

**CHARTER TOWNSHIP OF VAN BUREN BOARD OF TRUSTEES
OCTOBER 15, 2018 WORK STUDY MEETING 4:00 P.M.
TENTATIVE AGENDA**

ROLL CALL:

Supervisor McNamara	_____	Trustee Miller	_____
Clerk Wright	_____	Trustee White	_____
Treasurer Budd	_____	Engineer Potter	_____
Trustee Frazier	_____	Attorney McCauley	_____
Trustee Martin	_____	Secretary Montgomery	_____

UNFINISHED BUSINESS:

NEW BUSINESS:

1. Discussion on the establishment of Industrial Development District #15 and a request for an Industrial Facilities Exemption Certificate for Subaru Research & Development, Inc.
2. Discussion on the combination of lots 83-136-01-0018-000 and 83-136-01-0019-000 (Burtrig Subdivision).
3. Discussion on the Suburban Mobility Authority for Regional Transportation Municipal (SMART) FY 2019 Municipal Credit Contract.
4. Discussion on the Briarwood Sewer Reconstruction Project.
5. Discussion on the proposed Engineering Services for the Briarwood Sewer Reconstruction Project.
6. Discussion on the Memorandum of Understanding Addendum between the Township and Western Wayne County Special Operations Team.
7. Discussion on a Community Recreation Center.

PUBLIC COMMENT:

CLOSED SESSION: The Township Board will go into closed session pursuant to MCL 15.268 (d) to consider the purchase or lease of real property.

ADJOURNMENT:

NOTICE OF CLOSED SESSIONS
OF THE
CHARTER TOWNSHIP OF VAN BUREN
BOARD OF TRUSTEES
TO BE HELD FOLLOWING
4:00 P.M.
WORK STUDY SESSION
ON MONDAY, OCTOBER 15, 2018
TOWNSHIP HALL
46425 TYLER ROAD
BELLEVILLE, MI 48111

FOR THE PURPOSE OF DISCUSSING:

- 1. The Township Board will go into closed session pursuant to MCL 15.268 (d) to consider the purchase or lease of real property.**

In accordance with the Americans with Disabilities Act, reasonable accommodations can be made with advance notice by calling the Clerk's Office 734.699.8909.

Charter Township of Van Buren

REQUEST FOR BOARD ACTION

Agenda Item: _____

WORK STUDY MEETING

DATE: OCTOBER 15, 2018

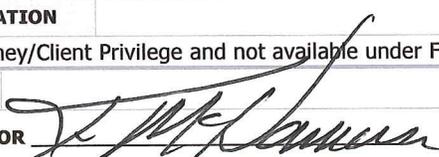
PUBLIC HEARING

DATE: OCTOBER 16, 2018

BOARD MEETING

DATE: OCTOBER 16, 2018

Consent Agenda _____ New Business x Unfinished Business _____ Public Hearing x

ITEM (SUBJECT)	<p>PUBLIC HEARING:</p> <ol style="list-style-type: none"> 1. Consider request to establish Industrial Development District #15. 2. Consider a request for an Industrial Facilities Exemption Certificate for Subaru Research & Development, Inc. <p>AGENDA ITEM:</p> <ol style="list-style-type: none"> 1. Consider adoption of Resolution 2018-29 to establish Industrial Development District #15 2. Consider adoption of Resolution 2018-30, authorizing an Industrial Facilities Exemption for Subaru Research & Development, Inc. and authorize the Supervisor and Clerk to execute the Tax Abatement Agreement.
DEPARTMENT	Assessing and Development Services
PRESENTER	Linda M. Stevenson, Assessment Coordinator and Ron Akers, Director of Planning and Economic Development
PHONE NUMBER	734-699-8946
INDIVIDUALS IN ATTENDANCE (OTHER THAN PRESENTER)	Mark V. Heusel, Attorney for Subaru Research & Development, Inc.
ACTION REQUESTED	
	<ol style="list-style-type: none"> 1. Consider adoption of Resolution 2018-29 to establish Industrial Development District #15 2. Consider adoption of Resolution 2018-30, authorizing an Industrial Facilities Exemption for Subaru Research & Development, Inc. and authorize the Supervisor and Clerk to execute the Tax Abatement Agreement.
BACKGROUND – (SUPPORTING AND REFERENCE DATA, INCLUDE ATTACHMENTS)	
<ol style="list-style-type: none"> 1. Subaru Research & Development, Inc. has submitted an application for an Industrial Facilities Exemption on Real Property Only. 2. In accordance with the State of Michigan guidelines all other taxing authorities have been notified via certified Mail. Public Hearing notices have been published in the legal newspaper of record. 3. Under the Township’s Board approved Tax Abatement Policy; Subaru Research & Development, Inc. qualifies for a twelve (12) year abatement. The request is for \$31,800,000.00 4. Subaru Research and Development, Inc. is a U.S. subsidiary of Subaru Corp. and North American Subaru with the ultimate parent being Subaru Corp. in Japan. 5. The company plans on developing a state-of-the-art technical innovation center in Van Buren Township on 75.98 acres. This newly designed technical center will incorporate the latest in advanced automotive technology and research equipment. The square footage of the building will be 63,547 square feet with 27,284 of that being office area creating 144 jobs. SRD will be completing significant improvements to the infrastructure, including extension of water and sewer lines, abandonment of obsolete drains and designing the facility in a manner to not intrude with the Denton Village community. 6. A map of the requested district along with a separate Real Property Abatement Analysis reflecting a twelve (12) year abatement is included. 7. Resolutions, Application, Agreement, etc. are all attached. 	
BUDGET IMPLICATION	(see analysis)
IMPLEMENTATION NEXT STEP	Appropriate documents forwarded to State Tax Commission
DEPARTMENT RECOMMENDATION	
ATTORNEY RECOMMENDATION	
(May be subject to Attorney/Client Privilege and not available under FOIA)	
ADDITIONAL REMARKS	
APPROVAL OF SUPERVISOR 	

INDUSTRIAL DEVELOPMENT
DISTRICT REQUEST



350 S. MAIN STREET, SUITE 300
ANN ARBOR, MI 48104-2131
TELEPHONE: (734) 623-7075
FACSIMILE: (844) 670-6009
<http://www.dickinsonwright.com>

MARK V. HEUSEL
MHeusel@dickinsonwright.com
(734) 623-1908

October 1, 2018

Via First Class Mail

Linda M. Stevenson, MAAO
Assessment Coordinator
46425 Tyler Road
Van Buren Township, MI 48111

Re: Establishment of Industrial Development District

Dear Ms. Stevenson:

Please accept this letter on behalf of Harold Smith and the proposed future user, Subaru Research and Development, Inc. ("SRD"), of a certain 75.98 AC+/- site in Van Buren Township described more particularly in the attached notice ("Property"). The parties request that an Industrial Development District be established for the Property, to include the current parcels identified in the attached, and the future parcel identification number also described in the attached. This request is in conjunction with SRD's request for an Industrial Facilities Tax Exemption Certificate pursuant to PA 198, Michigan Public Acts of 1974.

If you should have any questions, please do not hesitate to contact me.

Very truly yours,

Mark V. Heusel
Attorney for Subaru Research &
Development, Inc.

MVH/jkt
Attachments

Harold Smith
Current Owner of the Property

DETROIT 76821-1 1475879v1

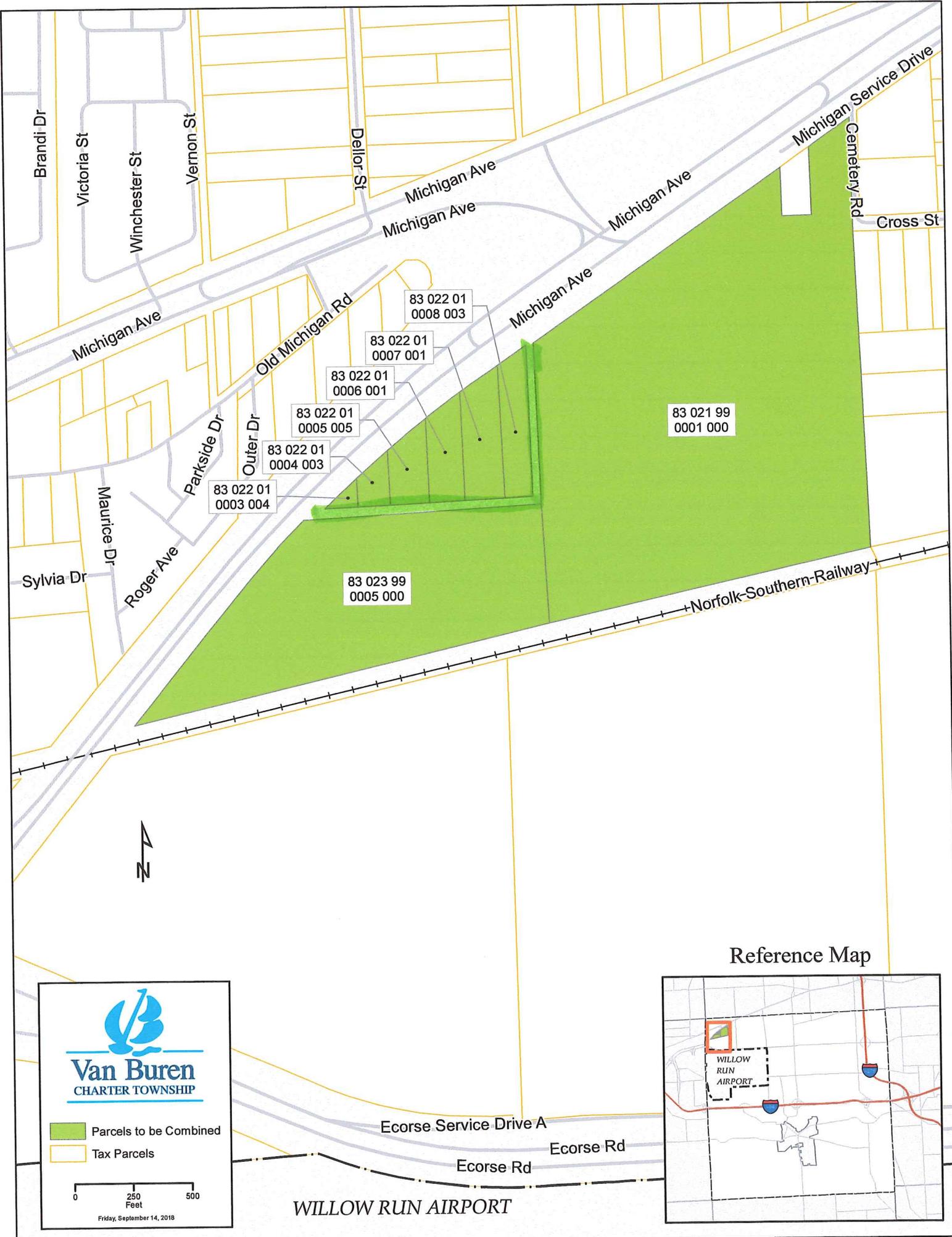
EXHIBIT A

**Parcel # 83-021-99-0001-000; 83-022-01-0003-004; 83-022-01-0004-003; 83-022-01-0005-005;
83-022-01-0006-001; 83-022-01-0007-001; 83-022-01-0008-003; 83-023-99-0005-000**

