Migratory Birds)	NO	
15	<u>Floodplains</u>	NO	
16	<u>Special Sources of Groundwater</u> (e.g., Sole Source Aquifer)	NO	
17	<u>Underground Extraction/Injection</u> (non-hazardous substances)	NO	

18	<u>Wetlands</u>	NO	
Item No.	Description	Yes/No	Specific nature or type of activity or condition. If a consultation, approval, or permit applies, please describe.
19	<u>Coastal Zones</u>	NO	
20	<u>Public Issues or Concerns</u>	NO	
21	<u>Noise</u>	NO	
22	<u>Depletion of a Non-Renewable Resource</u>	NO	
23	<u>Aesthetics</u>	NO	

Table B. Would your project use, disturb, or produce any chemicals or biological substances? (i.e., pesticides, industrial process, fuels, lubricants, bacteria) If not, skip to Section C.

Please indicate if any of the materials or processes listed below applies.

Item No.	Description	Yes/No	Quantity	Permit required? Type?	<i>Specific type, use, or condition</i>
1	<u>Polychlorinated Biphenyls (PCBs)</u>				
2	<u>Import, Manufacture, or Processing of Toxic Substances</u>				
3	<u>Chemical Storage, Use, and Disposal</u>				
4	<u>Pesticide Use</u>				
5	<u>Hazardous, Toxic, or Criteria Pollutant Air Emissions</u>				
6	<u>Liquid Effluent</u>				
7	<u>Underground Extraction/Injection (hazardous substances)</u>				
8	<u>Hazardous Waste</u>				
9	<u>Underground Storage Tanks</u>				
10	<u>Biological Materials.</u> Indicate if genetically altered materials are involved.				

Table C. Would your project require or produce any radiological materials? If not, skip to Part III. _____
 Please indicate if any of the materials listed below applies.

Item No.	Description	Yes/No	Quantity	Permit required? Type?	Specific nature of use
1	<u>Radioactive Mixed Waste</u>				
2	<u>Radioactive Waste</u>				
3	<u>Radiation Exposures</u>				

Part III: Contact Information

Please provide the name of the preparer of this form and a contact person who can answer questions or provide additional information.

Preparer Michael Archinal Telephone Number (810) 227-5225 E-mail Address Mike@genoa.org

Contact Michael Archinal Telephone Number (810) 227-5225 E-mail Address Mike@genoa.org

Introducing the new

CBS Hybrid RES*

*RENEWABLE ENERGY SYSTEM

IT'S VERY QUIET....

BUT SPEAKS VOLUMES.

Available Spring 2010



Contractors Building Supply, Inc.

A Green Company

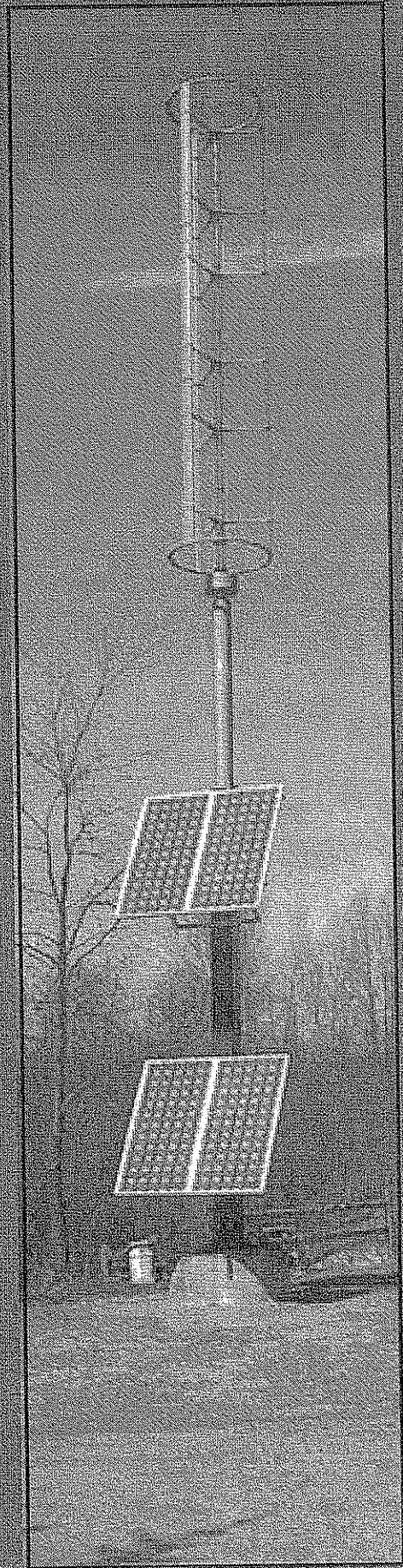
Contractors Building Supply

16880 Front Street

Copemish, MI 49625

888-378-3160

www.windowwindandsolar.com



RESPONSES TO ATTACHMENT E

I. GENERAL INFORMATION

This is a new submittal

- a. Organization Name: Genoa Charter Township
- b. Organization Address: 2911 Dorr Road, Brighton MI 48116
- c. Municipal Unit: Livingston County Township: Genoa
- d. Federal Agency: U.S. Department of Energy EECBG
- e. State Agency: DELEG Bureau of Energy Systems Jan Patrick, Program Manager
611 W. Ottawa Street P.O. Box 30221, Lansing Michigan 48909
- f. Applicant: Michael Archinal, Township Manager Genoa Charter Township, 2911
Dorr Road, Brighton MI 48116

II. GROUND DISTURBING ACTIVITY (INCLUDING EXCAVATION, GRADING, TREE REMOVALS, UTILITY INSTALLATION, ETC.)

DOES THIS PROJECT INVOLVE GROUND-DISTURBING ACTIVITY? YES

- a. USGS Quad Map Name: Brighton
- b. Township: 2N Range: 5E Section: 14
- c. Description of width, length and depth of proposed ground clearing activity:
Installation of five 48" diameter 72" deep concrete piers and approximately 150
lineal feet of two foot deep trench for electrical conduit.
- d. Previous land use and disturbances: Cow pasture/None
- e. Current land use and conditions: Fallow field small scrub.
- f. Does the land owner know of any archaeological resources found on the property?
 No

III. PROJECT WORK DESCRIPTION AND AREA OF POTENTIAL EFFECTS (APE)

- a. Provide a detailed written description of the project: Installation of five 50' tall
wind and solar renewable energy systems and electrical connection to the
Township Hall.
- b. Provide a localized map indicating the location of the project: Attached
- c. On the above-mentioned map identify the APE: Attached.
- d. Provide a written description of the APE: The location of the minor disturbance
is characterized as an old cow pasture hill top that has laid fallow for many years.
It is now covered with Russian Olive, thistle, bluestem and grass. The Township
Hall is sited on a 45 acre parcel. The wind generation systems will be visible only
from I-96 which is an intended effect. The APE is approximately in the middle of
the site. The APE was chosen for wind power generation as it is the highest point

on the site. Because excavation of the area will be extremely minimal there will be no negative visual, auditory or sociocultural impacts.

IV. IDENTIFICATION OF HISTORIC PROPERTIES

- a. List and date all properties 50 years and older: None
- b. Describe the steps to identify historic properties: N/A
- c. Based on the information contained in "b" choose one:
 - Historic Properties Present in the APE
 - No Historic Properties Present in the APE
- d. Describe the condition, previous disturbances to, and history of any historic properties located in the APE: N/A

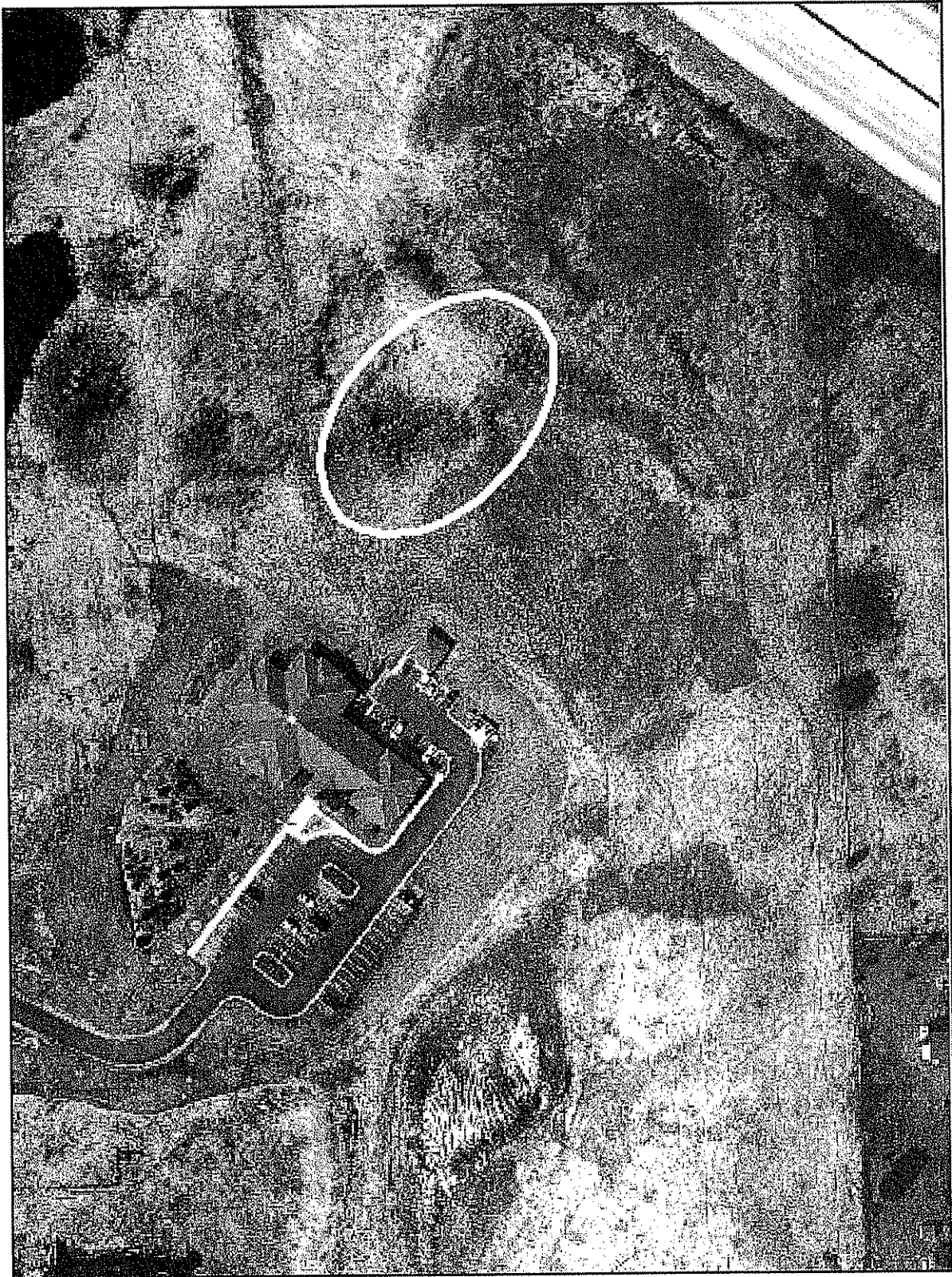
V. PHOTOGRAPHS

- a. Provide photographs of the site itself: Photographs are attached.
- b. Photographs of building interiors: N/A

VI. DETERMINATION OF EFFECT

No historic properties are affected.

Area of Potential Effect











5775 Brighton Pines Court, L.L.C.

317 Union Street, Suite D
Milford, Michigan 48381

Phone / Facsimile: 248-685-7060

July 12, 2009

Ms. Paulette Skolarus
Genoa Township Clerk
2911 Dorr Road
Brighton, Michigan 48116

GENOA TOWNSHIP

AUG 12 REC'D

RECEIVED

RE: Tax ID No. 4711-15-200-025
Commonly Known As 5775 Brighton Pines Court

Subject: Industrial Development District Request

Ms. Skolarus:

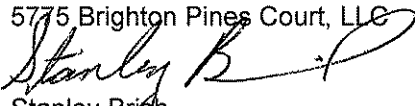
I respectfully request that the Genoa Township Board establish an "Industrial Development District", pursuant to Act No. 198, P.A. 1974, within the legal boundaries of the property as described in the legal description attached hereto as Exhibit A. A copy of the site plan is also attached for your reference.

When occupied, it is our anticipation that the future tenant will be making a capital investment toward the purchase of machinery and equipment.

Thank you for your consideration and expeditious attention to this request.

Questions regarding this matter should be directed to Mr. Fred Dillingham, executive director of the Economic Development Council of Livingston County at (517) 546-0822.

Respectfully,

5775 Brighton Pines Court, LLC

Stanley Brish
Member

Enclosures

cc: Fred Dillingham

AUG 28 2009

RECEIVED

Michigan Department of Treasury
3427 (Rev. 5-06)

Application for Exemption of New Personal Property

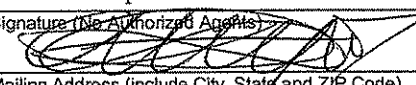
Issued under P.A. 328 of 1998. An exemption will not be effective until approved by the State Tax Commission.

INSTRUCTIONS: Read instructions on page 2 of this form before completing this application. File the original and two copies of this form and the required attachments (resolution approving, copy of legal description and a detailed description of the business operations) with the clerk of the local government unit. The State Tax Commission requires two complete sets.

PART 1: APPLICANT INFORMATION

1a. Applicant/Company Name (Applicant must be an ELIGIBLE BUSINESS) CRW Plastics USA, Inc.		2. County Livingston	
1b. Company Mailing Address (No. and Street, P.O. Box, City, State, ZIP Code) 5775 Brighton Pines Court		3. City/Township/Village (indicate which) Howell/Genoa Township	
1c. Location of Eligible Business (No. and Street, City, State, ZIP Code) 5775 Brighton Pines Court	4a. Local School District Howell	4b. School Code 47070	
5. Check below the type of business in which you are engaged and provide a detailed description of the business operation on a separate sheet <input checked="" type="checkbox"/> Manufacturing <input type="checkbox"/> Research & Development <input type="checkbox"/> Office Operations <input type="checkbox"/> Mining <input type="checkbox"/> Wholesale Trade			
6a. Identify type of ELIGIBLE DISTRICT where Eligible Business and New Personal Property will be located Industrial Development District	6b. Governing Unit that Established ELIGIBLE DISTRICT Genoa Township	6c. Date ELIGIBLE DISTRICT was Established	
7. Name of Person in the Eligible Business to Contact for Further Information Derian Campos		8. Telephone Number (517) 518-0780	
9. Mailing Address 5775 Brighton Pines Court, Howell, MI 48843			

The undersigned, authorized officer of the company making this application certifies that, to the best of his/her knowledge, no information contained herein or in the attachments hereto is false in any way and that all of the information is truly descriptive of the property for which application is being made. The undersigned, authorized officer further certifies that the applicant is an Eligible Business as defined in P.A. 328 of 1998.

11. Name of Company Official Derian Campos		12. Title President	
13. Signature (No Authorized Agents) 		14. Date 08/18/09	
15. Mailing Address (Include City, State and ZIP Code)			
16. Email Address 5775 Brighton Pines Court, Howell, MI 48843	17. Telephone Number (517) 518-0780	18. Fax Number (517) 545-5584 0902	

PART 2: LOCAL GOVERNMENT UNIT CLERK VERIFICATION

19. Name of Local Governmental Unit Which Passed Resolution for Exemption of New Personal Property	20. Date of Resolution (Attach Copy)	21. Expiration Date of Exemption
22. Name of Clerk	23. Date application was received by Local Unit	
24. Clerk's Signature	25. Clerk's Mailing Address	
26. Telephone Number	27. Fax Number	28. Email Address
29. LUCI Code	30. School Code	31. Date District was Established

STATE TAX COMMISSION USE			
Application No.	Date Received	LUCI Code	School Code

Instructions for Completing Form 3427, Application for Exemption of New Personal Property

As a supplement to the following instructions, please read State Tax Commission (STC) Bulletin No. 9 of 1999 which explains the provisions of Public Act (P.A.) 328 of 1998, as amended.

Line 1: P.A. 328 of 1998, as amended, states that, to qualify for exemption, New Personal Property must be owned or leased by an Eligible Business. Please see page 2 of STC Bulletin No. 9 of 1999 for the definition of an Eligible Business. Please note that a copy of the legal description for the property where the Eligible Business is located must be attached.

Line 2, 3, 4: Indicate the county; the city or township; or village; and the local school district in which the New Personal Property and the Eligible Business will be located.

Line 5: P.A. 328 of 1998, as amended, provides that an Eligible Business must be engaged in one of the following types of businesses: manufacturing, mining, research and development, wholesale trade, or office operations. Please see page 2 of STC Bulletin No. 9 of 1999 for the definition of an Eligible Business. Please note that a detailed description of the business operation must be provided on a separate sheet.

Line 6 a-c: P.A. 328 of 1998, as amended, provides that New Personal Property and the Eligible Business must be located in an Eligible District. Please see page 4 of STC Bulletin No. 9 of 1998 for a listing of the eight different types of Eligible Districts.

Line 7: If there is someone in your business, other than the person signing this application, who should be contacted if further information is needed, please name the person on line 7.

