

**Washtenaw County**  
**Brownfield Redevelopment Authority (WCBRA)**  
Meeting held in-person at 200 N. Main, downtown Ann Arbor  
Lower Level Large Conference Room

**APPROVED MEETING MINUTES**  
**Thursday, May 11, 2023, 9:00 a.m.**

**Board Present:** Trevor Woollatt – Chair, Joe Meyers – Secretary, James Harless, Sam Baushke, Christy Maier, Colleen O’Toole, Allison Krueger – Vice Chair

**Board Absent:** Justin Hodge

**Staff:** Nathan Voght – OCED

**Joining the Meeting:** Troy Helmick – SME, Katie Jones – City of Ypsilanti, Mark Smith – MI-HQ, Brian Wooden, Jeff Huntington and Jim Tischler, from the Michigan State Land Bank (Via Zoom), Christopher Jacobs – City of Ypsilanti (Via Zoom), Bret Stuntz – SME (Via Zoom)

**Handouts:** April 2023 Financial Report, Conflict of Interest Acknowledgement Form

**1. Call to Order**

Chair Woollatt called the meeting to order at 9:00 a.m.

**2. Public Comment**

There was no public comment.

**3. Approval of Agenda**

J. Meyers moved to approve the revised Agenda, with Business Item #4, 124 Pearl Street, added (2<sup>nd</sup> J. Harless), and the motion passed unanimously.

**4. Approval of April 13<sup>th</sup>, 2023 Meeting Minutes**

J. Meyers moved to approve the agenda, with the revision requested by J. Harless to remove the end of the sentence on the first paragraph of page 3 regarding it being easier to approve a new plan (2<sup>nd</sup> C. O’Toole), and the motion passed unanimously.

**5. Board Member Conflict of Interest Disclosure**

None declared.

**6. Business**

1. 300 North Zeeb Road Brownfield Plan – Action

Staff provided an update on the status of the project, summarizing the last several months spent with Scio Township staff and Trustees providing guidance on the process and Brownfield Plan. In addition, the requested Tax Abatement complicated tax capture, which took extra time to explain and for the Township to get comfortable with. The developer, Mark Smith, with MI-HQ, is in attendance today. He requested a 10 year abatement, but the Township granted a five-year abatement. This will eliminate availability of all local millages for capture until the 6<sup>th</sup> year.

J. Harless moved to approve the Brownfield Plan for 300 North Zeeb (2<sup>nd</sup> J. Meyers), and the motion passed unanimously.

2. 300 North Zeeb Brownfield Reimbursement Agreement – Action

Staff referred to the draft Agreement, using our standard template. It's been sent to Mark Smith, but Mr. Smith stated he's been out of town and not able to review it prior to the meeting.

Staff suggested the Board could approve the Agreement, and allow any final revisions, if not substantive, to be negotiated between staff, the developer and County Corporation Counsel.

J. Meyers moved to approve the Reimbursement Agreement, allowing staff to negotiate any final revisions needed, provided they are not substantive, (2<sup>nd</sup> C. O'Toole), and the motion passed unanimously.

3. County Land Bank Discussion

Staff introduced Jeff Huntington, Jim Tischler, and Brian Wooden, joining the meeting via Zoom, who are the State Land Bank leadership. County leadership, including J. Hodge, are exploring the creation of a County Land Bank, and it could mean the Brownfield Authority could also serve as the Land Bank Authority.

Mr. Huntington asked what level of presentation was desired, or perhaps just a question and answer discussion. The Board simply began with some general questions, such as other Counties that have formed Land Banks, and their experience. Berry County, Shiawassee County, and Kalamazoo Counties were all discussed. These Counties staff their Land Banks generally with existing Economic Development Staff. Some Treasurers are more active in these Counties, and others not active. However, by statute, the County Treasurer must be a member of the Land Bank Authority.

Jim Tischler covered other specific advantages under Act 381 for a Land Bank to own property. It makes the property eligible for Non-Environmental Activities, even if not in a Core Community. Mr. Tischler continued, discussing the MEDC's reluctance to support this concept, but with SB 129, a new bill that is on its way to becoming law, affordable housing costs, and other non-environmental activities will now become eligible for affordable housing projects. MSHDA will now become the reviewing agency for these types of Plans.

Jeff Huntington discussed the available \$500,000 of ARPA funding for a County Land Bank established prior to the end of July, hence the active discussions occurring now, to determine if the County could use those funds. N. Voght asked for clarification on this funding, as he understood it was for seed funding to get a new Land Bank off the ground. However, Mr. Huntington clarified it's intended to be used for housing rehabilitation within Qualified Census Tracts.