Effective January 1, 2019 – Parcel # will be 83-021-99-0001-704

PRT OF SEC 6, T3S R8E VBT WC MI AND PRT OF LOTS 3 THRU 8 INCLUSIVE, OF "DENTON FARMS" SUB OF PART OF THE NW 1/4 OF SEC 6, T3S R8E, VBT, WC, MI, AS RECORDED IN L40 OF PLATS, PG 4, WC RECORDS, ALL DES AS: COM AT THE N 1/4 OF SAID SEC 6 AS REMONUMENTED AND RECORDED IN L45095, PG 37, WC RECORDS; TH N 03D 23M 00S W 5.26 FT TO A PROPERTY CONTROLLING CORNER AS RECORDED IN L45095, PG 37, WC RECORDS; TH ALONG THE N AND S 1/4 LINE OF SAID SEC 6, S 03D 23M 00S E 2,185.56 FT TO A PNT ON THE SLY ROW LINE OF MICHIGAN AVE (BY-PASS, VARIABLE ROW WIDTH) AND A PNT ON THE E LINE OF SAID "DENTON FARMS" FOR A POB; TH N 53D 55M 03S E 1,315.64 FT ALONG SAID SLY ROW LINE; TH S 03D 07M 06S E 205.16 FT CALCULATED (S01D 06M 30S E 205.37 FT RECORD); TH N86D 52M 54S E 125.00 FT CALCULATED (N88D 53M 30S E 125 RECORD); TH N 03D 07 M 06S W286.23 FT CALCULATED (N 01D 06M 30S W 286.53 FT RECORD) TO A POINT ON SAID SLY ROW LINE; TH N 53D 55M 03S E 185.93 FT ALONG SAID SLY ROW LINE TO A POINT ON THE W ROW LINE OF CEMETERY ROAD (33 FT WIDE ROW) IN "SUPERVISOR'S VAN BUREN PLAT NO. 2" OF PRT OF THE E 1/4 OF SEC 6, T3S, R8E, VBT, WC, MI, AS RECORDED IN L 67 OF PLATS, P 51, WC RECORDS; TH S 03D 07M 06S E 488.75 FT ALONG SAID W ROW LINE TO THE NW CORNER OF LOT 61 OF SAID "SUPERVISOR'S VAN BUREN PLAT NO. 2"; TH S 03D 23M 06S E 1,353.15 FT ALONG THE W LINE SAID "SUPERVISOR'S VAN BUREN PLAT NO. 2" TO THE SW CORNER OF LOT 52 OF SAID "SUPERVISOR'S VAN BUREN PLAT NO. 2" AND A PNT ON THE NLY LINE OF THE M.C.R.R. ROW; TH S 75D 38D 49M W 3,187.07 FT ALONG SAID NLY ROW LINE TO A PNT ON SLY ROW LINE OF SAID MICHIGAN AVE; TH N 38D 08M 18S E 576.34 FT ALONG SAID SLY ROW LINE; TH ALONG A CURVE TO THE RIGHT 1,550.38 FT ON SAID SLY ROW LINE, SAID CURVE HAVING A RADIUS OF 5629.65 FT, AND A CHORD BEARING N 46D 01M 41S E 1545.49 FT; TH N 53D 55M 03S E 221.48 FT LONG SAID SLY ROW LINE TO THE POB. INCLUDING THAT PART OF VACATED JUSTINE ST (PLATTED AS PINE ST) AND CEDAR ST OF SAID "DENTON FARMS" LYING SLY OF MICHIGAN AVENUE, AS RECORDED IN L54586, P 618, WAYNE COUNTY RECORDS.

SAID DESCRIPTION CONTAINS 3,309,909 SQUARE FEET, OR 75.98 ACRES, MORE OR LESS.



Reference Map



Van Buren
CHARTER TOWNSHIP

- Parcels to be Combined
- Tax Parcels

0 250 500
Feet

Friday, September 14, 2018

WILLOW RUN AIRPORT

Application, Analysis
Resolution & Agreement
For an Industrial Facilities
Exemption
Subaru Research & Development

CHARTER TOWNSHIP OF VAN BUREN
RESOLUTION 2018-29
ESTABLISHING AN INDUSTRIAL DEVELOPMENT DISTRICT - #15

Resolved by _____, seconded by _____ that

Whereas, pursuant to Act No. 198 of the Public Acts of 1974, as revised, the Board of Trustees of the Charter Township of Van Buren has the authority to establish "Industrial Development Districts" within the boundaries of the township; and

Whereas, a proposal was made regarding the establishment of an Industrial District consisting of the property descriptions attached (Exhibit A) and hereinafter referred to as "Van Buren Township Industrial Development District; No. 15"; and

Whereas, a notice has been published in the Independent Newspaper and sent to all taxing jurisdictions and the property owners via certified mail of the Board's pending action on this resolution and of their right to a hearing on the establishment of proposed Van Buren Township Industrial District No. 15; and

Whereas, on **xxxxx xx, 2018** at 7:00 p.m. EST, a public hearing was held on the establishment of Van Buren Township Industrial Development District No. 15 at which time residents and taxpayers of the Charter Township of Van Buren had an opportunity to be heard (a copy of statements both written and oral made at such hearing being on file with the office of the Township Clerk);

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE CHARTER TOWNSHIP OF VAN BUREN, as follows that

1. An Industrial Development District is hereby established, such district to consist of the property described in Exhibit A attached hereto; and
2. Such Industrial Development District is hereby designated as the "Van Buren Township Industrial Development District No. 15".

Yeas:

Nays:

Absent:

I, Leon Wright, Clerk of the Charter Township of Van Buren, County of Wayne, State of Michigan, do hereby certify that this is a true and correct copy of the resolution adopted by the Board of Trustees of the Charter Township of Van Buren at their regular meeting of **xxxxx xx, 2018**.

Leon Wright, Township Clerk
Charter Township of Van Buren

Application for Industrial Facilities Tax Exemption Certificate

Issued under authority of Public Act 188 of 1974, as amended. Filing is mandatory.

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

To be completed by Clerk of Local Government Unit	
Signature of Clerk 	Date received by Local Unit September 18, 2018
STC Use Only	
Application Number	Date Received by STC

APPLICANT INFORMATION
All boxes must be completed.

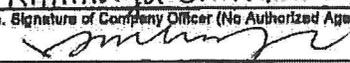
1a. Company Name (Applicant must be the occupant/operator of the facility) Subaru Research and Development, Inc.	1b. Standard Industrial Classification (SIC) Code - Sec. 2(10) (4 or 6 Digit Code) 8731	
1c. Facility Address (City, State, ZIP Code) (real and/or personal property location) See attached Appendix A	1d. City/Township/Village (Indicate which) Van Buren Township	1e. County Wayne
2. Type of Approval Requested <input checked="" type="checkbox"/> New (Sec. 2(4)) <input type="checkbox"/> Transfer (1 copy only) <input type="checkbox"/> Speculative Building (Sec. 3(8)) <input type="checkbox"/> Rehabilitation (Sec. 3(1)) <input checked="" type="checkbox"/> Research and Development (Sec. 2(9))	3a. School District where facility is located Van Buren Public Schools	3b. School Code 82430
	4. Amount of years requested for exemption (1-12 Years) 12	
6. Per section 6, the application shall contain or be accompanied by a general description of the facility and a general description of the proposed use of the facility, the general nature and extent of the restoration, replacement, or construction to be undertaken, a descriptive list of the equipment that will be part of the facility. Attach additional page(s) if more room is needed. See Appendix A		
6a. Cost of land and building improvements (excluding cost of land).....		▶ 31,756,700.00 *
* Attach list of improvements and associated costs. * Also attach a copy of building permit if project has already begun.		Real Property Costs
6b. Cost of machinery, equipment, furniture and fixtures.....		▶ 5,725,563.00 *
* Attach itemized listing with month, day and year of beginning of installation, plus total		Personal Property Costs
6c. Total Project Costs		▶ 37,482,263.00
Total of Real & Personal Costs		
* Round Costs to Nearest Dollar		
7. Indicate the time schedule for start and finish of construction and equipment installation. Projects must be completed within a two year period of the effective date of the certificate unless otherwise approved by the STC.		
	<u>Begin Date (M/D/Y)</u>	<u>End Date (M/D/Y)</u>
Real Property Improvements ▶	<u>11-1-2018</u>	<u>4-1-2020</u>
		▶ <input checked="" type="checkbox"/> Owned <input type="checkbox"/> Leased
Personal Property Improvements ▶	<u>1-1-2020</u>	<u>6-1-2020</u>
		▶ <input checked="" type="checkbox"/> Owned <input type="checkbox"/> Leased
8. Are State Education Taxes reduced or abated by the Michigan Economic Development Corporation (MEDC)? If yes, applicant must attach a signed MEDC Letter of Commitment to receive this exemption. <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
9. No. of existing jobs at this facility that will be retained as a result of this project. 0		10. No. of new jobs at this facility expected to create within 2 years of completion. 144
11. Rehabilitation applications only: Complete a, b and c of this section. You must attach the assessor's statement of SEV for the entire plant rehabilitation district and obsolescence statement for property. The Taxable Value (TV) data below must be as of December 31 of the year prior to the rehabilitation. N/A		
a. TV of Real Property (excluding land)		_____
b. TV of Personal Property (excluding inventory)		_____
c. Total TV		_____
12a. Check the type of District the facility is located in: <input checked="" type="checkbox"/> Industrial Development District <input type="checkbox"/> Plant Rehabilitation District		
12b. Date district was established by local government unit (contact local unit)		12c. Is this application for a speculative building (Sec. 3(8))? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

*See also Appendix A

APPLICANT CERTIFICATION - complete all boxes.

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

It is further certified that the undersigned is familiar with the provisions of P.A. 188 of 1974, as amended, being Sections 207.551 to 207.572, inclusive, of the Michigan Compiled Laws; and to the best of his/her knowledge and belief, (s)he has complied or will be able to comply with all of the requirements thereof which are prerequisites to the approval of the application by the local unit of government and the issuance of an Industrial Facilities Exemption Certificate by the State Tax Commission.

13a. Preparer Name Mark V. Heusel	13b. Telephone Number 734-623-1908	13c. Fax Number 844-670-6009	13d. E-mail Address mheusel@dickinsonwright.com
14a. Name of Contact Person Koji Mitsuno	14b. Telephone Number 734-623-0075	14c. Fax Number 734-623-0076	14d. E-mail Address mitsuno.koji@srd.subaru.co.jp
15a. Name of Company Officer (No Authorized Agents) Kiminaga Shirakawa			
15b. Signature of Company Officer (No Authorized Agents) 		15c. Fax Number 734-623-0076	15d. Date 9/17/18
16a. Mailing Address (Street, City, State, ZIP Code) 3995 Research Park Dr, Ann Arbor, MI 48108		16b. Telephone Number 734-623-0075	16c. E-mail Address shirakawa.kiminaga@srd.subaru.co.jp

LOCAL GOVERNMENT ACTION & CERTIFICATION - complete all boxes.

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

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

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

19a. Signature of Clerk	19b. Name of Clerk	19c. E-mail Address
19d. Clerk's Mailing Address (Street, City, State, ZIP Code)		
19e. Telephone Number	19f. Fax Number	

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

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

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

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

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

APPENDIX A

APPLICATION FOR INDUSTRIAL FACILITIES TAX EXEMPTION CERTIFICATE

6. General description of project.

Subaru Research and Development, Inc. ("SRD") is proposing to develop and construct a cutting-edge automotive research and development facility, which will support and lead the way for technology advancements in the automotive industry. This facility will serve as the headquarters and primary R&D facility for SRD in North America and beyond. The project will redevelop a qualified Brownfield site, mitigating existing detrimental conditions at the site, while preserving important characteristics now present at the site.

6.a. Land and building improvement costs (not including land costs): \$30,256,700.00. See attached breakdown of costs. In addition, SRD expects to incur costs of approximately \$1,500,000.00 to mitigate recognized environmental conditions on site.

6.b. Cost of machinery, equipment, furniture, etc.: New equipment: \$3,725,563.00 (see attached); Existing equipment: \$2,000,000.00 (breakdown to be provided and total amount subject to amendment).

**VAN BUREN CHARTER TOWNSHIP
TAX ABATMENT APPLICATION- SUPPLEMENTAL INFORMATION**

Name of Company: Subaru Research and Development, Inc.

Please complete the following questions along with providing a brief description of the company including its history, type of Incorporation, corporate headquarters location, Parent Corporation, previous corporate names. Describe the type of products produced, principal markets, and the activity to be carried out at the proposed or existing facility in Van Buren Township.

1. What is the total cost of the project? 40,000,000.00
2. Are you expanding this project from within Van Buren Charter Township? No
 - a. Are you relocating this project from a State other than Michigan? Yes
 - b. If yes, what State? Other states considered are Ohio & Indiana
3. Do you own or lease the property? If leasing, what is the length of the lease? Own
Copy of Lease must be included with application.
4. Is the headquarters of your company on the site of the facility for which you are requesting the tax exemption/abatement? Yes, see Appendix 1
 - a. If yes, what portion of the building is office? Yes, see Appendix 1
5. How many new jobs are being brought into the Township by this project? 144
6. How many Van Buren Township jobs are being retained? N/A
7. What percentage of the building is allocated to Manufacturing or Research and Development? 100% research & development
8. Is the current zoning compatible with the proposed use? Yes, property rezoned
9. Will this project require improvement to road services? Yes*
10. Will this project require improvement to storm sewer services? Yes*
11. Will this project require improvement to water services? Yes*
12. Will this project require improvement to sanitary sewer services? Yes*
13. Will this project require additional police personnel or police equipment? No
14. Will this project require the need for additional fire personnel or additional or specialized fire equipment? No
15. Will this project require other costs? Not to Township

*At company's expense, not community expense

APPENDIX 1

TAX ABATEMENT APPLICATION – SUPPLEMENTAL INFORMATION

SUBARU RESEARCH & DEVELOPMENT, INC.