Line 10b: Note that a signature from a company official is required on line 13. This application cannot be processed without a signature.

Lines 19 to 31: These lines must be completed by the Clerk of the Local Governmental Unit which has adopted the resolution required by P.A. 328 of 1998, as amended.

Note that a copy of the resolution, a legal description, and a detailed description of the business operations must be sent to the State Tax Commission along with this application. Once issued, the exemption will pertain to all new personal property placed in the eligible district for the entire length of time approved by the local unit and issued by the State Tax Commission. The exemption may not be limited to specific new personal property or a lesser time than the full length of issuance. If any of the information requested on lines 19 to 31 is missing, this form will be returned to the Clerk.

EXHIBIT A

LEGAL DESCRIPTION

Lot - 11-15-200-025

Part of the NE $\frac{1}{4}$ of Section 15, T2N-RSE, Genoa Township, Livingston County, Michigan being described as follows: Commencing at the East $\frac{1}{4}$ Corner of said Section 15, thence along the East line of said Section 15 and centerline of Dorr Road, N $02^{\circ}13'10''$ W, a distance of 905.97 feet; thence along the centerline of a 66 foot wide private easement for ingress, egress, and public utilities as described below. S $87^{\circ}46'50''$ W, a distance of 458.88 feet; thence continuing along said centerline, along a curve to the right, having a radius of 230.00 feet, arc chord length of 81.86 feet, delta angle of $20^{\circ}73'34''$, a chord bearing of N $82^{\circ}01'23''$ W, and a chord length of 81.43 feet; thence continuing along said centerline, N $71^{\circ}49'38''$ W, a distance of 233.37 feet to the center of a 75 foot radius cul-de-sac and Point of Beginning of the parcel to be described; thence S $51^{\circ}03'57''$ W, a distance of 448.89 feet; thence along the Northerly Right-of-Way line of I-96 Expressway (limited access), along a curve left, having a radius of 6772.50 feet, arc length of 2711.53 feet, delta angle of $02^{\circ}17'50''$, a chord bearing of N $52^{\circ}20'15''$ W, and a chord length of 271.53 feet; thence N $02^{\circ}19'26''$ W, a distance of 427.53 feet; thence N $88^{\circ}03'12''$ E a distance of 550.92 feet; thence S $05^{\circ}20'54''$ E a distance of 331.14 feet to the Point of Beginning and containing 6.235 acres, more or less, Subject to and including the use of a 66 foot wide private easement for ingress, egress and public utilities as described below.

Also subject to any other easements or restrictions of record.

Commonly known as 5775 Brighton Pines Court

CRW PLASTICS USA, INC.

Project Description

CRW Plastics USA, Inc. is a Michigan corporation, engaged in the developing of molds and construction of plastic automotive parts such as air vents, cup holders, and other plastic parts as the opportunities present themselves. CRW also develops molds and constructs non-auto related specialized plastic parts for compressors and credit card scanners.

GENOA CHARTER TOWNSHIP

RESOLUTION

At a regular meeting of the Board of Trustees of the Genoa Charter Township, Michigan, held in Township Hall of said Township on _____, 2009, at 7:00 p.m.

PRESENT: _____

ABSENT: _____

The following preamble and resolution were offered by Board Member _____
and supported by Board Member _____.

**Resolution Approving a New Personal Property Exemption Application for
CRW Plastics USA, Inc.**

WHEREAS, pursuant to P.A. 381 of 1996, after a duly noticed public hearing held on _____, 2009, the Township Board of Genoa Charter Township, an eligible local assessing district as defined in section 9f(7)(g) of P.A. 328 of 1998, as amended ("Act 328"), by Resolution, established an Industrial Development District located at Genoa Charter Township; and

WHEREAS, the applicant, CRW Plastics USA, Inc., an eligible business engaged in manufacturing and located within the eligible assessing district, filed an Application for Exemption of New Personal Property which it owns and/or leases; and

WHEREAS, before acting on said application, the Township Board of Genoa Charter Township held a public hearing on _____, 2009, at the Township Hall at _____ p.m., at which the Applicant, the Township Assessor, and a representative of the affected taxing units who were given written notice and were afforded an opportunity to be heard on said application; and

NOW, THEREFORE, BE IT RESOLVED by the Township Board of Genoa Charter Township:

1. The Township Board finds and determines that the granting of the Exemption of New Personal Property currently in force under P.A. 328 of 1998, as amended, shall not have the effect of substantially impeding the operating, or impairing the financial

soundness of the taxing unit which levies ad valorem property taxes in Genoa Charter Township; and

2. The New Personal Property Exemption when issued, shall be and remain in force and effect for a period of ___ () years, beginning December 31, 2009, and ending December 30, 20__; and

3. The application submitted by CRW Plastics USA, Inc. is for an Exemption of New Personal Property that will be located in the Industrial Development District (eligible district) in Genoa Charter Township.

AYES: _____

NAYS: _____

RESOLUTION DECLARED ADOPTED.

I hereby certify that the foregoing constitutes a true and complete copy of a resolution adopted by the Township Board of Genoa Charter Township, County of Livingston, Michigan, at a regular meeting held on _____, 2009.

Pauletta Skolarus
Township Clerk

I hereby certify that the foregoing constitutes a true and complete copy of a resolution adopted by the Township Board of Genoa Charter Township, County of Livingston, State of Michigan, properly notified and held according to the Open Meetings Act on _____, 2009.

Pauletta Skolarus
Township Clerk


CRW PLASTICS USA, INC.

CERTIFICATE OF AUTHORIZATION

The undersigned is the secretary of CRW Plastics USA, Inc., a Michigan corporation (the "Company"), hereby certifies as follows:

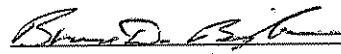
1. Attached as Exhibit A is a Certificate of Good Standing of the Company issued by the State of Michigan on _____, 2009. No event has occurred since said date which could probably cause the Company to lose said good standing status
2. Attached hereto as Exhibit B is a true, complete and correct copy of the Articles of Incorporation (as Restated) of the Company, the original being filed on _____, and as certified by the Department of Consumer and Industry Affairs of the State of Michigan on _____. The Articles of Incorporation of the Company are in full force and effect to and including the date hereof. No amendments or other charter documents relating to the Company have been filed with the State of Michigan since said date.
3. Attached hereto as Exhibit C is a true, complete and correct copy of the Bylaws of the Company as currently in effect. The Articles have not been amended, modified, rescinded or revoked and are in full force and effect to and including the date hereof.
4. Attached hereto as Exhibit D is a true and complete copy of a Consent Resolution of the Board of Directors, of the Company dated as of August __, 2009 (the "Resolution"), adopting, approving and authorizing its President, Derian Campos to file an Application for Exemption of New Personal Property with the Clerk of Genoa Township and Michigan State Tax Commission under Act 328 of Public Acts of 1998.
5. The Resolution has not been amended, modified, rescinded or revoked and is in full force and effect to and including the date hereof. There are no other resolutions that have been adopted by the sole member of the Company with respect to transactions contemplated herein.
6. The person(s) whose name appear below is duly appointed, qualified and authorized signatures of the Sole Board Member of the Company as of the date hereof and their signature set forth below is their genuine signature.

Name of Officer	Office	Signature

Derian Campos	President and Sole Board Member	 President
---------------	---------------------------------	--

IN WITNESS WHEREOF, the undersigned has executed and delivered this Certificate as of the ____ day of August, 2009.

CRW PLASTICS USA, INC.

By: 
Bruce D. Birgbauer
Its: Secretary

I, Bruce Birgbauer, hereby certify that I am the duly authorized Secretary of CRW Plastics USA, Inc., am the duly appointed and acting on behalf of the Company and the signature of Derian Campos appearing above is genuine.

CRW PLASTICS USA, INC.

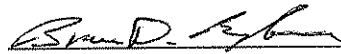
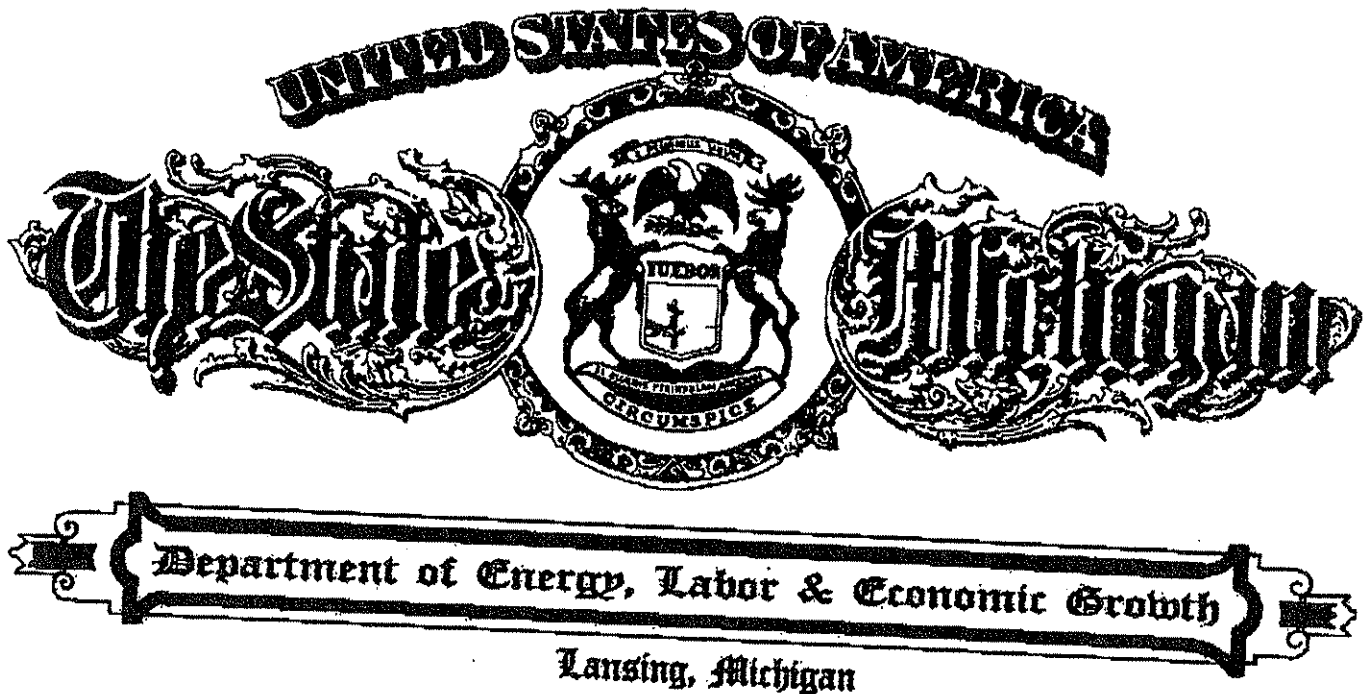
By: 
Bruce D. Birgbauer
Its: Secretary

EXHIBIT A

CERTIFICATE OF GOOD STANDING

See Attached



This is to Certify That

CRW PLASTICS USA, INC.

was validly incorporated on June 18, 2009, as a Michigan profit corporation, and said corporation is validly in existence under the laws of this state.

This certificate is issued pursuant to the provisions of 1972 PA 284, as amended, to attest to the fact that the corporation is in good standing in Michigan as of this date and is duly authorized to transact business and for no other purpose.

This certificate is in due form, made by me as the proper officer, and is entitled to have full faith and credit given it in every court and office within the United States.



In testimony whereof, I have hereunto set my hand, in the City of Lansing, this 29th day of July, 2009.

[Signature], Director

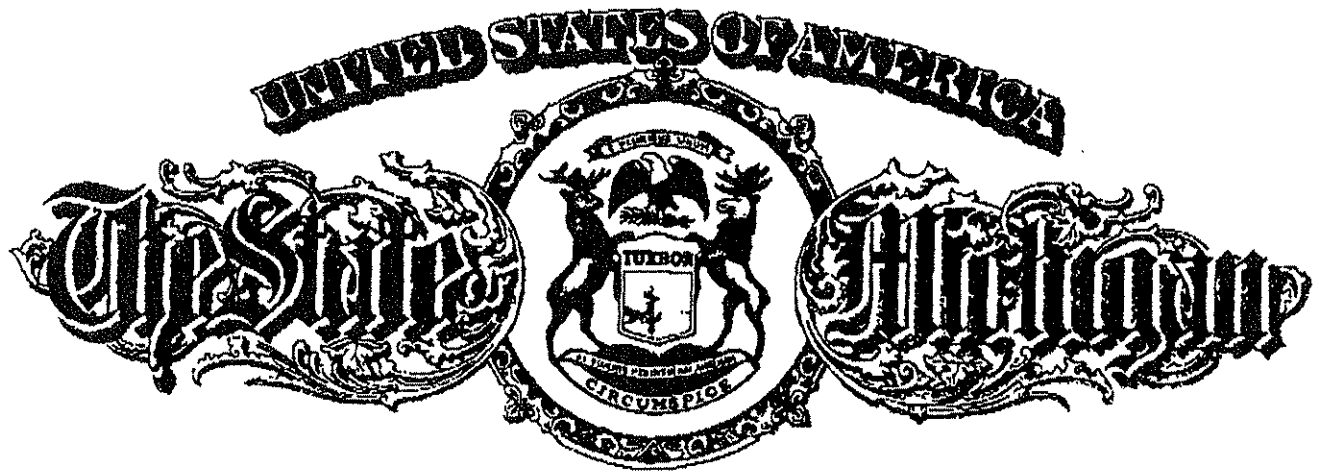
Bureau of Commercial Services

Sent by Facsimile Transmission
992476

EXHIBIT B

ARTICLES OF INCORPORATION (As Restated)

See Attached



Department of Energy, Labor & Economic Growth

Lansing, Michigan

This is to Certify that the annexed copy has been compared by me with the record on file in this Department and that the same is a true copy thereof.

This certificate is in due form, made by me as the proper officer, and is entitled to have full faith and credit given it in every court and office within the United States.



Sent by Facsimile Transmission
992476

In testimony whereof, I have hereunto set my hand, in the City of Lansing, this 29th day of July, 2009

Andrew S. Mitchell, Director

Bureau of Commercial Services

Michigan Department Of Energy, Labor & Economic Growth

Filing Endorsement

This is to Certify that the ARTICLES OF INCORPORATION - PROFIT

for

CRW PLASTICS USA, INC.

ID NUMBER: 02741L

received by facsimile transmission on June 18, 2009 is hereby endorsed

Filed on June 18, 2009 by the Administrator.

The document is effective on the date filed, unless a subsequent effective date within 90 days after received date is stated in the document.



In testimony whereof, I have hereunto set my hand and affixed the Seal of the Department, in the City of Lansing, this 18TH day of June, 2009.

, Director

Bureau of Commercial Services

BC2/CD-500 (Rev. 01/09)

MICHIGAN DEPARTMENT OF ENERGY, LABOR & ECONOMIC GROWTH BUREAU OF COMMERCIAL SERVICES									
Date Received	(FOR BUREAU USE ONLY)								
	This document is effective on the date filed, unless a subsequent effective date within 90 days after received date is stated in the document.								
<table border="1" style="width: 100%;"> <tr> <td colspan="2">Name Tim Williams</td> </tr> <tr> <td colspan="2">Address 10291 E. Grand River, Ste. E</td> </tr> <tr> <td>City Brighton</td> <td>State MI</td> </tr> <tr> <td colspan="2">ZIP Code 48116</td> </tr> </table>		Name Tim Williams		Address 10291 E. Grand River, Ste. E		City Brighton	State MI	ZIP Code 48116	
Name Tim Williams									
Address 10291 E. Grand River, Ste. E									
City Brighton	State MI								
ZIP Code 48116									
<p>Document will be returned to the name and address you enter above. If left blank document will be mailed to the registered office.</p>									
EFFECTIVE DATE:									

ARTICLES OF INCORPORATION
For use by Domestic Profit Corporations
(Please read information and instructions on the last page)

Pursuant to the provisions of Act 284, Public Acts of 1972, the undersigned corporation executes the following Articles:

ARTICLE I

The name of the corporation is:

CRW Plastics USA, Inc.

ARTICLE II

The purpose or purposes for which the corporation is formed is to engage in any activity within the purposes for which corporations may be formed under the Business Corporation Act of Michigan.

ARTICLE III

The total authorized shares:

1. Common Shares 60,000

Preferred Shares N.A.

2. A statement of all or any of the relative rights, preferences and limitations of the shares of each class is as follows:

ARTICLE IV

1. The name of the resident agent at the registered office is: Timothy L. Williams & Associates, P.C.

2. The address of the registered office is:

10291 E. Grand River, Ste. E Brighton Michigan 48116

(Street Address) (City) (ZIP Code)

3. The mailing address of the registered office, if different than above:

_____, Michigan _____

(Street Address or P.O. Box) (City) (ZIP Code)

ARTICLE V

The name(s) and address(es) of the incorporator(s) is(are) as follows:

Name	Residence or Business Address
Timothy L. Williams	10291 E. Grand River, Ste. E, Brighton, MI 48116

ARTICLE VI (Optional, Delete if not applicable)

When a compromise or arrangement or a plan of reorganization of this corporation is proposed between this corporation and its creditors or any class of them or between this corporation and its shareholders or any class of them, a court of equity jurisdiction within the state, on application of this corporation or of a creditor or shareholder thereof, or an application of a receiver appointed for the corporation, may order a meeting of the creditors or class of creditors or of the shareholders or class of shareholders to be affected by the proposed compromise or arrangement or reorganization, to be summoned in such manner as the court directs. If a majority in number representing 3/4 in value of the creditors or class of creditors, or of the shareholders or class of shareholders to be affected by the proposed compromise or arrangement or a reorganization, agree to a compromise or arrangement or a reorganization of this corporation as a consequence of the compromise or arrangement, the compromise or arrangement and the reorganization, if sanctioned by the court to which the application has been made, shall be binding on all the creditors or class of creditors, or on all the shareholders or class of shareholders and also on this corporation.

