

**CHARTER TOWNSHIP OF VAN BUREN
REGULAR BOARD MEETING MINUTES
APRIL 17, 2012**

Supervisor White called the meeting to order at 7:30 p.m. in the Board Room. Present: Supervisor White, Clerk Wright, Treasurer Budd, Trustee Hart, Trustee Jahr, Trustee Ostrowski and Trustee Partridge. Absent: None. Others in attendance: Parks and Recreation Director Wright, Public Safety Director McClanahan, Planning and Economic Development Services Director Carroll, DPW Director MacDonald, Chief Loyer, Executive Assistant/Assessing Coordinator Stevenson, Engineer Nummer, Secretary Cline and an audience of forty-two (42).

APPROVAL OF AGENDA: Jahr moved, Hart seconded to approve the agenda as amended adding a Federal Emergency Management Agency (FEMA) presentation following the Public Hearing. Carried.

APPROVAL OF CONSENT AGENDA: Budd moved, Wright seconded to approve the Consent Agenda [Work Study Session Minutes April 2, 2012; Closed Session Minutes April 2, 2012. Regular Board Meeting Minutes April 3, 2012.] as presented. Carried.

PUBLIC HEARING: Hart moved, Wright seconded to open the public hearing to hear public comment on request for Public Act 328 Property Tax Exemption on Personal Property for Constellium Automotive USA, LLC. Roll Call Vote. Yeas: Partridge, Ostrowski, Jahr, Hart, Budd, Wright and White. Nays: None. Absent: None. Carried.

Supervisor White opened the public hearing at 7:33 p.m. Supervisor White went to Executive Assistant/Assessing Coordinator Stevenson for an explanation. Executive Assistant/Assessing Coordinator Stevenson stated this public hearing is to receive public comment on request for Public Act 328 Property Tax Exemption for Constellium Automotive USA, LLC on Personal Property at 6331 Schooner Drive. This building has 154,490 square feet and has been vacant since 2006. Constellium manufactures aluminum safety components and due to new contracts Constellium will be purchasing over 20 million dollars of new machinery and equipment for the Van Buren site and will be adding 75 new jobs. All taxing authorities were notified via certified mail of this tax abatement request and Van Buren Township has not received any objections. Constellium will be leasing this building from DeMattia and there are no delinquent taxes. Public Act 328 is a 100 percent exemption on Personal Property and can be granted for up to six (6) years. Van Buren Township uses a point system to determine the number of years the Township grants the abatement for and Constellium qualifies for a four (4) year tax exemption on personal property. A personal property return and report showing status of project must be filed annually with the Township's Assessing Department, noting there are consequences if the terms of the agreement are not met. Public Act 328 was created to provide a tax reduction to eligible businesses to bring in new business or more business to the State of Michigan. A Constellium representative presented an overview of the worldwide manufacturing company. Michigan Economic Development Corporation (MEDC) representative gave an overview of the target site selection process who partnered with Constellium to assist in keeping this company in Michigan, noting the tax abatement was part of the company's interest in locating in Van Buren Township. MEDC will assist with job fair to fill these positions and market these jobs to Van Buren Township residents. The Constellium representative reviewed the following: proposed investment to site including rehab to the facility with approximately 1 million dollars of tenant improvements; the lease agreement with DeMattia for ten years and seven months lease with two five year options to extend the lease and building expansions; over 20 million dollars of investment in equipment; a minimum of 75 professional, skilled and semi-skilled jobs. Director Carroll stated Van Buren Township has a PA 328 tax abatement application process in place that uses a point system to determine if an applicant is eligible for tax abatement and Constellium met the requirements to be granted four (4) year personal property tax abatement.