4. Subaru Research and Development, Inc. ("SRD") is a California corporation, with locations in California, Indiana, New Jersey and Michigan. SRD's shareholders are Subaru Corporation (a Japanese corporation) and North American Subaru, Inc. SRD's Van Buren facility will be the central strategic location and headquarters for SRD and all research and development activities for Subaru Corporation in North America will occur at this site.

4. a. Total sq. feet of building 63,547 SF (includes mezzanine and equipment platforms)
- Total sq. feet of office: 27,284 SF
 - Total sq. feet of test area (inside): 28,770 SF at grade / 36,263 SF (includes mezzanine and equipment platforms)

9 – 12. Significant infrastructure costs are required to development the site, which will be the responsibility of SRD, including extension of water and sewer lines, driveway access from Michigan Avenue in accordance with MDOT requirements, abandonment of obsolete drains, parcels and public roads on site, provision to the site of electrical and gas services.

17. Additional Public Improvements: SRD has already incurred costs associated with rezoning the site in conformity with the Township's Master Plan, agreeing to a Conditional Rezoning Agreement, and it is the process of developing a project site plan that meets the Township's vision for development of the site, formally a farm with limited production.

The site is considered to be Brownfield site, under applicable laws, with environmental conditions that will be mitigated by SRD. Importantly, the site has recognized environmental conditions (RECs) that are believed to have migrated from adjacent sites and as a result of historical use of the property. The RECs including fuel storage tanks, heavy metals on site, and contaminated ground water that currently flows off-site to the surrounding properties. SRD has already incurred significant assessment and lab analysis costs associated with these environmental conditions, and it is intending to further analyze the site to design and develop mitigation strategies for reducing and/or preventing the exacerbation of outsourcing contaminated surface ground water to surrounding properties and the Denton Drain. It is also expect that SRD will remove underground storage tanks and contaminated soils associated with these tanks. It is expected that the total costs to take these measures may exceed \$1,500,000. The public benefit to removing the outsourcing of contaminated surface ground water is significant.

In addition, SRD has taken great steps, at its costs to design the facility in a manner that would not intrude upon the adjacent neighbors, or interfere with the Denton Village community. This includes designing the facility to reduce site lines of the building, developing a plan to access the site from Michigan Ave, there-by reducing traffic flow to the local Village, avoiding the intrusion of wetlands on the site, designing the water supply infrastructure to enhance water pressure in other parts of the community, agreeing to a Conditional Rezoning Agreement that

significantly increases setbacks on the eastern and western boundaries of the site, agreeing to a generous landscape plan that provides for berms, plantings and trees that screen the facility from the local neighbors.

In addition, SRD has taken great steps to preserve desirable aspects of the site, including allowing the current owner to remain in his home, and designing the facility around him, retaining salvageable structures on the site, including historic barns and retaining the feel of this Centennial Farm site.

CHARTER TOWNSHIP OF VAN BUREN PA 198 TAX ABATEMENT GUIDELINES

(Effective September 2, 1997, amended September 5, 2006, December 17, 2013
and further amended November 15, 2016)

Introduction

PA 198 of 1974, the Plant Rehabilitation and Industrial Development Districts Act was enacted in the State of Michigan as an incentive program to stimulate economic growth. The primary goal of this program is to provide an atmosphere that will encourage capital formation and investment in the community. The "Act" provides a tax incentive to manufacturers in order to enable renovation and expansion of aging facilities, building of new facilities, and to promote establishment of high tech facilities. An IFT certificate entitles the facility to exemption from ad valorem real and/or personal property taxes for a period of 1 to 12 years. A certificate holder will pay a specific tax known as the Industrial Facility Tax. Applications are filed, reviewed and approved locally with the local unit determining the numbers of years granted, but are also subject to review at the state level by the Property Services Division and the Michigan Economic Development Corporation. The State Tax Commission is ultimately responsible for final approval and issuance of certificates. Exemptions are not effective until approved by the Commission.

The Township will evaluate all tax abatement applications as to whether a proposed project can be expected to diversify and expand the Township's industrial tax base and whether spin-off effects occur such as additional employment and capital investments in other areas of the private sector. The proposed project must compliment the Township's master land use plan, environmental objectives, and all applicants must satisfy all of their current financial obligations to the Township. This includes being in compliance with all codes, ordinances and standards of the Township, County of Wayne and State of Michigan. The Township also has a right to consider the implication of current and past litigation between the Company and the Township when determining the term length of proposed tax abatement. The Township must find that the granting of the exemption certificate, when considered together with other certificates previously granted will not substantially impede the operation of the local government unit or impair the financial soundness of the taxing unit prior to the granting of the certificate.

FEES

A **\$500** non-refundable fee is required with each request to establish an Industrial Development District.

****PA 198 REQUIRES THAT A REQUEST FOR THE ESTABLISHMENT OF A PROPOSED PLANT REHABILITATION DISTRICT OR INDUSTRIAL DEVELOPMENT DISTRICT MUST BE MADE PRIOR TO THE START OF CONSTRUCTION OF THE PROPERTY OR START OF INSTALLATION OF PERSONAL PROPERTY FOR WHICH EXEMPTION IS BEING SOUGHT.**

Requests to establish an Industrial Development District are to be submitted in writing by the owner of the property along with a legal description of the property to the Township Assessing Office.

A **\$1,200** non-refundable application fee is required with any tax abatement application. If the development proposed is not in a pre-existing Industrial Development District or Plant Rehabilitation District, the Charter Township of Van Buren Board of Trustees is not obligated to consider establishment of an Industrial development or Plant Rehabilitation district or approve an Industrial Facilities Exemption application.

Plant rehabilitation projects qualify for approval only if there is a change in use, change in ownership or the value of the project substantially exceeds the statutory minimum 10 percent of true cash value as defined in PA 198 of 1974 as amended, 207.553, Section 3 (6), and the project is not attributable to delayed or deferred maintenance.

Questions concerning Act 198 tax exemption certificates can be directed to the Assessing Office, Van Buren Charter Township, 46425 Tyler Road, Belleville, MI 48111. The telephone number is (734) 699-8946, facsimile (734) 699-8952, email lstevenson@vanburen-mi.org.

Goals and Objectives

The Charter Township of Van Buren Board of Trustees will evaluate all Act 198 applications in light of the following goals and objectives:

1. Long term investment in the community.
2. Environmental impact on the community.
3. Expansion of Van Buren's tax base.
4. Creation and retention of jobs.
5. Demonstration of a commitment to those distinguishing qualities, values and amenities identified by Van Buren Township.¹
6. The applicant meets current financial obligations to the Township, is in compliance with all applicable state and township codes and ordinances and has no pending or current litigation against Van Buren Township, including appeals to the Michigan Tax Tribunal.

The above mentioned goals and objectives are not intended to be exhaustive. The Charter Township of Van Buren Board of Trustees reserves the discretion to consider such additional goals and criteria as are consistent with the interest of the Charter Township of Van Buren.

¹ The reference to identified distinguishing qualities, values and amenities by Van Buren Township are identified and found in the Township's Premier Community Amenities Master Land Use Plan, the Ecorse-Haggerty Corridor Plan and the Township's Land Use Master Plan, Zoning Ordinance and sub-plans to both documents.

Criteria for Granting Industrial Facilities Exemption Certificates

Section 16 of Public Act 198 of 1974, as amended provides that the legislative body of the local governmental unit shall determine the duration of an Industrial Facilities Exemption Certificate (tax abatement). The Van Buren Township Board of Trustees shall make this determination based on consideration of an analysis by the Supervisor or his/her designee of the following criteria.

The Board of Trustees retains discretionary power for the final determination and is not bound to using only the following criteria when acting on a specific abatement request.

Abatements are offered for new facilities and expansions only. The Charter Township of Van Buren Board of Trustees does not offer a tax abatement option on Personal Property equipment that qualifies as Eligible Manufacturing Personal Property. The Board does not offer abatements for a speculative building where the tenant is unknown. Processing facilities, which are primarily engaged in packaging for distribution, may not be eligible for abatement, unless the Township Board determines it to be significant and in the best interest of the Township.

The certificate may be revoked in the event that the purpose for which the certificate was issued is not being fulfilled, as a result of failure of the holder to proceed in good faith with the replacement, restoration or construction or operation of the replacement facility or new facility, or with the use of the speculative building as a manufacturing facility in a manner consistent with the purposes of Public Act 198 of 1974, as amended.

The following evaluation system was developed and approved by the Van Buren Board of Trustees to determine eligibility and duration of an Industrial Facilities Exemption Certificate. It is used in the interest of uniformity. All applicants are strongly encouraged to thoroughly study the questions below and make every effort to understand each criterion and provide as accurate information as possible.

	<u>Points</u>
1. The current project will expand the tax base of Van Buren Township	
a. Cost of proposed project or improvements:	
Less than \$500,000-----	00
\$500,000 - \$999,000-----	05
\$1,000,000 - 2,999,999-----	10
\$3,000,000 - \$4,999,999-----	15
\$5,000,000 - \$9,999,000-----	20
\$10,000,000 - \$19,999,999 -----	25
\$20,000,000 – and over -----	30
2. Project coming <u>from outside</u> the State of Michigan	
No -----	00
Yes -----	10
Project expanding <u>from within</u> Van Buren Township	
No-----	00
Yes-----	05

3. The applicant for the abatement owns/leases the land on which they plan to locate

The applicant is the property owner-----	15
The applicant is a lessee (7 or more years) of the property-----	10
The applicant is a lessee (3 – 6 years) of the property-----	05
The applicant has not executed a lease on the property yet-----	00

(Please note copy of lease must be included)

4. The main headquarters of the applicant is the site for which the abatement is requested

No-----	00
Yes-----	05

5. The project will produce jobs within the community.
(to be used only when a new company is locating in the community for the first time)

Number of new jobs brought into Van Buren Charter Township:

Fewer than 5 jobs-----	00
Between 5 and 20 jobs-----	05
Between 21 and 50 jobs-----	10
Between 51 and 199 jobs-----	15
200 jobs or greater-----	25

Number of existing jobs retained at this location in Van Buren Charter Township
(to be used for an existing company that is expanding in community)

Fewer than 5 jobs-----	00
Between 5 and 20 jobs-----	05
Between 21 and 50 jobs-----	10
Between 51 and 199 jobs-----	15
200 jobs or greater-----	25

**** Please note that only one option may be answered in question 5**

6. The project is primarily composed of manufacturing or research and development.

Percent of building allocated to Manufacturing* or Research and Development:

(*Warehousing, Distribution and Packaging associated with said objectives shall not be considered manufacturing).

Less than 50%-----	00
50% - 75%-----	05
Greater than 75%-----	10

7. That the project provides additional community benefit (0-10)
(examples –also must provide documentation) See Appendix 1 10 Points
- a. creative landscaping design, preservation of natural features in keeping with Township Ordinances, but significantly greater than what is required.
 - b. architecture and design in keeping with the design of the community and significantly greater than what is required by the Township ordinances.

Upon review of the specific site development, up to 15 points may be deducted for negative impacts on the surrounding areas which would include but not be limited to traffic management (trucks, vans, etc.) hours of operation and adjacent existing land use, outside storage, air quality or noise levels.)