ARTICLE VII (Optional, Delete if not applicable)

Any action required or permitted by the Act to be taken at an annual or special meeting of shareholders may be taken without a meeting, without prior notice, and without a vote, if consents in writing, setting forth the action so taken, are signed by the holders of outstanding shares having not less than the minimum number of votes that would be necessary to authorize or take the action at a meeting at which all shares entitled to vote on the action were present and voted. A written consent shall bear the date of signature of the shareholder who signs the consent. Written consents are not effective to take corporate action unless within 90 days after the record date for determining shareholders entitled to express consent to or to dissent from a proposal without a meeting, written consents dated not more than 10 days before the record date and signed by a sufficient number of shareholders to take the action are delivered to the corporation. Delivery shall be to the corporation's registered office, its principal place of business, or an officer or agent of the corporation having custody of the minutes of the proceedings of its shareholders. Delivery made to a corporation's registered office shall be by hand or by certified or registered mail, return receipt requested.

Prompt notice of the taking of the corporate action without a meeting by less than unanimous written consent shall be given to shareholders who would have been entitled to notice of the shareholder meeting if the action had been taken at a meeting and who have not consented to the action in writing. An electronic transmission consenting to an action must comply with Section 407(3).

Use space below for additional Articles or for continuation of previous Articles. Please identify any Article being continued or added. Attach additional pages if needed.

Article VIII attached.

I, (We), the incorporator(s) sign my (our) name(s) this 18th day of June 2009

J. Williams

ATTACHMENT TO ARTICLES OF INCORPORATION

CRW PLASTICS USA, INC.

Additional Articles

Article VIII

The Corporation shall indemnify to the fullest extent authorized or permitted by the Michigan Business Corporation Act any person, and her or her heirs and legal representatives, who is made or threatened to be made a party to any threatened, pending or completed action, suit or proceeding (whether civil, criminal, administrative or investigative) by reason of the fact that such person is or was a director, officer, employee or agent of the Corporation or is or was serving as a director, officer, agent or employee of any other enterprise at the request of the Corporation and may provide other indemnification to directors, officers, employees, and agents by insurance contract or otherwise as is permitted by the law and authorized by the Board of Directors.

The incorporator signs his name this 18th day of June, 2009.



Timothy L. Williams

Michigan Department Of Energy, Labor & Economic Growth

Filing Endorsement

This is to Certify that the RESTATED ARTICLES OF INCORPORATION - PROFIT

for

CRW PLASTICS USA, INC.

ID NUMBER: 02741L

received by facsimile transmission on July 21, 2009 is hereby endorsed

Filed on July 21, 2009 by the Administrator.

The document is effective on the date filed, unless a subsequent effective date within 90 days after received date is stated in the document.



In testimony whereof, I have hereunto set my hand and affixed the Seal of the Department, in the City of Lansing, this 21ST day of July, 2009.

A handwritten signature in black ink, appearing to read "Andrew J. Mitchell".

, Director

Bureau of Commercial Services

**RESTATED
ARTICLES OF INCORPORATION OF
CRW PLASTICS USA, INC.**

(a Michigan corporation)

Pursuant to the provisions of Act 284, Public Acts of 1972, the undersigned corporation executes the following Articles:

- A. The present name of the corporation is: CRW Plastics USA, Inc.
- B. The corporation identification number (CID) assigned by the Bureau is: 02741L.
- C. All former names of the corporation: Not applicable.
- D. The date of filing of the original Articles of Incorporation was: June 18, 2009.

The following Restated Articles of Incorporation supersede the Articles of Incorporation as amended and shall be the Restated Articles of Incorporation for the corporation:

ARTICLE I

The name of the corporation is CRW Plastics USA, Inc.

ARTICLE II

The purpose or purposes for which the corporation is formed is to engage in any activity within the purposes for which corporations may be formed under the Business Corporation Act of Michigan (the "Act").

ARTICLE III

The total authorized shares is 60,000 shares of Common Stock.

ARTICLE IV

The corporation has only one class of stock.

ARTICLE V

The name of the resident agent at the registered office is Bruce D. Birgbauer.

The street address and mailing address of the registered office is:

150 West Jefferson Ave., Suite 2500
Detroit, Michigan 48226

ARTICLE VI

The duration of the corporation is perpetual.

ARTICLE VII

A director of the corporation shall not be liable to the corporation or its shareholders for money damages for any action taken or any failure to take action as a director, except liability for any of the following:

- (a) the amount of a financial benefit received by a director to which he or she is not entitled;
- (b) an intentional infliction of harm on the Corporation or its shareholders;
- (c) a violation of Section 551 of the Act; or
- (d) an intentional criminal act.

Any repeal, amendment or other modification of this Article shall not adversely affect any right or protection of a director of the corporation existing at the time of such repeal, amendment or other modification. If the Act is amended after this Article becomes effective, to authorize corporate action further eliminating or limiting personal liability of directors, then the liability of directors shall be eliminated or limited to the fullest extent permitted by the Act as so amended.

ARTICLE VIII

Any action required or permitted by the Act to be taken at an annual or special meeting of shareholders may be taken without a meeting, without prior notice, and without a vote, if consents in writing, setting forth the action so taken, are signed by the holders of outstanding shares having not less than the minimum number of votes that would be necessary to authorize or take the action at a meeting at which all shares entitled to vote on the action were present and voted. A written consent shall bear the date of signature of the shareholder who signs the consent. Written consents are not effective to take corporate action unless within 60 days after the record date for determining shareholders entitled to express consent to or to dissent from a proposal without a meeting, written consents dated not more than 10 days before the record date and signed by a sufficient number of shareholders to take the action are delivered to the corporation. Delivery shall be to the corporation's registered office, its principal place of business, or an officer or agent of the corporation having custody of the minutes of the proceedings of its shareholders. Delivery made to a corporation's registered office shall be by hand or by certified or registered mail, return receipt requested.

Prompt notice of the taking of the corporate action without a meeting by less than unanimous written consent shall be given to shareholders who would have been entitled to notice of the shareholder meeting if the action had been taken at a meeting and who have not consented in writing. An electronic transmission consenting to an action must comply with Section 407(3).

ARTICLE IX

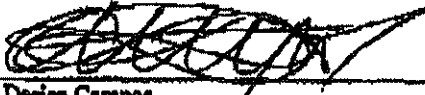
When a compromise or arrangement or a plan of reorganization of this corporation is proposed between this corporation and its creditors or any class of them or between this corporation and its shareholders or any class of them, a court of equity jurisdiction within the state, on application of this corporation or of a creditor or shareholder thereof, or on application of a receiver appointed for the corporation, may order a meeting of the creditors or class of creditors or of the shareholders or class of shareholders to be affected by the proposed compromise or arrangement or reorganization, to be summoned in such manner as the court directs. If a majority in number representing 3/4 in value of the creditors or class of creditors, or of the shareholders or class of shareholders to be affected by the

proposed compromise or arrangement or a reorganization, agree to a compromise or arrangement or a reorganization of this corporation as a consequence of the compromise or arrangement, the compromise or arrangement and the reorganization, if sanctioned by the court to which the application has been made, shall be binding on all the creditors or class of creditors, or on all the shareholders or class of shareholders and also on this corporation.

These Restated Articles of Incorporation were duly adopted on the 20 day of July 2009, in accordance with the provisions of Section 642 of the Act, and were duly adopted by the written consent of all the shareholders entitled to vote in accordance with Section 407(2) of the Act.

Signed this 20 day of July 2009.

By:



Darian Campos
Its: President

EXHIBIT C

BYLAWS

See Attached

BYLAWS
OF
CRW PLASTICS USA, INC.

ARTICLE I.

OFFICES

SECTION 1. REGISTERED OFFICE. The registered office shall be in the City of Detroit, County of Wayne, State of Michigan until changed in accordance with the provisions of the Michigan Business Corporation Act, as amended (herein called the "Act").

SECTION 2. OTHER OFFICES. The corporation may also have offices at such other places both in and outside the State of Michigan as the board of directors may from time to time determine or the business of the corporation may require.

ARTICLE II.
SHAREHOLDERS

SECTION 1. PLACE OF MEETING. All meetings of the shareholders of the corporation shall be held at the registered office or such other place, either within or without the State of Michigan, as may be determined from time to time by the board of directors.

SECTION 2. ANNUAL MEETING OF SHAREHOLDERS. The annual meeting of shareholders for election of directors and for such other business as may properly come before the meeting, commencing with the year 2010, shall be held on the second Thursday of May, if not a legal holiday, and if a legal holiday, then on the next business day following, at 11:00 a.m., local time, or at such other date and time as shall be determined from time to time by the board of directors, unless such action is taken by written consent as provided in Section 12 of this Article. If the annual meeting is not held on the date designated therefor, the board shall cause the meeting to be held as soon thereafter as convenient.

SECTION 3. ORDER OF BUSINESS AT ANNUAL MEETING. The order of business at the annual meeting of the shareholders shall be as follows:

- (a) Reading of notice and proof of mailing,
- (b) Reports of Officers,
- (c) Election of Directors,
- (d) Transaction of other business mentioned in the notice,
- (e) Adjournment,

provided that the presiding officer may vary the order of business at his or her discretion.

SECTION 4. NOTICE OF MEETING OF SHAREHOLDERS. Except as otherwise provided in the Act, written notice of the time, place and purposes of a meeting of shareholders shall be given not less than ten (10) nor more than sixty (60) days before the date of the meeting, personally, by mail or by electronic transmission to each shareholder of record entitled to vote at the meeting. If a shareholder or proxy holder may be present and vote at the meeting by remote communication, the means of remote communication allowed shall be included in the notice. If a meeting is adjourned to another time or place, it is not necessary to give notice of the adjourned meeting if the time and place to which the meeting is adjourned are announced at the meeting at which the adjournment is taken and at the adjourned meeting only business is transacted as might have been transacted at the original meeting. A shareholder or proxy holder may be present and vote at the adjourned meeting by a means of remote communication if he or she was permitted to be present and vote by that means of remote communication in the original meeting notice. If after the adjournment the board of directors fixes a new record date for the adjourned meeting, a notice of the adjourned meeting shall be given to each shareholder of record on the new record date entitled to vote at the meeting.

SECTION 5. LIST OF SHAREHOLDERS ENTITLED TO VOTE. The officer or agent having charge of the stock transfer books for shares of the corporation shall make and certify a complete list of the shareholders entitled to vote at a shareholders' meeting or any adjournment thereof. The list shall:

- (a) Be arranged alphabetically within each class and series, with the address of, and the number of shares held by, each shareholder.
- (b) Be produced at the time and place of the meeting.
- (c) Be subject to inspection by any shareholder during the whole time of the meeting. If the meeting is held solely by means of remote communication, then the list shall be open to the examination of any shareholder during the entire meeting by posting the list on a reasonably accessible electronic network and the information required to access the list shall be provided with the notice of the meeting.
- (d) Be prima facie evidence as to who are the shareholders entitled to examine the list or to vote at the meeting.

SECTION 6. SPECIAL MEETING OF SHAREHOLDERS. A special meeting of shareholders may be called at any time by the chief executive officer of the corporation (see Article V, Section 4) or by a majority of the members of the board of directors then in office, or by shareholders owning, in the aggregate, not less than ten percent (10%) of all the shares entitled to vote at such special meeting. The method by which such meeting may be called is as follows: Upon receipt of a specification in writing setting forth the date and objects of such proposed special meeting, signed by the chief executive officer, or by a majority of the members of the board of directors then in office, or by shareholders as above provided, the secretary of the corporation shall prepare, sign and mail the notices requisite to such meeting.

SECTION 7. QUORUM OF SHAREHOLDERS. Unless a greater or lesser quorum is provided in the articles of incorporation, in a bylaw adopted by the shareholders or incorporators, or in the Act, shares entitled to cast a majority of the votes at a meeting constitute a quorum at the meeting. The shareholders present in person or by proxy at the meeting may continue to do

business until adjournment, notwithstanding the withdrawal of enough shareholders to leave less than a quorum. Whether or not a quorum is present, the meeting may be adjourned by a vote of the shares present.

SECTION 8. VOTE OF SHAREHOLDERS. Each outstanding share is entitled to one (1) vote on each matter submitted to a vote, unless otherwise provided in the articles of incorporation. A vote may be cast either orally or in writing. If an action, other than the election of directors, is to be taken by vote of the shareholders, it shall be authorized by a majority of the votes cast by the holders of shares entitled to vote on the action, unless a greater vote is required by the articles of incorporation or the Act. Except as otherwise provided in the articles of incorporation, directors shall be elected by a plurality of the votes cast at an election.

SECTION 9. RECORD DATE FOR DETERMINATION OF SHAREHOLDERS. For the purpose of determining shareholders entitled to notice of and to vote at a meeting of shareholders or an adjournment of a meeting, the board of directors may fix a record date, which shall not precede the date on which the resolution fixing the record date is adopted by the board. The date shall not be more than sixty (60) nor less than ten (10) days before the date of the meeting. If a record date is not fixed, the record date for determination of shareholders entitled to notice of or to vote at a meeting of shareholders shall be the close of business on the day next preceding the day on which notice is given, or if no notice is given, the day next preceding the day on which the meeting is held. When a determination of shareholders of record entitled to notice of or to vote at a meeting of shareholders has been made as provided in this Section, the determination applies to any adjournment of the meeting, unless the board of directors fixes a new record date under this Section for the adjourned meeting. For the purpose of determining shareholders entitled to express consent to or to dissent from a proposal without a meeting, the board of directors may fix a record date, which shall not precede the date on which the resolution fixing the record date is adopted by the board and shall not be more than ten (10) days after the board resolution. If a record date is not fixed and prior action by the board of directors is required with respect to the corporate action to be taken without a meeting, the record date shall be the close of business on the day on which the resolution of the board is adopted. If a record date is not fixed and prior action by the board of directors is not required, the record date shall be the first date on which a signed written consent is delivered to the corporation as provided in Section 12 of this Article. For the purpose of determining shareholders entitled to receive payment of a share dividend or distribution, or allotment of a right, or for the purpose of any other action, the board of directors may fix a record date, which shall not precede the date on which the resolution fixing the record date is adopted by the board. The date shall not be more than sixty (60) days before the payment of the share dividend or distribution or allotment of a right or other action. If a record date is not fixed, the record date shall be the close of business on the day on which the resolution of the board of directors relating to the corporate action is adopted.

SECTION 10. PROXIES. A shareholder entitled to vote at a meeting of shareholders or to express consent or dissent without a meeting may authorize one or more other persons to act for him or her by proxy. A proxy shall be signed by the shareholder or his or her authorized agent or representative. A proxy is not valid after the expiration of three (3) years from its date unless otherwise provided in the proxy.

SECTION 11. INSPECTORS OF ELECTION. The board of directors, in advance of a shareholders' meeting, may appoint one (1) or more inspectors of election to act at the meeting or any adjournment thereof. If inspectors are not so appointed, the person presiding at a shareholders' meeting may, and on request of a shareholder entitled to vote thereat shall, appoint one (1) or more inspectors. In case a person appointed fails to appear or act, the vacancy may be filled by appointment made by the board of directors in advance of the meeting or at the meeting by the person presiding thereat. The inspectors shall determine the number of shares outstanding and the voting power of each, the shares represented at the meeting, the existence of a quorum, the validity and effect of proxies, and shall receive votes, ballots or consents, hear and determine challenges and questions arising in connection with the right to vote, count and tabulate votes, ballots or consents, determine the result, and do such acts as are proper to conduct the election or vote with fairness to all shareholders. On request of the person presiding at the meeting or a shareholder entitled to vote thereat, the inspectors shall make and execute a written report to the person presiding at the meeting of any of the facts found by them and matters determined by them. The report is prima facie evidence of the facts stated and of the vote as certified by the inspectors.

