

**ORDINANCE NO. \_\_\_\_\_**

**ORDINANCE AMENDING THE VILLAGE OF PINCKNEY CODE OF  
ORDINANCES BY AMENDING TITLE III, ADMINISTRATION;  
CHAPTER 31, VILLAGE ORGANIZATIONS**

**The Village of Pinckney ordains:**

**Section 1.** TITLE III, *ADMINISTRATION*; CHAPTER 31, *VILLAGE ORGANIZATIONS*, *DOWNTOWN DEVELOPMENT AUTHORITY*, §31.32, *BOARD OF DIRECTORS*, of the Village of Pinckney Code of Ordinances is hereby amended to read as follows:

**§ 31.32 BOARD OF DIRECTORS.**

The Authority shall be under the supervision and control of the Board. As authorized by MCL 125.1654(8), the Village Planning Commission, as established pursuant to Village of Pinckney Code of Ordinances § 31.32, as amended, shall serve as the Downtown Development Authority Board of Directors.

**Section 2.** TITLE III, *ADMINISTRATION*; CHAPTER 31, *VILLAGE ORGANIZATIONS*, *MISCELLANEOUS ORGANIZATIONS*, § 31.46, *PLANNING COMMISSION*, Subsection (F), *Powers and duties of Pinckney Planning Commission*, of the Village of Pinckney Code of Ordinances is hereby amended to read as follows:

(F) *Powers and duties of Pinckney Planning Commission.* The Pinckney Planning Commission shall have the powers concerning the preparation and adoption of a master plan or any part thereof, the making of surveys as a basis for the plan, the approval of public improvements, the carrying out of educational and publicity programs, zoning and the approval of plans and the other rights, powers, duties and responsibilities of Zoning and Planning Commissions as are provided in Act 33 of 2008, being MCL §§ 125. 3801 through 125. 3885, as amended; and in Act 110 of 2006, being MCL §§ 125. 3101 through 125. 3702, as amended; and as provided in Village of Pinckney Code of Ordinances, as amended, including within Chapter 152: ZONING. The Pinckney Planning Commission shall also serve as the Downtown Development Authority Board of Directors and shall have all powers rights, powers, duties and responsibilities as are provided in Act 197 of 1975, being MCL §§ 125.1651 through 125.1681, as amended, and as provided in Village of Pinckney Code of Ordinances §§ 31.25 through 31.33, and § 153.01, as amended.

**Section 3. Repealer Clause.** Any ordinances or parts of ordinances in conflict herewith are hereby repealed only to the extent necessary to give this Ordinance full force and effect.

**Section 4. Savings Clause.** This ordinance shall in no manner affect pending litigation, either civil or criminal, founded or growing out of any ordinance, resolution, order or

parts thereof, hereby repealed, and this ordinance shall in no manner affect any rights, claims, privileges, immunities or causes of action of the Village, County or other person, either criminal or civil, that may have already occurred, accrued or grown out of any ordinance, resolution, order or policy, or any part thereof, hereby repealed. This Ordinance shall in no manner affect pending litigation, either civil or criminal, founded or growing out of any Ordinance, Resolution, Order or parts thereof, hereby repealed.

**Section 5.     Validity and Severability.** Should any portion of this Ordinance be found invalid for any reason, such a holding shall not be construed as affecting the validity of the remaining portions of the Ordinance.

**Section 6.     Effective Date.** This Ordinance shall be effective twenty (20) days after its passage, or from and after its publication, whichever is later.

\_\_\_\_\_  
Linda E. Lavey, Village President

\_\_\_\_\_  
Amy Salowitz, Village Clerk

Village Council Member \_\_\_\_\_ offered the foregoing Ordinance, and moved its adoption. The motion was seconded by Village Council Member \_\_\_\_\_, and upon being put to a vote, the vote was as follows:

Linda E. Lavey, President	_____
William Burwell, Trustee	_____
Rebecca Foster, Trustee	_____
Robert MacDonald, Trustee	_____
Heather R. Menosky, Trustee	_____
Jessica Nicholson, Trustee	_____
Thomas F. Pais, Trustee	_____

The President thereupon declared this Ordinance approved and adopted by the Village Council of the Village of Pinckney this \_\_\_\_ day of \_\_\_\_\_, 2016.

I hereby certify that the foregoing constitutes a true and complete copy of Ordinance No. \_\_\_\_\_ adopted by the Village Council of the Village of Pinckney, County of Livingston, Michigan, at a regular meeting held on \_\_\_\_\_, 2016.

\_\_\_\_\_  
Amy Salowitz, Village Clerk

## § 31.32 BOARD OF DIRECTORS.

The Authority shall be under the supervision and control of the Board. ~~The Board shall consist of the Chief Executive Officer and eight members. Members are to be appointed by the Chief Executive Officer, subject to approval by the Council. Not less than a majority of the members shall be persons having an interest in property located in the Downtown District. Not less than one of the members shall be a resident of the Downtown District, if the Downtown District has 100 or more persons residing within it. Members shall be appointed to serve for a term of four years, except that of the members first appointed, an equal number as near as is practicable shall be appointed for a term of one year, two years, three years and four years. An appointment to fill a vacancy shall be made by the Chief Executive Officer for the unexpired term, subject to approval by the Council. Members of the Board shall serve without compensation, but may be reimbursed for actual and necessary expenses. The Chairperson of the Board shall be elected by the Board as a whole, and the Board shall adopt bylaws governing its procedures subject to the approval of the Council.~~ As authorized by MCL 125.1654(8), the Village Planning Commission, as established pursuant to Village of Pinckney Code of Ordinances § 31.32, as amended, shall serve as the Downtown Development Authority Board of Directors.