Board members had the following questions and comments. Trustee Partridge requested the hours of operations and noise level, the Constellium representative stated the operation is generally on two shifts through eleven p.m. Monday through Friday, with a third shift if needed; the equipment is designed to keep the noise level low. Trustee Hart inquired how many of the employees are transferring from other facilities to the Van Buren facility; type of jobs; why locating here instead of in the south. The Constellium representative stated none all 75 jobs are new jobs; reviewed the job types; it was a business decision to stay in the mid-west. Supervisor White inquired when the facility would be at full production; when will the start of production and number of employees in initial phase. The Constellium representative stated full production at the end of 2015; will start moving equipment this fall with production beginning in spring 2013 with 23 employees. Trustee Hart stated a Wayne County representative was also present tonight and the Wayne County representative stated the county works closely with MEDC and businesses in Wayne County and further stated Wayne County supports the Constellium project in Van Buren Township. Trustee Hart stated adding new jobs will help in the employment led recovery in southeastern Michigan. Trustee Hart stated residents inquired "Why a company so healthy needed a tax break?" and "Why can't township residents be dedicated to these jobs?" The Constellium representative stated it is an overall business decision after looking at a variety of locations; Director Carroll and the MEDC representative stated the jobs will be advertised locally with a job fair held in the township, but cannot require the jobs go only to residents. Supervisor White agreed the job fair should be held at township hall and bringing jobs to the Van Buren Township is important.

Audience members made the following questions and comments. John Delaney stated children not jobs should be the concern of the township noting the loss of taxes to schools and parks; why not wait until the business is here for several years prior to considering tax abatement. Diane Madigan inquired if a fire inspection would be done prior to the facility being occupied; Public Safety Committee has recommended to the Board hiring two police officers to replace officers who have left and this abatement gives up tax revenue that should be used for Public Safety and schools; if abatement is given is there other ways Constellium can help the township such as paying for CODE RED. Director Carroll stated the facility will go through the normal process of inspections. Reggie Miller inquired about how the tax abatement affects residents and how is tax abatement tracked. Supervisor White stated tax abatements are legal in Michigan and the requestor must meet the requirements and report annually to the Township. Executive Assistant Stevenson stated the personal property tax is abated for four (4) years and the real property taxes will still be paid. Treasurer Budd explained school taxes go to state and not to the school district the state pays school district by the head counts and as long as the school district has the 18 mills in place the school district, the state holds the school district harmless. Allen Babosh requested the township check to see if residential requirements can be required and are these union jobs. Director Carroll stated in Michigan a residency requirement is not legal; the Constellium representative stated they are all non-union jobs. Diane Madigan inquired if Constellium will be filing for 198 tax abatement on real property. Director Carroll stated they are not qualified for 198 tax abatement. Reggie Miller inquired how the township tracks the contribution to the community from the companies who receive the tax abatements. Treasurer Budd state L&W is a good example of company with a tax abatement who files an annual report with the township and tax abatements are tracked in the Supervisor's Office. L&W has been a good neighbor and have given back to the community. Also, tax abatements can be rescinded if they are not meeting the terms of the agreement. Larry Fix requested an explanation of the PA 328 stating this only the first step in the process. Executive Assistant Stevenson stated if the Board approves the resolution and agreement for the PA 328 tax abatement all documents go to the state and the state grants the tax abatement. If the Board does not approve the tax abatement Constellium can appeal to the state and the state can still grant the tax abatement noting this could be for more years than what the township would have approved the tax abatement for.

There being no further discussion, a motion was made to close the public hearing at 8:25 p.m.

Partridge moved, Ostrowski seconded to close the public hearing. Roll Call Vote. Yeas: Jahr, Ostrowski, Partridge, Budd, Hart, Wright and White. Nays: None. Absent: None. Carried.

Director Carroll and Engineer Nummer gave a presentation regarding changes in the Federal Emergency Management Agency (FEMA) floodplain maps and requirements for flood insurance. A two step process was presented to assist those residents affected by these changes. Engineer Nummer has a computer set up in the Denton room for residents who are present and would like to see where their property is on the FEMA floodplain zone map. Director Carroll reviewed a proposal from Wade Trim for Floodplain Technical Assistance, Survey and LOMA preparation certificates. Trustee Hart thanked Treasurer Budd, Director Carroll and Engineer Nummer for providing this information to the Board and residents. Trustee Hart further stated the Federal Government is pushing to recover FEMA money by burdening tax payers in this area and feels this is wrong. Trustee Jahr stated no one from FEMA came out to survey the property and a third party provided the information FEMA used to change the maps. Trustee Jahr stated the township should be working with other jurisdiction for a possible joint class action suit and all residents can contact their elected Federal Representatives regarding the changes to the FEMA floodplain map. Trustee Jahr requested clarification of who will receive letters and applications from the township. Director Carroll stated all residents with parcels in the FEMA floodplain map area will receive the letter and application. If the application is returned to the township then the township will work with the resident and if the resident requests to have the LOMA certificate done the resident will then pay the township \$175. There is a deadline at the end of May to file for map changes and LOMA certificates to FEMA.