Total the points awarded above to determine the number of years of abatement to be considered for applicant/project and to be recommended to the Board of Trustees for formal consideration:

<u>Total Points</u>	<u>Years</u>
90 – 120-----	12
85 – 89-----	11
80 – 84-----	10
75 – 79-----	9
70 – 74-----	8
65 – 69-----	7
60 – 64-----	6
55 – 59-----	5
50 – 54-----	4
45 – 49-----	3
40 – 44-----	2
35 – 39-----	1
Below 35-----	0

Total Points Awarded: 95

Deductions for negative impacts: -
 (Describe): _____

Total Years of Abatement: 95

**CHARTER TOWNSHIP OF VAN BUREN
RESOLUTION 2018-30**

Resolved by _____, seconded by _____, that

Whereas, Subaru Research & Development, Inc. is a U.S. subsidiary of Subaru Corporation with the parent company being Subaru Corporation in Japan; and

Whereas, Subaru Research & Development, Inc. intends on investing approximately \$37,500,000 (\$31,800,000 in Real Property and improvements along with \$5,700,000 in Personal Property) in Van Buren Township at a 75.98 acre site on Michigan Avenue in the Van Buren Township Industrial Park;

Whereas, Subaru Research & Development, Inc. has filed an application for an Industrial Facilities Exemption Certificate with respect to the construction of a new facility with approximately 63,547 square feet to be used as their Research & Development headquarters; and

Whereas, the investment will add approximately 144 new jobs to Van Buren Township; and

Whereas, completion of the facility is calculated to and will at the time of issuance of the certificate have the reasonable likelihood to create employment in Van Buren Township; and

Whereas, the Board of Trustees of the Charter Township of Van Buren hereby approves a twelve (12) year Industrial Facilities Exemption Certificate on real property only for Subaru Research & Development, USA, Inc. beginning after completion of construction.

Therefore, be it resolved that, the Board of Trustees of the Charter Township of Van Buren finds and determines that the granting of the Industrial Facilities Exemption Certificate considered together with the aggregate amount of certificates previously granted and currently in force under Act No. 198 of the Public Acts of 1974 as amended and Act No. 255 of the Public Acts of 1978 will not exceed 5% based on the 2018 Equalized Value and shall not have the effect of substantially impeding the operation of the Charter Township of Van Buren, or impairing the financial soundness of a taxing unit which levies ad valorem property taxes in the Charter Township of Van Buren.

Yeas:

Nays:

Absent:

I hereby certify that the foregoing is a true and corrected resolution adopted by the Board of Trustees of the Charter Township of Van Buren at its regular meeting of xxxxx xx, 2018.

Leon Wright, Clerk
Charter Township of Van Buren

DRAFT

VAN BUREN CHARTER TOWNSHIP
AGREEMENT
INDUSTRIAL FACILITIES TAX EXEMPTION CERTIFICATE
Pursuant to Act 198 of Public acts of 1974, as amended

THIS AGREEMENT is entered into as of the _____ day of _____, 20____ (“Effective Date”), between the CHARTER TOWNSHIP OF VAN BUREN, a local governmental unit whose business offices are located at 46425 Tyler Road, Belleville, Michigan 48111 (hereinafter referred to as the “Township”) and _____, a _____, an applicant for tax exemption pursuant to Act 198 of Public Acts of 1974, as amended, whose principal business office is located at _____ (hereinafter referred to as the “Company”).)

RECITALS

- A. The Company, for its business located at _____ (the “Facility”), has submitted an application to the Township for an Industrial Facilities Tax Exemption Certificate (“IFTEC”) pursuant to Michigan Public Acts of 198 of 1974, as amended, and
- B. The Township Board has approved, by resolution on _____, the Company’s application for tax abatement, subject only to the Company and the Township entering into a written agreement, and,
- C. The Township and the Company now desire to enter into such a written agreement.

NOW, THEREFORE,

As consideration for the granting of the IFTEC and in recognition of the investment the Township will be making toward the economic growth of the Company and thus the economic growth of the Township, and the above Recitals being fully incorporated into the Agreement by reference, the Company and the Township hereby agree to the following terms and conditions:

1. **General Terms and Conditions.**

(Check applicable lines consistent with the Application)

- ___ a. The Company will make the improvements set forth in the Application within two (2) years of the Effective Date of the IFTEC.
- ___ b. The Company will purchase and/or lease and install the personal property as set forth in the Application with two (2) years of the Effective Date.

- ___ c. The Company will create ___ new full-time jobs at the Facility within two (2) years of the Effective Date.
- ___ d. The Company will comply with the requirements imposed by the Township as part of the site plan review prior to issuance of a Certificate of Occupancy.

2. **Compliance with Laws.** The Company agrees that it will operate the Facility in accordance with all applicable Federal, State, and local laws or regulations, including but not limited to zoning, outside storage, industrial waste disposal, air and water quality, noise control, and other environmental regulations.

3. **Continued Operation of the Facility.** The Company further agrees to continue to operate the Facility with in the Township for the period of the IFTEC in order to retain the benefits of the IFTEC.

4. **Premature Vacation of the Facility.** If the Company vacates, or intends to vacate, the Facility prior to the end of the term of the IFTEC, the Company shall be responsible for the following:

- a. If the Company intends to vacate the Facility for which the IFTEC has been approved and issued prior to the end of the term of this agreement, the Company agrees to notify the Township Assessor in writing of such intent and the reasons for vacating not less than 60 days prior to vacating the facility.
- b. The Company agrees to make reasonable provisions satisfactory to the Township and in compliance with all applicable laws, codes and ordinances to maximize the likelihood of re-occupancy or re-use of the unoccupied building for productive use within a reasonable time period after the facility is vacated.
- c. The Company shall, if requested by the Township, deposit an amount equal to the amounts anticipated to be due from the Company under this agreement as a result of the Company vacating the Facility prior to the term for which the IFTEC was approved, including but not limited to any reasonable cleanup or maintenance costs, administrative fees, court costs, and attorney fees incurred.
- d. The Company shall pay any outstanding taxes and shall repay to all affected taxing authorities an amount equal to the total tax amount abated by the IFTEC (unless recovery of a lesser amount is requested by the Township or other taxing authority) within 30 days of the date of an invoice for such taxes. If not repaid within the required time period, the Township may exercise any and all legal and equitable rights and remedies available to it for collection of such taxes.
- e. If the Company fails to pay the amount of the invoice for abated taxes within 30 days of the date of the Township invoice, the Company shall be responsible for any additional costs incurred by the Township in recovery of such taxes, including, but not limited to administrative fees, court costs, and attorney fees incurred.

5. **Notice of Completion and Final Cost Report.** The Company will submit to the Township not later than 90 days after the completion date for each property

component for which an IFTEC was granted a Notice of Completion and Final Cost Report in a form requested by the Township, which includes the actual completion date and final cost of each project component for which an IFTEC was originally granted, and an explanation if the final cost of either the real or personal property listed on the Application was greater than the original estimated amount by more than 10%. The Company agrees that if the construction and/or expansion project has not been completed or expenditures made are less than ninety (90%) from the projected costs as described in the application, the Township Board has the right to petition the State Tax Commission for revocation of the IFTEC.

If the final cost of a project, either the real or tangible personal property components, will exceed 10% of the estimated amount indicated on the original application form, a certificate holder shall request in writing that the local government unit approve the additional cost. Upon receipt of a request, the clerk of the local governmental unit shall notify in writing the assessor and the legislative body of each taxing unit and shall afford the applicant, the assessor and a representative of the affected taxing units an opportunity for a hearing.

If the scope of the project increases by either additional real and/or tangible personal property components, the certificate holder shall file an amended application and revised list of improvements with the clerk of the local unit. Upon receipt of an amended application, the clerk of the local governmental unit shall notify in writing the assessor and the legislative body of each taxing unit and shall afford the applicant, the assessor, and a representative of the affected taxing units an opportunity for a hearing.

The Company agrees that if the construction and/or expansion project has not been completed or expenditures made are less than ninety (90%) from the projected costs as described in the application, the Township Board has the right to petition the State Tax Commission for revocation of the IFTEC.

6. **Employment Status Report.** The Company will submit to the Township, not later than January 31st of the second year after the effective date, and every year after that date an Employment Status Report in a form requested by the Township, which includes the number of actual full-time jobs created as a direct result of the project for which the certificate was granted, and an explanation if the jobs created during the term of the IFTEC was less than the original estimated amount. The Company agrees that if employment has not been retained or reached as stated in the application, the Township Board has the right to petition the State Tax Commission for revocation of the IFTEC. The Township reserves the right to obtain from the Company such additional information and reports related to the Company's performance of this Agreement.
7. **Review and Audit: Payment of Costs.** The Company understands that the Township may review and audit the information provided by the Company to determine compliance with this agreement and that any costs for such services will be paid by the Company within thirty (30) days of the date of written notice from the Township in accordance with the outside professional service cost for consultant's on the most current fee schedule approved by the Township Board, which may be adjusted from time to time based upon increases in costs to the Township.

8. **Remedies for a default created by a Failure to Satisfy Representations Made in Application.** The Company understands that the Township may pass a resolution requesting that the State Tax Commission reduce the term of the IFTEC or revoke the IFTEC to the extent that the construction or expansion of the Facility has not been completed, expenditures made, or employment reached as represented by the Company in the application, by sending a copy of this Agreement along with a copy of the Township Board resolution authorizing such action to the State Tax Commission. In addition, the Company acknowledges that the Township may take into account any deficiency in job creation, or real or personal property investment made under this application in a subsequent application for an IFTEC or an Exemption of New Personal Property filed by the Company.
9. **Payment of Taxes.** The Company agrees that all ad valorem real and personal property taxes, specifically IFT real and personal property taxes, and special assessments shall be paid in a timely manner, and by the signing of this Agreement acknowledges that failure to pay in a timely manner may result in the adoption of a resolution by the Township Board requesting the State Tax Commission to revoke the IFT.
10. **Timely Filing of Personal Property Statements.** The Company agrees to complete and submit all required annual Personal Property Statements or if applicable Form 5278 (Affidavit & Statement for Eligible Manufacturing Personal Property and Essential Services Assessment to the Van Buren Charter Township Assessing Office by the required due date. Failure to submit the necessary Statements may result in the adoption of a resolution by the Township Board requesting a revocation of the IFTEC by the State Tax Commission
11. **Consequences of Unsuccessful Real or Personal Property Tax Appeal.** The Company acknowledges that if during the term of this Agreement, the Company appeals any real or personal property assessment to the Michigan Tax Tribunal or other court of competent jurisdiction upon which it does not fully prevail, that the Company shall pay to the Township all reasonable costs, expenses, and attorney fees incurred by the Township in defending such appeals within thirty (30) days of the date of receipt of an invoice from the Township.
12. **Unforeseen Events.** By execution of this Agreement, it is understood that the Company's investment in the Facility and the Township's investment in the granting of the IFTEC are to encourage economic growth within the Township. The Township acknowledges that in some instances, economic conditions may prevent the Company from complying fully with this Agreement and the terms of the application. The Township will give the Company an opportunity to explain the reasons for any variations from the representations contained in the application and will evaluate the Company's situation prior to taking any action authorized by this Agreement.
13. **Entire Agreement.** This is the entire agreement of the parties relating to the matters covered by this Agreement, and no prior or subsequent promises, representations or assurances, whether in any other form, shall be used to modify, vary or contradict any provision of this Agreement, except for any written amendment to this Agreement or separate agreement signed following the date of this Agreement by authorized representatives of all parties to this Agreement.

14. **Severability.** The invalidity of any section, subsection, clause or provision of this Agreement shall not affect the validity of the remaining sections, subsections, clauses or provisions thereof, which shall remain in full force and effect to govern the parties' relationship.
15. **Reimbursement of Attorney Fees for Modification of Standard Agreement.** The Company agrees to reimburse the Township within 30 days of the date of a receipt of an invoice from the Township for all attorney fees incurred by the Township in the negotiation or preparation of changes to the standard IFTEC Agreement.
16. **Binding Effect.** This Agreement shall be binding upon, and shall inure to the benefit of, the parties hereto and their successors and assigns. The Company agrees should ownership of the business and/or Facility for which a IFTEC approval is issued be changed in the future, thereby requiring a hearing before the Township Board under state law, the transferee or new owners shall abide by all the terms and conditions of this Agreement, and that the Company will communicate all terms and conditions of this Agreement to the transferee or new owner and assist in obtaining the signature of the authorized agent of the transferee or new owner on this Agreement or, at option of the Township, with a newly executed Agreement that substantially corresponds with this policy and any subsequent amendments to Act 198.
17. **Notice.** Notice shall be deemed to have been properly given hereunder if delivered by hand and date-stamped by the recipient or mailed certified mail, return receipt requested, with the date of notice for purposes hereof being the date of the date-stamp or the date shown on the certified receipt as the date of delivery.
18. **Counterparts.** This Agreement may be executed in any number of counterparts, each of which shall be considered an original.
19. **Acknowledgements.** By signatures of the representatives of both the Company and the Township below, it is understood and agreed that both the Company's investment in the project and the Township's investment through the granting of the IFTEC is to encourage the economic growth of the parties. It is also acknowledged that economic factors beyond the Company's control can, at times, prohibit the maintenance of the Company's targeted status. It is understood that if such conditions exist at the time of the designated Company reports, the governing body of the Township will carefully evaluate the Company's situation and will inform the Company if any action is considered necessary in order to give the Company an opportunity for correction of a default under this Agreement.