SECTION 12. ACTION BY WRITTEN CONSENT. The articles of incorporation may provide that any action required or permitted by the Act to be taken at an annual or special meeting of shareholders may be taken without a meeting, without prior notice and without a vote, if consents in writing, setting forth the action so taken, are signed by the holders of outstanding shares having not less than the minimum number of votes that would be necessary to authorize or take the action at a meeting at which all shares entitled to vote on the action were present and voted. The written consents shall bear the date of signature of each shareholder who signs the consent. No written consents shall be effective to take the corporate action referred to unless, within sixty (60) days after the record date for determining shareholders entitled to express consent to or to dissent from a proposal without a meeting, written consents dated not more than ten (10) days before the record date and signed by a sufficient number of shareholders to take the action are delivered to the corporation. Delivery shall be to the corporation's registered office, its principal place of business, or an officer or agent of the corporation having custody of the minutes of the proceedings of its shareholders. Delivery made to a corporation's registered office shall be by hand, by certified or registered mail, return receipt requested. Prompt notice of the taking of the corporate action without a meeting by less than unanimous written consent shall be given to shareholders who would have been entitled to notice of the shareholder meeting if the action had been taken at a meeting and who have not consented in writing. Any action required or permitted by the Act to be taken at an annual or special meeting of shareholders may be taken without a meeting, without prior notice and without a vote if, before or after the action, all the shareholders entitled to vote consent in writing.

An electronic transmission consenting to an action transmitted by a shareholder or proxy holder, or by a person authorized to act for the shareholder or proxy holder, is written, signed, and dated for the purposes of this Section if the electronic transmission is delivered with information from which the corporation can determine that the electronic transmission was transmitted by the shareholder or proxy holder, or by the person authorized to act for the shareholder or proxy holder, and the date on which the electronic transmission was transmitted. The date on which an electronic transmission is transmitted is the date on which the consent was signed for purposes of this Section. A consent given by electronic transmission is not delivered

until reproduced in paper form and the paper form delivered to the corporation by delivery to its registered office in this state, its principal place of business, or an officer or agent of the corporation having custody of the book in which proceedings of meetings of shareholders are recorded. Delivery to a corporation's registered office shall be made by hand or by certified or registered mail, return receipt requested. Delivery to a corporation's principal place of business or to an officer or agent of the corporation having custody of the book in which proceedings of meetings of shareholders are recorded shall be made by hand, by certified or registered mail, return receipt requested, or in any other manner provided in the articles of incorporation or bylaws or by resolution of the board of directors of the corporation.

SECTION 13. PARTICIPATION IN MEETING BY TELEPHONE. Unless otherwise restricted by the articles of incorporation, by oral or written permission of a majority of the shareholders, a shareholder may participate in a meeting of shareholders by a conference telephone or by other means of remote communication through which all persons participating in the meeting may communicate with the other participants. All participants shall be advised of the means of remote communication and the names of the participants in the meeting shall be divulged to all participants. Participation in a meeting pursuant to this Section constitutes presence in person at the meeting.

Unless otherwise restricted by the articles of incorporation or these bylaws, the board of directors may hold a meeting of shareholders conducted solely by means of remote communication. Subject to any guidelines and procedures adopted by the board of directors, shareholders and proxy holders not physically present at a meeting of shareholders may participate in the meeting by means of remote communication and are considered present in person and may vote at the meeting if all of the following are met:

(a) The corporation implements reasonable measures to verify that each person considered present and permitted to vote at the meeting by means of remote communication is a shareholder or proxy holder.

(b) The corporation implements reasonable measures to provide each shareholder and proxy holder a reasonable opportunity to participate in the meeting and to vote on matters submitted to the shareholders, including an opportunity to read or hear the proceedings of the meeting substantially concurrently with the proceedings.

(c) If any shareholder or proxy holder votes or takes other action at the meeting by means of remote communication, a record of the vote or other action is maintained by the corporation.

ARTICLE III. DIRECTORS

SECTION 1. NUMBER AND TERM OF DIRECTORS. The number of directors which shall constitute the whole board shall be not less than one (1) nor more than five (5). The first board shall consist of one (1) director. Thereafter, the number of directors which shall constitute the board of directors for each ensuing year shall be determined at the annual meeting by vote of the shareholders prior to such election; provided, however, that if a motion is not made and carried to increase or decrease the number of directors, the board shall consist of the

same number of directors as were elected for the preceding year. The shareholders may also increase or decrease the number of directors at any meeting of the shareholders or by a written consent in lieu thereof. Either the shareholders or the board of directors may fill the vacancy caused by an increase in the number of directors. The first board of directors shall hold office until the first annual meeting of shareholders. At the first annual meeting of shareholders and at each annual meeting thereafter, the shareholders shall elect directors to hold office until the succeeding annual meeting, except in the case of classification of directors as permitted by the Act. A director shall hold office for the term for which he or she is elected and until his or her successor is elected and qualified, or until his or her resignation or removal. Directors need not be shareholders and may serve continuous terms.

SECTION 2. VACANCIES. Unless otherwise limited by the articles of incorporation, if a vacancy, including a vacancy resulting from an increase in the number of directors, occurs in the board of directors, the vacancy may be filled as follows:

- (a) The shareholders may fill the vacancy.
- (b) The board may fill the vacancy.
- (c) If the directors remaining in office constitute fewer than a quorum of the board of directors, they may fill the vacancy by the affirmative vote of a majority of all the directors remaining in office.

Unless otherwise provided in the articles of incorporation, if the holders of any class or classes of stock or series are entitled to elect one (1) or more directors to the exclusion of other shareholders, vacancies of that class or classes or series may be filled only by one (1) of the following:

- (a) By a majority of the directors elected by the holders of that class or classes or series then in office, whether or not those directors constitute a quorum of the board of directors.
- (b) By the holders of shares of that class or classes of shares, or series.

Unless otherwise limited by the articles of incorporation or these bylaws, in the case of a corporation the board of directors of which are divided into classes, any director chosen to fill a vacancy shall hold office until the next election of the class for which the director shall have been chosen, and until his or her successor is elected and qualified. If because of death, resignation, or other cause, a corporation has no directors in office, an officer, a shareholder, a personal representative, administrator, trustee, or guardian of a shareholder, or other fiduciary entrusted with like responsibility for the person or estate of a shareholder, may call a special meeting of shareholders in accordance with the articles of incorporation or these bylaws. A vacancy that will occur at a specific date, by reason of a resignation effective at a later date under Section 4 of this Article or otherwise, may be filled before the vacancy occurs but the newly elected or appointed director may not take office until the vacancy occurs.

SECTION 3. REMOVAL. The shareholders may remove one (1) or more directors with or without cause unless the articles of incorporation provide that directors may be removed only for cause. The vote for removal shall be by a majority of shares entitled to vote at an election of directors, unless the articles of incorporation require a higher vote for removal without cause.

SECTION 4. RESIGNATION. A director may resign by written notice to the corporation. The resignation is effective upon its receipt by the corporation or a later time as set forth in the notice of resignation.

SECTION 5. POWERS. The business and affairs of the corporation shall be managed by its board of directors except as otherwise provided in the Act or in the articles of incorporation.

SECTION 6. LOCATION OF MEETINGS. Regular or special meetings of the board of directors may be held either in or outside the State of Michigan.

SECTION 7. ORGANIZATION MEETING OF BOARD. The first meeting of each newly elected board of directors shall be held at the place of holding the annual meeting of shareholders, and immediately following the same, for the purpose of electing officers and transacting any other business properly brought before it, provided that the organization meeting in any year may be held at a different time and place than that herein provided by a consent of a majority of the directors of such new board. No notice of such meeting shall be necessary to the newly elected directors in order legally to constitute the meeting, provided a quorum shall be present, unless said meeting is not held at the place of holding and immediately following the annual meeting of shareholders.

SECTION 8. REGULAR MEETING OF BOARD. Any regular meeting of the board of directors may be held without notice at such time and at such place as shall from time to time be determined by the board.

SECTION 9. SPECIAL MEETING OF BOARD. Any special meeting of the board of directors may be called by the chief executive officer, or by a majority of the persons then comprising the board of directors, at any time by means of notice of the time and place thereof to each director, given not less than twenty-four (24) hours before the time such special meeting is to be held.

SECTION 10. COMMITTEES OF DIRECTORS. The board of directors may designate one (1) or more committees, each committee to consist of one (1) or more of the directors of the corporation. The board may designate one (1) or more directors as alternate members of any committee, who may replace an absent or disqualified member at a meeting of the committee. In the absence or disqualification of a member of a committee, the members thereof present at a meeting and not disqualified from voting, whether or not they constitute a quorum, may unanimously appoint another member of the board of directors to act at the meeting in the place of any such absent or disqualified member. Any such committee, to the extent provided in the resolution of the board of directors creating such committee, may exercise all the powers and authority of the board of directors in the management of the business and affairs of the corporation. A committee does not have the power or authority to amend the articles of incorporation, adopt an agreement of merger or share exchange, recommend to the shareholders the sale, lease or exchange of all or substantially all of the corporation's property and assets, recommend to the shareholders a dissolution of the corporation or a revocation of a dissolution, amend the bylaws of the corporation or fill vacancies in the board of directors; and, unless the resolution of the board of directors creating such committee, the articles of

incorporation or bylaws expressly so provide, a committee does not have the power or authority to declare a distribution, dividend or to authorize the issuance of stock. Any such committee, and each member thereof, shall serve at the pleasure of the board of directors.

SECTION 11. QUORUM AND REQUIRED VOTE OF BOARD AND COMMITTEES. At all meetings of the board of directors, or of a committee thereof, a majority of the members of the board then in office, or of the members of a committee of the board of directors, constitutes a quorum for transaction of business, unless the articles of incorporation, these bylaws, or in the case of a committee, the board resolution establishing the committee, provide for a larger or smaller number. The vote of the majority of members present at a meeting at which a quorum is present constitutes the action of the board of directors or of the committee unless the vote of a larger number is required by the Act, the articles of incorporation, or these bylaws, or in the case of a committee, the board resolution establishing the committee. Amendment of these bylaws by the board of directors requires the vote of not less than a majority of the members of the board then in office. If a quorum shall not be present at any meeting of the board of directors, the directors present thereat may adjourn the meeting from time to time, without notice other than announcement at the meeting, until a quorum shall be present.

SECTION 12. ACTION BY WRITTEN CONSENT. Action required or permitted to be taken under authorization voted at a meeting of the board of directors or a committee of the board of directors, may be taken without a meeting if, before or after the action, all members of the board then in office or of the committee consent to the action in writing or by electronic transmission. The written consents shall be filed with the minutes of the proceedings of the board of directors or committee. The consent has the same effect as a vote of the board of directors or committee for all purposes.

SECTION 13. COMPENSATION OF DIRECTORS. The board of directors, by affirmative vote of a majority of directors in office and irrespective of any personal interest of any of them, may establish reasonable compensation of directors for services to the corporation as directors or officers, but approval of the shareholders is required if the articles of incorporation, these bylaws or any provisions of the Act so provide.

SECTION 14. PARTICIPATION IN MEETING BY TELEPHONE. By oral or written permission of a majority of the board of directors, a member of the board of directors or of a committee designated by the board may participate in a meeting by means of conference telephone or other means of remote communication through which all persons participating in the meeting can communicate with the other participants. Participation in a meeting pursuant to this Section constitutes presence in person at the meeting.

ARTICLE IV. NOTICES

SECTION 1. NOTICE. Whenever any notice or communication is required to be given by mail to any director or shareholder under any provision of the Act, or of the articles of incorporation or of these bylaws, it shall be mailed, except as otherwise provided in the Act, to such director or shareholder at the address designated by him or her for that purpose or, if none is

designated, at his or her last known address. The notice or communication is given when deposited, with postage thereon prepaid, in a post office or official depository under the exclusive care and custody of the United States postal service. The mailing shall be registered, certified or other first class mail except where otherwise provided in the Act. When a notice is required or permitted by the Act to be given in writing, electronic transmission is written notice. When a notice or communication is permitted by the Act to be transmitted electronically, the notice or communication is given when electronically transmitted to the person entitled to the notice or communication in a manner authorized by the person. Neither the business to be transacted at, nor the purpose of, a regular or special meeting of the board of directors need be specified in the notice of the meeting. In addition to any other form of notice to a shareholder permitted by the articles of incorporation, the bylaws, or the Act, any notice given to a shareholder by a form of electronic transmission to which the shareholder has consented is effective.

SECTION 2. WAIVER OF NOTICE. When, under the Act or the articles of incorporation or these bylaws, or by the terms of an agreement or instrument, a corporation or the board of directors or any committee thereof may take action after notice to any person or after lapse of a prescribed period of time, the action may be taken without notice and without lapse of the period of time, if at any time before or after the action is completed the person entitled to notice or to participate in the action to be taken or, in case of a shareholder, by his or her attorney-in-fact, submits a signed waiver or a waiver by electronic transmission of such requirements. Neither the business to be transacted at, nor the purpose of, a regular or special meeting of the board of directors need be specified in the waiver of notice of the meeting. Attendance of a person at a meeting of shareholders constitutes a waiver of objection to lack of notice or defective notice of the meeting, unless the shareholder at the beginning of the meeting objects to holding the meeting or transacting business at the meeting and a waiver of objection to consideration of a particular matter at the meeting that is not within the purpose or purposes described in the meeting notice, unless the shareholder objects to considering the matter when it is presented. A director's attendance at or participation in a meeting waives any required notice to him or her of the meeting unless he or she at the beginning of the meeting, or upon his or her arrival, objects to the meeting or the transacting of business at the meeting and does not thereafter vote for or assent to any action taken at the meeting.

ARTICLE V. OFFICERS

SECTION 1. SELECTION. The board of directors, at its first meeting and at its organization meeting following the annual meeting of shareholders, shall elect or appoint a president, a secretary and a treasurer. The board of directors may also elect or appoint a chairman of the board, one (1) or more vice presidents and such other officers, employees and agents as it shall deem necessary who shall hold their offices for such terms and shall exercise such powers and perform such duties as shall be determined from time to time by the board. Two (2) or more offices may be held by the same person but an officer shall not execute, acknowledge or verify an instrument in more than one (1) capacity if the instrument is required by law or the articles or bylaws to be executed, acknowledged or verified by two (2) or more officers.

SECTION 2. COMPENSATION. The salaries of all officers, employees and agents of the corporation shall be fixed by the board of directors; provided, however, that the board may delegate to the officers the fixing of compensation of assistant officers, employees and agents.

SECTION 3. TERM, REMOVAL AND VACANCIES. Each officer of the corporation shall hold office for the term for which he or she is elected or appointed and until his or her successor is elected or appointed and qualified, or until his or her resignation or removal. An officer elected or appointed by the board of directors may be removed by the board with or without cause at any time. An officer may resign by written notice to the corporation. The resignation is effective upon its receipt by the corporation or at a subsequent time specified in the notice of resignation. Any vacancy occurring in any office of the corporation shall be filled by the board of directors.

SECTION 4. CHIEF EXECUTIVE OFFICER. If the board of directors desires to elect or appoint a chief executive officer, the board shall designate the chairman of the board or president as such officer at the first meeting of each newly elected board of directors; provided, however, that if a motion is not made and carried to change the designation, the designation shall be the same as the designation for the preceding year; provided, further, that the designation of the chief executive officer may be changed at any special meeting of the board of directors. The president shall be the chief executive officer whenever the office of chairman of the board is vacant. The chief executive officer shall be responsible to the board of directors for the general supervision and management of the business and affairs of the corporation and shall see that all orders and resolutions of the board are carried into effect. The chairman of the board or president who is not the chief executive officer shall be subject to the authority of the chief executive officer, but shall exercise all of the powers and discharge all of the duties of the chief executive officer during the absence or disability of the chief executive officer.

SECTION 5. CHAIRMAN OF THE BOARD OF DIRECTORS. If the board of directors elects or appoints a chairman of the board, he or she shall be elected or appointed by, and from among the membership of, the board of directors. He or she shall preside at all meetings of the shareholders, of the board of directors and of any executive committee. He or she shall perform such other duties and functions as shall be assigned to him or her from time to time by the board of directors. He or she shall be, ex officio, a member of all standing committees. Except where by law the signature of the president of the corporation is required, the chairman of the board of directors shall possess the same power and authority to sign all certificates, contracts, instruments, papers and documents of every conceivable kind and character whatsoever in the name of and on behalf of the corporation which may be authorized by the board of directors. During the absence or disability of the president, or while that office is vacant, the chairman of the board of directors shall exercise all of the powers and discharge all of the duties of the president.

SECTION 6. PRESIDENT. During the absence or disability of the chairman of the board, or while that office is vacant, the president shall preside over all meetings of the board of directors, of the shareholders and of any executive committee, and shall perform all of the duties and functions, and when so acting shall have all powers and authority, of the chairman of the board. He or she shall be, ex officio, a member of all standing committees. The president shall,

in general, perform all duties incident to the office of president and such other duties as may be prescribed by the board of directors.

SECTION 7. VICE PRESIDENTS. The board of directors may elect or appoint one or more vice presidents. The board of directors may designate one or more vice presidents as executive or senior vice presidents. Unless the board of directors shall otherwise provide by resolution duly adopted by it, such of the vice presidents as shall have been designated executive or senior vice presidents and are members of the board of directors in the order specified by the board of directors (or if no vice president who is a member of the board of directors shall have been designated as executive or senior vice president, then such vice presidents as are members of the board of directors in the order specified by the board of directors) shall perform the duties and exercise the powers of the president during the absence or disability of the president if the office of the chairman of the board is vacant. The vice presidents shall perform such other duties as may be delegated to them by the board of directors, any executive committee, the chairman of the board or the president.