Budd moved, Hart seconded to approve the proposal with Wade Trim for Floodplain Technical Assistance and Survey in the amount of \$7,100; \$175 for LOMA preparation certificates paid by the resident and a written plan in place by the Director for how the process will work. Carried.

CORRESPONDENCE: Clerk Wright read a letter from Director MacDonald recognizing the following employees Account Clerk Joanne Montgomery, DPW Leader Jeff Fondaw and Account Clerk Donna Hunter for their assistance in handling a recent burial at Tyler Cemetery. Clerk Wright also thanked all employees involved.

UNFINISHED BUSINESS: None.

NEW BUSINESS: Hart moved, Wright seconded to approve the adoption of Resolution 2012-08 authorizing a PA 328 Property Tax Exemption for Constellium Automotive USA, LLC and authorizing the Supervisor and Clerk to execute the Agreement. Roll Call Vote. Yeas: Partridge, Jahr, Hart, Budd, Wright and White. Nays: Ostrowski. Absent: None. Carried.

Hart moved, Budd seconded to approve the adoption of Resolution 2012-09 as revised removing names and listing positions only (Supervisor, Clerk and Treasurer) as delegating authority to assign fund balances. Carried.

Jahr moved, Partridge seconded to approve the purchase of six (6) In-car laptop E6420 computers with six (6) power supply units from Dell at a cost not to exceed \$15,600 with funds coming from E-911 Fund transferred to General Fund then transferred to Capital Outlay (101-301-970). Carried.

Budd moved, Hart seconded to amend the Public Safety Committee by-laws to include "Non-Agenda Items" as recommended by the Public Safety Committee. Carried.

VOUCHER LIST: Wright moved, Partridge seconded to approve the April 17, 2012 voucher list. Carried.

Trustee Jahr requested a written report on the status of the electrical inspectors.

REPORTS: Supervisor White ordered the Public Safety Committee 2011 Annual Report received and filed.

ANNOUNCEMENTS: Trustee Partridge reminded residents the Belleville Area Museum currently has a Civil War exhibit and the Museum will host on April 21st at 2:00 p.m. a lecture on “Michigan in the Civil War”.

Treasurer Budd announced the Drive-In Dog Clinic will be held on Saturday, May 12th from 10:00 a.m. to 1:00 p.m. at the Water and Sewer building located behind township hall. Contact the Treasurer’s Office at 734.699.8903 for additional information.

Director Wright announced the following: On Friday, May 18th the annual Mother and Son Bowl will be held at Lodge Lanes. A spring volleyball clinic will be held on Fridays May 18th through June 22nd from 5:00 p.m. to 6:15 p.m. Drop-in Pickleball is held every Wednesday from 1:00 p.m. to 3:00 p.m. in the Van Buren Recreation Gymnasium. Annual park passes are available in the Recreation Department. For more information contact the Recreation Department at 734-699-8921, township website www.vanburen-mi.org or visit the Recreation Facebook page.

John Herman Southwestern Wayne Democratic Club representative announced how the May 5th Democratic caucus will be run and the locations as follows: Sumpter Township in the Senior Center; Van Buren Township at the Wayne County Fairgrounds and City of Belleville at Victory Station. Registration is from 9:00 a.m. to 11:00 a.m. and for more information contact John Herman.

AUDIENCE (Non-Agenda Items): Comments were made from 9:55 p.m. to 11:02 p.m. by the Board and audience regarding the following topics: regarding rescinding Hoosier/Visteon Co-Generation project special use approval; Victoria Park Estates Condominiums; political issues; Public Safety; Visteon Master plan and Office Technology District; information regarding DTE Smart meters and requesting township opt out by resolution/moratorium; Township Ordinances; point system for Police Department; number of police officers; Michigan Municipal Risk Management Authority (MMRMA) insurance; tax abatements. (Treasurer Budd requested the Supervisor’s Office put together a resolution regarding Smart Meters to present to the Board. Trustee Ostrowski requested status of Victory Park Estates Condominium.)

CLOSED SESSION: None.

ADJOURNMENT: Jahr moved, Ostrowski seconded to adjourn at 11:02 p.m. Carried.

Respectfully submitted,

Leon Wright
Township Clerk

Date: _____

Paul D. White
Township Supervisor

Approved: _____