

**CHARTER TOWNSHIP OF VAN BUREN BOARD OF TRUSTEES**  
**June 6, 2016 WORK STUDY MEETING**  
**TENTATIVE AGENDA**

**ROLL CALL:**

Supervisor Combs	_____	Trustee McClanahan	_____
Clerk Wright	_____	Trustee Miller	_____
Treasurer Budd	_____	Engineer Nummer	_____
Trustee Hart	_____	Attorney McCauley	_____
Trustee Jahr	_____	Secretary Montgomery	_____

**UNFINISHED BUSINESS: None**

**NEW BUSINESS:**

1. Discussion on the proposed fees for the Medical Marihuana Cultivation Facilities Registration.
2. Discussion on the proposed revisions to the bylaws of the Local Development Finance Authority.

**PUBLIC COMMENT:**

**ADJOURNMENT:**

# Charter Township of Van Buren

## REQUEST FOR BOARD ACTION

Agenda Item: \_\_\_\_\_

**WORK STUDY MEETING DATE: 6/6/16**

**BOARD MTG DATE : 6/7/16**

Consent Agenda \_\_\_\_\_

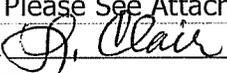
New Business   X  

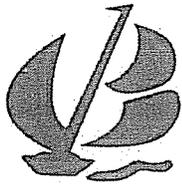
Unfinished Business \_\_\_\_\_

Public Hearing \_\_\_\_\_

<b>ITEM (SUBJECT)</b>	To consider proposed fees for the Medical Marihuana Cultivation Facilities Registration
<b>DEPARTMENT</b>	Planning & Economic Development
<b>PRESENTER</b>	Ron Akers – Director of Planning & Economic Development
<b>PHONE NUMBER</b>	734-699-8913
<b>INDIVIDUALS IN ATTENDANCE (OTHER THAN PRESENTER)</b>	N/A

### Agenda topic

<b>ACTION REQUESTED</b>	To consider the proposed fees with regards to the registration of medical marihuana cultivation facilities in the Township.
<b>BACKGROUND – (SUPPORTING AND REFERENCE DATA, INCLUDE ATTACHMENTS)</b>	At the May 16, 2016 Township Board Work Study staff was directed to prepare a fee schedule and submit it to the Township Board for consideration in conjunction with the proposed registration ordinance. The intent was to have fees in place at the time of the potential ordinance adoption. I have scheduled this item for consideration at back to back board meetings because proposed registration ordinance’s final reading will be considered at the June 7, 2016 meeting. I have attached a letter which outlines my look at other communities fees and an estimated breakdown of potential costs associated with registering and inspecting these facilities.
<b>BUDGET IMPLICATION</b>	Fees will be a General Fund revenue
<b>IMPLEMENTATION NEXT STEP</b>	If approved, staff will record the fees with the Township Clerks Office on the official fee schedule for the Township.
<b>DEPARTMENT RECOMMENDATION</b>	Approval
<b>COMMITTEE/COMMISSION RECOMMENDATION</b>	N/A
<b>ATTORNEY RECOMMENDATION</b>	N/A (May be subject to Attorney/Client Privilege and not available under FOIA)
<b>ADDITIONAL REMARKS</b>	Please See Attached Letter
<b>APPROVAL OF SUPERVISOR</b>	



# Charter Township of Van Buren

## BOARD OF TRUSTEES

SUPERVISOR  
Linda H. Combs

CLERK  
Leon Wright

TREASURER  
Sharry A. Budd

TRUSTEE  
Phillip C. Hart

TRUSTEE  
Jeffrey L. Jahr

TRUSTEE  
Brenda J. McGanahan

TRUSTEE  
Reggie Miller

May 31, 2016

Township Board of Trustees  
46425 Tyler Road  
Van Buren Township, MI 48111

RE: Medical Marihuana Registration Ordinance Proposed Fees

Honorable Trustees,

Based on prior board discussion on the proposed Medical Marihuana Registration Ordinance, I have reviewed other community's fees regarding the registration of medical marihuana cultivation facilities. The following is a summary of that review:

