

**CHARTER TOWNSHIP OF VAN BUREN  
BOARD MEETING MINUTES  
APRIL 21, 2015**

Supervisor Combs called the meeting to order at 7:00 p.m. in the Board Room. Present: Supervisor Combs, Clerk Wright, Treasurer Budd, Trustee Hart, Trustee Jahr, Trustee McClanahan and Trustee Miller. Others in attendance: Secretary Montgomery, Development Services Director Knowles, DPS Director Taylor, Public Safety Director Laurain, Public Safety (Police) Deputy Director Wright, Public Safety (Fire) Deputy Director Besson and an audience of ninety four (94).

**APPROVAL OF AGENDA:** Budd moved, McClanahan seconded to approve the agenda as presented. Motion Carried.

**CORRESPONDENCE:** Supervisor Combs introduced representatives from the Van Buren Civic Fund who provided a brief overview of the organization and presented the winners of the Earthday Poster Contest. The contest was sponsored by the Van Buren Civic Fund, Van Buren Public Schools Education Foundation the Belleville Area Council for the Arts and Belleville McDonalds.

Public Safety Deputy Director (Fire) Besson introduced the following, recently hired, Paid on call Fire Fighters: Kody Gazdag, Bradley Gudith and Matthew Jovanelly.

Public Safety Director Laurain read a statement addressing recent letters received and published in the local newspaper regarding cross trained officers changes are the best practices for Public Safety and our community.

**APPROVAL OF CONSENT AGENDA:** McClanahan moved, Hart seconded to approve the Consent Agenda. [Special Work Study Session Minutes of April 1, 2015; Closed Session Minutes of April 1, 2015; Special Work Study Session Minutes of April 2, 2015; Work Study Session Minutes of April 6, 2015; Closed Session Minutes of April 6, 2015; Regular Board Meeting Minutes of April 7, 2015; Prepaid List of April 10, 2015; Prepaid List of April 17, 2015; Voucher List of April 21, 2015; Approval of Resolution 2015-14 the Metro Act Right of Way Permit Extension, to AT&T, for a 5 year term ending July 31, 2020 and Approval of Resolution 2015-15 to Authorize Litigation against Visteon Corporation].

Discussion regarding authorization of litigation against Visteon Corporation among Board members focused on the Boards disappointment with Visteon.

**PUBLIC HEARING:** Jahr moved, Hart seconded to open the Public Hearing on the Venetian, Jeanette and Dewitt Road Improvement Special Assessment District at 7:25 p.m. Roll Call Vote. Yeas: Combs, Budd, Wright, Jahr, Hart, McClanahan and Miller. Nays: None. Motion Carried.

Director Knowles explained that this hearing was the first of two Public Hearings required under PA 188 of 1954, as amended, for the creation of the Venetian, Jeanette and Dewitt Road Improvement Special Assessment District. Petitions were filed by property owners representing over 72% of the linear foot frontage of the roads, with the Township, indicating the desire to participate in a special program initiated by Wayne County called a "Partnering Initiative for Local Roads". The County has proposed to pay 80% of the construction funds for improving these roads. The Township will agree to loan the balance of required funds to the Special Assessment District to match the required 20% local funding necessary to construct the project. The funds will be repaid, with interest, by the property owners through collection of an annual Special Assessment. Notices of this Public Hearing were

published in the newspaper of record and mailed to each property owner of record as required. Road improvements will be engineered and inspected by the Township Engineering firm of Wade-Trim. The purpose of this hearing is to accept public input on the creation of the district, the properties to be included and the project in general. Total estimated cost of construction is \$684,814. The total proposed to be paid by the property owners through the Special Assessment District is \$131,309. Each tax parcel is proposed to pay an equal share or 1/46th of the total cost.

Resident commented that these roads are in desperate need of repair, welcomed the opportunity to participate and thanked the Board for their assistance in the process.

Budd moved, Hart seconded to close the Public Hearing at 7:33 p.m. Motion Carried.

**PUBLIC COMMENT:** Resident commented on New Business item #5 [To consider whether or not to contribute additional funds towards the bond refinancing for the Local Development Finance Authority (L.D.F.A.) Tax Increment Refunding Bonds, Series 2015] and urged the Board not to put money down because the reduction that would be achieved was not significant and funds may be needed unforeseen issues in the future.

**UNFINISHED BUSINESS:** None.

**NEW BUSINESS:** Jahr moved, McClanahan seconded to approve the reappointments of Dr. Gerald Graf and Carl Pedersen to the Water & Sewer Commission with terms to expire May 31, 2017. Motion Carried. Board members thanked both applicants for their service and acknowledged the expertise each brings to the commission.

Wright moved, Miller seconded to approve the Lawn Maintenance Contract with Gonczy's Property Maintenance from 2015 through 2017 with options to renew in 2018 and 2019 and authorize the Supervisor and Clerk to execute the agreement. Motion Carried. Gonczy's was the lowest bidder and has performed exemplary service to the Township in the past. Included in the contract is trimming of shrubs and weeding of the senior garden at no charge.