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## § 31.46 PLANNING COMMISSION.

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(F) *Powers and duties of Pinckney Planning Commission.* The Pinckney Planning Commission shall have the powers concerning the preparation and adoption of a master plan or any part thereof, the making of surveys as a basis for the plan, the approval of public improvements, the carrying out of educational and publicity programs, zoning and the approval of plans and the other rights, powers, duties and responsibilities ~~as are provided in §§ 6 to 15 of Public Act 285 of 1931, being M.C.L.A. §§ 125.31 through 125.45, as amended~~ of Zoning and Planning Commissions as are provided in Act 33 of 2008, being MCL §§ 125. 3801 through 125. 3885, as amended; and in Act 110 of 2006, being MCL §§ 125. 3101 through 125. 3702, as amended, and as provided in Village of Pinckney Code of Ordinances, as amended, including within Chapter 152: ZONING. The Pinckney Planning Commission shall also serve as the Downtown Development Authority Board of Directors and shall have all powers rights, powers, duties and responsibilities as are provided in Act 197 of 1975, being MCL §§ 125.1651 through 125.1681, as amended, and as provided in Village of Pinckney Code of Ordinances §§ 31.25 through 31.33, and § 153.01, as amended.

**Village of Pinckney  
Downtown Development Authority**

***Tax Increment Financing Plan***

March 2004

**Village Council**

*President*

Patrick Dewey

*Village Council*

Hal Forgie

Rebecca Foster

Carol Norman

James Shay

**Downtown Development Authority**

Marlena Stokes, Chairperson

Tom Benedetti

John Calvert

Mary Jo Cartwright

Kevin MacRitchie

Renee MacRitchie

Dave Massey

Carol Norman

Lee Stokes

Fred Zello

**VILLAGE OF PINCKNEY  
DOWNTOWN DEVELOPMENT AUTHORITY  
TAX INCREMENT FINANCING PLAN**

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**VILLAGE OF PINCKNEY  
DOWNTOWN DEVELOPMENT AUTHORITY  
TAX INCREMENT FINANCING PLAN**

**1. Definitions as Used in This Plan.**

- a. "Captured Taxable Value" (the "CTV") means the amount in any one (1) year by which the current taxable value, including the taxable value of property for which specific local taxes are paid in lieu of property taxes as determines, exceeds the initial taxable value.
- b. "Initial Taxable Value" (the "ITV") means the taxable value, as equalized, of all the taxable property within the boundaries of the development area the time the ordinance establishing the tax increment-financing plan is approved as shown by the most recent assessment roll of the municipality for which the equalization has been completed at the time the resolution is adopted. Property exempt from taxation at the time of the determination of the initial taxable value shall be included as zero. For the purpose of determining initial taxable value, property for which a specific local tax is paid in lieu of a property tax shall not be considered to be property that is exempt from taxation. The initial taxable value of property for which a specific local tax was paid in lieu of a property tax shall be determines as provided in the subdivision (c.) below.
- c. "Specific Local Taxes" mean a tax levied under Act 198 of the Public Acts of 1974, being sections 207.551 to 207.571 of the Michigan Compiled Laws, the commercial redevelopment act, Act No. 225 of the Public Acts of 1978, being section 207.651 to 207.668 of the Michigan Compiled Laws, the technology park development act, Act No. 385 of the Public Acts of 1984, being sections 207.701 to 207.718 of the Michigan Compiled Laws and Act No. 189 of the Public Acts of 1953, being sections 211.181 and 211.182 of the Michigan Compiled Laws. The initial taxable value or current taxable value of property subject to specific local tax shall be the quotient of the specific local tax paid divided by the ad valorem millage rate.
- d. "Tax Increment Revenues" means the amount of ad valorem property taxes and specific local taxes attributable to the application of the levy of all taxing jurisdictions upon the capture of taxable value of real and personal property in the development area subject to require specified in Act No. 179 of the Public Acts of 1975, as amended.

**2. Purpose of the Tax Increment Financing Plan**

The Village of Pinckney Downtown Development Authority District was established pursuant to Ordinance 41, as adopted 4/22/91 and amended 1/25/93, because the Village experienced notable property value deterioration in various locations

throughout the community. In order to halt property tax value deterioration, increase property tax valuations and facilitate the overall economic growth of its business district, it is deemed to be beneficial and necessary to create and provide for the operation of a Downtown Development Authority in the City under the provisions of Act 179 Public Acts of Michigan, 1975 as amended (the "Act")

The "Downtown Development Authority Act" authorizes the Authority to prepare a Tax Increment Financing Plan (the "Plan"), which includes the Development Plan, a detailed explanation of the tax increment procedures, the maximum amount of bonded indebtedness to be incurred or reimbursed, duration of the program, the impact of tax increment financing on the taxable values of all taxing jurisdictions in which the development area is located, and a statement of the portion of the captured taxable value to be used by the Authority. The benefits of using tax increment financing as a method to finance district improvements is that all local units of government levying taxes within the Village of Pinckney contribute to the revitalization of the business district. Prior to legislative authorization of tax increment financing, only the municipality provided tax revenues for revitalization activities while the other taxing authorities shared in the benefits of the revitalization efforts. The Village of Pinckney deems it to be in the best interest of the Village and the Downtown Development District to adopt the 2001 Tax Increment Financing Plan for the Downtown Development District.

