

**CHARTER TOWNSHIP OF VAN BUREN
LOCAL DEVELOPMENT FINANCE AUTHORITY
AGENDA**

Regular Meeting: Tuesday, January 8, 2019 – 2:00 p.m., Denton Room

CALL TO ORDER

ROLL CALL

Chairman Dotson _____
Charles Lerocque _____
Leonard Armstrong _____
Chuck Covington _____
Scott Medlen _____
Supervisor McNamara _____

Doug Peters _____
John Delaney _____
James Williams _____
Shareen Barker _____
David Schriber _____

Recording Secretary Grishaber _____

APPROVAL OF AGENDA:

APPROVAL OF MINUTES:

1. Regular Meeting: November 14, 2018

CORRESPONDENCE:

PUBLIC COMMENT:

UNFINISHED BUSINESS:

1. Marketing/Community Outreach Update

NEW BUSINESS:

1. 2018 Synopsis of Activities of the LDFA
2. Election of Officers
3. Informational Meeting in March Meeting

NON-AGENDA ITEMS:

ADJOURNMENT:

CLOSED SESSION:

ADJOURNMENT:

If you are unable to attend this meeting, please notify Secretary Grishaber at 734.699.8913

**CHARTER TOWNSHIP OF VAN BUREN
LOCAL DEVELOPMENT FINANCE AUTHORITY
NOVEMBER 14,2018 - DRAFT**

CALL TO ORDER: Chairman Dotson called the meeting to order at 2:08pm.

ROLL CALL:

Present: Dotson, Armstrong, Williams, Covington, Delaney, Peters, McNamara, Medlen

Absent/Excused: Barker

Staff: Director: Akers

APPROVAL OF AGENDA:

Motion Delaney, support McNamara to approve November 14th, Agenda.

Motion Carried.

APPROVAL OF MINUTES:

Motion Delaney, support Peters to approve September 11th, 2018 meeting Minutes.

Motion Carried

CORRESPONDENCE: NONE

PUBLIC COMMENT: NONE

UNFINISHED BUSINESS:

Marketing/Community Outreach Update:

Director Akers informed the Committee of (2) items to update. Grace Lake Building permit has been issued ready to break ground sometime in Spring 2019. There were also the oral arguments heard on 10/9/2018 with the Michigan Supreme Court hearing between Van Buren Township and Visteon council.

NEW BUSINESS:

2019 Budget:

Director Akers explained the LDFA Act has guidelines for the preparation of the budget until the end of the year. The budget has to be approved by the Township Board, then back to the LDFA for approval. Note worthy the major difference the township will start paying towards the Bond monies due. October 19, 2019 is a shortfall. The township will be working diligently step by step with legal counsel to draft the resolution for the court case.

Motion Peters support Delaney to approve the 2019 LDFA budget.

Motion Carried.

2019 Meeting Schedule:

Director Akers went over the 2019 meeting schedule on the second Tuesday every other month at 2:00pm. March and November are on the second Wednesday at 2:00 due to the fact there may be potential for elections. Public Act 57 requires 2 public meetings for March & September. there will be time to prepare a report January 2019. The notification for the form letter & meeting schedule.

Motion Armstrong support Williams to approve the 2019 schedule and notifications.

Motion Carried.

NON-AGENDA ITEMS:

None.

ADJOURNMENT:

Motion by Williams support Armstrong to adjourn the meeting at 2:35pm.

Respectfully Submitted,
Account Secretary
Tina Grishaber.