SECTION 8. SECRETARY. The secretary shall attend all meetings of the shareholders, and of the board of directors and of any executive committee, and shall preserve in the books of the corporation true minutes of the proceedings of all such meetings. He or she shall safely keep in his or her custody the seal of the corporation, if any, and shall have authority to affix the same to all instruments where its use is required or permitted. He or she shall give all notice required by the Act, these bylaws or resolution. He or she shall perform such other duties as may be delegated to him or her by the board of directors, any executive committee, the chairman of the board or the president.

SECTION 9. TREASURER. The treasurer shall have custody of all corporate funds and securities and shall keep in books belonging to the corporation full and accurate accounts of all receipts and disbursements; he or she shall deposit all moneys, securities and other valuable effects in the name of the corporation in such depositories as may be designated for that purpose by the board of directors. He or she shall disburse the funds of the corporation as may be ordered by the board of directors, taking proper vouchers for such disbursements, and shall render to the president and the board of directors whenever requested an account of all his or her transactions as treasurer and of the financial condition of the corporation. If required by the board of directors, he or she shall keep in force a bond in form, amount and with a surety or sureties satisfactory to the board of directors, conditioned for faithful performance of the duties of his or her office, and for restoration to the corporation in case of his or her death, resignation, retirement or removal from office, of all books, papers, vouchers, money and property of whatever kind in his or her possession or under his or her control belonging to the corporation. He or she shall perform such other duties as may be delegated to him or her by the board of directors, any executive committee, the chairman of the board or the president.

SECTION 10. ASSISTANT SECRETARIES AND ASSISTANT TREASURERS. The assistant secretary or assistant secretaries, in the absence or disability of the secretary, shall perform the duties and exercise the powers of the secretary. The assistant treasurer or assistant treasurers, in the absence or disability of the treasurer, shall perform the duties and exercise the powers of the treasurer. Any assistant treasurer, if required by the board of directors, shall keep in force a bond as provided in Section 9 of this Article. The assistant secretaries and assistant

treasurers, in general, shall perform such duties as shall be assigned to them by the secretary or by the treasurer, respectively, or by the board of directors, any executive committee, the chairman of the board or the president.

SECTION 11. DELEGATION OF AUTHORITY AND DUTIES BY BOARD OF DIRECTORS. All officers, employees and agents shall, in addition to the authority conferred, or duties imposed, on them by these bylaws, have such authority and perform such duties in the management of the corporation as may be determined by resolution of the board of directors not inconsistent with these bylaws.

ARTICLE VI. INDEMNIFICATION

SECTION 1. INDEMNIFICATION OF DIRECTORS AND OFFICERS: CLAIMS BY THIRD PARTIES. The corporation shall, to the fullest extent authorized or permitted by the Act or other applicable law, as the same presently exist or may hereafter be amended, but, in the case of any such amendment, only to the extent such amendment permits the corporation to provide broader indemnification rights than before such amendment, indemnify a director or officer (an "Indemnitee") who was or is a party or is threatened to be made a party to a threatened, pending, or completed action, suit, or proceeding, whether civil, criminal, administrative, or investigative and whether formal or informal, other than an action by or in the right of the corporation, by reason of the fact that he or she is or was a director, officer, employee or agent of the corporation, or is or was serving at the request of the corporation as a director, officer, partner, trustee, employee, or agent of another foreign or domestic corporation, partnership, joint venture, trust, or other enterprise, whether for profit or not, against expenses, including attorneys' fees, judgments, penalties, fines, and amounts paid in settlement actually and reasonably incurred by him or her in connection with the action, suit, or proceeding, if the Indemnitee acted in good faith and in a manner he or she reasonably believed to be in or not opposed to the best interests of the corporation or its shareholders, and with respect to a criminal action or proceeding, if the Indemnitee had no reasonable cause to believe his or her conduct was unlawful. The termination of an action, suit or proceeding by judgment, order, settlement, conviction, or upon a plea of nolo contendere or its equivalent, does not, of itself, create a presumption that the Indemnitee did not act in good faith and in a manner which he or she reasonably believed to be in or not opposed to the best interests of the corporation or its shareholders, and, with respect to a criminal action or proceeding, had reasonable cause to believe that his or her conduct was unlawful.

SECTION 2. INDEMNIFICATION OF DIRECTORS AND OFFICERS: CLAIMS BROUGHT BY OR IN THE RIGHT OF THE CORPORATION. The corporation shall, to the fullest extent authorized or permitted by the Act or other applicable law, as the same presently exist or may hereafter be amended, but, in the case of any such amendment, only to the extent such amendment permits the corporation to provide broader indemnification rights than before such amendment, indemnify an Indemnitee who was or is a party or is threatened to be made a party to a threatened, pending, or completed action or suit by or in the right of the corporation to procure a judgment in its favor by reason of the fact that he or she is or was a director, officer, employee or agent of the corporation, or is or was serving at the request of the corporation as a director, officer, partner, trustee, employee, or agent of another foreign or domestic corporation,

partnership, joint venture, trust, or other enterprise, whether for profit or not, against expenses, including attorneys' fees, and amounts paid in settlement actually and reasonably incurred by the Indemnitee in connection with the action or suit, if the Indemnitee acted in good faith and in a manner the Indemnitee reasonably believed to be in or not opposed to the best interests of the corporation or its shareholders. Indemnification shall not be made under this Section for a claim, issue, or matter in which the Indemnitee has been found liable to the corporation except to the extent authorized in Section 6 of this Article.

SECTION 3. ACTIONS BROUGHT BY THE INDEMNITEE. Notwithstanding the provisions of Sections 1 and 2 of this Article, the corporation shall not be required to indemnify an Indemnitee in connection with an action, suit, proceeding or claim (or part thereof) brought or made by such Indemnitee except as otherwise provided herein with respect to the enforcement of this Article, unless such action, suit, proceeding or claim (or part thereof) was authorized by the board of directors of the corporation.

SECTION 4. APPROVAL OF INDEMNIFICATION. Except as otherwise provided in Section 8 of this Article, indemnification under Sections 1 and 2 of this Article, unless ordered by the court, shall be made by the corporation only as authorized in the specific case upon a determination that indemnification of the Indemnitee is proper in the circumstances because such Indemnitee has met the applicable standard of conduct set forth in Sections 1 or 2 of this Article, as the case may be, and upon an evaluation of the reasonableness of expenses and amounts paid in settlement. This determination and evaluation shall be made in any of the following ways:

- (a) By a majority vote of a quorum of the board of directors consisting of directors who are not parties or threatened to be made parties to the action, suit, or proceeding.
- (b) If a quorum cannot be obtained in subsection (a), by majority vote of a committee duly designated by the board of directors and consisting solely of two (2) or more directors not at the time parties or threatened to be made parties to the action, suit or proceeding.
- (c) By independent legal counsel in a written opinion, which counsel shall be selected in one (1) of the following ways:
 - (i) By the board of directors or its committee in the manner prescribed in subsection (a) or (b)
 - (ii) If a quorum of the board of directors cannot be obtained under subsection (a) and a committee cannot be designated under subsection (b), by the board of directors.
- (d) By all independent directors (if any directors have been designated as such by the board of directors or shareholders of the corporation) who are not parties or threatened to be made parties to the action, suit, or proceeding.
- (e) By the shareholders, but shares held by directors, officers, employees, or agents who are parties or threatened to be made parties to the action, suit, or proceeding may not be voted.

In the designation of a committee under subsection (b) or in the selection of independent legal counsel under subsection (c)(ii), all directors may participate.

SECTION 5. ADVANCEMENT OF EXPENSES. The corporation shall pay or reimburse the reasonable expenses incurred by an Indemnitee who is a party or threatened to be made a party to an action, suit, or proceeding in advance of final disposition of the proceeding if all of the following apply:

- (a) The Indemnitee furnishes the corporation a written affirmation of his or her good faith belief that he or she has met the applicable standard of conduct, if any, required by the Act for the indemnification of a person under the circumstances.
- (b) The Indemnitee furnishes the corporation a written undertaking, executed personally or on his or her behalf, to repay the advance if it is ultimately determined that he or she did not meet the applicable standard of conduct, if any, required by the Act for the indemnification of a person under the circumstances.
- (c) A determination is made that the facts then known to those making the determination would not preclude indemnification, if any, required by the Act for the indemnification of a person under the circumstances.

The undertaking required by subsection (b) must be an unlimited general obligation of the Indemnitee but need not be secured and may be accepted without reference to the financial ability of the person to make repayment. Determinations and evaluations of reasonableness of payments under this Section shall be made in the manner specified in Section 4 of this Article.

SECTION 6. COURT APPROVAL. An Indemnitee who is a party or threatened to be made a party to an action, suit, or proceeding may apply for indemnification to the court conducting the proceeding or to another court of competent jurisdiction. On receipt of an application, the court after giving any notice it considers necessary may order indemnification if it determines that the Indemnitee is fairly and reasonably entitled to indemnification in view of all the relevant circumstances, whether or not he or she met the applicable standard of conduct set forth in Sections 1 and 2 of this Article or was adjudged liable as described in Section 2 of this Article, but if he or she was adjudged liable, his or her indemnification is limited to reasonable expenses incurred.

SECTION 7. PARTIAL INDEMNIFICATION. If an Indemnitee is entitled to indemnification under Sections 1 or 2 of this Article for a portion of expenses, including reasonable attorneys' fees, judgments, penalties, fines, and amounts paid in settlement, but not for the total amount, the corporation shall indemnify the Indemnitee for the portion of the expenses, judgments, penalties, fines, or amounts paid in settlement for which the Indemnitee is entitled to be indemnified.

SECTION 8. ARTICLE PROVISION ELIMINATING OR LIMITING DIRECTOR LIABILITY. To the extent that the articles of incorporation of the corporation include a provision eliminating or limiting the liability of a director pursuant to Section 209(1)(c) of the Act, the corporation shall indemnify a director for the expenses and liabilities described in this Article without a determination that the director has met the standard of conduct set forth in Sections 1 and 2 of this Article, but no indemnification may be made except to the extent authorized in Section 564c of the Act if the director received a financial benefit to which he or she was not entitled, intentionally inflicted harm on the corporation or its shareholders, violated

Section 551 of the Act, or intentionally committed a criminal act. In connection with an action or suit by or in the right of the corporation as described in Section 2 of this Article, indemnification under this Article shall be for expenses, including attorneys' fees, actually and reasonably incurred. In connection with an action, suit, or proceeding other than an action, suit, or proceeding by or in the right of the corporation, as described in Section 1 of this Article, indemnification under this Article shall be for expenses, including attorneys' fees, actually and reasonably incurred, and for judgments, penalties, fines and amounts paid in settlement actually and reasonably incurred.

SECTION 9. INDEMNIFICATION OF EMPLOYEES AND AGENTS. Any person who is not covered by the foregoing provisions of this Article and who is or was an employee or agent of the corporation, or is or was serving at the request of the corporation as a director, officer, partner, trustee, employee or agent of another foreign or domestic corporation, partnership, joint venture, trust or other enterprise, whether for profit or not, may be indemnified to the fullest extent authorized or permitted by the Act or other applicable law, as the same exists or may hereafter be amended, but, in the case of any such amendment, only to the extent such amendment permits the corporation to provide broader indemnification rights than before such amendment, but in any event only to the extent authorized at any time or from time to time by the board of directors.

SECTION 10. OTHER RIGHTS OF INDEMNIFICATION. The indemnification or advancement of expenses provided under Sections 1 through 9 of this Article is not exclusive of other rights to which a person seeking indemnification or advancement of expenses may be entitled under the articles of incorporation, bylaws, or a contractual agreement. The total amount of expenses advanced or indemnified from all sources combined shall not exceed the amount of actual expenses incurred by the person seeking indemnification or advancement of expenses. The indemnification provided for in Sections 1 through 9 of this Article continues as to a person who ceases to be a director, officer, employee, or agent and shall inure to the benefit of the heirs, personal representatives, and administrators of the person.

SECTION 11. DEFINITIONS. "Other enterprises" shall include employee benefit plans; "fines" shall include any excise taxes assessed on a person with respect to an employee benefit plan; and "serving at the request of the corporation" shall include any service as a director, officer, employee, or agent of the corporation which imposes duties on, or involves services by, the director, officer, employee or agent with respect to an employee benefit plan, its participants or its beneficiaries; and a person who acted in good faith and in a manner he or she reasonably believed to be in the interest of the participants and beneficiaries of an employee benefit plan shall be considered to have acted in a manner "not opposed to the best interests of the corporation or its shareholders" as referred to in Sections 1 and 2 of this Article.

SECTION 12. LIABILITY INSURANCE. The corporation shall have the power to purchase and maintain insurance on behalf of any person who is or was a director, officer, employee or agent of the corporation or is or was serving at the request of the corporation as a director, officer, partner, trustee, employee or agent of another corporation, partnership, joint venture, trust, or other enterprise against any liability asserted against him or her and incurred by him or her in any such capacity or arising out of his or her status as such, whether or not the

corporation would have power to indemnify him or her against liability under the pertinent provisions of the Act.

SECTION 13. ENFORCEMENT. If a claim under this Article is not paid in full by the corporation within thirty (30) days after a written claim has been received by the corporation, the claimant may at any time thereafter bring suit against the corporation to recover the unpaid amount of the claim, and, if successful in whole or in part, the claimant shall be entitled to be paid also the expense of prosecuting such claim. It shall be a defense to any such action (other than an action brought to enforce a claim for expenses incurred in defending any proceeding in advance of its final disposition where the required undertaking, if any is required, has been tendered to the corporation) that the claimant has not met the standards of conduct which make it permissible under the Act for the corporation to indemnify the claimant for the amount claimed, but the burden of proving such defense shall be on the corporation. Neither the failure of the corporation (including its board of directors, a committee thereof, independent legal counsel, or its shareholders) to have made a determination prior to the commencement of such action that indemnification of the claimant is proper in the circumstances because such claimant has met the applicable standard of conduct set forth in the Act nor an actual determination by the corporation (including its board of directors, a committee thereof, independent legal counsel or its shareholders) that the claimant has not met such applicable standard of conduct, shall be a defense to the action or create a presumption that the claimant has not met the applicable standard of conduct.

SECTION 14. CONTRACT WITH THE CORPORATION. The right to indemnification conferred in this Article shall be deemed to be a contract right between the corporation and each director or officer who serves in any such capacity at any time while this Article is in effect, and any repeal or modification of this Article shall not affect any rights or obligations then existing with respect to any state of facts then or theretofore existing or any action, suit or proceeding theretofore or thereafter brought or threatened based in whole or in part upon any such state of facts.

SECTION 15. APPLICATION TO A RESULTING OR SURVIVING CORPORATION OR CONSTITUENT CORPORATION. The definition for "corporation" found in Section 569 of the Act, as the same exists or may hereafter be amended is, and shall be, specifically excluded from application to this Article. The indemnification and other obligations set forth in this Article of the corporation shall be binding upon any resulting or surviving corporation after any merger or consolidation with the corporation. Notwithstanding anything to the contrary contained herein or in Section 569 of the Act, no person shall be entitled to the indemnification and other rights set forth in this Article for acting as a director or officer of another corporation prior to such other corporation entering into a merger or consolidation with the corporation.

SECTION 16. SEVERABILITY. Each and every paragraph, sentence, term and provision of this Article shall be considered severable in that, in the event a court finds any paragraph, sentence, term or provision to be invalid or unenforceable, the validity and enforceability, operation, or effect of the remaining paragraphs, sentences, terms, or provisions shall not be affected, and this Article shall be construed in all respects as if the invalid or unenforceable matter had been omitted.

ARTICLE VII.
STOCK AND TRANSFERS

SECTION 1. SHARE CERTIFICATES: REQUIRED SIGNATURES. The shares of the corporation shall be represented by certificates which shall be signed by the chairman of the board of directors, vice chairman of the board of directors, president or a vice president and which also may be signed by another officer of the corporation. The certificate may be sealed with the seal of the corporation or a facsimile of the seal. The signatures of the officers may be facsimiles if the certificate is countersigned by a transfer agent or registered by a registrar other than the corporation itself or its employee. If an officer who has signed or whose facsimile signature has been placed upon a certificate ceases to be an officer before the certificate is issued, it may be issued by the corporation with the same effect as if he or she were the officer at the date of issue.

SECTION 2. SHARE CERTIFICATES: REQUIRED PROVISIONS. A certificate representing shares of the corporation shall state upon its face all of the following:

- (a) That the corporation is formed under the laws of this state.
- (b) The name of the person to whom issued.
- (c) The number and class of shares, and the designation of the series, if any, which the certificate represents.

A certificate representing shares issued by a corporation which is authorized to issue shares of more than one (1) class shall set forth on its face or back or state on its face or back that the corporation will furnish to a shareholder upon request and without charge a full statement of the designation, relative rights, preferences and limitations of the shares of each class authorized to be issued, and if the corporation is authorized to issue any class of shares in series, the designation, relative rights, preferences and limitations of each series so far as the same have been prescribed and the authority of the board to designate and prescribe the relative rights, preferences and limitations of other series.

SECTION 3. REPLACEMENT OF LOST OR DESTROYED SHARE CERTIFICATES. The corporation may issue a new certificate for shares or fractional shares in place of a certificate theretofore issued by it, alleged to have been lost or destroyed, and the board of directors may require the owner of the lost or destroyed certificate, or his or her legal representative, to give the corporation a bond sufficient to indemnify the corporation against any claim that may be made against it on account of the alleged lost or destroyed certificate or the issuance of such new certificate.