### **3. Explanation of the Tax Increment Procedure**

The theory of tax increment financing holds that investment in necessary capital improvements in a designated area within a municipality will result in greater property tax revenues from that area than would otherwise occur if no special development were undertaken. This section is intended to explain the tax increment procedure.

- a. In order to provide a Downtown Development Authority with the means of financing development proposals, the Act affords the opportunity to undertake tax increment financing of development programs. These programs must be identified in a tax increment-financing plan, which has been approved by the governing body of municipality. Tax increment financing permits the Authority to capture incremental tax revenues attributable to increases in value of real and personal property value may be attributable to new construction, rehabilitation, remodeling, alterations, additions or any other factors that cause growth in value.
- b. At the time the resolution or ordinance establishing a tax increment-financing plan is adopted, the sum of the most recently taxable values, as equalized, of those taxable properties located within the development area is established as the "Initial Taxable Value" (the "ITV"). Property exempt from taxation at the time of determination of the initial Taxable value is included as zero. In each subsequent year, the total real and personal

property within the district, including abated property on separate rolls, is established as the "Current Taxable Value."

- c. The amount by which the total taxable value exceeds the ITV is the Captured Taxable Value (the "CTV"). During the period in which a tax increment-financing plan is in effect, local taxing jurisdictions continue to receive ad valorem taxes based on the ITV. Property taxes paid on a predetermined portion of the CTV in years subsequent to the adoption of tax increment financing plan, however, are payable to an authority for the purposes established in the tax increment financing plan.

#### **4. Taxing Jurisdiction Agreements**

Tax increment revenues for the Downtown Development Authority ("DDA") result from the application of the general tax rates of the incorporated municipalities and all other political subdivisions, which levy taxes in the development area to the captured taxable value. Since the Plan may provide for the use of all or part of the captured tax increment revenue, the DDA may enter into agreements with any of the taxing units to share a portion of the revenue of the District.

The Authority intends to utilize all captured revenue, as referenced in Table 4, from the District until the projects addressed in the Development Plan are completed and until any bonded indebtedness is paid, whichever is the later occurrence.

#### **5. Property Valuations and Captured Revenue**

The property valuation on which tax increment revenues will be captured is the difference between the Initial Assessed Valuation and the Current Assessed Valuation. The purpose of this section is to set forth the Initial Assessed Valuation, the projected Captured Assessed Valuation and the anticipated increment revenues to be received by the Authority from the local taxing jurisdictions, including the Village of Pinckney, Putnam Township, Livingston County, and any other authorities or special tax districts that may be eligible to levy property taxes within the boundaries of the Downtown Development Authority, herein collectively referred to as the "Local Taxing Jurisdictions."

- a. The Initial Assessed Valuation is established based on the 2000 taxable valuations on real and personal property and on all non-exempt parcels within that portion of the Development Area as December 31, 2000. The Initial Assessed Valuation of the Authority is set forth below. Both real and personal property are subject to capture in this plan.

**Table 1**  
**Initial Assessed Valuation**

<b>INITIAL ASSESSED VALUE</b>	<b>Base Year 2000</b>
Total Real Property	\$5,739,080
Total Personal Property	\$295,600
Total Property Value	\$6,034,680

- b. The anticipated Captured Taxable value is equivalent to the annual total taxable value, within the Development Area boundaries, less the Initial taxable value as described above. The tax increment revenues are then the product of all millages levied by all taxing units in the Development Area on the CTV. The CTV is projected based on a number of factors including historical growth patterns, recent construction trends, economic indicators and the impact of certain development projects anticipated to be undertaken by the Downtown Development Authority. For projection purposes, the annual growth rate for the remainder of the forecast (2003 – 2041) is factored at 2.75% for real property and 0.25% for personal property. A more detailed depiction of the Captured Taxable Valuations can be found in Table 3.
- c. The Authority will receive that portion of the tax levy of all taxing jurisdictions paid each year on the Captured Taxable Value of the eligible property include in the Development Area. The Authority may use the revenues for any legal purpose as is established under the Act including the payment of principal and interest on bonds.

The Treasurer will collect the general property taxes from property owners in the development area district. After taxes are collected, the Treasurer will deduct that portion of the total tax revenues that is derived from captured taxable value within the development area and distribute them to the DDA to use for purposes outlined in the development plan and in Section 7, Use of Captured Revenues, below. A review of the 2000 millage rates for all Local Taxing Jurisdictions in the development area is as set forth in Table 2.