The Township shall give notice by certified mail to the Company of any hearing regarding the proposed revocation or reduction of the term of the IFTEC. Such notice shall be delivered no less than fifteen (15) days prior such hearing.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of the day and year stated below, and a true copy hereof shall be filed with the Department of Treasury of the State of Michigan

Witnesses:

Charter Township of Van Buren

By: _____
Township Supervisor

Dated: _____

By: _____
Township Clerk

Dated: _____

Witnessed:

Company Name

By: _____

Dated: _____

By: _____

Dated: _____

INDUSTRIAL FACILITIES EXEMPTION APPLICATION

AFFIDAVIT OF FEES

In accordance with State Tax Commission Bulletin No. 3 dated January 1998, the Township of Van Buren and the Applicant for Industrial Facilities Exemption Certificate do hereby swear and affirm, by the signatures below, that no payment of any kind, whether they be referred to as "fees", payments in lieu of taxes", "donations" or by other like terms in excess of the fees allowed by PA 198 of 1974, as amended by Public Act 323 of 1996 has been made or promised in exchange for favorable consideration of an exemption certificate application."

Township of Van Buren

Signed: _____

Name:

Title: Supervisor

Dated:

Applicant/Company:

Signed: _____

Name:

Title:

Dated:

**SUBARU RESEARCH DEVELOPMENT, INC.
REAL PROPERTY ANALYSIS-12 YEAR ABATEMENT**

AD VALOREM				
Year	SEV	Twp	Public Safety	Total
2018	15,900,000	\$ 14,384.73	\$ 102,264.03	\$ 116,648.76
2019	15,900,000	\$ 14,384.73	\$ 102,264.03	\$ 116,648.76
2020	15,900,000	\$ 14,384.73	\$ 102,264.03	\$ 116,648.76
2021	15,900,000	\$ 14,384.73	\$ 102,264.03	\$ 116,648.76
2022	15,900,000	\$ 14,384.73	\$ 102,264.03	\$ 116,648.76
2023	15,900,000	\$ 14,384.73	\$ 102,264.03	\$ 116,648.76
2024	15,900,000	\$ 14,384.73	\$ 102,264.03	\$ 116,648.76
2025	15,900,000	\$ 14,384.73	\$ 102,264.03	\$ 116,648.76
2026	15,900,000	\$ 14,384.73	\$ 102,264.03	\$ 116,648.76
2027	15,900,000	\$ 14,384.73	\$ 102,264.03	\$ 116,648.76
2028	15,900,000	\$ 14,384.73	\$ 102,264.03	\$ 116,648.76
2029	15,900,000	\$ 14,384.73	\$ 102,264.03	\$ 116,648.76
* based on an TCV of \$31,800,000				
Total	Est. Taxes with No Abatement	\$ 129,462.57	\$ 920,376.27	\$ 1,049,838.84
ACT 198				
Year	SEV	Twp	Public Safety	Total
2018	15,900,000	\$ 7,192.37	\$ 51,132.02	\$ 58,324.38
2019	15,900,000	\$ 7,192.37	\$ 51,132.02	\$ 58,324.38
2020	15,900,000	\$ 7,192.37	\$ 51,132.02	\$ 58,324.38
2021	15,900,000	\$ 7,192.37	\$ 51,132.02	\$ 58,324.38
2022	15,900,000	\$ 7,192.37	\$ 51,132.02	\$ 58,324.38
2023	15,900,000	\$ 7,192.37	\$ 51,132.02	\$ 58,324.38
2024	15,900,000	\$ 7,192.37	\$ 51,132.02	\$ 58,324.38
2025	15,900,000	\$ 7,192.37	\$ 51,132.02	\$ 58,324.38
2026	15,900,000	\$ 7,192.37	\$ 51,132.02	\$ 58,324.38
2027	15,900,000	\$ 7,192.37	\$ 51,132.02	\$ 58,324.38
2028	15,900,000	\$ 7,192.37	\$ 51,132.02	\$ 58,324.38
2028	15,900,000	\$ 7,192.37	\$ 51,132.02	\$ 58,324.38
Total	Est. Taxes with Abatement	\$ 86,308.38	\$ 613,584.18	\$ 699,892.56
TOTAL COMBINED TAXES COLLECTED AT SITE AS OF DECEMBER 31, 2017				
Year	SEV	Twp	Public Safety	Total
2018	COMBINED TV 153,061	\$ 138.47	\$ 984.44	\$ 1,122.91

Charter Township of Van Buren

Agenda Item: _____

REQUEST FOR BOARD ACTION

WORK STUDY DATE: OCTOBER 15, 2018

BOARD MEETING DATE: OCTOBER 16, 2018

Consent Agenda New Business _____ Unfinished Business _____ Public Hearing _____

ITEM (SUBJECT)	Consider approval to combine lots 83-136-01-0018-000 and 83-136-01-0019-000
DEPARTMENT	Assessing Office
PRESENTER	Linda M. Stevenson, Assessment Coordinator
PHONE NUMBER	734-699-8946
INDIVIDUALS IN ATTENDANCE (OTHER THAN PRESENTER)	

Agenda topic: Lot Combination

ACTION REQUESTED	
Township Board approval of the combination of lots : 83-136-01-0018-000 and 83-136-01-0019-000 (Burtrig Sub) with the following conditions: <ol style="list-style-type: none"> 1. The cost of any and/all utility improvements must be borne by the property owners(s). 2. Approval in no way changes requirements of zoning of the parcels. 3. Approval in no way implies or guarantees permits and/or approvals from federal, state, county or local agencies; this shall include but not be limited to roadway access point(s), natural feature requirements, utility requirements or any other valid requirement(s) from regulatory agencies. 4. We are in receipt of all fees and costs as well as a certified survey. 	
BACKGROUND – (SUPPORTING AND REFERENCE DATA, INCLUDE ATTACHMENTS)	
This lot combination is in compliance with the Township’s Lot Split Ordinance and the Land Division Act. It was reviewed by the Parcel Division Board on September 19, 2018 and given preliminary approval at that time.	
BUDGET IMPLICATION	none
IMPLEMENTATION NEXT STEP	Assessing Office to Process
DEPARTMENT RECOMMENDATION	Approval
COMMITTEE/COMMISSION RECOMMENDATION	
ATTORNEY RECOMMENDATION	
(May be subject to Attorney/Client Privilege and not available under FOIA)	
ADDITIONAL REMARKS	None
APPROVAL OF SUPERVISOR	

83 136 99 0003 701
MARTINSVILLE RD



Burtrig St

Reference Map



Van Buren
CHARTER TOWNSHIP

- Parcels to be Combined
- Tax Parcels
- Building Footprint

Feet
0 100

Monday, October 08, 2018

Found Iron Pipe/Cap
1.4 North, 0.6 West

Unplatted

Record & Measured 200.00

Record & Measured 100.00 Record & Measured 100.00

Subdivision Line

TOTAL PARCEL
79,787 Square Feet



Centerline of County
Drain Easement

existing drain

LOT 18

LOT 19

LOT 20

21

Unplatted

Record & Measured 410.00

Rec. & Meas. 410.00

Lot line

MARTINSVILLE ROAD

6' wood fence
(poor condition)

utility pole

overhead utility lines

fence 0.8 East

fence 0.4 East

fence 1.5 West

monument in
poor condition

R. & M.
8.22

monument in
poor condition

BURTRIG STREET
(60' Wide)

Rec. & Meas. 1278.23

R. & M.
60.00

SSB = Set Iron Bar/Cap
FCM = Found Concrete Monument

Surveyor's Certificate: I hereby certify that this survey was prepared by me, or under my direct supervision, that I am a duly licensed Professional Surveyor under the laws of the state of Michigan, that this survey complies with the requirements of Section 3, P.A. 132 of 1970, as amended, and that the error of closure of the unadjusted field observations was less than 1 to 5,000.

I. John Jekabson P.S. #19836



CERTIFIED SURVEY

Part of the Southwest Quarter of Section 21, Town 1 South,
Range 9 East, Van Buren Township, Wayne County,
Michigan.

JEKABSON & ASSOCIATES, P.C.
Professional Land Surveyors
1320 Goldsmith, Plymouth, MI 48170
(734) 414-7200 (734) 414-7272 fax



DATE	25 Sept 18
JOB NO.	18-09-004
SCALE	1" = 60'
DRAWN	JGE
CHECKED	IJJ
SHEET	1 OF 2

ORIGINAL DESCRIPTIONS:

LOT 18 OF "BURTRIG SUBDIVISION" OF PART OF THE SOUTHEAST ¼ OF SETION 34, TOWN 3 SOUTH, RANGE 8 EAST, VAN BUREN TOWNSHIP, WAYNE COUNTY, MICHIGAN. AS RECORDED IN LIBER 69 OF PLATS ON PAGE 47, WAYNE COUNTY RECORDS. SUBJECT TO EASEMENT AND RESTRICTIONS OF RECORD.

LOT 19 OF "BURTRIG SUBDIVISION" OF PART OF THE SOUTHEAST ¼ OF SETION 34, TOWN 3 SOUTH, RANGE 8 EAST, VAN BUREN TOWNSHIP, WAYNE COUNTY, MICHIGAN. AS RECORDED IN LIBER 69 OF PLATS ON PAGE 47, WAYNE COUNTY RECORDS. SUBJECT TO EASEMENT AND RESTRICTIONS OF RECORD.

DESCRIPTION AFTER SURVEY:

LOTS 18 AND 19 OF "BURTRIG SUBDIVISION" OF PART OF THE SOUTHEAST ¼ OF SETION 34, TOWN 3 SOUTH, RANGE 8 EAST, VAN BUREN TOWNSHIP, WAYNE COUNTY, MICHIGAN. AS RECORDED IN LIBER 69 OF PLATS ON PAGE 47, WAYNE COUNTY RECORDS. CONTAINS 79,787 SQUARE FEET. SUBJECT TO EASEMENT AND RESTRICTIONS OF RECORD.

CERTIFIED SURVEY

Part of the Southwest Quarter of Section 21, Town 1 South,
Range 9 East, Van Buren Township, Wayne County,
Michigan.

