

**CHARTER TOWNSHIP OF VAN BUREN
LOCAL DEVELOPMENT FINANCE AUTHORITY
SEPTEMBER 11, 2012**

Chairman Dotson called the meeting to order at 2:07p.m.

Roll Call:

Members present: Chairman Dotson, Tyler, Hayes, Armstrong, Leon, Peters and Supervisor White.

Staff Present: Director Carroll and Secretary Grishaber

Absent Excused: Moffitt, Covington, Medlen and Ayer

Mr. Carroll welcomed Marcus Leon from Van Buren Schools to the L.D.F.A. Board.

APPROVAL OF AGENDA:

Motion White, Tyler seconded to approve the agenda for September 11, 2012.

Motion carried.

APPROVAL OF MINUTES:

Motion Tyler, White seconded to approve the Minutes of June 12, 2012 as presented.

Motion carried.

CORRESPONDENCE: None

UNFINISHED BUSINESS: NONE

NEW BUSINESS: Consider Recommendation to Township Board Regarding Visteon

Director Carroll pointed out a Crain's Business article dated August 20, 2012 about the current state of Visteon. The article prompted some concerns from the LDFA Board that it frankly looked like much of Visteon was being sold off. Out of that discussion came the idea that a resolution from this board should be made requesting that the Township Board make the invitation to Visteon to start negotiations. Also to ask what they meant during the settlement of the bankruptcy in terms of their participating in making up the shortfall for the LDFA bonds that were issued towards the construction of Visteon Village. Additionally, in the absence of any meetings or good faith effort on Visteon's part, to begin legal actions which would then put the Township's claims against any of the Visteon assets that are currently being sold on legal record.

Motion by Trustee Peters, second by Supervisor White,

WHEREAS, The Van Buren LDFA has recently been made aware of public disclosures concerning the Visteon Corporation (Visteon) and its near term plans of possibly dissolving itself or being acquired by other companies, as recently reported in the media, including Crain's Detroit Business; and

WHEREAS, The Van Buren LDFA is also aware of problems that surfaced during recent interactions between the Township and Visteon regarding the sale of a portion of its property to Sovereign Partners, LLC; and

WHEREAS, The Van Buren LDFA is further concerned that Visteon's recent conduct is indicative of Visteon's unwillingness to meet its contractual financial obligations to the Charter Township of Van Buren and the bonds issued for the Visteon Project; and

WHEREAS, By Section 10 of P.A. 281 of 1986 the State of Michigan allows for the collection of tax increment revenues under the Van Buren Local Development Finance Authority and as is currently being accomplished to retire the Limited Tax and General Obligation bonds that were issued by the Township to construct the Visteon Project; and

NOW, THEREFORE BE IT RESOLVED, That the Van Buren Local Development Finance Authority encourages the Township to re-open negotiations with Visteon to address these issues to reach an extra-judicial settlement and its citizens, as Visteon has committed to in writing during the time of its bankruptcy proceedings; and

BE IT FURTHER RESOLVED, That the Van Buren Local Development Finance Authority recommends that the Van Buren Township Board of Trustees simultaneously authorize its attorneys to file suit within twenty-one days, including, if appropriate, a request for all appropriate remedies including declaratory and injunctive relief, against Visteon, Sovereign Partners, LLC, and/or other parties which have obligations to Van Buren Township in the event the settlement discussions are not fruitful within twenty-one (21) days.

YEAS: Peters, White, Dotson, Armstrong, Hayes, Leon

Nays: None

ABSTENTIONS: Tyler

Board member Peters, would like to add to the record in support of the resolution a publication which was passed out to each member from The Week dated September 7, 2012 titled "Watch you Munis". More than a quarter of the bad debt arose from "so called Industrial Development bonds" sold to finance specific projects. It's offered into the record as further support for the resolution.

An audience member inquired has there been correspondence with Visteon since the last meeting.

Supervisor White responded stating that Visteon was called but to no avail from Visteon.

Another audience member inquired who might be on the negotiating team.

Chairman Dotson commented that nothing has been decided at this point for a negotiating team; recommendations need to go before the Van Buren Township Board of Trustees.

That same audience member wants on record that the Township needs a strong experienced negotiating team. A group with the expertise required to meet with top powered attorneys for Visteon.

Chairman Dotson commented that the LDFA Boards intent is to have a strong team, strong legal presence and to put together a paper trail where all parties would be held accountable.

Another audience member stated that he has concerns and questions about letting this Co-Generation Plant come into this Grace Lake area what plans Van Buren Township has to help market the office technology building.

Chairman Dotson stated that this authority would continue to look at the use of that site moving forward and any possible changes moving in the future.

GENERAL DISCUSSION: None

AUDIENCE: None

Motion Tyler, Hayes second to adjourn the meeting at 2:35p.m.

Motion Carried.

**Recording Secretary
Tina Grishaber**