Budd moved, Hart seconded to approve Resolution 2015-11 the Alliance of Downriver Watersheds amended by-laws. Motion Carried. The by-laws were amended to integrate streamlined practices, modified customs, and allow for voting practice changes.

Wright moved, McClanahan seconded to approve the request by Sadek Properties, LLC (Dunkin Donuts) for Special Land use approval for a drive-through restaurant at the BP Service Station, 10950 Belleville Rd. Motion Carried. The car wash will be removed, Quiznos will be eliminated and a Dunkin Donuts drive through will be incorporated.

Supervisor Combs read a short narrative regarding refinancing of a portion of the bonds associated with the Visteon project. In her narrative she pointed out the opportunity for the Township to save nearly two million in interest charges; that both the LDFA and the Board have approved the refinancing; that discussions and informational meetings have occurred and that the benefits of a down payment include: (1) paying down the overall debt, (2) pushing the shortfall out to 2020, (3) when facing Visteon in court we would be able to show we did everything possible to mitigate our damages and, (4) it was stated to the Township that we may find it more difficult to sell the bonds at a desirable rate if we do not make a payment up front. Supervisor Combs stated she favors a down payment because she believes it is the Board's duty to seize the opportunity to decrease the amount of interest paid on the overall debt and that the Township would likely secure a better interest rate on the refinancing. Budd moved, Miller seconded to not contribute any additional funds for the refinancing of the Local Development Finance Authority tax incremental refunding bonds, series 2015. Board members discussed the

following in consideration of not approving a down payment: (1) a down payment would cut reserves in half (2) reducing the reserves is too high a risk, (3) saving the money allows the Township to address the needs of the community while working on a plan "B" (4) the savings do not outweigh the risk, and (5) if we give up the money and something happens we have nothing left to fall back on. Supervisor Combs stated that out of respect for her colleagues she would be voting with them as a unified board. Motion Carried.

Wright moved, Hart seconded to accept the petitions, cost estimates and availability regarding the Venetian, Jeanette and Dewitt Road Improvements, approve Resolution 2015-17 to establish the Venetian, Jeanette and Dewitt Road Special Assessment District and set the second Public Hearing for May 19, 2015. Motion Carried.

Resident addressed the Board with a concern that individuals included in the proposed Special Assessment District had not received answers to questions. Hart moved, McClanahan seconded to reopen the Public Hearing at 8:07 p.m. Roll Call Vote: Yeas: Combs, Wright, Budd, Jahr, Hart, McClanahan and Miller. Motion Carried.

Residents questioned in the event a special assessment district was formed if vacant lots would be included; when the project would start, how long it would take and how residents would be able to get to their homes. Director Knowles explained that vacant parcels would be included; potentially the project could begin in August or September and take approximately 90 days to complete and accessibility to homes and drainage issues would be addressed during the pre-construction meeting. Residents of the proposed district were encouraged to contact Director Knowles with any additional questions. In addition a fact sheet will be mailed to all residents in the district addressing common questions.

Jahr moved, Wright seconded to close the Public Hearing at 8:45 p.m. Motion Carried.

Budd moved, Hart seconded to approve Resolution 2015-18 and schedule a Public Hearing for the next meeting in May (May 19, 2015) to discuss the special assessment district and to tentatively set the roll for 5 years. Motion Carried.

Supervisor Combs recessed the meeting from 8:55 p.m. until 9:05 p.m.

**REPORTS:** Representatives from the Michigan Department of Environmental Quality (M.D.E.Q.) presented the finding of the Technologically Enhanced Naturally Occurring Radioactive Materials (TENORM) report. In August 2014 Governor Snyder directed the DEQ to assemble a panel to provide a technical review of Michigan's disposal guidelines of TENORM to ensure protection of public health and the environment. The report may be reviewed online at: [www.michigan.gov/documents/deq/deq-RMG-TENORM\\_Disposal\\_Advisory\\_Panel\\_White\\_Paper\\_-\\_FINAL\\_481404\\_7.pdf](http://www.michigan.gov/documents/deq/deq-RMG-TENORM_Disposal_Advisory_Panel_White_Paper_-_FINAL_481404_7.pdf)

Residents and audience members expressed concerns regarding reporting; transparency; monitoring; radon leaks; contamination of ground water; health risks; exposure; down blending; and acceptable levels of TENORM in Michigan vs. other states. Board members expressed opposition to Fracking in our community and will meet with State Representatives to determine what course of action can be taken.

**ANNOUNCEMENTS:** Clerk Wright announced that the Clerk's Office will be open on Saturday May 2, 2015 for the purpose of absentee voting and acceptance of absentee ballots. The last day registered voters may vote an absentee ballot is Monday May 4, 2014 before 4:00 p.m.

**AUDIENCE (Non-Agenda Items):** Residents expressed the following: stop the disruptions from the audience; the Board should take steps to regulate Fracking waste by establishing ordinances and thanked the Board for allowing the MDEQ to present the TENORM report at the meeting.

**ADJOURNMENT:** Miller moved, Wright seconded to adjourn at 10:35 p.m. Motion Carried.

Respectfully submitted,

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Leon Wright, Township Clerk

Date: \_\_\_\_\_.

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Linda H. Combs, Township Supervisor

Approved as presented.