

**CHARTER TOWNSHIP OF BANGOR
DOWNTOWN DEVELOPMENT AUTHORITY
MINUTES**

The regular August meeting of the Charter Township of Bangor Downtown Development Authority was held on August 3, 2015, commencing at 8:00 AM, prevailing time at the offices of the Township pursuant to notice.

Present: J. Barcia, B. Behmlander, L. Newton, D. Kula (at 8:06 AM), K. Lange, J. Rivet and T. Thelen (at 8:24 AM)

Absent: B. Goik and D. Leitermann

Also present: K. Wardynski and W. Darbee

The Chairman called the meeting to order at 8:00 AM after determining that a quorum was present by roll.

The Chairman then asked if there was any person in attendance who wanted to address the Board. The Chairman noted that no one made a request and so he moved onto the next order of business.

The Chairman requested acceptance of the May 4, 2015 regular meeting minutes and minutes of a special meeting of July 1, 2015. Mr. Barcia moved that the both the May 4, 2015 and July 1, 2015 regular and special meeting minutes be accepted as circulated with the agenda. Mr. Newton, seconded the motion. The Chairman called for questions on the motion and hearing none the Chairman then called for discussion on the motion. Again hearing no discussion on the motion, the Chairman called for a vote on the motion. The motion passed five votes in favor, zero votes against to accept the minutes of the May 4, 2015 regular meeting minutes as circulated with the agenda.

Mr. Kula arrived.

The Chairman then asked the Treasurer to review the quarterly report. Ms. Wardynski noted that the Debt Retirement & Projects Fund has a cash balance as of August 3, 2015 of \$951,280.43 after approved payments of \$2,184.45 which were reviewed. She reported that the DDA Authority Fund has a cash balance as of August 3, 2015 of \$644.05 after payment of pre-approved payments to Weinlander Fitzhugh and the Bay City Democrat totaling \$1,944.00 and following approval of the attorney's itemized statement of \$4,266.50. Mr. Newton moved to pay the bills and to receive the Treasurer's report. Mr. Barcia

seconded the motion. The Chairman called for questions on the motion and hearing none, he then called for discussion on the motion. The Chairman hearing no request for discussion on the motion, called for a vote on the motion. The Motion passed six votes in favor, zero votes against to receive the report of the Treasurer and pay the bills as presented. Mr. Lange moved to receive the budget documentation of 7/30/2015. Ms. Behmlander seconded the motion. The Chairman called for questions on the motion and hearing none, he then called for discussion on the motion. The Chairman hearing no request for discussion on the motion, called for a vote on the motion. The Motion passed six votes in favor, zero votes against to receive the report of the Treasurer and pay the bills as presented.

The Treasurer stated that budget adjustments will be needed to balance the budgets for calendar year 2015 at the next meeting.

The Chairman provided an update on the DeShano Companies, Inc. project. He provided the mitigation history of the area from purchase by Dr. Shresta through to the current issue of trying to secure the fill permit.

Mr. Thelen arrived.

The Chairman stated that groundbreaking initially set for April is still in limbo as of this meeting. The Chairman stated that pursuant to the resolution adopted in the July 1, 2015 special meeting that he did in fact designate Joseph Rivet to manage this project and to represent the DDA regarding the Niswander Land Management Plan including the stewardship aspects of the mitigated area. Mr. Rivet is authorized to work directly with Niswander, and others, make decisions on behalf of the DDA, and assist where appropriate to result in a fill permit. Niswander will remain the DDA Agent for the Land Management Plan. Jim Barcia can provide information regarding the outcome of the June 23, 2015 MDEQ meeting in Lansing.


Mr. Rivet stated that the time for comments has now expired and it may be just a few days for the MDEQ to approve the process of issuing the fill permit since they were unable to proceed without the time limitation expiring.

The Chairman noted that Tri City Brewing Company has received a draft of a Development Agreement as prepared by Mr. Darbee in accord with the July 1 special meeting minutes. It is likely that they will execute same and when it is returned to him that he will execute it on behalf of the DDA.

The Chairman asked if the attorney had any report. He stated he had passed out a proposed resolution which would adopt procedures and format for the newly enacted Freedom of Information Act, which he recommended the DDA adopt. Mr. Lange moved for adoption of the resolution, a copy of which is attached to these minutes. Mr. Rivet seconded the motion. The Chairman called for questions on the motion and hearing none, he then called for discussion on the motion. The Chairman hearing no request for discussion on the motion, called for a vote on the motion. The Motion passed seven votes in favor, zero votes against to adopt the FOIA guidelines and procedures and appoint Barb Potts as the FOIA coordinator as she is the coordinator for the Township Board.

The Chairman hearing no request for further business adjourned the meeting at 8:58 AM.

Respectively submitted,



William H. Darbee,
Recording Secretary

RESOLUTION

Motion by K. Lange
Support by J. Rivet

Whereas, the State of Michigan has revised the Freedom of Information Act effective as of July 1, 2015; and

Whereas, certain Freedom of Information Act guidelines and procedures have been presented by counsel for the DDA; and

Whereas, it is the recommendation of counsel to adopt the Freedom of Information Act guidelines and procedures and to appoint a FOIA Coordinator in accord with the guidelines and procedures;

NOW THEREFORE

1. Be it resolved that the guidelines and procedures presented by counsel for adoption are hereby adopted.
2. Be it resolved that as Barb Potts is the Township Board FOIA Coordinator, that Barb Potts be appointed as the FOIA Coordinator for the Bangor Township Downtown Development Authority.

Yeas: J. Barcia, B. Behmlander, L. Newton, D. Kula (at 8:06 AM), K. Lange, J. Rivet and T. Thelen (at 8:24 AM)

Nays: None

Absent: B. Goik and D. Leitermann

Resolution declared adopted.