**Table 2**  
**Anticipated Millage to be Captured**

Year	Pinckney Village	Livingston County	Putnam Township		Total Millage
			Operating and Fire	Library	
2001*	11.2246	4.2368	2.6992	1.3198	19.4804
2002*	11.1072	4.2215	2.6577	0.9280	18.9144
2003	9.6309*	4.2215	2.6577	0.9280	18.9144
2004	9.4143*	4.2215	2.6577	0.9280	18.9144
2005	9.4143	4.2215	2.6577	0.9280	18.9144
2006	9.4143	4.2215	2.6577	0.9280	18.9144
2007	9.4143	4.2215	2.6577	0.9280	18.9144
2008	9.4143	4.2215	2.6577	0.9280	18.9144
2009	9.4143	4.2215	2.6577	0.9280	18.9144
2010	9.4143	4.2215	2.6577	0.9280	18.9144
2011	9.4143	4.2215	2.6577	0.9280	18.9144
2012	9.4143	4.2215	2.6577	0.9280	18.9144

\* Based on actual data from the Village of Pinckney and Putnam Township

**Table 3**  
**Anticipated Captured Taxable Valuation**

Base Year	Year	Real Property Taxable	Personal Property Taxable	Total Property Taxable	Captured Real Taxable	Captured Personal Taxable	Captured Total Taxable
0	2000						
1*	2001	6,535,740	566,410	7,102,150	\$796,660	\$270,810	1,067,470
2*	2002	6,939,470	703,650	7,643,120	1,200,390	408,050	1,608,440
3*	2003	9,519,280	1,612,120	11,131,400	3,780,200	1,316,520	5,096,720
4*	2004	9,603,601	1,641,489	11,245,090	3,864,521	1,345,889	5,210,410
5	2005	9,867,700	1,645,593	11,513,293	4,128,620	1,349,993	5,478,613
6	2006	10,139,062	1,649,707	11,788,768	4,399,982	1,354,107	5,754,088
7	2007	10,417,886	1,653,831	12,071,717	4,678,806	1,358,231	6,037,037
8	2008	10,704,378	1,657,966	12,362,343	4,965,298	1,362,366	6,327,663
9	2009	10,998,748	1,662,110	12,660,859	5,259,668	1,366,510	6,626,179
10	2010	11,301,214	1,666,266	12,967,480	5,562,134	1,370,666	6,932,800
11	2011	11,611,997	1,670,431	13,282,429	5,872,917	1,374,831	7,247,749
12	2012	11,931,327	1,674,607	13,605,935	6,192,247	1,379,007	7,571,255
13	2013	12,259,439	1,678,794	13,938,233	6,520,359	1,383,194	7,903,553
14	2014	12,596,573	1,682,991	14,279,564	6,857,493	1,387,391	8,244,884
15	2015	12,942,979	1,687,198	14,630,177	7,203,899	1,391,598	8,595,497

Base Year	Year	Real Property Taxable	Personal Property Taxable	Total Property Taxable	Captured Real Taxable	Captured Personal Taxable	Captured Total Taxable
16	2016	13,298,911	1,691,416	14,990,327	7,559,831	1,395,816	8,955,647
17	2017	13,664,631	1,695,645	15,360,276	7,925,551	1,400,045	9,325,596
18	2018	14,040,408	1,699,884	15,740,292	8,301,328	1,404,284	9,705,612
19	2019	14,426,519	1,704,134	16,130,653	8,687,439	1,408,534	10,095,973
20	2020	14,823,249	1,708,394	16,531,643	9,084,169	1,412,794	10,496,963
21	2021	15,230,888	1,712,665	16,943,553	9,491,808	1,417,065	10,908,873
22	2022	15,649,738	1,716,947	17,366,684	9,910,658	1,421,347	11,332,004
23	2023	16,080,105	1,721,239	17,801,344	10,341,025	1,425,639	11,766,664
24	2024	16,522,308	1,725,542	18,247,850	10,783,228	1,429,942	12,213,170
25	2025	16,976,672	1,729,856	18,706,528	11,237,592	1,434,256	12,671,848
26	2026	17,443,530	1,734,181	19,177,711	11,704,450	1,438,581	13,143,031
27	2027	17,923,227	1,738,516	19,661,743	12,184,147	1,442,916	13,627,063
28	2028	18,416,116	1,742,863	20,158,978	12,677,036	1,447,263	14,124,298
29	2029	18,922,559	1,747,220	20,669,779	13,183,479	1,451,620	14,635,099
30	2030	19,442,930	1,751,588	21,194,517	13,703,850	1,455,988	15,159,837
31	2031	19,977,610	1,755,967	21,733,577	14,238,530	1,460,367	15,698,897
32	2032	20,526,994	1,760,357	22,287,351	14,787,914	1,464,757	16,252,671
33	2033	21,091,487	1,764,757	22,856,244	15,352,407	1,469,157	16,821,564
34	2034	21,671,503	1,769,169	23,440,672	15,932,423	1,473,569	17,405,992
35	2035	22,267,469	1,773,592	24,041,061	16,528,389	1,477,992	18,006,381
36	2036	22,879,824	1,778,026	24,657,851	17,140,744	1,482,426	18,623,171
37	2037	23,509,020	1,782,471	25,291,491	17,769,940	1,486,871	19,256,811
38	2038	24,155,518	1,786,928	25,942,445	18,416,438	1,491,328	19,907,765
39	2039	24,819,794	1,791,395	26,611,189	19,080,714	1,495,795	20,576,509
40	2040	25,502,339	1,795,873	27,298,212	19,763,259	1,500,273	21,263,532
41	2041	26,203,653	1,800,363	28,004,016	20,464,573	1,504,763	21,969,336

