

**CHARTER TOWNSHIP OF VAN BUREN
REGULAR BOARD MEETING MINUTES
MARCH 1, 2011**

Supervisor White called the meeting to order at 7:30 p.m. in the Board Room. Present: Supervisor White, Clerk Wright, Trustee Hart, Trustee Jahr, Trustee Ostrowski and Trustee Partridge. Absent: Treasurer Budd (excused). Others in attendance: DPW Director Knepper, Interim Planning and Economic Development Services Director Carroll, Public Safety Director McClanahan, Parks and Recreation Director Ross, Parks and Recreation Deputy Director Wright, DPW Superintendent MacDonald, Secretary Cline and an audience of thirty-eight (38).

APPROVAL OF AGENDA: Partridge moved, Wright seconded to approve the agenda as presented. Carried.

APPROVAL OF CONSENT AGENDA: Wright moved, Ostrowski seconded to approve the consent agenda [Work Study Session Minutes February 14, 2011 and Regular Board Meeting Minutes February 15, 2011] as presented. Carried.

PUBLIC HEARING: Jahr moved, Partridge seconded to hear public comment on special use approval for a one acre portion of the Grace Lake Corporate Center located at 1 Village Center Drive for a landfill gas to energy project in accordance with Section 14.03, Subsection 6 of the Charter Township of Van Buren Zoning Ordinance. Carried.

Supervisor White opened the public hearing at 7:35 p.m. Supervisor White went to Interim Planning and Economic Development Services Director Carroll for an explanation. Interim Director Carroll stated at the Van Buren Township Planning Commission regular meeting of February 9, 2011 the Planning Commission adopted a resolution recommending that the Township Board grant special land use approval for the Visteon/Hoosier Co-Generation Facility located at 1 Village Center Drive. The resolution including ten conditions, along with other supporting documents has been provided to the Board. The Township Planner, Mr. McKenna of McKenna Associates gave an overview of the Planning Commission's recommendation as follows: addressed the use rationale for Visteon/Hoosier Co-Generation Facility including permitted uses; the project does not meet the zoning definition of an essential service, but is similar in some respects; reviewed the Office Technology (OT) 14.03 permitted uses with special approval; reviewed OT 14.04 prohibited uses; provided reason for the first location to be denied and the second, current location, was approved noting the Township's attorney has reviewed the special use approval. Mr. McKenna reviewed the ten conditions listed in the Planning Commission's Resolution as follows: 1) Noise generated shall comply with the recommended noise criteria this includes a financial performance guarantee, in an amount and form determined by the Township (minimum of \$500,000). 2) Visteon Way shall be dedicated to Wayne County as a public road. 3) The applicant shall provide abutting property owner's access to Visteon Way. 4) A fourteen foot high screening area. 5) Shall deliver all hot water created to Grace Lake Campus (to be used for heat). 6) Hoosier Energy shall submit an annual report to the Township Supervisor, confirming maintenance is being conducted. 7) Hoosier Energy shall be required to alert the Township Supervisor of any landfill gas leakage or alarm, and submit semi-annual reports to the Township Supervisor. 8) Compliance with all comments of police and fire departments. 9) Approval of all federal and state regulatory agencies which jurisdiction is required, including receipt of all required permits. 10) Site plan approval, tree removal permit approval and all these conditions of the special land use are noted on the site plan. The applicant representative, Mr. Standard gave a presentation of the project reviewing benefits of project including the following: hot water will be used to heat Grace Lake Camp; renewable green energy (including statics); taxes collected are in the Local Development Financing Authority District; jobs created; reviewed safety issues; MDEQ permit; power will supplied will go to local grid; map showing underground pipeline and description of process; drawing of facility with four stacks (possibly add fifth stack in future); general site plan; there are two conditions in the resolution the applicant cannot meet the first is conveying of Visteon Way to

Wayne County prior to permit being issued and second access across Visteon property to Visteon Way (Visteon letter). Mr. Standard further stated if the Board approves the special use with all ten conditions it will be the same as a denial to the applicant. Visteon and Hoosier Energy Representative, Mr. Stokes reviewed letters previously submitted to the Township for the Planning Commission regarding the special use noting these were previously reviewed by Mr. McKenna. Trustee Hart requested explanation of energy credits and would the Township benefit from these credits. Mr. Standard explained the types of energy credits (REC's). Trustee Hart requested Mr. Standard play the video that was played during Work Study.