JEKABSON & ASSOCIATES, P.C.
Professional Land Surveyors
1320 Goldsmith, Plymouth, MI 48170
(734) 414-7200 (734) 414-7272 fax



DATE	25 Sept 18
JOB NO.	18-09-004
SCALE	N.A.
DRAWN	JGE
CHECKED	IJJ
SHEET	2 OF 2

Charter Township of Van Buren

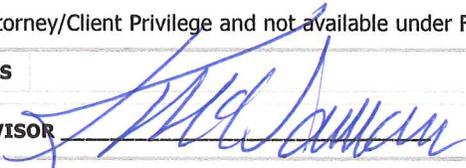
Agenda Item _____

REQUEST FOR BOARD ACTION

WORK STUDY MEETING DATE: OCTOBER 15, 2018
BOARD MEETING DATE: OCTOBER 16, 2018

	Consent Agenda X	New Business	Unfinished Business	Public Hearing
ITEM (SUBJECT)	Suburban Mobility Authority for Regional Transportation Municipal (SMART) FY 2019 Municipal Credit Contract			
DEPARTMENT	Parks & Recreation			
PRESENTER	Director Jennifer Wright			
PHONE NUMBER	734-699-8921			
INDIVIDUALS IN ATTENDANCE (OTHER THAN PRESENTER)	N/A			

Agenda topic

ACTION REQUESTED	This is the annual approval of the FY 2019 Suburban Mobility Authority for Regional Transportation Municipal (SMART) Municipal Credit Contract same content from previous years.						
BACKGROUND – (SUPPORTING AND REFERENCE DATA, INCLUDE ATTACHMENTS)	<p>This money is made available to Van Buren Township to use for transportation. The use of this money provides our elderly population within Van Buren Township the opportunity to get to and from the Senior Center, doctors appointments and various shopping centers.</p> <p>Township children and their families benefit by utilizing the transportation for the Day Camp Program ran by our Recreation Department.</p> <p>Many families could not participate in the Day Camp program or the benefits of the Senior Center without the transportation assistance.</p> <p>Monies received by SMART help cover driver's wages, gasoline, vehicle maintenance, vehicle supplies and vehicle repairs.</p> <p>The estimated funding level for FY 2019:</p> <table> <tr> <td>Recreation Transportation</td> <td>\$20,000.00</td> </tr> <tr> <td>Senior Transportation</td> <td><u>\$ 8,348.00</u></td> </tr> <tr> <td></td> <td>\$28,348.00</td> </tr> </table> <p>Local match of \$32,597.00 is met by the townships general fund and in kind services.</p>	Recreation Transportation	\$20,000.00	Senior Transportation	<u>\$ 8,348.00</u>		\$28,348.00
Recreation Transportation	\$20,000.00						
Senior Transportation	<u>\$ 8,348.00</u>						
	\$28,348.00						
BUDGET IMPLICATION	N/A						
IMPLEMENTATION NEXT STEP	Authorize the Supervisor and Clerk to execute the agreement.						
DEPARTMENT RECOMMENDATION	Supervisor and Clerk to execute the contract						
COMMITTEE/COMMISSION RECOMMENDATION	N/A						
ATTORNEY RECOMMENDATION	N/A						
	(May be subject to Attorney/Client Privilege and not available under FOIA)						
ADDITIONAL REMARKS							
APPROVAL OF SUPERVISOR							

MUNICIPAL CREDIT and COMMUNITY CREDIT CONTRACT FOR FY 2019

I, Kevin McNamara, as the Supervisor of Charter Township of Van Buren (hereinafter, the "Community") hereby apply to SMART and agree to the terms and conditions herein, for the receipt and expenditure of **Municipal Credits** available for the period July 1, 2018 through June 30, 2019 (Section 1 below), and **Community Credits** available for the period July 1, 2018 to June 30, 2019 (Section 2 below); and further agree that the **Municipal and Community Credits Master Agreement** between the parties is incorporated herein by reference. A description of the service the Community shall provide hereunder is set forth in **Exhibit A**, and the operating budget for that service is set forth in **Exhibit B**, both of which are attached hereto and incorporated herein.

1. The Community agrees to use **\$28,348** in **Municipal Credit** funds as follows:

- (a) Transfer to _____ Funding of: \$ _____
TRANSFEREЕ COMMUNITY
- (b) Van/Bus Operations At the cost of: \$ 28,348.00
(Including Charter and Taxi services)
- (c) Services Purchased from SMART At the cost of: \$ _____
(Including Tickets, Shuttle Services/Dial-a-Ride)
- (d) Services Purchased from Subcontractor At the cost of: \$ _____

(NAME OF SUBCONTRACTOR)
(See attached Subcontractor Service Agreement)

Total \$28,348

SMART intends to provide Municipal Credit funds under this contract to the extent funds for the program are made available to it by the Michigan Legislature pursuant to Michigan Public Act 51 of 1951. Municipal Credit funds made available to SMART through legislative appropriation are based on the State's approved budget. In the event that revenue actually received is insufficient to support the Legislature's appropriation, it will result in an equivalent reduction in funding provided to the Community pursuant to this Contract. In such event, SMART reserves the right, without notice, to reduce the payment of Municipal Credit funds by the amount of any reduction by the legislature to SMART. All Municipal Credit funding must be spent by June 30, 2020; all funds not spent by that date will revert back to SMART pursuant to Michigan Public Act 51 of 1951, for expenditure consistent with Michigan law and SMART policy.

2. The Community agrees to use **\$0.00** in **Community Credit** funds available as follows:

- (a) Transfer to _____ Funding of: \$ _____
TRANSFEREЕ COMMUNITY
- (b) Van/Bus Operations At the cost of: \$ _____
(Including Charter and Taxi services)

- (c) Services Purchased from SMART (Including Tickets, Shuttle Services/Dial-a-Ride) At the cost of: \$ _____
- (d) Capital Purchases At the cost of: \$ _____
- (e) Services Purchased from Subcontractor At the cost of: \$ _____

 (NAME OF SUBCONTRACTOR)
 (See attached Subcontractor Service Agreement)

Total \$0.00

To the extent that this Contract calls for a payment of funds directly from SMART to a subcontractor, Community hereby acknowledges that it is the party entitled to receive such funds and is affirmatively authorizing and directing SMART to pay such funds directly to the subcontractor on its behalf. Capital purchases permitted with Community Credits are subject to applicable state and federal regulations, and SMART policy, including procurement guidelines. When advantageous, SMART may make procurements directly. Reimbursement for purchases made by Community requires submission of proper documentation to support the purchase (i.e. purchase orders, receiving reports, invoices, etc.). Community Credit dollars available in FY 2019, may be required to serve local employer transportation needs per the coordination requirements set forth in the aforementioned Master Agreement. All Community Credit funds must be spent by June 20, 2021; any funds not spent by that date may revert back to SMART for expenditure consistent with SMART policy.

This agreement shall be binding once signed by both parties.

Charter Township of Van Buren

By: _____

Date _____

Its: Supervisor

By: _____

Date _____

Its: Clerk

**Suburban Mobility Authority for
Regional Transportation**

By: _____

Date _____

John C. Hertel
General Manager

MUNICIPAL CREDIT and COMMUNITY CREDIT CONTRACT for FY - 2019

EXHIBIT A

PROJECT DESCRIPTION

Overall Project Description (please provide a descriptive narrative):

- The intent of this project is to provide transportation services to predetermined destinations, which include, but are not limited to, designated shopping centers and stores, day trips and travel to doctor's visits and hospitals.

Services are available to senior and /or disabled residents of Van Buren Township. Service is available Monday through Friday from 8:00 am to 5:00 pm as scheduling permits. Eligible users must be 50 years of age or older and /or physically disabled. There are no designated fares, however donations are encouraged and accepted. Users must call 24 hours in advance.

All service is on first come, first serve basis.

- The intent of the Recreation transportation program is to offer the children of the community the opportunity to travel to and from our Recreational Facility for programs as well as the ability to travel to locations within Wayne County such as Metro Parks and Comerica Park. Our Summer Camp program benefits due to the SMART Municipal Credit Contract. Most of the participants of the Get Up and Get Active, Day Camp, Tween Camp, as well as the Tots in the Park programs are able to participate because the transportation resource is available.

Service Area (please provide geographic boundaries):

- Van Buren Township and City of Belleville residents.

Service Times (**please provide days and hours of service**):

- Services are available to senior and /or disabled residents of Van Buren Township. Service is available Monday through Friday from 8:00 am to 5:00 pm as scheduling permits.
- Day Camp transportation is from 8 am- 9:50 am pick up from designated bus stop within Township/ City of Belleville Residents then taken to Van Buren Park to spend day at Van Buren Day Camp until 4pm where children are then picked up and taken to designated bus stop to return to their homes.

MUNICIPAL CREDIT and COMMUNITY CREDIT CONTRACT for FY - 2019

Service Reservation number:

Camp participants 734.699.8921

Senior participants 734.699.8918

Eligible User Groups (please set forth users eligible to use the service):

Services are available to senior (50 and older) and /or disabled residents of Van Buren Township.

Also used for Day Camp Transportation grades pre-Kindergarten through 8th grade

Fare Structure: Donations accepted

No donations accepted for Day Camp Transportation

Service Mode: (List SMART Vehicle number, local owned vehicles and type of vehicles available, and whether they are wheelchair lift-equipped):

The agency uses:

- 2006 Ford ADA Van: wheelchair accessible van 10 passengers, 2 wheelchairs with wheelchair lift
- 2006 Ford E350 Van: 14 passengers Van
- 2009 Crown Victoria: 3 passengers (not including driver)
- 2010 Crown Victoria: 3 passengers (not including driver)
- 2009 Crown Victoria: 3 passengers (not including driver)
- 2011 Crown Victoria: 3 passengers (not including driver)
- 2003 Eldorado Bus: 22 passengers ADA assessable
- 2009 For E350 with wheelchair lift 12 passenger with 2 wheelchair tie downs

Charter Township of Van Buren

Agenda Item _____

REQUEST FOR BOARD ACTION

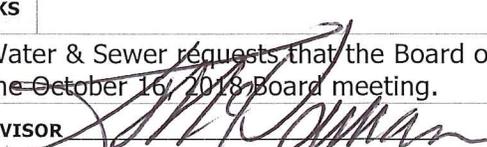
WORK STUDY MEETING DATE:
2018-10-15

BOARD MEETING DATE:
2018-10-16

Consent Agenda _____ New Business X Unfinished Business _____ Public Hearing _____

ITEM (SUBJECT)	Briarwood Sewer Reconstruction Project
DEPARTMENT	Public Services – Water & Sewer
PRESENTER	Water & Sewer Director James T. Taylor
PHONE NUMBER	734-699-8947
INDIVIDUALS IN ATTENDANCE (OTHER THAN PRESENTER)	Dave Potter, Engineer, FTC&H

Agenda topic

ACTION REQUESTED	
Recommend to the Township Board to award a contract to Fonson Co, Inc. in the amount of \$168,113.00. I also recommend that a 10% contingency, in the amount of \$16,811.30 be approved for use at the direction and discretion of the Water & Sewer Director to address changes and unforeseen conditions that may arise during construction.	
BACKGROUND – (SUPPORTING AND REFERENCE DATA, INCLUDE ATTACHMENTS)	
See attached memo. A request for bids was advertised on MITN and three bids were received. The low bidder for the project is Fonson Co, Inc. Their bid of \$168,113.00 was lower than the other two bids of \$211,118.50 (Stante Excavating) and \$299,172.00 (Lawrence & Clark).	
BUDGET IMPLICATION	To be paid from the Water & Sewer Capital Outlay 592-537-970-000.
Project funds was budgeted and approved by Board of Trustees for FY2018 Budget.	
IMPLEMENTATION NEXT STEP	Board approval, execute contract
DEPARTMENT RECOMMENDATION	Approval of contract with FTC&H and authorize Supervisor and Clerk to execute contract.
COMMITTEE/COMMISSION RECOMMENDATION	
ATTORNEY RECOMMENDATION	N/A
(May be subject to Attorney/Client Privilege and not available under FOIA)	
ADDITIONAL REMARKS	
The Director of Water & Sewer requests that the Board of Trustees approve this contract as a new agenda item at the October 16, 2018 Board meeting.	
APPROVAL OF SUPERVISOR	



October 8, 2018
Project No. 180208

Mr. James Taylor
Director of Water and Sewer
Charter Township of Van Buren
46425 Tyler Road
Van Buren Township, MI 48111

Re: Briarwood Drive Sanitary Sewer Reconstruction – Bid Evaluation – Fonson Company, Inc.

Dear Mr. Taylor:

As part of the procurement phase of the Briarwood Drive Sanitary Sewer Reconstruction Project, Van Buren Township (Township) has asked Fishbeck, Thompson, Carr & Huber, Inc. (FTCH) to evaluate the bids for said project, received and opened by the Township on Tuesday, September 25, 2018. The following bid evaluation of the Fonson Company, Inc. (Contractor) bid included but was not limited to overall bid compliance, feasibility of bid numbers, errors or omissions, and an overall reference check.

It should be noted that before the MITA Lockout, the Engineer's Estimate was \$110,000.00. The lowest responsive bidder's estimate was \$168,113.00. FTCH has evaluated the bid and finds no errors or omissions within the bid form. One item that drew our attention while reviewing the unit prices of the bid was the cost of Bituminous Pavement (3C & 4C). The Contractor has a unit price of \$350.00/TON, while the Engineer's Estimate for the same items was \$100/TON.

There are several reasons we believe this number is relatively high for this particular bid; uncertainty of supply due to timing of the project, the small quantity of the item(s), and uncertainty of paving operators during the MITA lockout at the time of the bid.