Memo

TO: Local Development Finance Authority

**FROM: Ron Akers, AICP
Director of Planning and Economic Development**

RE: 2018 Synopsis of Activities of the LDFA

DATE: January 5, 2019

Public Act 57 of 2018 which is the Recodified Tax Increment Financing Act requires that the LDFA annually provide an updated annual synopsis of activities of the authority. Specifically, the synopsis has to include the following information:

- A. Information regarding tax increment revenues described in the annual audit that are within five (5) years, including the reasons for accumulating the funds and uses for which the funds will be spent, a time frame when the funds will be spent, and the amount of and explanation for any funds that have not been spent within 10 years of their receipt.
- B. A list of authority accomplishments, including progress on development plan and tax increment plan goals and objectives for the immediately preceding fiscal year.
- C. A list of authority projects and investments, including active and completed projects for the immediately preceding fiscal year.
- D. A list of authority events and promotional campaigns for the immediately preceding fiscal year.

I have attached a proposed synopsis to this memo which addresses these items. I look forward to the board's discussion regarding this item.



Charter Township of Van Buren

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January 4, 2019

Board of Directors
Local Development Finance Authority
Charter Township of Van Buren
46425 Tyler Road
Van Buren Township, MI 48111

RE: 2018 Synopsis of Activities

Directors,

Per P.A. 57 of 2018, the Recodified Tax Increment Financing Act, the following is the synopsis required to be placed on the website as required by Section 910.1(h). Please consider the following:

Tax Increment Revenues Not Expended Within Five (5) Years of Receipt:

There are no tax increment revenues described in the most recent annual audit (2017) which have not been expended within five (5) years of their receipt. As specified in the audit the LDFA's primary focus is the payment of debt obligations and all resources are focused on payment of existing debt.

List of Authority Accomplishments, Progress on Development Plan, and TIF Plan Goals and Objectives:

The original purpose of the Local Development Finance Authority (LDFA) was to finance and construct eligible public improvements for the Visteon Village project which was completed in 2004. In order to complete the public improvements, the LDFA established a development plan and tax increment financing plan which identified the improvements, estimated the costs of the improvements and estimated the amount of tax revenue the authority would capture based on the proposed improvements. In order to finance the construction of the public improvements, the LDFA issued bonds to cover the costs of the improvements and those bonds were guaranteed by the Township's ability to tax. These public improvements have been completed and the primary focus of the LDFA at this time is the payment of the debt obligations as a result of those public improvements. The tax increment financing plan overestimated the amount of tax revenue which would be captured by the LDFA and due to this there is a projected shortfall which will occur in 2019.

List of Authority Projects and Investments for 2018:

As specified in the most recent annual audit (2017), the primary focus of the LDFA is payment of debt obligations from tax captures. Due to this there were no capital projects completed by the LDFA in 2018. All authority resources are focused on the payment of existing debt.

List of Authority Events and Promotional Campaigns for 2018:

Members of the Board of Directors held in event in conjunction with the Van Buren Township Fire Department and the Grace Lake Corporate Center in remembrance of the September 11 attack on the



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World Trade Center in New York City and those individuals who lost their lives. Van Buren Township continued to host the Grace Lake Corporate Center promotional video on their website.

If there are any further questions related to these items please feel free to contact the Planning & Economic Development Department.

Thanks,

Ron Akers, AICP
Director of Planning and Economic Development
Charter Township of Van Buren



Memo

TO: Local Development Finance Authority

**FROM: Ron Akers, AICP
Director of Planning and Economic Development**

RE: Election of Officers

DATE: January 5, 2019

The Local Development Finance Authority By-Laws require that the board of directors annually, at their first regular meeting, “designate one of its members as chairperson, one of its members as vice chairperson, and one of its members as corresponding secretary.” Based on this the LDFA will need to elect its officers for 2019 at the January meeting. The current 2018 officers of the LDFA are as follows:

Chairperson: Michael Dotson
Vice-Chairperson: Doug Peters
Corresponding Secretary: John Delaney

Regarding procedure, in normal circumstances a motion to nominate is made for a particular individual and office and if that motion is seconded and the individual accepts the nomination then a majority vote will elect that individual to the specified office.

The new by-law changes require that any newly elected officer assume their duties at the next regular or special meeting. Based on this, if there are any new officers they will assume their offices at the March regular meeting or any special meeting which occurs prior to that. I look forward to the LDFA’s discussion on the matter.