The Board recessed at 8:50 p.m. and resumed at 8:55 p.m.

Mr. Standard played a video showing a similar sight Hoosier Energy owns.

The Board had the following questions and comments: There was discussion regarding the stacks, if Hoosier Energy was a public utility and if Hoosier Energy was a public utility could the Township have a franchise agreement. The applicant reviewed the stack issue and stated Hoosier Energy is a public utility. Ms. Hodges, McKenna representative stated the public utility question had considerable debate during Planning Commission meetings and the Township attorney's opinion was Hoosier Energy is not a public utility. Ms Hodges also stated the special use approval recommendation was due to a "use similar to" portion of the OT Zoning Ordinance. Wayne County representative, Mr. Tyler stated Wayne County has been working with Visteon and ITC to get Visteon Way dedicated as a public road and this should be completed soon. Trustee Jahr commented on the length of time it is taking to have Visteon Way dedicated as a public road. Trustee Ostrowski polled the audience on whether they would like to see the Hoosier Energy project completed (majority of audience member were not for the project).

The audience had the following questions and comments: Mr. Babosh inquired to the benefits for Van Buren Township tax payers, benefits to Visteon if the project is done and had concerns regarding Fire Department training and possible additional cost to Township for fire equipment. Interim Director Carroll stated the benefit to the Township is increase in tax revenue. Supervisor White stated Visteon benefit is estimated at \$300,000, however no exact number is known. Director McClanahan stated this was reviewed by the Fire Department, as part of site plan review. Mr. Marshal would like to see the Township grow in technology businesses, is in favor of the project and would like to see Visteon pay the Township for the road instead of the road being dedicated Wayne County. Mr. Schoenberger inquired who benefits from this project. Supervisor White reiterated the benefit to the Township is an increase of tax revenue and Visteon will have reduction in heating cost by using the hot water. Mr. Deverich, disagrees with McKenna Associates interpretation of the special use and is not in favor of the project noting the harmful organic compounds emissions and this project does not fit in the OT District. Mr. Tackett commented on LDFA bonds previously issued by the Township, a possible franchise agreement with Hoosier or non-profit as alternatives for the Township to receive additional benefits. Mr. Delaney made the following comments: smoke stacks issues, sequencing standards, broken promises from Visteon, reputation of companies (negative), not meeting OT District requirements, first development site and sound study, this is not a green project, misleading number of jobs, Township's letter dated May 25, 2010 stating the project does not meet OT District criteria, not enough bond money is being requested, wetland issues (land already has been cleared), pedestrian hazards, the change of McKenna Associate's status regarding the project, information the applicant provided to Senator Colbeck, Waste Management, Planning Commission vote, noting it was not an unanimous vote for the special use approval, threat of future litigation by the applicant should not impact the special use request and the smoke stacks will be seen from I-275. Mr. Marshal commented on the presentations and would like to see the Township be paid for the road and does not want to see the Township discourage businesses coming to the community. Mr. Byrd inquired if Hoosier Energy had a government relations department, how many jobs and requested the companies hold a Career Fair for residents. Mr. Standard stated regarding government relations he would have to check with Hoosier, learning tours could be done, a local vendor was used to

clear the land and Hoosier does plan on using local vendors. Mr. Tackett commented on McKenna's presentation and government donations from Hoosier Energy to the Township and reiterated the Township needs to receive financial benefits. Mr. Tozer stated he worked along with the Township on the Master plan for this area and does not believe this project meets the OT District criteria. Also, Mr. Tozer feels this could cause future problems for the Township if this is granted in regards to Zoning Ordinances. Mr. Deverich stated the Board should look carefully at this special land use request, but does not want this item sent back to Planning Commission. Mr. Fix stated he understands the citizens concerns, the Board should make the safest and the most beneficial use from the landfill and the Board does not seem to be welcoming new business into this community. Mr. Marshal inquired about the current natural gas facility on the site, why are they adding this new facility and is the potential hot water heating use for future buildings on the site. Supervisor White reiterated the use of renewable energy from the landfill including the hot water to heat the buildings on the site. Mr. Deverich inquired about the process and the difference between burning natural gas and the renewable gas that would be produced. Mr. Standard described the process. Mr. Delaney stated the end product is manufactured electricity.

