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

DRAFT MEETING MINUTES
Thursday, April 10, 2025, 9:00 a.m.

Board Present: Christy Maier – Secretary/Treasurer, Jenn Cornell, Sam Baushke – Chair, James Harless, Katie Jones – Vice-Chair, Trevor Woollatt, Katie Scott

Board Absent: Allison Krueger

Staff: Nathan Voght – OCED

Joining the Meeting: Elle Cole – City of Saline Acting City Manager, Ken Garber, Joe Ziolkowski – MSPA, Wendy Carty-Saxon and Michael Appel from Avalon Housing, Greg Copp – MAVD Development. Heather Smith – EGLE on Zoom, Dan Cassidy – SME on Zoom, Jess Spike – Construction Design Services for MSPA, on Zoom

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Handouts: None

1. Call to Order

Chair Baushke called the meeting to order at 9:03 a.m.

2. Public Comment

Ken Garber spoke about the 303 N. Fifth Work Plan amendment on the Agenda, and what the purpose of this step was. How is this Plan Amendment authorizing more reimbursement? He's asking for clarity on the Work Plan Amendment.

Staff asked the Chair if he could respond. N. Voght clarified that the authorization for increased tax capture was already completed with approval of the Brownfield Plan Amendment last year. The only purpose of this Work Plan is to secure the ability to capture State School taxes on the increased unanticipated response activities and costs, with EGLE's approval.

3. Approval of Agenda

J. Harless moved to approve the agenda, (2nd K. Jones).

4. Approval of March 13th, 2025 Meeting Minutes

K. Jones moved to approve the March 13th minutes with change noted by J. Harless and C. Maier (2nd K. Scott) and the motion passed unanimously.

The Board took some time to introduce themselves to a guest present at the meeting, Elle Cole, the Acting City Manager for the City of Saline. She has applied to join the Authority, and is expected to be appointed by the Board of Commissioners next week.

5. Board Member Conflict of Interest Disclosure

T. Woollatt declared a conflict with Business Item #6.

6. Business

1. 303 N. Fifth/312-314 Detroit Street Act 381 Work Plan Amendment – Action

   Staff referred to the staff report, where he explained the previous approvals of the Brownfield Plan, Work Plan, and then Brownfield Plan Amendment. Further explanation was given for how the unanticipated additional costs for sheeting/shoring and excavation were submitted to EGLE for review for inclusion in this updated Work Plan. SME and EGLE have been working on which additional costs EGLE would accept as "Unanticipated Response Activities" under Act 381. After considerable back and forth, the proposed Work Plan includes the additional costs that Bret Stuntz, from SME, indicates EGLE will support.

   J. Harless moved to approve the Work Plan Amendment for submittal to EGLE (2^{nd} C. Maier), and the motion passed unanimously.

2. 206-210 N. Washington, Avalon, LBRF Grant Agreement Amendment – Action

   Staff explained that Avalon is requesting that staff be able to approve LBRF reimbursement as part of construction draws. This requires the proposed language changes in the LBRF Grant Agreement that was provided to the Authority in the packet.

   This would be similar to what the Authority agreed to for LBRF grants to the 121 Catherine and Dorsey Estates projects.

   J. Cornell moved to approve the LBRF Grant Agreement with noted revisions to allow staff to approve LBRF reimbursements as part of monthly construction draws (2^{nd} K. Jones), and the motion passed unanimously.

3. MSPA LBRF Grant Supplemental Application, Stormwater Due Care Costs – Action

   Staff referred to the information in the packet, with a request to increase the LBRF grant amount by about $300,000. SME prepared an analysis of the cost difference between the "standard" stormwater system, and the larger one the City is requiring, with a liner. Joe Ziolkowski, with Main Street Park Alliance, discussed the request and why the increased costs are due to the need to install a larger stormwater containment system with liner to prevent contaminated groundwater from entering the public storm sewer system.

   The Board discussed the proposed system, and asked why the previous planned system just couldn't be lined and the gaskets sealed. The question whether this full cost is eligible under 381, in other words is it a Due Care cost, was also discussed? Dan Cassidy, with SME, provided more information on the proposed system, and how it would prevent rising contaminated groundwater to infiltrate the storm structure, and then be released into the public storm system. Some answers were not clear, as the system was designed by Veritas, and not SME.

   J. Harless moved to deny the supplemental LBRF Grant Request (2^{nd} T. Woollatt), and the motion passed unanimously.
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4. Downriver Community Conference 2023 and 2024 Membership Dues – Action

   Two invoices are included in the packet, which the DCC just sent to staff. They had not sent 2023 or 2024 invoices for some reason. The annual amount has increased from $8,000 to $8,400. The Board discussed the advantages to participating with the DCC, and the extensive Assessment funding that has been secured for many projects.

   The Board discussed the history of the DCC.

J. Harless moved to approve the 2023 and 2024 DCC Invoices for $8,400 each (2nd K. Scott), and the motion passed unanimously.

5. Program Policies and Procedures Revisions – Discussion/Action

Staff referred to the proposed amendments to the currently-adopted Program Policies and Procedures for the brownfield program. The updates reflect current practices regarding Brownfield Plans, and also add the intent to include Work Plan Implementation fees, a minimum of $1,000 per year, to monitor affordable housing units approved through the new MSHDA Housing TIF program.

The new application fees adopted last month are incorporated as well.

The Board asked staff to send the WORD version of the document out, so that members may provide comments.

6. Brownfield Program Consulting Support, May/June 2025 – Action

Staff referred to the proposal in the packet from Fleis & Vandenbrink to provide program support while staff is out in May and June. The maximum amount would be up to $15,000, billed hourly.

The Board discussed concerns expressed by Ann Arbor about potential conflicts with Mr. Woollatt, an employee of Fleis & Vandenbrink and a member on the Authority. It was determined that Mr. Woollatt could recuse himself from votes on Brownfield Plans, if that was appropriate. Although, Mr. Woollatt or his firm is not representing any project currently being planned, or before, the Authority at the moment.

K. Scott move to approve the proposal provided, and direct staff to make necessary contractual arrangements to get the consultant in position to assist the program (2nd C. Maier), and the motion passed unanimously.

7. March 2025 Financial Report and Admin/LBRF Transactions – Action

Staff referred to the financial report, and Admin and LBRF calculations from the 2024 tax year. Unfortunately, we will only be able to capture about $220,000 in Admin, instead of the $247,000 allowed under statute. Nonetheless, LBRF funds can be used for assessment should there be insufficient Admin funds.

K. Jones move to approve the March 2025 Financial Report and all noted transactions (2nd K. Scott), and the motion passed unanimously.

7. Other Business

None.

8. Public Comment:

There was no public comment.
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9. Adjournment:

J. Harless moved to adjourn the meeting at 10:40 a.m. (2nd K. Scott), and the motion passed unanimously.

These minutes were approved by the Washtenaw County Brownfield Redevelopment Authority at the May 8, 2025 meeting, held at 200 N. Main, lower level small conference room, downtown Ann Arbor.