SECTION 4. REGISTERED SHAREHOLDERS. The corporation shall have the right to treat the registered holder of any share as the absolute owner thereof, and shall not be bound to recognize any equitable or other claim to, or interest in, such share on the part of any other person, whether or not the corporation shall have express or other notice thereof, save as may be otherwise provided by the statutes of Michigan.

SECTION 5. TRANSFER AGENT AND REGISTRAR. The board of directors may appoint a transfer agent and a registrar in the registration of transfers of its securities.

SECTION 6. REGULATIONS. The board of directors shall have power and authority to make all such rules and regulations as the board shall deem expedient regulating the issue, transfer and registration of certificates for shares in this corporation.

ARTICLE VIII.
GENERAL PROVISIONS

SECTION 1. DISTRIBUTIONS IN CASH OR PROPERTY. The board of directors may authorize and the corporation may make distributions to its shareholders subject to restriction by the articles of incorporation and/or unless otherwise limited by the articles of incorporation, these bylaws or the Act.

SECTION 2. RESERVES. The board of directors shall have power and authority to set apart such reserve or reserves, for any proper purpose, as the board in its discretion shall approve, and the board shall have the power and authority to abolish any reserve created by the board.

SECTION 3. VOTING SECURITIES. Unless otherwise directed by the board of directors, the chairman of the board or president, or in the case of their absence or inability to act, the vice presidents, in order of their seniority, shall have full power and authority on behalf of the corporation to attend and to act and to vote, or to execute in the name or on behalf of the corporation a consent in writing in lieu of a meeting of shareholders or a proxy authorizing an agent or attorney-in-fact for the corporation to attend and vote at any meetings of security holders of corporations in which the corporation may hold securities, and at such meetings he or she or his or her duly authorized agent or attorney-in-fact shall possess and may exercise any and all rights and powers incident to the ownership of such securities and which, as the owner thereof, the corporation might have possessed and exercised if present. The board of directors by resolution from time to time may confer like power upon any other person or persons.

SECTION 4. CHECKS. All checks, drafts and orders for the payment of money shall be signed in the name of the corporation in such manner and by such officer or officers or such other person or persons as the board of directors shall from time to time designate for that purpose.

SECTION 5. CONTRACTS, CONVEYANCES, ETC. When the execution of any contract, conveyance or other instrument has been authorized without specification of the executing officers, the chairman of the board, president or any vice president, and the secretary or assistant secretary, may execute the same in the name and on behalf of this corporation and may affix the corporate seal thereto. The board of directors shall have power to designate the officers and agents who shall have authority to execute any instrument on behalf of this corporation.

SECTION 6. CORPORATE BOOKS AND RECORDS. The corporation shall keep books and records of account and minutes of the proceedings of its shareholders, board of directors and executive committees, if any. The books, records and minutes may be kept outside this state. The corporation shall keep at its registered office, or at the office of its transfer agent in or outside the State of Michigan, records containing the names and addresses of all

shareholders, the number, class and series of shares held by each and the dates when they respectively became holders of record. Any of the books, records or minutes may be in written form or in any other form capable of being converted into written form within a reasonable time. The corporation shall convert into written form without charge any record not in written form, unless otherwise requested by a person entitled to inspect the records.

SECTION 7. FISCAL YEAR. The fiscal year of the corporation shall be fixed by resolution of the board of directors.

SECTION 8. SEAL. If the corporation has a corporate seal, it shall have inscribed thereon the name of the corporation and the words "Corporate Seal" and "Michigan." The seal may be used by causing it or a facsimile to be affixed, impressed or reproduced in any other manner.

ARTICLE IX. AMENDMENTS

SECTION 1. The shareholders or the board of directors may amend or repeal the bylaws or adopt new bylaws unless the articles of incorporation provide that the power to adopt new bylaws is reserved exclusively to the shareholders or that these bylaws or any particular bylaw shall not be altered or repealed by the board of directors. Such action may be taken by written consent or at any meeting of shareholders or the board of directors; provided that if notice of any such meeting is required by these bylaws, it shall contain notice of the proposed amendment, repeal or new bylaws. Amendment of these bylaws by the board of directors requires the vote of not less than a majority of the members of the board then in office.

EXHIBIT D

CONSENT OF BOARD OF DIRECTORS OF THE COMPANY

See Attached

**CONSENT IN LIEU OF SPECIAL MEETING
OF BOARD OF DIRECTORS OF
CRW PLASTICS USA, INC.**

WHEREAS, Section 525 of the Michigan Business Corporation Act provides in part that unless prohibited by the articles of incorporation or bylaws, action required or permitted to be taken under authorization voted at a meeting of the board of directors or a committee of the board, may be taken without a meeting if, before or after the action, all members of the board then in office or of the committee consent to the action in writing; and

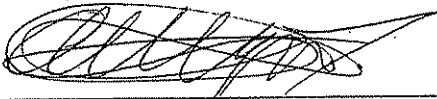
WHEREAS, the undersigned, being the sole Director of CRW Plastics USA, Inc., a Michigan corporation (herein called the "Corporation"), desires that the action expressed in the resolutions set forth below be taken in lieu of a Special Meeting of Board of Directors.

NOW, THEREFORE, the undersigned consents to the action expressed in the following resolutions as of the date appearing after these resolutions:

RESOLVED, that the Board of Directors hereby adopts, approves and authorizes its President, Derian Campos, to execute and file an Application for Exemption of New Personal Property with the Clerk of Genoa Township and the Michigan State Tax Commission, under Act 328 of the Public Acts of 1998; and

RESOLVED FURTHER, that the officers of the Corporation, and each of them, shall be, and they hereby are, and each of them hereby is, authorized, empowered and directed to take or cause to be taken any and all such further actions and to execute and deliver or cause to be executed and delivered all such further notarial certificates, agreements, documents, certificates and undertakings in the name and on behalf of the Corporation, as such officer shall determine to be necessary, appropriate or desirable to carry into effect the transactions contemplated by and the intent and purpose of any and all of the foregoing resolutions; and all actions previously taken by any officer of the Corporation in connection with the transactions contemplated by the foregoing resolutions are hereby adopted, ratified, confirmed and approved in all respects as the acts and deeds of the Corporation as fully as if such actions had been presented to this Board of Directors for its approval prior to such actions being taken.

This consent is executed (by original or facsimile) as of the 18th day of August 2009.



Derian Campos

Memorandum

TO: Michael Archinal

FROM: Adam VanTassell

DATE: October 6, 2009

RE: Noise Ordinance Review

Per your direction, I have compared the current Genoa Charter Township Noise ordinance with ordinances from Green Oak Township, the City of Howell and the sample ordinance from the Michigan Township Association (see attached).

With respect to the Green Oak Township and City of Howell noise ordinances, the Genoa noise ordinance appears superior with specific references to decibel limits with respect to the different zoning districts of the Township. The Genoa ordinance is more restrictive than Howell by limiting the time frame of louder noises to 10pm to 7am rather than 11pm to 7am. Green Oak takes their noise ordinance a step further and limits weekend hours to 7pm to 7am on Saturdays and 8pm to 6am on Sundays which is something Genoa could consider.

In comparison to the MTA sample noise ordinance, the Genoa ordinance is similar except for different decibel ranges:

MTA:

	7 a.m. - 10 p.m.	10 p.m. - 7 a.m
Residential Zoning Districts (and any area within feet of a hospital regardless of zoning district and agricultural districts located within 500 feet of any dwelling under separate ownership):	55db(A)	50 db(A)
Agricultural Zoning Districts , where at least 500 feet from any dwelling under separate ownership and commercial:	65db(A)	55 db(A)

Genoa:

Use of Property Producing Sound Use of Property Receiving Sound

		7:00am to 10:00pm	10:00pm to 7:00am
Residential	Residential	75	50
Commercial	Residential	80	50
Residential	Commercial	80	50

Genoa could consider adjusting the decibel ranges to be more in line with the ones recommended by the MTA.

Please let me know if you require anything further

cc: Township Board
file

Decibel (Loudness) Comparison Chart

Here are some interesting numbers, collected from a variety of sources, that help one to understand the volume levels of various sources and how they can affect our hearing.

Environmental Noise	
Weakest sound heard	0dB
Whisper Quiet Library	30dB
Normal conversation (3-5')	60-70dB
Telephone dial tone	80dB
City Traffic (inside car)	85dB
Train whistle at 500', Truck Traffic	90dB
Subway train at 200'	95dB
<i>Level at which sustained exposure may result in hearing loss</i>	<i>90 - 95dB</i>
Power mower at 3'	107dB
Snowmobile, Motorcycle	100dB
Power saw at 3'	110dB
Sandblasting, Loud Rock Concert	115dB
<i>Pain begins</i>	<i>125dB</i>
Pneumatic riveter at 4'	125dB
<i>Even short term exposure can cause permanent damage - Loudest recommended exposure <u>WITH</u> hearing protection</i>	<i>140dB</i>
Jet engine at 100', Gun Blast	140dB
Death of hearing tissue	180dB
Loudest sound possible	194dB



MEMBER INFORMATION



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Noise and Public Nuisance

An ordinance to secure the public health, safety and general welfare of the residents and property owners of _____ Township, _____ County, Michigan, by the regulation of noise within said Township; to prescribe the penalties for the violation thereof.

THE TOWNSHIP OF _____, _____ COUNTY, MICHIGAN, ORDAINS:

Section 1: Title

This ordinance shall be known and cited as the _____ Township Anti-Noise and Public Nuisance Ordinance.

Section 2: Definitions

The following terms used in this ordinance are defined as follows:

A. "Decibel" is a unit used to express the magnitude of sound pressure and sound intensity. The difference in decibels between two sound pressures is twenty (20) times the common logarithm of their ratio. In sound press measurements, the sound pressure level of a given sound is defined to be 20 times the common logarithm of the ratio of that sound pressure to a reference pressure of $2 \times 10^{-5} \text{N/m}^2$ (Newtons per meter squared). As an example of the effect of this formula, a 3 decibel change in the sound pressure level corresponds to a doubling or halving of the sound intensity, and a 10 decibel change corresponds to a 10-fold increase or decrease to 1/10th the former intensity.

B. "dB(A)" means the sound pressure level in decibels measured on the "A" scale of a standard sound level meter having characteristics defined by the American National Standards Institute, Publication ANSI s1.4-1971.

Section 3: Anti-Noise Regulations

A. General regulation. No person, firm or corporation shall cause or create any unreasonable or unnecessarily loud noise or disturbance, injurious to the health, peace, or quiet of the residents and property owners of the Township.

B. Specific violations. The following noises and disturbances are hereby declared to be a violation of this ordinance; provided, however, that the specification of the same is not thereby to be construed to exclude other violations of this ordinance not specifically enumerated:

1. The playing of any radio, phonograph, television, or other electronic or mechanical sound-producing device, including any musical instrument in such a manner or with such volume as to unreasonably upset or disturb the quiet, comfort or repose of other persons.
2. Yelling, shouting, hooting or singing on the public streets between the hours of 10 p.m. and 7 a.m., or at any time or place so as to unreasonably upset or disturb the quiet, comfort or repose of any persons in the vicinity.
3. The emission or creation of any excessive noise which unreasonably interferes with the operation of any school, church, hospital or court.
4. The keeping of any animal, bird or fowl, which emanates frequent or extended noise which shall unreasonably disturb the quiet, comfort or repose of any person in the vicinity; such as allowing or permitting any dog to bark repeatedly in an area where such barking can be clearly heard from nearby residential property.

Quick Links

[Noise Ordinance](#)

[Pere Marquette Charter Township](#)

5. The operation of any automobile, motorcycle or other vehicle so out of repair or so loaded or constructed as to cause loud and unnecessary grating, grinding, rattling, or other unreasonable noise including the noise resulting from exhaust, which is clearly audible from nearby properties and unreasonably disturbing to the quiet, comfort or repose of other persons. The modification of any noise abatement device on any motor vehicle or engine, or the failure to maintain same so that the noise emitted by such vehicle or engine is increased above that emitted by such vehicle as originally manufactured shall be in violation of this section.

6. The sounding of any horn or other device on any motor vehicle unless necessary to operate said vehicle safely or as required by the Michigan Motor Vehicle Code.

7. The discharging outside of any enclosed building of the exhaust of any steam engine, internal combustion engine, motor vehicle, or motor boat engine except through a muffler or other similar device which will effectively prevent loud or explosive noises. The modification of any noise abatement device on any motor vehicle or engine, or the failure to maintain same so the noise emitted by such vehicle or engine is increased above that emitted by such vehicle as originally manufactured shall be in violation of this section.

8. The erection, excavation, demolition, alteration or repair of any building or premises in any part of the Township, and including the streets and highways, in such a manner as to emanate noise or disturbance unreasonably annoying to other persons, other than between the hours of 7:00 a.m. and sundown on any day, except in cases of urgent necessity in the interest of public health and safety. In such case, a permit shall be obtained from the building inspector or ordinance enforcement officer of the Township, which permit shall limit the periods that the activity may continue.

9. The creation of a loud or excessive noise unreasonably disturbing to other persons in the vicinity in connection with the operation, loading or unloading of any vehicle, trailer, railroad car, or other carrier or in connection with the repairing of any such vehicle in or near residential areas.

10. The use of any drum, loudspeaker or other instrument or device for the purpose of attracting attention to any performance, show, sale, display or other commercial purpose which, by the creation of such noise, shall be unreasonably disturbing to other persons in the vicinity.

11. The operation of any loudspeaker or other sound amplifying device upon any vehicle on the streets of the Township with the purpose of advertising, where such vehicle, speaker or sound amplifying device emits loud and raucous noises easily heard from nearby adjoining residential property.

12. The operation of any machinery, equipment or mechanical device so as to emit unreasonably loud noise which is disturbing to the quiet, comfort or repose of any person.

13. The operation of any race track, proving ground, testing area or obstacle course for motor vehicles, motorcycles, boats, racers, automobiles or vehicles of any kind or nature in any area of the Township where the noise emanating therefrom would be unreasonably disturbing and upsetting to other persons in the vicinity. Under no circumstances shall any race track, proving ground, testing area or obstacle course operate after 11 p.m. on any evening.

C. Exceptions. None of the prohibitions hereinbefore enumerated shall apply to the following:

1. Any police vehicle, ambulance, fire engine or emergency vehicle while engaged in necessary emergency activities.

2. Excavation or repair of bridges, streets or highways or other property by or on behalf of the State of Michigan, _____ Township, or the County of _____, between sundown and 7 a.m. when the public welfare, safety and convenience render it impossible to perform such work during other hours.

3. Warning devices emitting sound for warning purposes as authorized by law.

Section 4: Anti-Noise Regulations Based Upon dB(A) Criteria

In order to regulate and prove violations occurring under Section 3 of this ordinance, any noise in excess of the maximum decibel limits according to the regulations stated below is deemed to be in violation of this ordinance.

A. Regulations for decibel measurement of noise originating from private properties. Noise radiating from all properties or buildings, as measured at the boundaries of the property, which is in excess of the dB(A) established for the following districts and times shall constitute prima facie evidence that such noise unreasonably disturbs the comfort, quiet and repose of persons in the area and is therefore in violation of this ordinance:

Residential Zoning Districts (and any area within 500 55 dB(A) 50 dB(A) feet of a hospital regardless of zoning district and agricultural districts located within 500 feet of any dwelling under separate ownership):

Limitations: 7 a.m. - 10 p.m. : 55db(A) and 10 p.m. - 7 a.m. : 50 db(A)

Agricultural Zoning Districts, where at least 500 feet 65 dB(A) 55 dB(A) from any dwelling under separate ownership and commercial:

Limitations: 7 a.m. - 10 p.m. : 65db(A) and 10 p.m. - 7 a.m. : 55 db(A)

Harmonic or pure tones, and periodic or repetitive impulse sound shall be in violation when such sounds are at a sound level of 5 dB(A) less than those listed above.

Violations shall exist when the source or sources of noise are identifiable and the levels emanating from the source or sources exceed the limitations listed above. As an example, such noise shall include that emitting from the production, processing, cleaning, servicing, testing, repairing and manufacturing of materials, goods or products, including vehicles.

Where property is partly in two zoning districts or adjoins the boundary of a zoning district, the dB(A) levels of the zoning district of the property where the noise is emanating shall control.

The following exceptions shall apply to these regulations under this Section 4, Subsection A:

1. Construction projects shall be subject to the maximum permissible noise levels specified for industrial districts as long as a valid building permit has been issued by the Township and is currently in effect.

2. All railroad operations shall be subject to the maximum permissible noise levels allowed in industrial districts, regardless of the zone where they are located.

3. Noises occurring between 7 a.m. and sundown caused by home or building repairs or from maintenance of grounds are excluded, provided such noise does not exceed the limitations specified in Section 4A by more than 20 dB(A).

4. Noises emanating from the discharge of firearms are excluded, providing the discharge of the firearms was authorized under Michigan law and all local ordinances.