\* Based on actual data from the Village of Pinckney and Putnam Township

**Table 4**  
**Anticipated Captured Revenue**

Base Year	Year	Total Captured Taxable	Total Millage Real & Personal Property	Total Captured Revenues	Total Accumulated Revenues
0	2000				
1	2001*	1,067,470	18.9144	\$20,795	\$20,795
2	2002*	1,608,440	18.9144	\$30,423	51,217
3	2003	5,096,720	18.9144	\$96,401	147,619
4	2004	5,210,410	18.9144	\$98,552	246,171
5	2005	5,478,613	18.9144	\$103,625	349,795
6	2006	5,754,088	18.9144	\$108,835	458,630
7	2007	6,037,037	18.9144	\$114,187	572,817
8	2008	6,327,663	18.9144	\$119,684	692,501
9	2009	6,626,179	18.9144	\$125,330	817,831
10	2010	6,932,800	18.9144	\$131,130	948,961
11	2011	7,247,749	18.9144	\$137,087	1,086,048
12	2012	7,571,255	18.9144	\$143,206	1,229,254
13	2013	7,903,553	18.9144	\$149,491	1,378,745
14	2014	8,244,884	18.9144	\$155,947	1,534,692
15	2015	8,595,497	18.9144	\$162,579	1,697,270
16	2016	8,955,647	18.9144	\$169,391	1,866,661
17	2017	9,325,596	18.9144	\$176,388	2,043,049
18	2018	9,705,612	18.9144	\$183,576	2,226,625
19	2019	10,095,973	18.9144	\$190,959	2,417,584
20	2020	10,496,963	18.9144	\$198,544	2,616,128
21	2021	10,908,873	18.9144	\$206,335	2,822,463
22	2022	11,332,004	18.9144	\$214,338	3,036,801
23	2023	11,766,664	18.9144	\$222,559	3,259,360
24	2024	12,213,170	18.9144	\$231,005	3,490,365
25	2025	12,671,848	18.9144	\$239,680	3,730,046
26	2026	13,143,031	18.9144	\$248,593	3,978,638
27	2027	13,627,063	18.9144	\$257,748	4,236,386
28	2028	14,124,298	18.9144	\$267,153	4,503,538
29	2029	14,635,099	18.9144	\$276,814	4,780,353
30	2030	15,159,837	18.9144	\$286,739	5,067,092
31	2031	15,698,897	18.9144	\$296,935	5,364,027
32	2032	16,252,671	18.9144	\$307,410	5,671,436
33	2033	16,821,564	18.9144	\$318,170	5,989,606
34	2034	17,405,992	18.9144	\$329,224	6,318,830
35	2035	18,006,381	18.9144	\$340,580	6,659,410
36	2036	18,623,171	18.9144	\$352,246	7,011,656

37	2037	19,256,811	18.9144	\$364,231	7,375,887
38	2038	19,907,765	18.9144	\$376,543	7,752,431
39	2039	20,576,509	18.9144	\$389,192	8,141,623
40	2040	21,263,532	18.9144	\$402,187	8,543,810
41	2041	21,969,336	18.9144	\$415,537	8,959,347

\* Based on actual data from the Village of Pinckney and Putnam Township

## **6. Maximum Indebtedness**

The maximum amount of indebtedness to be incurred by the DDA will be limited to only those projects identified in the Development Plan and will be limited by the annual revenues available to Downtown Development Authority for bond interests and principal payments. This amount may vary depending on the size of the Development Area District, the type and intensity of development and redevelopment, and the balance of indebtedness owed by the DDA on previous bond issues or loans. A description of the various projects, and the actual amounts expected to be financed, are as set forth in the Development Plan. Revenues captured will be used to accomplish projects in the Development Area.

## **7. Use of Captured Revenues**

Revenues captured through this Tax Increment Financing Plan will be used to finance those improvements and projects outlined in the Development Plan in accordance with procedures specified in this Plan. Further, captured revenues can be used to finance current financial obligations of the DDA, to pay for costs associated with the administration and operation of the Development and Tax Increment Plans, and to pay for costs approved and incurred by the Village/DDA in implementing both the Development Plan and the Tax Increment Financing Plan, including the preparation of a conceptual downtown design plan, market study, zoning ordinance, business recruitment program, property acquisition/disposition plan, and a special events programs.

## **8. Duration of the Program**

The 2000 Development Plan and Tax Increment Financing Plan shall extend through December 31, 2041.

## **9. Plan Impact on Local Taxing Jurisdictions**

The Authority recognizes that future development and continued enhancements in the DDA business area will not be likely in the absence of tax increment financing. The Authority also recognizes that enhancement of the value of nearby property will indirectly benefit all local governmental units included in this plan. It is expected that the effected local taxing jurisdictions will experience a gain in property tax revenues from improvement made in the Development Area during the duration of the plan

and should realize increased property tax revenues thereafter as a result of activities financed by the plan. Such future benefits cannot be accurately quantified at this time. However, based on the tax increment revenue forecast, local contributions of tax increment revenues would be:

Village of Pinckney	59%
Livingston County	23%
Putnam Township	18%
Total	100%

#### **10. Release of Captured Revenues After Completion of Plan**

When the Development and Financing Plans have been accomplished, the captured revenue is released and the local taxing jurisdictions receive all the taxes levied on it from that point on.