The Contractor intends to utilize the following sub-contractors for the project and perform the balance of the work with their own forces:

- GM & Sons, Whitmore Lake, MI 48819 – Concrete Work
- Sommerset Paving, Whitmore Lake, MI 48189 – Hot Mix Asphalt (HMA) Paving
- Finishing Touch Photo & Video, Chesterfield, MI 48051 – Preconstruction Audio-Video
- NERC, Hanover, MI 49241 – Tree Planting

We also conducted reference checks for the Contractor and have received very positive feedback, as reiterated by both:

- Chris Elenbaas, PE, Field Engineer for the City of Ann Arbor – 734.794.6450 ext 43311
- Aaron Berkholz, Project Manager for OHM – 734.466.4516

Their summarized comments are as follows:

- Would recommend [Fonson] for work.
- Their personnel were professional and knowledgeable onsite.
- They were reasonable when pricing additional required work via authorized change orders.
- They started work when they said they would and finished within the schedule time.
- Fonson has good equipment.



Mr. James Taylor
Page 2
October 8, 2018

The above summarized comments also fall in line with the experience FTCH has had with Fonson on previous projects.

Michigan Department of Transportation (MDOT) Prequalification's

We have reviewed the Contractor's MDOT Prequalification's and these are summarized below:

- Cb – HMA /Bituminous Paving.
- Ea – Grading, Drainage Structures and Aggregate Construction.
- G – Building Moving and Demolition
- I – Sodding and Seeding/Turf Establishment
- J – Miscellaneous Concrete Items – Including curb and gutter, sidewalk, barrier wall, driveways and other incidental construction.
- K – Sewers and Watermains.
- N2 – Clearing and Grubbing.

EMR Safety Rating

The EMR rating provided by Fonson Company is equal to 1.0, which is consistent with most companies as an average safety rating.

Considering the above referenced information provided by Fonson Company, Inc. and our previous work with the company, we recommend the Township make a conditional award to the Contractor, subject to receiving acceptable bonds and insurance in accordance with the construction documents.

If you have any questions or require additional information, please contact me at 248.324.4791 or dpotter@ftch.com.

Sincerely,
FISHBECK, THOMPSON, CARR & HUBER, INC.

David L. Potter, PE

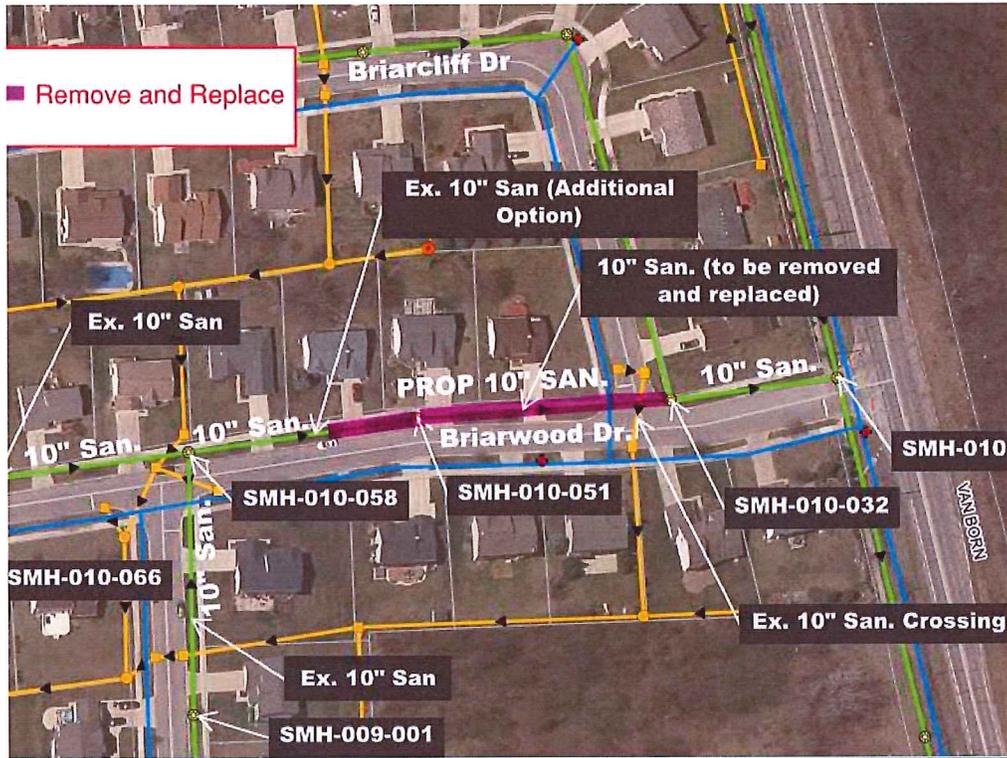
Paul J. Kammer, PE

ag2
By email

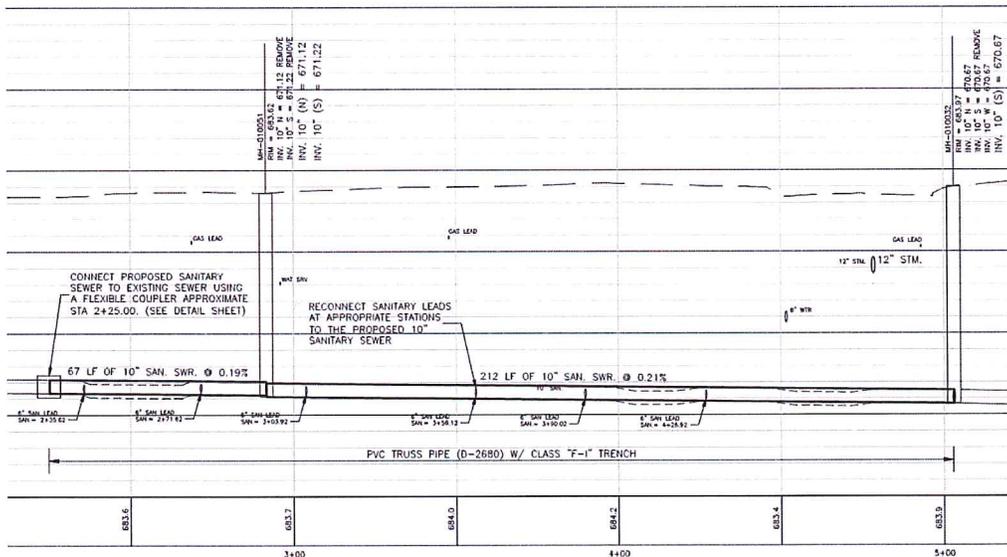


Site Photolog

Sanitary Sewer Reconstruction - Briarwood Drive
Charter Township of Van Buren, Michigan
Project No: 180208



Briarwood Dr. Sanitary Sewer Replacement — Plan View



Briarwood Dr. Sanitary Sewer Replacement — Profile View



Upstream of Pipeline (SMH-010-058 to SMH-010-051)

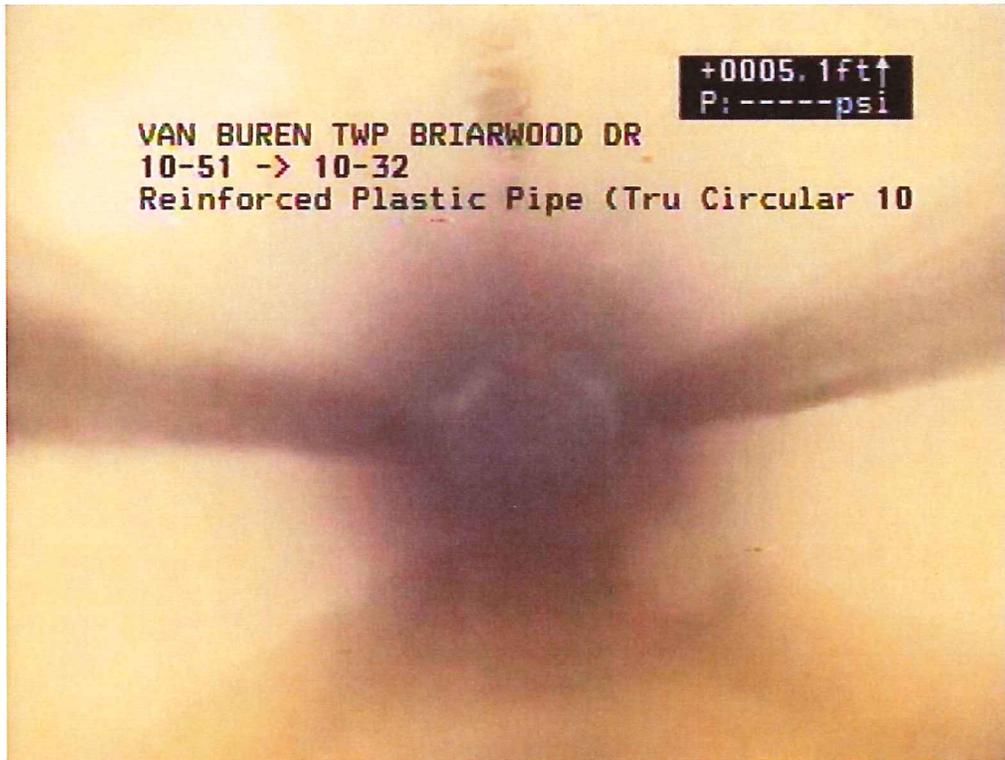


Sag—45% Cross Section of Pipeline (SMH-010-058 to SMH-010-051)



Site Photolog

Sanitary Sewer Reconstruction - Briarwood Drive
Charter Township of Van Buren, Michigan
Project No: 180208



Upstream of pipeline (SMH-010-051 to SMH-010-032)



Sag—75% Cross Section of Pipeline (SMH-010-051 to SMH-010-032)

Charter Township of Van Buren

Agenda Item _____

REQUEST FOR BOARD ACTION

WORK STUDY MEETING DATE:
2018-10-15

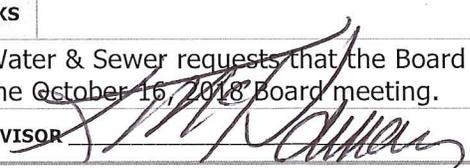
BOARD MEETING DATE:
2018-10-16

Consent Agenda _____ New Business X Unfinished Business _____ Public Hearing _____

ITEM (SUBJECT)	Briarwood Sewer Reconstruction Project Engineering Services
DEPARTMENT	Public Services – Water & Sewer
PRESENTER	Water & Sewer Director James T. Taylor
PHONE NUMBER	734-699-8947
INDIVIDUALS IN ATTENDANCE (OTHER THAN PRESENTER)	Dave Potter, Engineer, FTC&H

Agenda topic

ACTION REQUESTED	
Recommend to the Township Board to award a contract to Fishbeck, Thompson, Carr & Huber, Inc. not to exceed the amount of \$49,900.00 to provide the list of engineering services listed in the attached letter.	
BACKGROUND – (SUPPORTING AND REFERENCE DATA, INCLUDE ATTACHMENTS)	
See attached memo.	

BUDGET IMPLICATION	To be paid from the Water & Sewer Capital Outlay 592-537-970-000.
Project was budgeted and approved by Board of Trustees in FY2018 Budget.	
IMPLEMENTATION NEXT STEP	Board approval, execute contract
DEPARTMENT RECOMMENDATION	Approval of contract with FTC&H and authorize Supervisor and Clerk to execute contract.
COMMITTEE/COMMISSION RECOMMENDATION	
ATTORNEY RECOMMENDATION	N/A
(May be subject to Attorney/Client Privilege and not available under FOIA)	
ADDITIONAL REMARKS	
The Director of Water & Sewer requests that the Board of Trustees approve this contract as an agenda item at the October 16, 2018 Board meeting.	
APPROVAL OF SUPERVISOR	



October 9, 2018

Job No.: 180208

Mr. James T. Taylor
Director of Water and Sewer
Charter Township of Van Buren
46425 Tyler Road
Van Buren, MI 48111

Re: Briarwood Drive Sanitary Sewer Reconstruction Project
Projected Project Cost Summary

Dear Mr. Taylor:

Fishbeck, Thompson, Carr & Huber, Inc. (FTCH) is pleased to submit this letter proposal for Construction Engineering Services to the Van Buren Township (Township), for the referenced project.