LOCAL DEVELOPMENT FINANCING AUTHORITY
OF THE
CHARTER TOWNSHIP OF VAN BUREN

BY LAWS

ARTICLE I

Purpose and powers. The purpose or purposes for which the Authority is organized are as follows: To encourage local development to prevent conditions of unemployment and promote economic growth; to provide for the establishment of local development finance authorities and to prescribe their powers and duties; to provide for the creation and implementation of development plans; to authorize the acquisition and disposal of interests in real and personal property; to permit the issuance of bonds and other evidences of indebtedness by an authority; to reimburse authorities for certain losses of tax increment revenues; and to authorize and permit the use of tax increment financing.

ARTICLE II

Section 1. The business and property of the Authority shall be managed and directed by the board of directors, whom will each take and subscribe to the constitutional oath. The members shall serve four (4) year terms of office from the date of their respective appointment, except as provided for in the ordinance creating the Authority, and shall be non-compensated but reimbursed for actual sanctioned expenses.

Section 2. The board shall include seven (7) members appointed by the Township Supervisor, subject to the approval of the Township Board.

Section 3. The board shall include one (1) member appointed by the county board of commissioners of the county in which the Authority is located. The board shall include one (1) member representing a community or junior college in whose district the Authority is located appointed by the chief executive officer of that community or junior college. The board shall also include two (2) members appointed by the chief executive officer of each local government unit, other than the Township which levied twenty percent (20%) or more of the ad valorem property taxes levied against all property located in the Authority district.

Section 4. The board of directors shall annually at its first regular meeting of the calendar year designate one of its members as chairperson, one of its members as vice chairperson, and one of its members as corresponding secretary. The officers so elected shall serve a term of one (1) year or any part thereof as may be determined, and until his/her successor is designated. No term of office created under this section shall extend beyond the term of the member designated. All officers shall take their respective office at the next regular or special meeting.

ARTICLE III

Section 1. All regular meetings shall be held in the Township of Van Buren, County of Wayne, Michigan.

Section 2. A regular meeting of the board of directors will be held at 2:00 PM on the second Tuesday of every other month.

Section 3. Special meetings shall be held whenever called by the direction of the chairperson, director, Supervisor of the Township of Van Buren, or any six (6) members of the board of directors on eighteen (18) hours written notice of the time and place of the meeting.

Section 4. Any six (6) members of the board of directors shall constitute a quorum, and the affirmative or negative vote of six (6) members shall be necessary for the transaction of any and all business or passage or denial of any resolution. Three unexcused absences, by any member, will result in automatic resignation from the LDFA.

Section 5. At meetings of the board of directors, business shall be conducted in accordance with Roberts Rules of Order.

Section 6. Public Comment. Public Comment contains the following imposed regulations:

- The speaker is limited to five (5) minutes;
- There shall be no debate: and
- The speaker is encouraged to provide written copies of his/her comments.

Section 7. Teleconferencing. Any member of the board of directors may attend and participate at a regular or special meeting via teleconferencing. Teleconferencing shall be subject to the following regulations:

- A quorum of the board of directors shall be physically present at the meeting.
- A speaker phone or similar device which allows the public the opportunity to listen and to participate in the meeting shall be provided at the location of the meeting where the members are physically present.
- The telecommuter shall ensure the location they select to telecommute from is quiet and any background noise is limited.
- Meeting minutes shall indicate those physically present and those present through teleconference.
- Requests to participate in a meeting via teleconference shall be made to the Chairperson/designee at least two (2) business days prior to the meeting. The Chairperson/designee shall have discretion to allow or not allow that member to attend via teleconference. The decision of the Chairperson/designee shall be final.
- The member of the board of directors telecommuting and compliant with these regulations shall not be authorized to vote on any items presented to the board of directors. When any members are teleconferencing all votes of the board of directors shall be made via roll call vote to ensure the accuracy of the vote.