#### **11. Assumptions of Tax Increment Financing Plan**

The following assumptions were considered in the formulation of the Tax Increment Financing Plan:

- a. Real Property valuations are based on the 2000 - 2003 actual State Taxable Value (S.T.V.) and reflect an increase of 2.75% each year thereafter. These increases are net of any additions or subtractions due to new construction, property acquisition, relocation, or other factors, based on an analysis of valuations since 1996, as provided by the Village of Pinckney.
- b. Personal property valuations are based on the 2000 - 2003 actual State Taxable Value and reflect an increase of 0.25% each year thereafter. These increases are based on analysis of valuations since 1996, as provided by the Village of Pinckney.
- c. Costs provided for the various development projects enumerated in the Development Plan (pages 28 - 29) are estimated costs in 2004 dollars. Final costs are determined after the Authority authorizes the Final designs.

#### **12. Operating Agreement Between Downtown Development Authority and Local Unit of Government Regarding Use of Tax Increment Revenues**

The Downtown Development Authority will not send any funds outside of those annually approved through the budget process and shall not commit to any loans, leases, or purchase without sufficient evidence of an adequate revenue source to support the proposal.

### **13. Relationship of the Tax Increment Financing Plan with Other Funding Programs**

As discussed in the Development Plan, the revitalization of the downtown business district and M-36 corridor will include tax increment financing and other forms of intergovernmental and private financing such as grants, special assessments, and loans. It is strongly recommended that tax increment financing revenues be used to leverage other funds in order to implement the planned program.

### **14. Relationships to Community Master Plan**

The Development Plan indicates the need to revitalize the business areas of the community, which is an integral component of the community's redevelopment program and master plan.

If it is determined that any portions of the Master Plan conflict with the provisions of the Downtown Development and/or Financing Plan, then the Development and/or Financing Plan shall be adopted as a component of the Master Plan pursuant to Section 8 of Act 285 of 1931; the Municipal Planning Act.

### **15. Submission of an Annual Report to Governing Body and State Tax Commission.**

Annually, the Authority shall submit to the Village of Pinckney and the State Tax Commission a report on the status of the tax increment financing account. The report shall include those items enumerated in Section 15 (3) of Act 179 of 1975 (MCL 125.1665). Further, the report shall be published in a newspaper of general circulations.

**RESOLUTION OF THE BOARD OF THE  
PINCKNEY VILLAGE DOWNTOWN DEVELOPMENT AUTHORITY  
APPROVING THE TAX INCREMENT FINANCING PLAN**

Minutes of a Regular meeting of the Board of the Village of Pinckney Downtown Development Authority, Village of Pinckney, Livingston County, Michigan, held on the 12<sup>th</sup> of December 2000, at 7:30 p.m.

PRESENT: Members: C. Norman, S. Sittaro, K. Slocum, L. Stokes, M. Stokes, F. Young, P. Young

The Following preamble and resolution were offered by member P. Young and supported by Member L. Stokes:

WHEREAS, the Village of Pinckney, Livingston County, Michigan (the "Village" is authorized by the provisions of Act 197, Public Acts of Michigan, 1975, as amended, to create a downtown development authority, a downtown development district, and a development plan, and is authorized by the provisions of Act 450, Public Acts of Michigan, 1980, as amended ("Act 450"), to create a tax increment financing plan to implement the development plan within downtown district; and

WHEREAS, the Village Council of the Village duly established the Pinckney Village Downtown Development Authority (the "Authority") which exercises its powers within the Downtown District (the "District") designated by the Village Council; and

WHEREAS, the Authority proposes to implement certain projects outlined in the Village of Pinckney Downtown Development Authority Development Plan and Tax Increment Financing Plan (the "Plan"); and

WHEREAS, the Authority proposes to finance certain projects specified in the Plan by issuance by the Authority, or by the Village, of bonds or other evidences indebtedness (the "Bonds"); and

WHEREAS, in order to proceed with these projects and to permits issuance of bonds or other evidences of indebtedness, it is necessary to submit the Plan in the form attached hereto as Exhibit A to Village Council for approval following a public hearing; and

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF THE AUTHORITY THAT:

1. It is hereby determined that it is in the best interest of the public to approve the Plan as proposed to enable the Authority to carry out its purposes more effectively.

2. The Secretary of the Authority is hereby directed to transmit a copy of the Plan together with a certified copy of this resolution to the Village Council for further action as completed by Act 450 and to request the Village Council to call a public hearing on the Plan.
3. Prior to the public hearing to be held by Village Council with respect to the Plan, the Authority shall fully inform members of the County Board of Commissions of Livingston County and the Township Supervisors of Putnam Township, of any other taxing authority in which any portion of the Development Area described in the Plan is located, of the fiscal and economic implications of the Plan.
4. All resolutions and parts of resolutions, insofar as they conflict with the provisions of this resolution, shall be, and the same hereby are, rescinded, by only to the extent of such conflict.

AYES: C. Norman, S. Sittaro, K. Slocum, L. Stokes, M. Stokes, F. Young, P. Young

NAYS: None.