There being no further discussion, a motion was made to close the public hearing at 11:15 p.m.

Jahr moved Partridge seconded to close the public hearing. Carried.

CORRESPONDENCE: None.

UNFINISHED BUSINESS: None.

NEW BUSINESS: Wright moved, Jahr seconded to postpone the grant special use approval for Visteon/Hoosier Co-Generation Facility as recommended by the Planning Commission, for further study by the Board of Trustees to no later than the Board of Trustees Meeting of April 5, 2011 and this not be sent back to the Planning Commission. Roll Call Vote. Yeas: Jahr, Hart, Wright and White. Nays: Partridge and Ostrowski. Absent: Budd. Carried.

Hart moved, Ostrowski seconded to approve the first reading of Ordinance 03-01-11 to amend the Township Zoning Ordinance, 06-02-92, as amended, to revise Section 4.01, regarding Uses Contrary to Federal, State or Local Laws, as recommended by the Planning Commission. Carried.

*(A synopsis of [Ordinance 03-01-11](#) follows the minutes. A complete copy may also be obtained in the Clerk's Office, Township Hall, 46425 Tyler Road during normal business hours.)

Hart moved, Jahr seconded to approve the personal services agreement with Thomas MacDonald as the Van Buren Township Director of Public Works Department (DPW), effective the upon the Director Knepper last day of work. Carried.

Wright moved, Partridge seconded to approve the job description [dated February 23, 2011] for Parks and Recreation Director and to approve the personal services agreement with Jennifer Wright for the position of Parks and Recreation Director and to authorize the Supervisor and Clerk to execute the agreement. Carried.

Wright moved, Ostrowski seconded to approve the job description [dated February 23, 2011] for Parks and Recreation Deputy Director and to approve the personal services agreement with Andrew [Drew] Burns for the position of Parks and Recreation Deputy Director and to authorize the Supervisor and Clerk to execute the agreement. Carried.

Jahr moved, Wright seconded to approve Resolution 2011-10 a resolution approving the appointment of Tom MacDonald as the alternate Township representative to the South Huron Valley Utility Authority

Board (SHVUA), the Downriver Utility Wastewater Authority Board (DUWA), the Downriver Joint Management Committee, and as the Township primary representative to the Alliance of Downriver Watersheds (ADW). Carried.

Jahr moved, Partridge seconded to approve an extension of the lawn mowing and related service agreement with Michigan Lawn Management for the 2011 season and to authorize the Supervisor and Clerk to execute on behalf of the Township, noting this is a local company. Carried.

VOUCHER LIST: Wright moved, Ostrowski seconded to approve the March 1, 2011 voucher list as presented. Carried.

REPORTS: None.

ANNOUNCEMENTS: Supervisor White on behalf of the Board of Trustees thanked former Director Swallow, Director Knepper and Director Swallow for their service to the Township and wished them well in their new jobs.

Director Ross had the following announcements: The Belleville and Romulus Area Chamber of Commerce will host a "Gone Country" auction dinner dance on March 18th from 6:15 p.m. to 11:00 p.m. at the Crowne Plaza located at 8000 Merriman in Romulus. On Tuesday, March 8th the Belleville Rotary will be hosting an Italian Dinner from 5:00 p.m. to 8:00 p.m. at the Eagles Hall on Beck Road. Lastly, Director Ross read a letter to the residents of Van Buren Township thanking the community for past 14 and half years to allow him to "Create Community through People, Parks and Programs." in the community.

Trustee Jahr thanked Director Ross for the grant monies he brought to Van Buren Township and for his contributions to the Township and further, congratulated Director Ross on his new position.

AUDIENCE (Non-Agenda Items): Comments were made from 12:18 a.m. to 12:22 a.m. by the Board and audience regarding the following topic: Inspections for rental properties (apartments) in the township and Interim Director Carroll stated the Township is looking into ordinances regarding this issue.

CLOSED SESSION: None.

ADJOURNMENT: Jahr moved, Partridge seconded to adjourn at 12:22 a.m. Carried.

Respectfully submitted,

Leon Wright
Township Clerk

Date: _____.

Paul D. White
Township Supervisor

Approved: _____.