5. Any commercial, agricultural or industrial use of property which exists now or in the future as a legal nonconforming use (as defined in the Township zoning ordinance) in a higher zoning classification shall be allowed to emit noise in excess of these limitations for the particular zoning classification where such use is located, providing that such noise does not exceed either of the following limitations:

a. The noise level emitted by such use at the time it became a legal non-conforming use as a result of the enactment of an amendment of the Township zoning ordinance if available.

b. The limitations contained herein based upon such a use being located in the

highest zoning district (either commercial and agricultural or industrial) where such a use is specifically allowed as a permissible use.

B. Regulations for decibel measurement of motor driven vehicles on public roads. All noise emitted from motor driven vehicles upon public roads shall be measured whenever possible at a distance of a least 50 feet (or 15 meters) from a noise source located within the public right-of-way. If measurement at 50 feet (15 meters) is not feasible, measurement may be made at 25 feet (7 1/2 meters) and if this is done, 6 dB(A) shall be added to the limits provided below. All such noises in excess of the dB(A) as provided herein shall be prima facie evidence that such noise unreasonably disturbs the comfort, quiet and repose of persons in the area and is therefore in violation of this ordinance.

Trucks & buses - Weight: Over 10,000 lbs. gross weight, dB(A) Maximum Limitation: 82 dB(A)

Trucks & buses - Weight: Under 10,000 lbs. gross weight, dB(A) Maximum Limitation: 74 dB(A)

Passenger cars - Any weight, dB(A) Maximum Limitation: 74 dB(A)

Motorcycles, snowmobiles & mini-bikes - Any weight, dB(A) Maximum Limitation: 82 dB(A)

All other self-propelled motor vehicles - Any weight, dB(A) Maximum Limitation: 74 dB(A)

C. Measurement of noise. All measurements of dB(A) according to subparagraphs A and B of this section shall be made by using a sound level meter of standard design and operated on the "A" weight scale, with "slow" meter response.

Section 5: Public Nuisance Regulations

No person, firm or corporation shall create, cause or maintain any public nuisance within the Township by the unreasonable emission of dust, smoke, fly ash or noxious odors which are offensive or disturbing to adjacent property owners and residents or persons in the area.

Section 6: Validity

The several provisions of this ordinance are declared to be separate; if any court of law shall hold that any section or provision thereof is invalid, such holding shall not affect or impair the validity of any other section or provision of this ordinance.

Section 7: Penalties

Any person, firm or corporation found violating this provisions of this ordinance, shall upon conviction, be punished by a fine of not to exceed \$500 or by imprisonment not to exceed 90 days, or by both such fine and imprisonment, at the discretion of the court. Each day that a violation shall continue is to constitute a separate offense. Provisions of this ordinance may also be enforced by suit for injunction, damages or other appropriate legal action.

***Note:** This ordinance is written to be enforced as a criminal misdemeanor. If your Township intends to enforce this ordinance as a civil infraction, the penalty provision will need to be revised. Please consult your local attorney, or contact Michigan Townships Association for sample civil infraction penalty provisions and enforcement guidelines.*

Section 8: Effective Date

This ordinance shall take effect on _____.

The purpose of this sample ordinance is to provide a suggested guideline for the types of items that should be included within an ordinance. Certainly, no sample ordinance should be used unless, after careful review, it is the professional judgment of your legal counsel that using the sample will accomplish the particular objectives and intentions of your Township. Although these sample ordinances are the result of much thought and effort, neither the authors nor the Michigan Townships Association assumes any responsibility for the results of using these samples word-for-word in

individual cases.

[Download noise ordinance marquette twp.pdf](#)

This page last updated on 9/14/2005.

Green Oak

ARTICLE IV. NOISE CONTROL*

*Cross references: Noise limits, § 38-357.

State law references: Motor vehicle mufflers, MCL 257.707 et seq.

Sec. 10-101. Purpose.

Wherefore the courts of the state have consistently recognized that noise is a valid regulatory concern and that excessive noise interferes with citizen's health, safety and welfare, this article is enacted as provided by Mich. Const. art. 718 and the authority of section 1 of Public Act No. 246 of 1945 (MCL 41.181). The township declares, as a matter of legislative determination and public policy that are enacted in pursuance, and for the purpose, of securing and promoting the health, safety and welfare of the residents and the property owners of the township and the peace and comfort of the township.

(Ord. No. 81, § 2, 9-16-1992)

Sec. 10-102. Regulations.

(a) *Generally.* It shall be unlawful for any person to create, assist in creating, permit, continue or permit the continuance of any unreasonable, unnecessary or unusually loud noise or disturbance which is prolonged or unusual in the time, place, use and effect, or noise or disturbance which otherwise annoys, injures or endangers the health, peace, comfort, convenience, safety or welfare of others or the tranquility within the limits of the township.

(b) *Prohibited activities.*

(1) Activities that are prohibited include, but are not limited to, the following:

a. The sounding of any horn, bell, siren or signal device on any automobile, motorcycle, boat, bus or other parked or moving vehicle for any purpose other than to avoid a collision or accident or as required by the Michigan Vehicle Code, section 706 of Public Act No. 300 of 1949 (MCL 257.706).

b. The operation or use of any automobile, motorcycle, boat, plane or other vehicle so out of repair, loaded or constructed as to cause loud and unnecessary noise so as to disturb the quiet, comfort or repose of other persons. The modification of any noise abatement device on any motor vehicle or engine, or the failure to maintain such device so noise emitted by such vehicle or engine is increased above that emitted by such vehicle as originally manufactured shall be in violation of this article.

c. The discharging outside of any enclosed building of the exhaust of any steam engine, internal combustion engine, motor vehicle or motor boat engine, except through a muffler or similar device which will effectively prevent loud or explosive noises from being emitted therefrom. The modification of any noise

abatement device on any motor vehicle or engine, or the failure to maintain such device so noise emitted by such vehicle or engine is increased above that emitted by such vehicle as originally manufactured shall be in violation of this article.

d. The operation, or causing the operation, of a sound truck with a radio or amplifier or any other vehicle with an amplified sound system.

(2) Activities that are prohibited if they produce a clearly audible sound beyond the property line of the property on which they are conducted or that are created within a boat on public waters include, but are not limited to, the following:

a. The operation of power tools or equipment, Monday--Friday between the hours of 10:00 p.m. and 7:00 a.m., Saturday between the hours of 7:00 p.m. and 7:00 a.m., and Sunday between the hours of 8:00 p.m. and 6:00 a.m.

b. The creation of any loud or excessive noise in connection with the loading or unloading, or the repair, of any vehicle, trailer, boxcar, boat or other carrier, or in connection with the opening or destruction of bales, boxes, crates or other containers in or near any residential area.

c. The erection, demolition, alteration or repair of any building or premises in any platted residential district or section of the township, including the streets and highways therein, in such a manner as to emanate noise or disturbance unreasonably annoying to other persons, other than between the hours of 7:00 a.m. and sundown, during weekdays.

d. The playing of any radio, television, phonograph, loudspeaker, drum or any musical instrument, or other electronic or mechanical device in such a manner or with such volume as to annoy or disturb the quiet, comfort or repose of others.

e. Yelling, shouting, hooting or singing on the public streets or in parks between the hours of 10:00 p.m. and 7:00 a.m., or at any time or place so as to annoy or disturb the quiet, comfort or repose of others in the vicinity.

f. The creation or emission of any excessive noise on any street adjacent to any institution of learning, house of worship, hospital, rest facility, library or court, or other noise or disturbance which unreasonably interferes with the operation of any institution of learning, house of worship, hospital, rest facility, library or court.

g. The keeping of any animal, bird or fowl which emanates frequent or extended noise which shall disturb the quiet, comfort or repose of other persons in the vicinity.

h. The operation of any racetrack, proving grounds, testing area, obstacle course or outdoor entertainment facility for the use of motorcycles, boats, planes, racers, automobiles, trucks or any other vehicle of any kind in any area of the township where the noise emanating therefrom would be disturbing to the peace and comfort of others in the vicinity. Under no circumstances shall any such use operate after 10:00 p.m. on any evening.

i. The use or firing of explosives, firearms or similar devices which create impulsive sound.

j. The operation of any steam whistle attached to a boiler of any type or of machinery, equipment or mechanical devices so as to emit unreasonably loud or frequent noise disturbing to the quiet and comfort of any person.

(Ord. No. 81, § 3, 9-16-1992)

Sec. 10-103. Exceptions.

Noise emitted from the following shall not be considered a violation of this article:

- (1) Any emergency vehicle, including, but not limited to, police vehicles, ambulances, fire engines or other vehicles engaged in emergency activities.
- (2) Activities or operations of governmental units or agencies.
- (3) Athletic, musical or cultural activities or events, including practices and rehearsals, conducted by or under the auspices of public or private institutions of education.
- (4) Parades, concerts, festivals, fairs or similar activities.
- (5) Warning devices emitting sound for warning purposes as authorized by law and sound made to alert persons to the existence of an emergency, danger or attempted crime.
- (6) The use for noncommercial purposes of one or more bells or chimes which does not exceed 90 seconds in duration in an hour.
- (7) The reasonable use of stationary loudspeakers in the course of noncommercial political or ceremonial public addresses conducted in public spaces.
- (8) Carillon playing between the hours of 7:00 a.m. and 10:00 p.m.
- (9) Playing or practicing a single musical instrument, without electrical amplification, between the hours of 7:00 a.m. and 10:00 p.m.

(Ord. No. 81, § 4, 9-16-1992; Ord. No. 81A, § 1, 6-15-1994)

Sec. 10-104. Temporary exemption permits.

- (a) The township board is authorized to grant temporary exemption permits from the provisions of this article if such exemption would be in the public interest and there is no feasible and prudent alternative to the activity, or the method of conducting the activity, for which the exemption is sought.
- (b) The temporary exemption permit may not be renewed more than three times. Each permit may be granted for a period of no longer than 30 days and must be written, indicating the character of the event or activity, the dates and times of the proposed activity or event, the location of the proposed activity or event, and the name of the party seeking the exemption.
- (c) Any temporary exemption permit granted pursuant to this section may be subject to, and may prescribe any conditions, limitations or requirements which the township board deems necessary to minimize the adverse effects upon the community, persons within the community or the surrounding neighborhood.
- (d) The township may summarily revoke the exemption if such conditions, limitations or requirements are not met.
- (e) The following factors will be considered in determining whether to grant the exemption:
 - (1) The proximity of any residence or other use which may be adversely affected.
 - (2) Whether the sound is unusual or usual for the location.

- (3) The density of population of the area.
- (4) The time of day or night for which the activity or event is proposed.
- (5) The intensity, frequency and duration of the sound, including, but not limited to, whether the sound will be steady, intermittent, impulsive or repetitive.
- (6) The balancing of the hardship between the person seeking the exemption if the exemption is not granted and the hardship to others if the exemption is granted.

(Ord. No. 81, § 5, 9-16-1992)

Sec. 10-105. Variances.

- (a) Persons wishing to continue activities which commenced prior to the enactment of the ordinance from which this article is derived and which create noises or disturbances in violation of this article may seek a variance from the township board.
- (b) A revokable variance may be granted if, following a public hearing, the township board finds that strict application of this article would cause a hardship and that there is no reasonable and prudent alternative method of engaging in that activity.
- (c) Residents living within 300 feet of the real property boundary line of the person applying for such a variance must be given notice of the application ten days in advance of the hearing thereon. Such notice will be delivered by regular mail to all such residents.
- (d) Any variance granted pursuant to this section may be subject to, and may prescribe, any conditions, limitations or requirements which the township board deems necessary to minimize the adverse effects upon the community, persons within the community or the surrounding neighborhood.

(Ord. No. 81, § 6, 9-16-1992)

Sec. 10-106. Administrative fees.

Administrative fees may be established and changed from time-to-time by resolution of the township board for costs incurred in administering the temporary exemption permits or variances granted pursuant to this article.

(Ord. No. 81, § 7, 9-16-1992)

Sec. 10-107. Remedies in addition to municipal civil infraction.

No provision of this article shall be construed to impair any common law, statutory or other cause of action, or legal remedy therefrom, of any person, for injury or damage arising from a violation of any of the provisions of this article or any other law. The violation of this article shall constitute a public nuisance per se, which may be summarily abated by a restraining order or injunction issued by a court of competent jurisdiction or other legal action. Any and all costs incurred by the township in the abatement of a violation of this article shall constitute a lien against the property upon which such noise or disturbance existed, which costs shall be collected as ad valorem taxes.

(Ord. No. 81, § 10, 9-16-1992)

Secs. 10-108--10-140. Reserved.

652.06 NOISE CONTROL.

(a) Purpose; General Prohibition. In order to preserve and protect the public peace, health and safety, no person shall make, continue or cause to be made or continued any loud, unnecessary or unusual noise or any noise which either annoys, disturbs, injures or endangers the comfort, repose, health, peace or safety of others within the City.

(b) Specific Noises Prohibited. Each of the following acts is hereby declared to be unlawful and is prohibited, but this enumeration shall not be deemed to be exclusive:

(1) Horns and signal devices. The sounding of any horn or signal device on any automobile, motorcycle, bus or other vehicle while not in motion, except as a danger signal if another vehicle is approaching apparently out of control, or if in motion only as a danger signal after or as brakes are being applied and deceleration of the vehicle is intended; the creation by means of any such signal device of any unreasonably loud or harsh sound; and the sounding of such device for an unnecessary and unreasonable period of time;

(2) Radios and musical instruments. The playing of any television set, radio, phonograph or any musical instrument in such a manner or with such volume, particularly during the hours between 11:00 p.m. and 7:00 a.m. of the following day, or at any time or place so as to annoy or disturb the quiet, comfort or repose of persons in any office or in any dwelling, hotel or other type of residence, or of any person in the vicinity;

(3) Shouting and whistling. Yelling, shouting, hooting, whistling or singing or the making of any loud noise on the public streets between the hours of 11:00 p.m. and 7:00 a.m. of the following day, or the making of any such noise at any time so as to annoy or disturb the quiet, comfort or repose of persons in any office or in any dwelling, hotel or other type of residence, or of any person in the vicinity;

(4) Hawking. The hawking of goods, merchandise or newspapers in a loud and boisterous manner;

(5) Animal and bird noises. The keeping of any animal or bird which, by causing frequent or long continued noise, disturbs the comfort or repose of any person in the neighborhood;

(6) Whistles and sirens. The blowing of any whistle or siren, except to give notice of the time to begin or stop work or as a warning of fire or danger;

(7) Engine exhausts. The discharge into the open air of the exhaust of any steam engine, stationary internal combustion engine or motor vehicle, except through a muffler or other device which effectively prevents loud or explosive noises therefrom;

(8) Construction noises. The erection (including excavating), demolition, alteration or repair of any building, or the excavation of streets and highways, other than between the hours of 7:00 a.m. and 6:00 p.m., unless a permit is first obtained from the Department of Public Works;

(9) Handling merchandise. The creation of a loud and excessive noise in connection with the loading or unloading of any vehicle or the opening and destruction of bales, boxes, crates and containers; and

(10) Devices to attract attention. The use of any drum, loudspeaker, amplifier or other instrument or device for the purpose of attracting attention for any purpose.

(c) Exceptions. None of the provisions of subsections (a) and (b) hereof shall apply to or be enforced against:

(1) Emergency vehicles. Any police or fire vehicle of the City or ambulance while engaged in necessary public emergency business;

(2) Highway maintenance and construction. Necessary excavations or repairs of bridges, streets or highways by or on behalf of the City or the State during the night, when the public safety, welfare and convenience render it impossible to perform such work during the day;

(3) Public addresses. The reasonable use of stationary amplifiers or loudspeakers in the course of public addresses which are noncommercial in character;

(4) Christmas music and chimes by permit. The use of stationary amplifiers or loudspeakers by any person for the transmission of Christmas music and chimes when authorized by a permit issued upon the authority of the City Council; all permits so issued shall specify the hours and dates upon which the use of any amplifier or loudspeaker is authorized, and the use thereof shall be limited to the times specified in the permit; and

(5) Amplifiers. The use of amplifiers primarily for the transmission of music when a permit has been granted by authority of the City Commission on a finding that such transmission contributes to the amenities of the commercial area in which it originates and is not audible in any residential area.



Genoa Charter Township

2911 Dorr Road • Brighton, Michigan 48116 • (810) 227-5225 • Fax (810) 227-3420 • www.genoa.org

October 5, 2009

Livingston County Road Commission
Board of County Road Commissioners
3535 Grand Oaks Drive
Howell, MI 48843

Reg: North Shore Phase VII
Section 22 Genoa Township

Dear Road Commissioners,

This request is in reference to the September 4, 2009 correspondence from Mike Craine regarding the recommendation of the Livingston County Road Commission to not accept the above referenced roadways into the public road system.

While we can appreciate the fact that revenues for road maintenance have been reduced in the past several years, we believe that it is still in the best interest of the community and its residents that these roads be accepted into the public system. As you are aware, for the past several years, Genoa Township has actively assisted its residents by participating both logistically and financially in the repair and maintenance of public roadways within the township. This has included both the resurfacing of roadways in the need of such, and implementing a crack sealing program to extend the service life of many more streets. If the roads within this section of North Shore are not accepted by the Road Commission as originally agreed upon, these roadways and their residents will not be eligible for the aforementioned programs that their tax dollars fund.