ARTICLE IV

Section 1. The chairperson shall preside at meetings of the board of directors and shall do and perform such other duties as may from time to time be assigned to him/her by the board of directors. The vice chairperson shall perform the duties of the chairperson in the chairperson's absence and such other duties as shall from time to time be assigned to him by the board of directors.

Section 2. Director. The board of directors may recommend the employment and compensation of a director, subject to the approval of the Township Board. A member of the board of directors is not eligible to hold the position of director. Before entering upon the duties of his/her office, the director shall take and subscribe to the constitutional oath, and furnish a bond through the Township's existing insurance program by posting a bond in the penal sum determined in the ordinance establishing the Authority, payable to the board of directors, approved by the Township Board, and filed with the Van Buren Township Treasurer. The premium of the bond shall be deemed an operating expense of the Authority, payable from funds available to the board of directors for expenses of operation. The director shall be the executive director of the Authority. Subject to the approval of the LDFA, the director shall supervise, and be responsible for the preparation of plans and performance of the functions of the Authority in the manner authorized by Act 281. The director shall attend meetings of the board of directors, and shall render to the board of directors and to the Township Board of Trustees a regular report covering the activities and financial condition of the Authority. If the director is absent or disabled, the board of directors may designate a qualified person as acting director to perform the duties of the office. Before entering upon the duties of his/her office, the acting director shall take and subscribe to the oath, and furnish a bond, as required of the director. The acting director shall furnish the board of directors with information or reports governing the operation of the Authority as the board of directors requires.

Section 3. All purchasing shall be in compliance with its adopted policy.

Section 4. The LDFA may authorize the director or an agent or agents of the board of directors to enter into any contract or execute and deliver any instrument on behalf of the Authority within the limits authorized by Act 281. The authorization may be general or confined to specific instances.

Section 5. The LDFA may employ such manual, technical, financial and professional assistance as in its judgment may be necessary and is incidental to carry out the purpose of the Authority when funds are available.

Section 6. The fiscal year shall begin with the first day of January and end on the 31st day of December in each year.

Section 7. The LDFA shall have an annual audit of its business and the result thereof shall be submitted to the governing body of the Township. The audit may be completed as part of the regular audit of the Township. This shall be deemed an operating expense of the LDFA.

ARTICLE V

Section 1. The board of directors shall have power to make, alter or amend the bylaws in whole or in part.

Section 2. These bylaws shall become effective upon approval of the Board of Trustees of the Charter Township of Van Buren. Until such approval, the bylaws shall be temporary bylaws for the Authority.



Charter Township of Van Buren

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DATE

TITLE

ADDRESS

CITY, STATE ZIP

RE: CHARTER TOWNSHIP OF VAN BUREN LOCAL DEVELOPMENT FINANCE AUTHORITY INFORMATIONAL MEETINGS

Notice is hereby given that the Charter Township of Van Buren Local Development Finance Authority will hold two (2) informational meetings in accordance with Public Act 57 of 2018, otherwise known as the Recodified Tax Increment Financing Act. Those meetings will be scheduled as follows:

- A. **March 12, 2019 at 2:00 p.m.** during the regular meeting of the Charter Township of Van Buren's Local Development Finance Authority Board of Directors. This meeting will be located at Van Buren Township Hall whose address is 46425 Tyler Road, Van Buren Township, MI 48111.
- B. **September 10, 2019 at 2:00 p.m.** during the regular meeting of the Charter Township of Van Buren's Local Development Finance Authority Board of Directors. This meeting will be located at Van Buren Township Hall whose address is 46425 Tyler Road, Van Buren Township, MI 48111.

Van Buren Township will provide necessary reasonable auxiliary aides and services to individuals with disabilities who are planning to attend. Please contact the Van Buren Township Planning & Economic Development department at 734-699-8913 at least seven (7) days in advance of the meeting if you require assistance.

Thanks,

Ron Akers, AICP
Director of Planning and Economic Development
Charter Township of Van Buren

Posted:

Published:

Mailed: