Washtenaw County Brownfield Redevelopment Authority

IN-PERSON MEETING AGENDA

Thursday, May 14th 2026 9:00 a.m.

200 N. Main, Ann Arbor, Lower Level Large Conference Room

Zoom Link to Webinar for Public to Join the Meeting:

https://washtenawcounty.zoom.us/j/83036086060?pwd=GrcdzGxfp5SIG7RdmXxu2VNhrGXUp3.1
(updated link for 2026 meetings)

Dial In Number: (number based on your current location):
+1 312 626 6799 US (Chicago) +1 470 250 9358 US (Atlanta) +1 470 381 2552 US (Atlanta) +1 267 831 0333 US (Philadelphia) +1 301 715 8592 US (Washington DC)

1. **Call to Order**
2. **Public Comment***
3. **Approval of Agenda**
4. **Approval of Minutes**
    a. April 9th, 2026 Meeting
5. **Board Member Conflict of Interest Disclosure**
6. **Business**
    1. 4025 Packard Consideration of Brownfield Plan Termination – Public Hearing, Discussion/Action
    2. 2424 E. Stadium Project Introduction and Form Brownfield Plan Review Sub-Committee – Presentation/Action
    3. 326 E. Michigan Youth Arts Alliance LBRF Grant Application – Action
    4. 350 S. Fifth LBRF Grant Agreement – Action
    5. 3003 Washtenaw EGLE Grant Proposal – Discussion
    6. Program and Policies Proposed Revisions – Action
    7. May 2026 Financial Report – Action
7. **Other Business**
8. **Public Comment***
9. **Adjournment**

*All public comment will be limited to three (3) minutes per person

For more information on this agenda please contact Nathan Voght, Washtenaw County Office of Community and Economic Development at (734) 660-1061 or voghtn@washtenaw.org.

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 9, 2026, 9:00 a.m.

Board Present: Katie Jones – Chair, Dan Swallow, Trevor Woollatt, Christy Maier – Secretary/Treasurer, James Harless

Board Absent: Katie Scott, Jenn Cornell, James Downing, Allison Krueger

Staff: Nathan Voght – OCED

Joining the Meeting: Heather Martin – Youth Arts Alliance for 326 E. Michigan, David Snyder and Dave Van Haaren for 24 W. Main Street, Milan, Ken Garber. Several members of the public joined by Zoom.
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Handouts: None

1. Call to Order

Katie Jones, Chair, called the meeting to order at 9:00 a.m.

2. Public Comment

No public comment.

There was no further public comment.

3. Approval of Agenda

J. Harless moved to add Officer Elections and Program Policies and Procedures, as Business Items number 5 and 6 (2nd T. Woollatt), and the motion passed unanimously.

4. Approval of March 12th, 2026 Meeting Minutes

J. Harless moved to approve the minutes of March 12, 2026 (2nd D. Swallow) and the motion passed unanimously.

5. Board Member Conflict of Interest Disclosure

None.

6. Business

1. <u>24 W. Main Street, City of Milan, Brownfield Plan Introduction – Presentation/Discussion</u>

   Dave Van Haaren, from Triterra, the environmental consultant on the project, introduced the owner and developer, Dave Snyder. Mr. Snyder is also a Milan City Council Member. Mr. Van Haaren went through a brief presentation providing a summary of the proposed mixed-use development in downtown Milan.

   Staff explained how this project came to us - that City staff was unaware they had joined the County Authority in 2002. The City formed their own Authority subsequent to that, and approved and administered a small project in 2015/2016. After the City discovered that they had originally joined the County, staff was invited back to the City Brownfield Authority on March 5th to discuss the County program, and what services we can provide to administer this proposed plan. The City Authority and then Milan City Council discussed whether to approve this project locally through the City Authority, or through the County Authority. It was decided this Brownfield Plan should go through the County process. The compelling reasons were that the County program is familiar with the MSHDA housing TIF Staff process, and can provide the oversight and compliance for the 10 proposed units, where the City was not prepared to do this.

There are 6 apartments proposed for 60% AMI and the remaining 4 at 80% AMI. The Authority discussed the environmental conditions on the site, and the involved parcels, which include the city parking lot to the west, which is a source of contamination.

Mr. Snyder indicated there are ongoing discussions with the City on parking and coordinating the new building construction with adjacent city parking lot.

2. <u>24 W. Main Street Form Brownfield Plan Review Sub-Committee – Action</u>

Authority members J. Harless, D. Swallow, and C. Maier volunteered to assist with Brownfield Plan review.

3. <u>326 E. Michigan Youth Arts Alliance Project Introduction, LBRF Grant Opportunity – Presentation/Discussion</u>

Heather Martin was in attendance, the Director of the Youth Arts Alliance, which purchased 326 E. Michigan from the City of Ypsilanti in 2025, for the purposes of building a multi-use building for various programming by multiple agencies. The Authority previously funded a Phase I and II, which resulted in a finding the site is not a Facility.

Staff reviewed the Blight definition in Act 381 and determined that the site may qualify, which would allow a potential LBRF grant application to assist the Youth Arts Alliance with some infrastructure costs on the site.

Ms. Martin presented a summary of the proposed project and included a table of potential Eligible Activities that could be funded with an LBRF Grant. If the Authority was in agreement, staff was prepared to work with the City of Ypsilanti to pass a Blight Resolution, which would need to proceed to the Washtenaw County Board of Commissioners as well.

The Board discussed the recent LBRF award to 350 S. Fifth of $625,000, which was half what they requested, to allow some LBRF funds to be available for other projects, since for the next several years, there is very little LBRF revenue coming in. Staff suggested that a smaller grant between $100K and $200K might be considered. J. Harless indicated he would be more comfortable with an amount between $100K and $150K.

The Authority asked Ms. Martin for more information about total budget for construction of the new facility, annual operating costs, and sources and uses information. Ms. Martin will provide this information with the LBRF Grant Application.

Staff will be working with the City of Ypsilanti on the Blight Resolution, in anticipation of an LBRF application.

4. <u>Maple Oaks Saline Final Eligible Activity Reimbursement – Action</u>

Staff provided the history of the project, and the approved Brownfield Plan with “look back” activities of $105,800 that were conditioned on the Developer addressing engineering/road issues with Phase I of the development, and the remaining 50% on site plan submittal for the future northern phase.

The developer has been working with the City for several years to address the issues, and the Saline City Manager, Dan Swallow, who recently joined the Authority, has indicated the developer has addressed the issues with phase I of the development, and is authorizing the reimbursement of the remaining tax capture funds of $52,900.

Mr. Swallow elaborated further on the status of the project and the City's authorization to reimburse the funds.

J. Harless moved to approve the reimbursement of remaining funds in the Maple Oaks account in the amount of $52,900, as authorized by the City of Saline (2^{nd} C. Maier), and the motion passed unanimously.

5. Officer Elections – Action (Added to Agenda at the meeting)

   Staff indicated that the Authority By-Laws require annual officer elections at this time, however, there were some recent changes to officers, so the Authority can just re-affirm the current slate if desired.

   T. Woollatt moved to re-elect the current slate of Officers, being Katie Jones as Chair, Allison Krueger as Vice-Chair, and Christy Maier as Secretary/Treasurer (2^{nd} J. Harless), and the motion passed unanimously.

   Dan Swallow left the meeting at 9:56 a.m.

6. Authority Program and Policies – Discussion (Add to Agenda at the meeting)

   J. Harless had requested to add this to the agenda to consider increasing Admin fees' capture to up to 20% of gross annual capture.

   J. Harless moved to amend Section 3. F. 2. to increase maximum Admin capture to 20% (2^{nd} T. Woollatt), and the motion passed unanimously.

7. April 2026 Financial Report – Action

   T. Woollatt moved to approve the Financial Report as presented, with all noted transactions (2^{nd}. C. Maier), and the motion passed unanimously.

7. Other Business

None.

8. Public Comment:

None
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9. Adjournment:

J. Harless moved to adjourn the meeting at 10:22 a.m. (2^{nd} C. Maier), and the motion passed unanimously.

These minutes were approved by the Washtenaw County Brownfield Redevelopment Authority at the ___________, 2026 meeting, held at 200 N. Main, lower level large conference room, downtown Ann Arbor.

Washtenaw County Brownfield Redevelopment Authority

Agenda Summary Memo

REGULAR IN-PERSON MEETING

9:00 a.m. Thursday, May 14th, 2026

200 N. Main, Lower Level Large Conference Room, Ann Arbor

TO: Washtenaw County Brownfield Authority
FROM: Nathan Voght, Washtenaw County Brownfield Coordinator
DATE: May 7th, 2026

This regular board meeting will be held in-person, at 200 N. Main, lower level Large Conference Room, downtown Ann Arbor. Any public wishing to participate can attend the meeting in-person, or use the provided Zoom Webinar link on the meeting agenda.

Business Items:

1. **4025 Packard Consideration of Brownfield Plan Termination – Discussion/Action**

   The 4025 Packard Brownfield Plan was approved on October 5, 2022. The Plan is a Local Proportional reimbursement Plan, as the developer did not believe there was sufficient time to submit a Work Plan at the time. Staff has been in contact with the developers since 2022, and they have indicated a desire to follow through with the project.

   There was a small amount of tax capture in 2024, however none in 2025 and 2026, as the building was demolished in 2024, which lowered the Taxable Value to below the Brownfield Plan Base Value.

   Section 14 (8) b. of Act 381 states the following regarding Brownfield Plan termination:

   The governing body may terminate a brownfield plan or plan amendment for an eligible property if the project for which eligible activities were identified in the brownfield plan or plan amendment fails to occur with respect to the eligible property for not less than 2 years following the date of the resolution approving the brownfield plan or plan amendment, if the governing body first does both of the following:

   (i) Gives 30 days' prior written notice to the developer at its last known address by certified mail or other method that documents proof of delivery attempted

   (ii) Provides the developer an opportunity to be heard at a public hearing.

   Staff sent a certified mail receipt notice to the developers on April 9th, and also emailed the communication. The developers responded to the email indicating they intend to construct the development and will attend the Authority meeting.

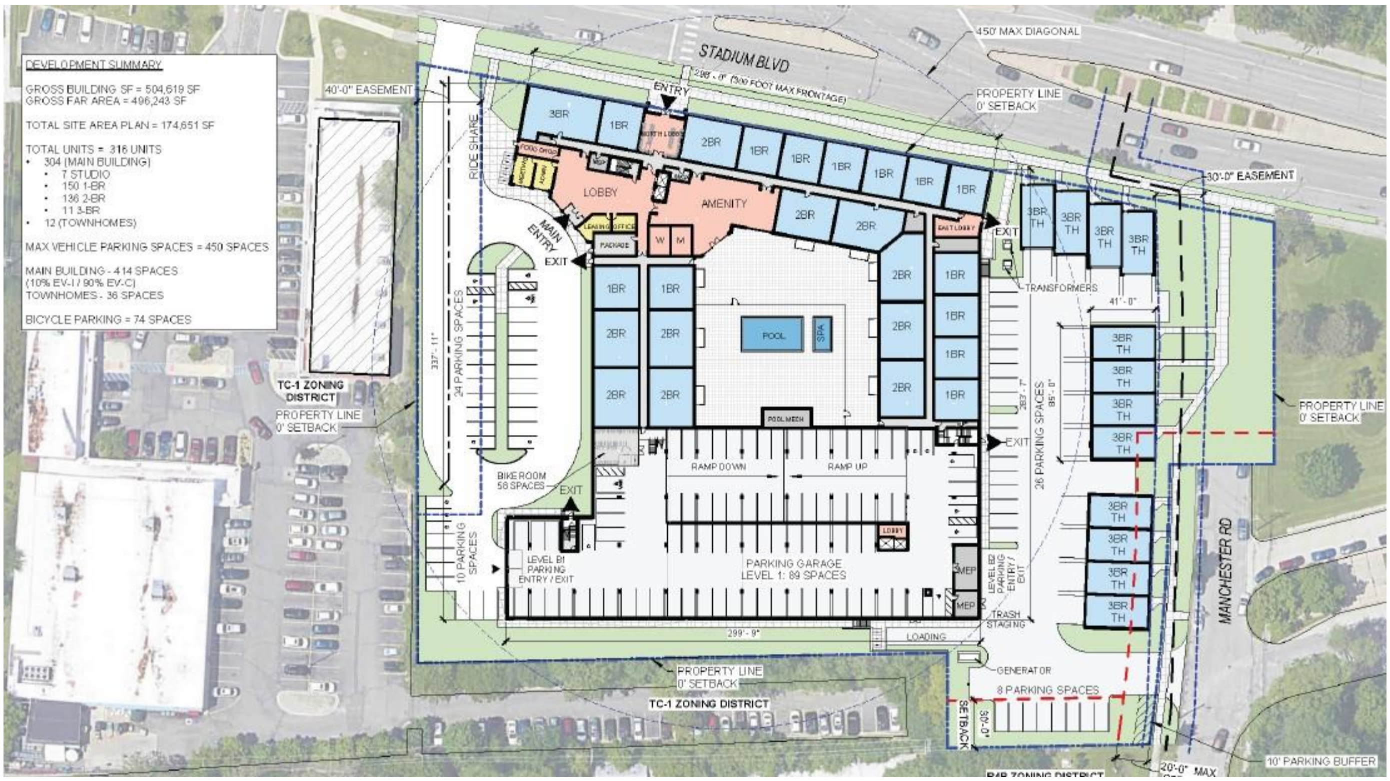
   The building demolition was completed at the urging of the Township, and is not an Eligible Activity in the Brownfield Plan.

   Staff met with the Township Supervisor and Township Staff on April 29th, and they contacted the developers as well. The Township will be working with the developers on payment of some fees and other submittals order to be supportive of the Authority to postpone a recommendation to terminate the Plan.

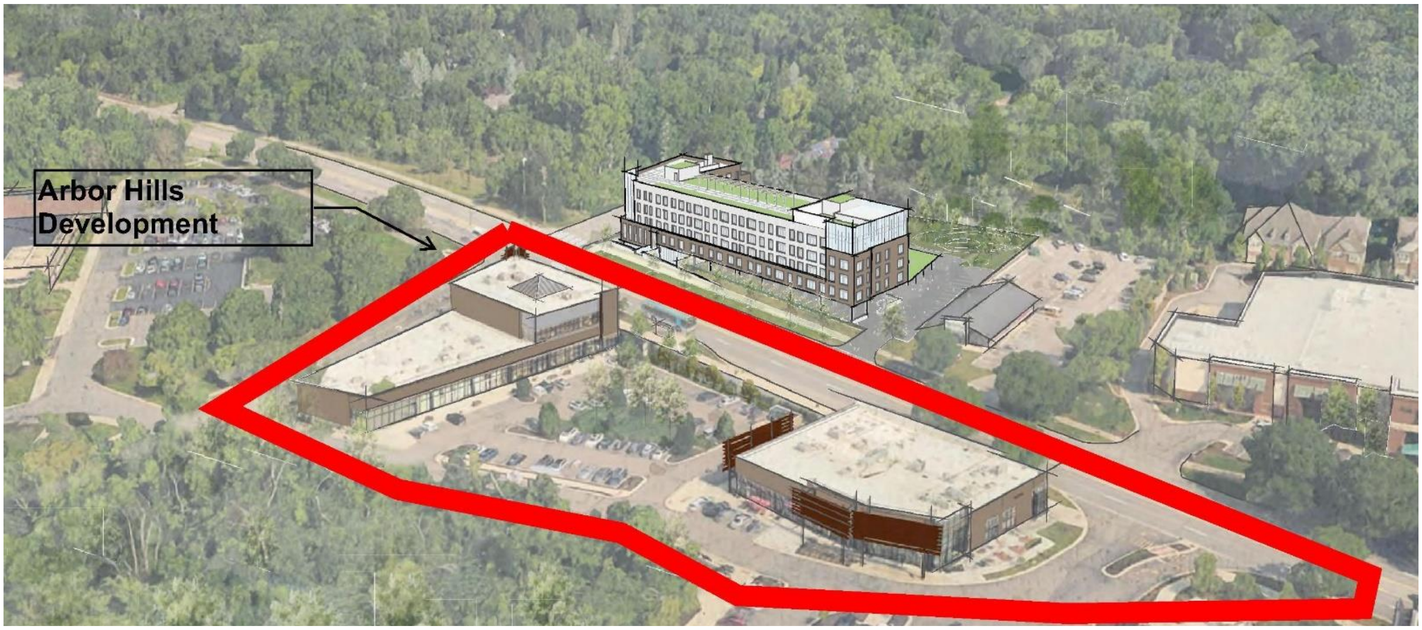
Staff recommends the Authority hold the public hearing, then discuss the project with the developers and Township representatives who will also be in attendance.

2. 2424 E. Stadium Project Introduction and Form Brownfield Plan Review Sub-Committee – Action

This project is located on Stadium Blvd east of the Trader Joe's in the City of Ann Arbor. The developer was granted initial Site Plan approval several years ago, but then acquired additional property to the east, and expanded the all-residential development to 4.43 acres and 307 apartments. A [Brownfield Plan application] and fee were submitted on March 23rd. Here's a layout of the development:



Staff, the City of Ann Arbor, and the development team have been discussing the feasibility of the project pursuing an MEDC path versus MSHDA. The development is all residential, and affordable housing is not proposed. However, the project is not located in a traditional downtown, nor mixed-use. Initial discussions with Holden Branch, who conferred with senior MEDC staff, indicate a potential MEDC path, based on the City's new TC-1 transit corridor zoning, the [ReImagine Washtenaw] initiative, and precedent that Arbor Hills set in 2012, just to the east of this site:



The development team will provide a project overview at the meeting, and a Sub-Committee is needed to assist with Brownfield Plan review.

3. 326 E. Michigan Youth Arts Alliance LBRF Grant Application – Action

Please see the LBRF Application, with attachments, for 326 E. Michigan Avenue from the Youth Arts Alliance. Their request is for $275,000. The same table of possible Eligible Activities is provided, which totals approximately $800,000.

As discussed at the April meeting, staff prepared a Blight designation Memo and Resolution for City of Ypsilanti consideration, which was reviewed and approved at the May 4th City Council meeting (See pages 63 thru 66 of the Council packet linked above) . A similar Resolution will need to be passed by the County Board of Commissioners as the "Governing Body" of the County Authority.

Heather Martin will attend the meeting and provide an overview of the request. There is much demonstrated need for this project, hence the request of $275,000. The Authority discussed an LBRF grant award between $100,000 and $150,000 be considered at the last meeting.

4. 350 S. Fifth LBRF Grant Agreement – Action

Please see the proposed LBRF Grant Agreement for 350 S. Fifth. The Authority awarded a $625,000 LBRF Grant to the Ann Arbor Housing Commission for the 350 S. Fifth Transformational Brownfield Affordable Housing development in downtown Ann Arbor. As with previous similar projects, such as 121 Catherine Street (Dunbar Tower), the Authority authorized Staff to approve eligible LBRF activities as part of the monthly construction draw process (see Section 5, Disbursement), and report back to the Authority. Otherwise, LBRF grant costs would have to be submitted and added to an Authority agenda for approval, which would delay payments on the project.

Other than the activity approval deviation, the LBRF Grant Agreement is the usual template. Corporation Counsel has reviewed and approved the draft Agreement.

5. 3003 Washtenaw EGLE Grant Proposal – Discussion

The Developer, Tom Stegeman, and Anne Jamieson provided a project introduction to the Authority in February, and a Sub-Committee was formed. Staff is continuing to coordinate with the City of Ann Arbor and Anne Jamieson, and the development team on overall framework of the Brownfield request. The development team has approached EGLE for a potential $1M CMI grant to support environmental conditions on the properties involved with this redevelopment.

Staff is seeking review of the EGLE Grant Proposal by the Authority, and concurrence to pursue EGLE approval of a grant to fund certain environmental activities on the site. The Proposal would be submitted to EGLE for vetting, and EGLE would then invite the County to apply. The formal application would have to be reviewed by the BOC and the authorized to make formal application.

Staff is currently managing three EGLE grants:

1. 2 W. Michigan $477,500 (will wrap up this year)
2. 300 N. Zeeb $1,000,000 (will wrap up in 2 months)
3. Broadway Park $501,000 (will wrap up next year)

Sufficient time likely exists for staff to take on a grant for this site, given the timing of existing grants to close out. However, we need to be cognizant that there is finite capacity to manage these grants, and conduct some level of review and prioritization for any proposed, as they may prevent future grants being managed by brownfield staff.

Staff is supportive of submitting an EGLE grant proposal for this site, to secure an invitation to apply, despite the final shape of the Brownfield Plan and incentive request not being finalized yet. However, before a BOC request is made to authorize the County to apply it would be preferred to have the overall brownfield incentive request finalized and ready for City approval.

6. Program and Policies Proposed Revisions – Action

Staff reviewed the Policies and Procedures again after adoption last month, which included an Admin increase to a maximum of 20%. Staff recommends this be reconsidered to a maximum of 15%, to match the City of Detroit’s policy. In addition, several additional proposed revisions are included for consideration:

a. Increasing LBRF capture in Brownfield Plans

b. Adding a schedule of Brownfield Plan Implementation Fees for MSHDA projects based on the number of units to be regulated

c. Adding "MSHDA" to several sections

d. Adding a policy around escrow fees to cover third-party legal/engineering review required for any projects, which is what we've done for Arbor South

OFFICE OF COMMUNITY &
ECONOMIC DEVELOPMENT

Washtenaw County Brownfield Redevelopment Authority
Program Policies and Procedures
Revised and Re-Adopted April 9, 2026

Section 1: Background

Michigan's Brownfield Redevelopment Financing Act, Public Act 381 of 1996 ("Act 381"), as amended, enables Brownfield Redevelopment in the State of Michigan and the establishment of county-wide brownfield redevelopment authorities and zones. Act 381 provides brownfield redevelopment authorities with multiple tools to facilitate redevelopment, including tax increment financing ("TIF") to support eligible brownfield expenses incurred through reuse of a contaminated, blighted, historic, and/or functionally obsolete property.

On May 19, 1999, the Washtenaw County Board of Commissioners (the "BOC") voted unanimously to establish a County-wide Brownfield Redevelopment Authority (the "WCBRA") and Brownfield Redevelopment Zone (the"Zone") in accordance with, Act 381. Washtenaw County's Brownfield Redevelopment Zone was defined as the jurisdictional boundary of each municipality within Washtenaw County (the "County") that passed a resolution to join. Under the Bylaws established by the BOC as amended in 2015, the WCBRA shall consist of representatives from a broad cross-section of the community.

Section 2. Purpose

The WCBRA is authorized to administer a county-wide Brownfield Redevelopment Program (Program) the purpose of which is to facilitate the redevelopment of previously developed sites classified as eligible property in Act 381 and the Natural Resources and Environmental Protection Act, Public Act 451 of 1994 ("NREPA"), as amended. In its mission to serve as a regional Authority, representing a wide variety of governmental units, and to encourage sustainable, Smart Growth Principles, as defined by the U.S. EPA, and the policies of the local unit of government in which the brownfield redevelopment project occurs.

Washtenaw County Brownfield Redevelopment Program Staff are available to assist with implementation of the policies and procedures described herein. Staff are available to serve as a liaison between the WCBRA and the various entities involved with the redevelopment of a brownfield site and/or to guide a developer through the brownfield process. It is strongly encouraged to contact planners with the local unit of government and WCBRA brownfield program staff early in the project planning process to minimize delays in the approval process. Staff contact information is provided in Section 7 below.