RESOLUTION DECLARED ADOPTED.

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, Secretary

**Certification**

I hereby certify that the foregoing is a true and complete copy of the resolution adopted by the Downtown Development Authority of the Village of Pinckney, County of Livingston, State of Michigan at a Regular Meeting held on December 12, 2004 and that said meeting was conducted and public notice of said meeting was given pursuant to and in full compliance with the Open Meetings Act, being Act 267, Public Acts of Michigan, 1976, and that the minutes of said meeting were kept and will be or have been made available as required by said Act.

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Secretary



VILLAGE OF  
**PINCKNEY**  
DOWNTOWN DEVELOPMENT AUTHORITY

## **RESTATED & AMENDED BY-LAWS**

### **SECTION 1: SCOPE OF THE DOWNTOWN DEVELOPMENT AUTHORITY**

The Downtown Development Authority (DDA) of the Village of Pinckney was created in part to correct and prevent deterioration of its business district; to promote economic growth and revitalization; to encourage historic preservation; to authorize the acquisition and disposal of interest in real and personal property; to authorize the issuance of bonds and the use of tax increment financing in the accomplishment of specific downtown development activities contained in locally-adopted development plans.

### **SECTION 2: BOARD OF DIRECTORS**

**Membership:** The Authority shall be under the supervision and control of a Board of Directors. The Village Planning Commission shall serve as the Board of Directors of the Authority as provided in Public Act 57 and in Village Ordinance 31.46(F).

**Officers:** The Chairperson, Vice-Chairperson and Secretary of the Planning Commission will serve the same positions on the Board of Directors of the DDA for the same terms. In addition, the Village Accountant will act as Treasurer of the Board.

- **Chairperson:** The Chairperson shall preside at all meetings and shall conduct all meetings in accordance with rules adopted herein. In the absence of the Chairperson, the Vice-Chairperson shall become the presiding officer. In the absence of the Chairperson and Vice-Chairperson the Secretary shall preside over the meeting.
- **Vice-Chairperson:** The Vice-Chairperson shall Act in the capacity of Chairperson, with all the powers and duties in the Chairperson's absence.
- **Secretary:** The Secretary shall perform such duties as the Board may determine, including providing sufficient information from which to prepare the minutes of each meeting. A recording secretary may be used, however the Secretary is ultimately responsible for the state of the minutes.
- **Treasurer:** The Village Accountant will act as Treasurer and shall keep the financial records of the Authority. The Village Accountant shall be exempt from all duties which do not pertain to the financial records. The Village Accountant shall cause an annual audit of the financial books of the Downtown Development Authority, therein presented to the Board.

### **SECTION 3: ATTENDANCE**

- The Downtown Development Authority will schedule no less than ten (10) regular meetings a year and each member shall show their commitment to the Downtown Development Authority through attendance.
- The Board may excuse absences for cause. If a member has more than three unexcused absences for any regular or special meetings in a calendar year, the Board may enact a

resolution of reprimand. In the event that the member's absences continue for more than three regular or special meetings, the Board may enact a resolution of reprimand, or request the member's resignation, or both.

- Board Members may be removed from office by the Village Council for misfeasance, malfeasance, or nonfeasance, upon written charges and after a public hearing.
- Board Members may resign by sending a letter of resignation to the Village President, Village Council, or Chairperson.
- Vacancies shall be appointed promptly by the Village President, with the approval of the Village Council, upon the resignation or removal of a Board Member. Successors shall serve out the unexpired term of the member being replaced.

#### **SECTION 4: COMPENSATION**

Members of the Board shall serve without compensation, but shall be reimbursed for actual and necessary expenses.

#### **SECTION 5: PERSONNEL**

- The Board may employ a director who shall not be a member of the Board. The director shall serve at the will of the Board for the term of his/her contract.
- The Board shall have the power to engage and employ such manual, clerical, technical, financial, and professional assistance as in its judgment may be necessary and is incidental to carry out the purposes of the Authority.

#### **SECTION 6: MEETINGS**

**Open Meetings Act Compliance:** All meetings of the Downtown Development Authority Board shall comply with the requirements of the Open Meetings Act.

**Regular Meetings:** Regular meetings of the Board will generally be held on the first Monday of the month immediately following the Planning Commission's regularly scheduled meeting. When a regular meeting falls on a legal holiday or upon a day resulting in a conflict, the Board shall, if possible, select a suitable alternate meeting date in the same month as the originally scheduled meeting. Notice of all meetings shall be published in accordance with the Open Meetings Act 1976, Public Act 267, as amended. All meetings of the Board shall be conducted in accordance with the Open Meetings Act 1976, Public Act 267, as amended.

**Special Meetings:** Special meetings may be called in compliance with the Open Meetings Act. Public notice shall state the purpose, time, and location of the special meeting and shall be posted in accordance with the Open Meetings Act. No official action shall be taken at any special meeting unless the item has been stated in the notice of such meeting.

**Agenda:** The Zoning Administrator shall be responsible for preparing an agenda for Authority meetings. Meeting packets shall be distributed to the Board on the Thursday before the meeting, if possible, and shall include all items necessary for decisions on agenda items. The order of business for meetings shall be as follows:

1. Call to Order

2. Roll Call
3. Approval of Agenda
4. Approval of Minutes
5. Reports
6. Public Forum
7. Old Business
8. New Business
9. Public Forum
10. Member Discussion
11. Adjournment

This order of business may be revised by a majority vote of the members present. A written agenda for special meetings shall be prepared and followed; however, the form as enumerated above shall not be necessary. Special meeting agendas may only be revised by a 2/3 majority of the entire Board (or 5 members).