<u>Municipality</u>	<u>Application Fee</u>	<u>Renewal Fee</u>
City of Ypsilanti	\$2,500	\$1,100
City of Inkster	\$10,000	\$10,000
City of Sterling Heights	\$350	\$350
Lansing Township	\$500	\$500
Pittsfield Township	\$2,500	\$2,500
<b>Average:</b>	<b>\$3,170</b>	<b>\$2,890</b>

The above fees vary significantly with a range between \$350 to \$10,000. Typically when determining what we charge for municipal fees we look at what the actual cost of the service provided is. The breakdown of the additional cost of processing the registration applications is as follows:

Application/Renewal Processing:

Estimated Cost of 5 Hours of Total Labor for Deputy Public Safety Director, Planning Director, and Administrative Staff: Sub-Total: \$145

Inspection:

Estimated Cost of 16 Hours of Labor for Building Official, Building Inspector, Fire Marshal, Planning Director, Deputy Public Safety Director, Detective, and Administrative Staff if inspection was conducted: Sub-Total: \$474

Estimated Total Cost of Service: \$619 Per Year

**Proposed Application Fee: \$650 Fee & \$650 Annual Renewal**

If you have any additional questions or would like to discuss this matter further, please feel free to contact me.

Sincerely,

Ron Akers, AICP  
Director of Planning and Economic Development

# Charter Township of Van Buren

## REQUEST FOR BOARD ACTION

Agenda Item: \_\_\_\_\_

**WORK STUDY MEETING DATE: 6/6/16**

**BOARD MTG DATE : 6/21/16**

Consent Agenda \_\_\_\_\_

New Business   X  

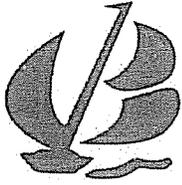
Unfinished Business \_\_\_\_\_

Public Hearing \_\_\_\_\_

<b>ITEM (SUBJECT)</b>	To consider proposed LDFA bylaw revisions.
<b>DEPARTMENT</b>	Planning & Economic Development
<b>PRESENTER</b>	Ron Akers – Director of Planning & Economic Development
<b>PHONE NUMBER</b>	734-699-8913
<b>INDIVIDUALS IN ATTENDANCE (OTHER THAN PRESENTER)</b>	N/A

### Agenda topic

<b>ACTION REQUESTED</b>	To consider the proposed revisions to the bylaws of the Local Development Finance Authority.
<b>BACKGROUND – (SUPPORTING AND REFERENCE DATA, INCLUDE ATTACHMENTS)</b>	<p>The Township’s Local Development Finance Authority (LDFA) has been working on amendments to their bylaws for the past several months. These changes were primarily due to the fact that one of the members of the LDFA resides in New York, NY and has expressed interest in teleconferencing. The following is a summary of the major changes to the bylaws:</p> <ul style="list-style-type: none"> <li>• Article 2, Section 2: Added language regarding membership to be consistent with the LDFA Public Act.</li> <li>• Article 2, Section 4: Added language as to when officers formally take office after elected.</li> <li>• Article 3, Section 6: Removed provisions from Public Comment rules which discussed submission of information before the meeting.</li> <li>• Article 3, Section 7: Added section regarding Teleconferencing to establish rules in order to individuals to attend the meeting via teleconference. These rules were reviewed and deemed acceptable by the Township Attorney.</li> <li>• Throughout Document: General housekeeping and minor adjustments. Mainly changed language to refer to the LDFA board as the “board of directors” as opposed to “Authority.” “Board of directors” is the body's name in the LDFA Act.</li> </ul> <p>I have attached a clean version and a marked-up version of the bylaws for your review. If you have any additional questions or would like to discuss this matter further, please feel free to contact me.</p>
<b>BUDGET IMPLICATION</b>	None
<b>IMPLEMENTATION NEXT STEP</b>	If approved, staff will record the amended bylaws with the Township Clerks Office.
<b>DEPARTMENT RECOMMENDATION</b>	Approval
<b>COMMITTEE/COMMISSION RECOMMENDATION</b>	Approval at their 5-10-16 Regular Meeting
<b>ATTORNEY RECOMMENDATION</b>	N/A (May be subject to Attorney/Client Privilege and not available under FOIA)
<b>ADDITIONAL REMARKS</b>	Please See Attached Letter
<b>APPROVAL OF SUPERVISOR</b>	