I appreciate your attention to this matter and sincerely hope that you would reconsider this request for the betterment of our taxpaying residents and the community in general.

Best regards,

Michael Archinal
Township Manager
Genoa Charter Township

Supervisor
Gary T. McCrie

Clerk
Paulette A. Skolarus

Treasurer
Robin L. Hunt

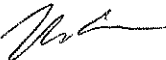
Manager
Michael C. Archinal

Trustees

H. James Mortensen • Jean W. Ledford • Todd W. Smith • Steven Wildman

MEMORANDUM

TO: Township Board

FROM: Mike Archinal, Township Manager 

DATE: 10/16/09

RE: Correspondence

At the 10/5/09 Board Meeting a resident discussed problems she is having with a neighbor. For your information the Code Enforcement Officer has made a copy of the file related to the ongoing issues at this location. No action is necessary this is simply an information item.

November 18, 2008

Michael O'Connell
1602 Skyview
Brighton, MI 48114

RE: Prohibited parking
1602 Skyview

Dear Mr. O'Connell,

On a recent inspection of the above referenced property, it was noted that there is a white truck being stored in the front yard of this residence. This disabled vehicle appears to have been parked there for some time. Genoa Township Ordinance 11.02.06 states that all vehicles parked or being worked on must be parked on an improved driveway surface. Vehicles that will be inoperable for more than 48 hours must be parked in an enclosed building. A copy of this ordinance has been provided for you. Please have all vehicles brought into conformance by Monday, December 1, 2008.

If you wish to discuss this matter further, feel free to contact me at (810) 227-5225.

Sincerely,

Adam VanTassell
Code Enforcement Officer
Genoa Township

cc: address, correspondence

C.I. State of Michigan Dept. No. **0201**
 MIS. Uniform Municipal
 JUV. Civil Infraction Citation

Complaint No. _____ Offense Code _____
 Local Use/Arrest No. _____

The People of: the State of Michigan
 Township City Village County

OF: **GENOA TOWNSHIP** of _____

THE UNDERSIGNED: Month **12** Day **09** Year **08** At approximately **12:00** A.M. P.M. Date of Birth: Month _____ Day _____ Year _____

SAYS THAT ON: State _____ Driver's License Number _____ Social Security No. _____

Race _____ Sex _____ Hair _____ Weight _____ Height _____ Eyes _____ Occupation/Employer _____

Name (First, Middle, Last) **Michael J. Connell**

Street **1602 Skyview**

City **Livingston** State **MI** Zip Code **48114**

Vehicle Plate No. _____ Year _____ State _____ Vehicle Description (Year, Make, Color) _____ Type _____

THE PERSON NAMED ABOVE, in violation of § **11.02**

UPON **1602 Skyview**

AT OR NEAR _____

WITHIN CITY VILLAGE TOWNSHIP OF **Genoa**

COUNTY OF **Livingston** DID THE FOLLOWING:

Nuisance Ordinance Building Code
 Licenses Ordinance Plumbing Code
 Zoning Ordinance Electrical Code
 Sign, Lighting & Display Ordinance Mechanical Code
 Animal & Fowl Ordinance Other _____

Describe: **Disabled vehicles parked outside in excess of 48 hours**

Person in Active Military Service Yes No

THIS VIOLATION IS A CIVIL INFRACTION and is your **1st** violation.

The fine for this violation is \$ **50 + cost** and must be paid at the violations bureau by 5:00 p.m. on _____ unless you contact the violations bureau before this time.

NOTE: This is a copy of the Notice of Violation served on the defendant.

I state that the above notice of violation was served on the defendant. The defendant failed to pay the fine specified above or failed to contact the violations bureau on the date and time specified above. Therefore, this civil infraction citation is being issued.

TO THE DEFENDANT: You are required to appear as follows to answer this citation.

SEE DATE BELOW. SEE BACK OF CITATION FOR EXPLANATION AND INSTRUCTIONS

Appearance Date: on or before **10** DAYS

Hearing Date (if applicable) on _____ Contact Court

A formal hearing may be requested by either party.

In the **53rd DISTRICT** Court of **LIVINGSTON CO**

Court address & phone number
204 S. HIGHLANDER WAY, HOWELL, MI 48843
518-1000 x 367

I served a copy of this complaint upon the defendant by first class mail at the defendant's last known address and filed a copy of this complaint with the court.

I declare under the penalties of perjury that the statements above are true to the best of my information, knowledge, and belief.

Complainant's signature _____ Month **12** Day **09** Year **08**

Officer's Name (printed) **Ann Connell** Officer's ID No. **01**

Agency ORI **MI-** Agency Name **Genoa Township**

C.I. MIS. JUV. **0201** Ticket No. **0201** Name **Michael J. Connell** Case No. _____

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

MICHAEL O'CONNELL
1602 SKYVIEW
BRIGHTON, MI 48114

COMPLETE THIS SECTION ON DELIVERY

A. Signature Agent Addressee

B. Received by (Printed Name) _____ C. Date of Delivery **12/09/08**

D. Is delivery address different from item 1? Yes No
 If YES, enter delivery address below _____

3. Service Type

Certified Mail Express Mail
 Registered Return Receipt for Merchandise
 Insured Mail C.O.D.
 4. Restricted Delivery? (Extra Fee) Yes

2. Article Number _____
 (Transfer from service label) **70051 3110 0000 0336 2052**
 PS Form 3811, February 2004 Domestic Return Receipt 102395-02-M-1540

July 8, 2008

Michael O'Connell
1602 Skyview
Brighton, MI 48114

RE: Noise complaint
1602 Skyview

Dear Mr. O'Connell,

Recently my office has received complaints of excessive noise on numerous occasions coming from the above referenced residence. Specifically there is a concern with the noise generated from the site, including the operation of car repair equipment and yelling. Enclosed is a copy of the Genoa Township noise ordinance. Please see to it that the noise at this residence conforms to the noise ordinance immediately.

If you wish to discuss this matter further, feel free to contact me at (810) 227-5225.

Sincerely,

Adam VanTassell
Code Enforcement Officer
Genoa Township

cc: address, correspondence

August 21, 2009

Michael O'Connell
1602 Skyview
Brighton, MI 48114

RE: Yard Debris
1602 Skyview

Dear Mr. O'Connell,

On a recent inspection of the above referenced property, it was noted that discarded vehicle couches, unused auto parts and a toilet are being stored in the yard of the residence. The Genoa Township litter ordinance prohibits all such yard debris. A copy of this ordinance has been provided for you. Please have the debris removed by Monday, August 31, 2009. If you are having difficulty removing these items, the Township has a large item pickup program through Waste Management. You may contact the township hall for further details.

If you have any further questions or concerns, feel free to call me at (810) 227-5225.

Sincerely,

Adam VanTassell
Code Enforcement Officer
Genoa Township

cc: address

The Heikkinen Law Firm, P.C.

110 North Michigan Avenue
Howell, Michigan 48843

Richard A. Heikkinen
Peter M. Neu, of Counsel

(517) 546-1434
Fax: 546-6775

January 5, 2009

Via Fax No. 810-2273420

Adam VanTassell
Genoa Charter Township
2911 Dorr Road
Brighton, Michigan 48116

Re: Canine Complaint

Dear Adam:

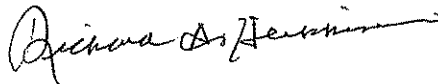
I have reviewed the notes made by Sheila Rae Canine concerning her complaints against her neighbor(s). I do not see enough evidence to proceed with a noise violation.

Although I am not well versed with the terms of the new City of Brighton ordinance it may be that the Board should consider adopting a similar ordinance to deal with the problem.

If you can obtain a copy please send it to me.

Very truly yours,

THE HEIKKINEN LAW FIRM, P.C.



Richard A. Heikkinen

RAH/nb

9/28

10:24 - starts car (with low level noise - no muffler) it runs ^{3 min.} till 10:29. - Then dull starts - & air compressor turns off. car turns it back on ~~at~~ 10:29 - come out in. hitch he stops car running gas in. house till 10:35 - then out w/ no muffler level noise & going to fast

Spends ^{4 min.} back in house 5 minutes later its in drive way & runs engine

shut car off at 10:42 after making sure the hot the gas loudly a gas

Then starts dragging stuff around in the drive way

9/28/08

11:00 ^{AM} Mike came in with
loud noise on the radio.

I left again at ~~1:30~~ ^{2:00} pm
before I left (Dennis across the
street had his muffled
mummy real loud like he was
trying to come on out here
not anyone in his yard &
he said Do you get my
message yet?

1:45 Neighbor next door
starts banging on his walls
real loud.

I left at 2:00 & didn't
come home until after 8:30
I can't take it.

9/28/08

Mike starts tapping
sawd of kids makes a lot
of noise - When I didn't
react they quit for
a minute then started
again with the tapping
When I still didn't
react the kids start
digging stuff around real
loud out in the street
& I tell them to quit
it down

The kids went in the
house + Mike reversed his
car + went up + down the
street again

10 minutes later he
started tapping on something
inside

1:40 pm. Went outside
to get my paper - it was
gone.

Went across the street
where kids line to see
if they'd later it. They
had -

She gave it back &
got real snappy with me
& also told me this
the one that told the
kids to go play in the
street & pick up rocks.

I told her she shouldn't
let the kids in the street
the way these guys come
around here - (and there was
a big long black tree
trunk walk right in front
of her ~~store~~ I showed her

9/29/08

9:22. Car pulls in across
the street. Loud muffled
guns at once to let us know
he's here.

9:30 - Hear women across
the street screaming

9/30/08

Mike O'Connell - is the one for Betty
about
I came home at 3:30
he started running when
died - They started playing
an off. Contact facility
An emergency group of anti
start 4:30

Harmon & Barger on staff
& drug staff around all manner
while that people here for
interviews from 12:00 until 2:00
when they

10/03

Fri-

3:30

for (2 hrs)

Came home. Mike totally ruining
some kind of machine or Toy car
rask rask rask ka ka
ka ka ka. Rumb Rink
Kae ka ka. gues - ka
ka ka ka. ka. Raa

Had ka - - Repairing
for 40 minutes - Then when
he got tired of it - sent it
across the street for another
40 min. - I left & came
back at 8:00. They start making
noise with machinery. I
turned my TV up as loud as I
could - He drew out their
soup. When I turned my radio
off they he would bary on
steel (like before I went in the
hospital) just to rub (knows work
push control make a point (Lover)

Ms Sheila Canine

10/4

Levd Wherry nos
at 12:30 till
1:00 - 3.4

~~Neighbors start
right after him~~

Neighbors (Wendy)
start making noise
right after her stop



MEMBER

The Humane Society of the United States®

10/5/08 Sun.

I got home from town about 12:45 pm.

The minute I went outside to start working. Mike put some kind of screw gun on that gun it was on and they just kept running it & making screw sounds, rrrrr rrrrr rrrrr. And then he said, "Hows that Harry?" (and I know the guy name who was there is not Harry).

Then I started working on the roof on my well house. + Mike started yelling at me + told me to stop it because he had a p.p.o. out on me. And then he started making that stupid sound again with the screw gun.

I went to the hourly on my property + told him to knock it off. I didn't want to hear his whining noises. That was expected. I saw him sitting on the ground not doing anything but sitting there humming that gun.

Then one of his friends came

10/5/05

own + started tinkering on something else. Then Mike got on his cell phone & I could hear the other guy talking (I didn't pay attention to what he said. But I should be able to hear his cell phone from the person on the other end of the line - (Especially when I'm in my own yard)

Then he said yeah, I'm be done with that job in about 15 minutes. He was still there pushing on it, I his later. I left at that point.

Before I left some guy pulled up in a van & said I'm not getting out of here - do you think I'm crazy - (It was a durigat^{er}renal meat for me.) The one reported back to him - (just like there was no way there they just like to play little scenarios)

Then the one that lives across the street (who started this whole mess - she starts talking to Chuck well she said it's working, and she walks off with this real gutted laugh

10/5/08

They she went, but across the street to the little boy shop, beer, watches. Who she had left standing all alone.

Oh yes just before that they were all talking low & then Harold pipes up, loud enough for me (like he was talking to me and said: Why don't you go ask your neighbor?).

I had gone out for awhile, I got home about 6:20pm & they were still out there making various noises. I had to turn my T.V. up full blast so I wouldn't have to listen to him.

(as done in his driveway right about 10:00 with a really loud muffler just to aggravate I feel he did was drive in & turn around

I went to bed at 11:15 at 12:05 AM
The compressor in his garage jolted me awake -
same scenario at 5:00 AM the
put money.

10/6/08

1:15 His been, stud doggy.
stay around & wacky

10/7/08

Worked on cars outside on
& off all day - spent kept
blowing rthg just see & then
hd leave & come wpt back

10/8/ - Car running 6:20
tougst - foul muffler to annoying
Cant hear ps.1 - causes bad
Vibration in my house. Turned it off
at 6:40, but car fr no reason (20 min)
next to annoying me fr

10/6/68

9:00 a.m.

Mike goes outside the minute I start moving around & starts running some kind of screw gun (petering like his luscious - but he's not doing anything but starting the running the gun & making noise)

Then he starts tapping on something. Because when I had my breakfast the ~~tap~~ everytime I heard his banging over this. I thought it was God or some one telling me something.

As now they slomp & bang on things all of the time to always me & tell me to go get help

He was also banging (one loud bang earlier)

I went to town
When I come home the man across the street starts banging on wood - just banging with his doing anything constructive

(over)

After that Mike to knock
off his whining

When across the street
started doing some kind of
Very noisy whining and
outside of his house - just to
annoy me & let me know their
my # in charge

10/12/08

They ran a spider on steel for about 4 hours went to 94.6 on noise scale (I think it's broken)

Then they started pumping up & down on an old truck making awful horrible noise from 12:00 to 4:30 - Also talking w/ stupid & swearing.

10/16/08

Mike started running some kind of annoying machine from about 6:00 till 6:20.

Then he turned noise on on unit next to my living room & let it just run for 25 minutes while he went in the house & then came out & turned it off.

He is always turning on air compressor & other like his blower stuff off on huge long amounts of time - like 10 or 15 minutes on one space & spot

10/19/08

When I ^{walked} walked out the door
at about 11:00 - The Man at
Mehs Home / Guy - he works with
a works for him - should say -
(Usually when I see him; seems
to be completely ~~speechless~~)
On way he started ~~his~~ working
on the garage roof - Hammer
& sawy & making a lot of noise
& what that bit seem to
bother me - He kept doing that
& started making a lot of noise on
the ground & seemed like he
was sawing (you can still sometimes
hear it) I got something he
usually start
& when he stopped me of the
neighbors would do something
noisy -

I left the home come back
about 4:30 - around 5:00
after I got into the shower -
He said away his engine so
loud I thought he was going
to blow his engine up

10/20/08

3:40 I was mowing Mike
or some in front that started
blowing his hair. He started
running, now the minute
I report outside again

Left again 2:00 - he was
hurry making noise again.

And then when I came home
at 4:05 he started running
a car again + its still
running at 5:10-

I put on my big hair
so I wouldn't have to listen
to it. He took his hose +
started trying to squirt it up
with

(~~the~~ Then when nothing else works
he starts banging on things
as loud as he could.)

10/20/08
2008

10/28/08

Heard some one hammering
every time I went outside today
started at 10:00 AM.

When I came home from
town at 3:00 pm. The kids behind
Doris started running some kind
of huge machine powdered like
a broken cement mixer with rocks
in it.

(His name is Norstrom)
When he turned that off at
3:25 pm. Mike turned on his
car (with noisy muffler) just let
it run & played with the gas
for a while on & off. (just trying
to irritate me) (After that didn't
work. He just let car run
& got out his bag of powder & blowing
stuff in my yard. Not putting it
in piles or anything.

Then he went across the street (pav
No one was home & started blowing leaves
around & down his driveway - started picking
up the garbage cans & just noisy all
around house.

When that didn't work & I didn't
react - he got back into his car &
started reversing it. He still hasn't gone anywhere
4:35 - just mess his car.

10/31/08

I came home from town at about 1:00 pm. Mike was standing out in front of my yard on street blowing dirt into my yard + all around.

I pulled up to try & talk to him & he hit the side of my car with the bro of powder & then while it was still running stuck it in my car in my face.

I turned my car around went home + parked it. I got out + got my pepper spray ready. I went to the front of my property + told him to quit blowing powder in my yard. He put the bro of powder at me again. I turned the pepper spray on him. We fought for a minute & then he ran to the house yelling "I'm going to call the police on you." I waited just a few minutes & then called them myself to make sure they were coming out.

He also put turned his compressor on with me hours of the A.M. waking me up. God had plz his house twice earlier that day making sure he used his muffle real loud + yelling out my name once.

11/3/08

Mike comes home about 3:00
& immediately starts blowing
cans turning his big blow
on & making noise & turning
it on & off. (He does that
for about 20 minutes & then
starts moving a bunch of junk
around - I would like to mention
that - He doesn't put these
cans in any piles & never
picks them up - just blows
them around - just trying to
make noise - I've lived next
to Mike for 30 years or more
& I've never seen Mike pick
up a can or blow any
cans around until he got
mad at me for turning my
on - when he was down/whit-
er he could - kept blowing off
air & pretending like he was
doing them