Section 3: Policies

3a. Eligible Activities

The WCBRA is authorized to facilitate the use of Tax Increment Revenues ("TIR") revenues to pay for or reimburse public or private costs of eligible activities as authorized by Act 381 (the "Eligible Activities") incurred for redevelopment projects in Brownfield Plans approved by the WCBRA. The activities eligible for reimbursement will depend on the type of project and participating community per Act 381.

3.b. To qualify for brownfield incentives:

1. The proposed project site meets the definition of an eligible property as defined in Act 381.

2. The project is located in the Brownfield Redevelopment Zone, which is defined as the jurisdictional boundary of each local unit of government (the "LUG") within Washtenaw County that passed a resolution requesting to join the WCBRA.

3. The LUG supports inclusion of the eligible property and project in a Brownfield Plan.

4. The existing character of the eligible property is such that redevelopment activities would be limited or not feasible without brownfield redevelopment assistance provided by PA 381 and/or other brownfield redevelopment programs. In addition, the project developer commits to explore all other available private and public funding sources, as determined in consultation with the WCBRA.

5. An analysis demonstrates that the required eligible activities can be satisfactorily completed within the available resources under this program, or if not, that supplemental funding sources, such as private equity or financing, tax credits, grants or loans, will be utilized to complement the financial resources available under PA 381 for proposed projects.

6. The developer has provided evidence of a firm commitment to the project and a demonstration of sufficient experience, financial resources, and development capabilities to successfully implement the proposed redevelopment project.

7. The proposed project site will have adequate access to the necessary public infrastructure and utilities needed to serve the proposed redevelopment project, as determined in consultation with the LUG.

8. Prepare and submit a project Brownfield Plan for approval by the LUG and WCBRA.

9. The WCBRA reserves the right to consider other factors applicable to a specific project or participating municipality.

3.c. To qualify for payment of interest on carrying costs of unreimbursed eligible activities:

The reimbursement of simple interest on unreimbursed environmental and non-environmental activities will be determined on a case-by-case basis, but only where a clear financial gap is demonstrated, and where actual interest expenses and carrying costs will be incurred by the applicant. The following criteria must be met:

1. All costs for which interest is being requested must be associated with eligible environmental or non-environmental activities.

2. The total amount of interest and the interest rate shall be determined in accordance with MEDC guidelines, and shall be approved by the LUG.

Provided reimbursement of interest is approved pursuant to the above, the reimbursement of interest on costs of eligible activities *using <u>only</u> local TIR* may be allowed only if either of the following criteria are met:

1. The specific activity or activities are not supported for interest reimbursement by MEDC and/or EGLE, but are supported by the LUG.

2. A significant financial gap has been identified by the applicant, and supported by the LUG, such that the requested interest would close the gap.

3.d. To qualify for local-only reimbursement:

The WCBRA encourages costs of all eligible activities be reimbursed with both incremental local and state school operating taxes to the extent practicable; however, reimbursement only with local TIR may be approved, on a case-by-case basis, under the following circumstances:

1. For any reimbursement using only local TIR, the activities must be eligible under Act 381 and the LUG supports including in the approved Brownfield Plan the reimbursement of the costs of those activities using only local TIR.

2. When costs were incurred for eligible activities completed prior to Brownfield Plan approval, are not

eligible for reimbursement with state school TIR, and are then included in a Brownfield Plan or Combined Brownfield Plan and Act 381 Work Plan submitted for approval, the LUG must support the inclusion of those costs for reimbursement only with only local TIR and the entity that incurred the costs is the same as applying for Brownfield Plan approval.

3. When an eligible activity or activities are approved in a Brownfield Plan, and MSF or EGLE subsequently denies the use of state school operating TIR for cost reimbursement, local-only TIR may considered, provided the approved Brownfield Plan does not prohibit or cap the use of local-only TIR to reimburse the particular activity proposed for local-only reimbursement provided:

    a. The approved Brownfield Plan clearly states the conditions under which costs may be reimbursed only with local TIR;

    b. Unless otherwise approved by the LUG, local taxes will only be used to reimburse that proportion of costs that would be reimbursed with local TIR if the use of state school operating TIR had been approved.