The Board next discussed how a Land Bank could acquire properties. Properties could be acquired through tax reversion, donated, outright acquired through purchase, for example. The Land Bank can keep 50% of local taxes after disposition to help fund the operations, through the "550" rule.

Brett Stuntz, with SME, who was on the Zoom call, asked about what is considered "under control" of a Land Bank. The Board discussed different instruments, including Liens, development rights easement, and Deed transfers. Deed transfers are obviously the most common and clear ways of control. Mr. Tischler stated this is the most common method at the State Land Bank.

The Board asked for other examples of County Land Banks where the Brownfield Authority serves also as the Land Bank Authority. State Land Bank staff mentioned Shiawassee, Berry and Alger as examples.

The Board thanked the State Land Bank representatives for their information.

4. 124 Pearl Street, City of Ypsilanti, Environmental Assessment Grant - Action

Staff indicated this was a last-minute addition to the agenda, with approval by the Chair. Troy Helmick, with SME, is present to answer questions. The current owner acquired the site in about 2001, but did not file a BEA. There is old Phase II boring maps, but no results found. An updated Phase I is needed, and likely Phase II, due to the records of an old filling station in the middle of the site. Staff pulled up some maps on the screen provided by Mr. Helmick.

The DCC reviewed this yesterday and only supported half the Phase I, as they wanted a more specific Phase II scope for approval at a future meeting. The Authority agreed that they might support 50% of a Phase I now, but would need a more detailed scope for a Phase II before approving more grant funds.

J. Harless moved to approve 50% of the Phase I ESA for 124 Pearl, up to \$1,875 (2<sup>nd</sup> J. Meyers), and the motion passed unanimously.

5. Conflict of Interest Disclosure Forms

Staff passed our Forms to be signed by all members. The forms refer to the Conflict of Interest provisions in the By-Laws. This was debated several years ago, when various projects presented questions of potential conflicts by members. The By-Laws were updated to clarify when members should recuse themselves, and therefore this form reflects the updated provisions. C. O'Toole indicated she did not have a form, and staff will provide at the next meeting.

6. Election of Board Officers – Action

N. Voght indicated officers are elected annually, for one year terms, per the By-Laws. An officer is not limited from serving multiple terms in a row, nor is an officer prevented from running for the same position held in the past.

J. Meyers moved to nominate A. Krueger for Chair (2<sup>nd</sup> C. Maier), and there were no other nominations, so the motion passed unanimously.

T. Woollatt nominated C. O'Toole for Vice-Chair (2<sup>nd</sup> J. Meyers), and there were no other nominations for Vice-Chair, so the motion passed unanimously.

C. Maier nominated S. Baushke for Secretary, and there were no other nominations, so the motion passed unanimously.

7. April 2023 Financial Report – Information

Staff referred to the Financial Report, which reflects all the Admin, LBRF and developer reimbursements made last month. All project accounts are up to date.

**7. Other Business**

N. Voght updated the Board on the County Board of Commissioners review and approval of the Village of Ann Arbor Brownfield Plan at the May 3<sup>rd</sup> meeting. A Commissioner expressed concern about the City's negotiation with the developer to request electrification of the for-sale

units, and solar street lights and clubhouse. This Commissioner, and two others voted against the First Reading of the Brownfield Plan, which spurred some meetings with City officials, and a correspondence from the City of Ann Arbor Mayor, and two council members whose district this project is within. On final reading and adoption, Katie Scott, whose district this is in, voted in favor, and there was only one final dissenting vote. Staff's concern is, quite simply, if we vote against plans put forward by our most critical partner, we risk losing them. Since Ann Arbor provides 90% of our funding, this would be a certain, slow decline of our program, with no new Ann Arbor projects being under County Authority jurisdiction.

Staff mentioned that it appears the first Monday of every month at 10:00 a.m. is the preferred time/date for the Authority to meet the rest of the year, based on J. Hodge's schedule conflict with the first Thursdays of the month.

**8. Public Comment:**

None.

**9. Adjournment:**

The meeting was moved to adjourn by J. Harless at 10:35 a.m. (2<sup>nd</sup> S. Baushke), and the motion passed unanimously.

These minutes were approved by the Washtenaw County Brownfield Redevelopment Authority at the June 5, 2023 meeting, held at 200 N. Main, lower level large conference room, downtown Ann Arbor.