# Charter Township of Van Buren

## BOARD OF TRUSTEES

SUPERVISOR  
Linda H. Combs

CLERK  
Leon Wright

TREASURER  
Sherry A. Budd

TRUSTEE  
Phillip C. Hart

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Jeffrey L. Jahr

TRUSTEE  
Brenda J. McCannan

TRUSTEE  
Reggie Miller

May 31, 2016

Township Board of Trustees  
46425 Tyler Road  
Van Buren Township, MI 48111

RE: LDFA Bylaw Revision

Honorable Trustees,

The Township's Local Development Finance Authority (LDFA) has been working on amendments to their bylaws for the past several months. The following is a summary of the major changes to the bylaws:

- Article 2, Section 2: Added language regarding membership to be consistent with the LDFA Public Act.
- Article 2, Section 4: Added language as to when officers formally take office after elected.
- Article 3, Section 6: Removed provisions from Public Comment rules which discussed submission of information before the meeting.
- Article 3, Section 7: Added section regarding Teleconferencing to establish rules in order to individuals to attend the meeting via teleconference. These rules were reviewed and deemed acceptable by the Township Attorney.
- Throughout Document: General housekeeping and minor adjustments. Mainly changed language to refer to the LDFA board as the "board of directors" as opposed to "Authority." "Board of directors" is the bodies name in the LDFA Act.

I have attached a clean version and a marked-up version of the bylaws to this letter for your review. If you have any additional questions or would like to discuss this matter further, please feel free to contact me.

Sincerely,

Ron Akers, AICP  
Director of Planning and Economic Development

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 23. 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.

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Section 43. The Authority 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. ~~One~~ A regular meeting of the Authority board of directors meeting 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 Authority on eighteen (18) hours written notice of the time and place of the meeting.

Section 4. Any six (6) members of the Authority-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 Authority-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;
- ~~The speaker is encouraged to give his/her name and subject to the Developmental Services Planning and Economic Development Department forty-eight (48) hours prior to the public Authority meeting;~~
- ~~Individuals who have not submitted a request prior to the meeting will submit in writing their name and desire to address the Authority during the meeting;~~
- 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.
- The member of the board of directors telecommuting and compliant with these regulations shall 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.

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#### ARTICLE IV

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

Section 2. Director. The LDFA ~~Authority~~ board of directors may recommend the employment and compensation of a director, subject to the approval of the Township Board. A member of the ~~Authority~~ 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~~ Authority, payable to the ~~Authority~~ 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~~ Authority, payable from funds available to the ~~board of directors~~ Authority for expenses of operation. The director shall be the executive director of the ~~Authority~~ 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~~ Authority in the manner authorized by Act 281. The director shall attend meetings of the ~~board of directors~~ board of directors ~~Authority~~, and shall render to the ~~board of directors~~ board of directors ~~Authority~~ 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~~ board of directors ~~Authority~~ 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~~ board of directors ~~Authority~~ with information or reports governing the operation of the Authority as the ~~board of directors~~ board of directors ~~Authority~~ 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~~ board of directors ~~Authority~~ 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 31<sup>st</sup> 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~~ board of directors ~~Authority~~ 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.

Bylaws Adopted  
Feb 11, 2014  
Revising Bylaws  
adopted Feb. 14, 2012

LOCAL DEVELOPMENT FINANCING AUTHORITY  
OF THE  
CHARTER TOWNSHIP OF VAN BUREN

BY LAWS

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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.

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