I. Construction Engineering Services

FTCH will provide construction engineering services consisting of Construction Contract Administration, Construction Observation, Coordination of Material and Density Testing Services, Staking and Preparation of record drawings that will be submitted after receiving the contractor's as-built drawings. The construction engineering services fee for the following scope of services is included in this letter proposal;

- Pre-Construction Meeting.
- Periodic Progress Meetings.
- Review of Contractor Pay Application Request.
- Process Shop Drawings.
- Staking and as-builts. FTCH will provide Construction Staking Services associated with the Project. One-time staking is included; the Contractor is to pay for any re-staking, accordingly. FTCH will assist the Township with the preparation of record drawings, based upon Contractor provided as-built drawings.
- Full-time Construction Observation Services.
- Engineering Assistance and Construction Contract Administration.
- Process/Negotiate Change Orders.
- Prepare Project Punch List(s).
- Prepare Final Payment Recommendation.
- Coordination of Material Testing and Density Testing Services.
- Prepare Close-Out Documents.

Project Assumptions

The services outlined in this proposal have been prepared with the following assumptions:

- Project funding is from Township funds and no other outside funding sources and/or funding reporting requirements.

Compensation

Construction Engineering Services

FTCH proposes to provide Construction Engineering Service based upon the scope of services defined above (including geotechnical material and density testing services) for an hourly not-to-exceed fee of Forty-Nine Thousand Nine Hundred Dollars (\$49,900.00). The fee breakdown is as follows:

I. Engineering Assistance	\$3,900.00
II. Construction Contract Administration	\$17,500.00
III. Construction Observation	\$19,000.00
IV. Staking/Record Drawings	\$5,500.00
V. Geotechnical Material and Density Testing*	\$4,000.00
Total Estimated Construction Engineering Services Fee	\$49,900.00 (Hourly Not-to-Exceed)

*Geotechnical Material and Density Testing services are being provided by SME, Inc. under sub-contract with FTCH.

Additional Services/Cost/Fees

In the event a need develops during the construction phase of this project, the following additional services can be provided by FTCH. A separate fee proposal or task amendment will be submitted to the Township, if it is determined that any of these services are warranted.

- Environmental services associated with contaminated material.

Schedule for Completion

FTCH can begin construction engineering services immediately upon receiving the Township's notice to proceed. We appreciate the opportunity to continue to provide assistance to the Township. We look forward to working with you and your staff on the Briarwood Drive Sanitary Sewer Reconstruction Project.

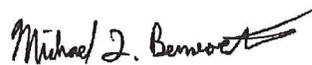
If you have any questions or require additional information, please contact David Potter, PE at 248.320.5819 (dpotter@ftch.com), or Mike Berrevoets, PE at 616.464.3927 (mberrevoets@ftch.com).

Sincerely,

FISHBECK, THOMPSON, CARR & HUBER, INC.



David L. Potter, PE



Mike Berrevoets, PE

ag2

By email

cc: Paul Kammer, FTCH Project Engineer



DEPARTMENT OF PUBLIC SERVICES

WATER & SEWER

DATE: October 15, 2018
TO: Township Board of Trustees
FROM: James T. Taylor, Director of Water & Sewer
RE: Briarwood Sanitary Main Reconstruction Project

There are two Request for Board Action items regarding the Sanitary Main Reconstruction Project proposed for the Briarwood Subdivision. The requests will be:

1. To award a contract to the low bidder for the project and
2. To award funding for FTC&H for engineering construction services.

This project is a result of a sanitary main breach, which has been determined by Water & Sewer management and FTC&H engineers to be properly corrected by replacement of a section of the main between 350 and 400 linear feet. It is our expectation that if approved at the October 16, 2018 Board of Trustees meeting, the project will begin before the end of October. Based on weather conditions, the total completion of the project is expected to occur either before the end of the year, or in the spring of 2019.

The project will take place on Briarwood Drive with the following addresses to be impacted by the project; 6251, 6283, 6300, 6301, 6316, 6325, and 6334. Accommodations for access by residents and others will be made during the project construction. We will be providing a full overview of the project at the October 15th Board Work Study.

MISSION STATEMENT

"The Van Buren Public Services Department is committed to a clean and safe environment, enhanced service delivery to its customers and protection of the significant public investment in the township's buildings and grounds, and water distribution and sanitary collection systems."

Charter Township of Van Buren

Agenda Item: _____

Work Study: October 15, 2018
 Board Meeting Date: October 16, 2018

REQUEST FOR BOARD ACTION

	Consent Agenda	<input checked="" type="checkbox"/> New Business	Unfinished Business	Public Hearing
ITEM (SUBJECT)	Memorandum of Understanding Addendum WWCSOT			
DEPARTMENT	Public Safety			
PRESENTER	Public Safety Director Greg Laurain			
PHONE NUMBER	734-699-8900			
INDIVIDUALS IN ATTENDANCE (OTHER THAN PRESENTER)				

Agenda topic

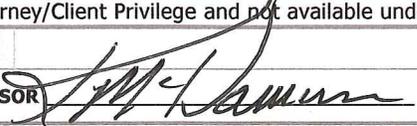
ACTION REQUESTED:	
To consider approval of the Memorandum of Understanding Addendum between the Western Wayne County Special Operations Team and Van Buren Township and authorize the Supervisor to execute the Agreement.	

BACKGROUND – (SUPPORTING AND REFERENCE DATA, INCLUDE ATTACHMENTS)	
Western Wayne County Special Team has been existence since 1986 and consists of members from several Western Wayne County agencies (Townships of Van Buren, Canton, Plymouth, Redford, Northville, City’s of Plymouth, Wayne, Livonia, Romulus, Northville, Garden City). This unit is comprised of specialty-trained member from these agencies and is activated to respond to and resolve high-risk police incidents beyond the capabilities of standard road patrol personnel within these jurisdictions. This MOU addresses and defines the SOT membership requirements and participation requirements for communities interested in joining and for those current member agencies. It further addresses request for non-participating communities.	

BUDGET IMPLICATION	
IMPLEMENTATION NEXT STEP	Execute Memorandum of Understanding Addendum Agreement

DEPARTMENT RECOMMENDATION	
COMMITTEE/COMMISSION RECOMMENDATION	N/A

ATTORNEY RECOMMENDATION	
(May be subject to Attorney/Client Privilege and not available under FOIA)	

ADDITIONAL REMARKS	
APPROVAL OF SUPERVISOR	

**STATE OF MICHIGAN
COUNTY OF WAYNE
WESTERN WAYNE COUNTY SPECIAL OPERATIONS TEAM**

MEMORANDUM OF UNDERSTANDING – ADDENDUM

Special Operations Team Membership Requirements:

Each member community with an official population less than 40,000 persons shall appoint a minimum of one (1) member to the Western Wayne County Special Operations Team (WWCSOT). Each member community with a population of 40,000 persons or greater shall appoint not less than two (2) members to the WWCSOT. Community population will be based upon the last US Census numbers published by the Southeast Michigan Council of Governments (SEMCOG). Any member community that fails to meet this obligation for a period of ninety (90) consecutive days in any calendar year may be subject to an assessment of \$2,500 per required member, as determined by the WWCSOT Board. The calendar year shall be from January 1st to December 31st of each year. Member communities who appoint a member to the team and they fail to attend one of the first two (2) consecutive trainings will be considered non-participatory and subject to the \$2,500 assessment. Prior to any assessment, a Board Review of the circumstances surrounding the deficit of required assigned members may be requested by the agency Chief/Director. The WWCSOT Board may at its discretion choose to take other appropriate action. The provision for this assessment does not relinquish or reduce an agency's minimum member commitment. The assignment and/or removal of members to the WWCSOT must be in written form to the WWCSOT Board Chair and Team Commander prior to the effective day of the action. Member communities may elect to assign additional member(s) with approval of the Team Commander.

The minimum training and experience qualifications for appointment to the WWCSOT are: Each member shall be a certified police officer or firefighter/paramedic in good standing with their home agency and the State of Michigan, and not less than 2 years of seniority/experience. Further, Operators and TEMS firefighter/paramedics will be required to attend the WWCSOT SWAT School within 1 year of appointment. Any exceptions to the minimum training requirements must be approved by the Team Commander.

Special Operations Member Participation Requirements:

It is expected that each member attend their bi-monthly training sessions and respond to all incidents in which they are requested.

Each team member shall be released from duty or compensated for all required team responses and training. It is expected that team members attend 100% of all training sessions. All absences shall require prior (when possible) written notification to the Team Commander and their agency Chief/Director. Expected extended absences due to injury or other reasons shall be reported to the Team Commander in advance.

**STATE OF MICHIGAN
COUNTY OF WAYNE
WESTERN WAYNE COUNTY SPECIAL OPERATIONS TEAM**

MEMORANDUM OF UNDERSTANDING – ADDENDUM

The status of member agencies whose required members miss three (3) training sessions within the calendar year will be reviewed by the WWCSOT Board. Upon six (6) missed training sessions within the calendar year, the WWCSOT Board Chair and Team Commander will consult with the agency Chief/Director. The calendar year shall be considered January 1st through December 31st of each year. Departments whose member's status becomes *Inactive*, due to absenteeism, may be subject to an assessment of \$450 per member per training session, until they are reinstated to *Active* status. The WWCSOT Board will review the circumstances pertaining to the absences and recommend the appropriate action to be taken.

Requests from Non-Participating Communities:

Any WWCSOT activation requests from a non-participating community must receive authorization for response from the WWCSOT Board Chair. In the event a non-participating agency requests a response from the WWCSOT, the Team Commander or his designee will evaluate the request to ensure it meets the requirements of a team activation. The Team Commander will consult with the Board Chair for authorization to activate the team.

If it is determined that the non-participating agency's request warrants a team response the requesting community shall be responsible for a \$15,000 activation fee and all costs associated with the activation including, but not limited to, personnel overtime (including fringe benefits), equipment, fuel, any and all damages incurred during the operation, and any other costs as deemed necessary during the incident by the Team Commander. The requesting community's Chief Executive Officer or Elected Leader must acknowledge and agree to the payment terms prior to the WWCSOT deploying resources to the incident.

These costs will be invoiced to the requesting community within 90 days of the incident unless there are extenuating circumstances. The requesting community will have 90 days to submit payment to the team.

**STATE OF MICHIGAN
COUNTY OF WAYNE
WESTERN WAYNE COUNTY SPECIAL OPERATIONS TEAM
MEMORANDUM OF UNDERSTANDING – ADDENDUM
MUNICIPALITY SIGNATURES**

CHARTER TOWNSHIP OF CANTON

CHARTER TOWNSHIP OF PLYMOUTH

Director of Public Safety

Chief of Police

Township Supervisor

Township Supervisor

Date

Date

CITY OF LIVONIA

CHARTER TOWNSHIP OF REDFORD

Chief of Police

Chief of Police

Fire Chief

Township Supervisor

Mayor

Date

City Clerk

Date

**STATE OF MICHIGAN
COUNTY OF WAYNE
WESTERN WAYNE COUNTY SPECIAL OPERATIONS TEAM
MEMORANDUM OF UNDERSTANDING – ADDENDUM
MUNICIPALITY SIGNATURES**

CITY OF PLYMOUTH

CITY OF NORTHVILLE

Director of Public Safety

Chief of Police

Mayor

Mayor

Date

Date

CHARTER TOWNSHIP OF VAN BUREN

GARDEN CITY

Director of Public Safety

Chief of Police

Township Supervisor

Mayor

Date

Date

Charter Township of Van Buren

Agenda Item: _____

Work Study Date: October 15, 2018
Board Meeting Date:

REQUEST FOR BOARD ACTION

Consent Agenda New Business Unfinished Business Public
Hearing

ITEM (SUBJECT)	Discussion on a Community Recreation Center
DEPARTMENT	
PRESENTER	Leon Wright
PHONE NUMBER	734-699-8909
INDIVIDUALS IN ATTENDANCE (OTHER THAN PRESENTER)	

Agenda topic

ACTION REQUESTED:	
BACKGROUND – (SUPPORTING AND REFERENCE DATA, INCLUDE ATTACHMENTS)	

BUDGET IMPLICATION	None
IMPLEMENTATION NEXT STEP	
DEPARTMENT RECOMMENDATION	
COMMITTEE/COMMISSION RECOMMENDATION	
ATTORNEY RECOMMENDATION	(May be subject to Attorney/Client Privilege and not available under FOIA)
ADDITIONAL REMARKS	
APPROVAL OF SUPERVISOR	