**Public Forum:** A person shall be permitted to address the Board during Public Forum with a time limit of five (5) minutes per individual presentation. Those representing a group may be permitted additional time (all those in the group must identify themselves by a show of hands at the beginning of the speaker's presentation) at the discretion of the Chairperson. The Secretary will maintain the official time and notify the speakers when their time is up. Persons addressing the Board shall state their name and their home address. They should confine discussion to the question at hand and to its merits. Speakers should address their remarks to the Chairperson and maintain a courteous tone. No person shall have the right to speak more than once on any particular subject until all other persons wishing to be heard on the subject have the opportunity to speak.

**Quorum and Vote:** A simple majority of the Board, appointed and serving, shall constitute a quorum, and the affirmative vote of the majority of those present shall be necessary for the transaction of any and all business or the passage of any resolution. Amendment of the by-laws by the Board of Directors requires the vote of not less than a majority of the member of the board then in office.

**Rules & Procedures:** The Chairperson shall be responsible for enforcing the rules of procedure and for enforcing orderly conduct at meetings. In the absence of the Chairperson, the Vice-Chairperson shall become the presiding officer. In the absence of the Chairperson and Vice-Chairperson the Secretary shall preside over the meeting.

**Conflict of Interest:** A member shall disclose that a potential conflict of interest may be present. A conflict of interest exists when a member has a "personal or financial interest" in the outcome of the proposed action. This is a factual question, the answer to which depends upon the circumstances of each particular case. Any member(s) finding a conflict of interest with one or more agenda items shall declare the same and excuse himself/herself, and refrain from discussing and voting on said item(s). Any abstention shall be noted in the minutes of the meeting.

**Parliamentary Practice:** The rules of parliamentary practice as contained in the latest edition of Roberts Rules of Order shall govern the Board of Directors in all cases to which they are applicable, provided they are not in conflict with these rules, the ordinances of the Village of Pinckney, or state statutes applicable to the Village of Pinckney.

**Participation by Communication Equipment:** Board members must be physically present at a meeting to be considered in attendance or participate in any manner on any matter before the Board. A member of a committee designated by the Board or Village Consultant may participate in

a meeting by means of conference telephone or similar communication equipment by means of which all persons participating in the meeting can hear each other. Participation in a meeting pursuant to this provision constitutes presence in person at the meeting. Any member of the public who wishes to speak via telephone or communication equipment shall be recognized by the Chairperson and noted in the record.

## **SECTION 7: PUBLIC RECORDS**

All meetings, minutes, records, documents, correspondence and other materials of the DDA Board shall be open to public inspection in accordance with the Freedom of Information Act, except as may otherwise be provided by law.

## **SECTION 8: PAYABLES**

The Village Clerk and/or Village Accountant has authorization to pay vendors each month, at their discretion, providing that the amounts due are within the approved budget for that fiscal year for the general operation of DDA approved functions such as office supplies, electricity, etc. as well as other Board approved purchases. The Clerk shall provide a list of payables for Board approval for any payment in the preceding month(s).

## **SECTION 9: INITIATION OF PROJECTS**

All requests for the assistance of this Authority shall be made in written form and should be addressed to the Zoning Administrator for presentation to the Board. Such requests shall include the following information:

- Name, address and business status of applicant.
- Brief personal or business history of the applicant.
- Narrative description of proposed project, including type of business to be conducted thereon and services to be provided thereby.
- Description and location of project area.
- Number of employment opportunities that will be afforded or retained in the community by the project.

Upon receipt of said application the Board shall tentatively assess the public purpose of the project, its desirability, suitability, and its economic feasibility. The Board may request such other data and information from the applicant as it deems appropriate. The Board shall not proceed with the project unless such tentative findings are made.

## **SECTION 10: REQUEST FOR DDA EVENT FUNDING**

One of the goals of the Downtown Development Authority is to support and encourage businesses and support activities to retain local retail businesses in the district. Festivals, parades and activities downtown encourage customer traffic and brings the community together as well as introduce visitors to our Village. In order to qualify for funding, events must:

- Take place within the DDA District
- Include participation of local businesses
- Include marketing of the event as well as promotion of the DDA and its businesses

## **SECTION 11: FISCAL YEAR**

The fiscal year of the Authority shall correspond at all times to the fiscal year of the Village of Pinckney.

## **SECTION 12: STRUCTURE OF BY-LAWS**

The Board shall have power to make, alter or amend the By-laws in whole or in part by majority vote.

## **SECTION 13: CERTIFICATION**

These Bylaws were adopted following a motion by Member \_\_\_\_\_,  
Supported by Member \_\_\_\_\_.

Dated: 12/5/2022

\_\_\_\_\_ Chairperson, DDA Board of Directors  
Christine Oliver

\_\_\_\_\_ Vice-Chairperson, DDA Board of Directors  
Joseph Hartman

\_\_\_\_\_ Secretary, DDA Board of Directors  
Deborah Grischke