3.e. Unanticipated Eligible Environmental Response Activities

Pursuant to Act 381, local and state school operating TIR increment revenues may be used to reimburse unanticipated eligible environmental response activities conducted after Brownfield Plan and/or Work Plan approvals provided the owner must have contacted the EGLE and Brownfield Authority prior to taking action, and subsequently included the eligible environmental costs in an amended Work Plan, and Brownfield Plan if necessary, and secure all requisite approvals.

3.f. Capture for Administrative Costs and Local Brownfield Revolving Fund

1. The WCBRA is allowed to capture local TIR and state school operating TIR as permitted by Act 381 to reimburse the Authority's administrative costs and fund its Local Brownfield Revolving Fund (the "LBRF").

2. The WCBRA will retain up to 20% of the total annual TIR captured from each active project, during the entire capture period for the project, to fund its administrative operations and/or its LBRF. At the Authority's sole discretion, it may use the captured local TIR to reimburse costs of the Authority's administrative operations or to deposit in its LBRF. Captured state school operating TIR will be deposited into the LBRF as described in Section 3.f.5. below.

3. Local TIR may be used for the following administrative activities:

    a. Actual expenses related to operating the Brownfield Redevelopment program and WCBRA;

    b. Department Specific Activities conducted on prospective eligible properties prior to approval of a Brownfield Plan in accordance with the Brownfield Authority's Environmental Assessment Grant Program; and

    c. Reasonable costs, in excess of those reimbursable with state school operating TIR, for preparing and implementing Brownfield Plans, combined plans, and Act 381 Work Plans for which tax increment revenues may be used, including legal and consulting fees that are not in the ordinary course of acquiring and developing real estate.

4. In accordance with WCBRA policy, capture of administrative fees may exceed actual costs of WCBRA's administrative expenses in any one year, provided any reserves are maintained in the Administrative Fund and utilized to reimburse for future years' expenses, fund the WCBRA Environmental Assessment Grant Program, or used as otherwise allowed by Act 381. At no time will surplus funds exceed one year's allowable maximum capture under Act 381 based on the previous year's allowable capture. Any fund reserves that exceed one year's allowable capture will be used to reimburse the developer's eligible costs or returned to the appropriate taxing jurisdictions.

5. It is the intent of the WCBRA to capitalize its Local Brownfield Revolving Fund (LBRF). The WCBRA intends to include provisions to capture revenues for deposit into the LBRF in the approved Brownfield Plan for each property/project located in the Brownfield Redevelopment Zone (as defined in Section 1). The WCBRA intends to capture LBRF funds, as allowable by Act 381, both during and after the reimbursement period as follows; however, each plan will be considered on a case-by-case basis to determine the most appropriate method for capturing LBRF funds:

   a) Up to 2~~1~~0% of the total annual TIR captured from each project may~~will~~ be deposited into the LBRF and/or taken as Administrative Fees as described in Subsection 3.f.2 above.

   Commented [NV1]: The Authority adopted 20% last month, but I'm concerned this is too high, and maybe should be 15%, which matches the Detroit BRA policy, I.E.

   b) Up to 15% of the developer-reimbursable Eligible Activities included in the Brownfield Plan, not including interest, will be captured as a lump sum after full developer reimbursement. If there is not sufficient TIR to fund 100% of the developer reimbursement and LBRF capture, the LBRF capture shall take priority.

   Commented [NV2]: I'd like to discuss increasing this %

   c) LBRF funds will be used in accordance with the current LBRF policy, adopted by the WCBRA, and subject to the restrictions of PA 381, as amended. The amount and term of tax revenue capture for the LBRF will be determined on a project-by-project basis.

3.g. Capture for Costs of Preparing and Implementing Brownfield Plans and Act 381 Work Plans

1. Separate and distinct from the TIR capture described in Section 3.f., the Authority will capture local TIR and state school operating TIR in accordance with Act 381 to reimburse costs for preparing and implementing Brownfield Plans and Act 381 Work Plans as follows:

   a. Up to $30,000 in state school operating TIR will be captured from each project to reimburse the actual costs of consultants to prepare the Brownfield Plan and Act 381 Work Plan(s) for that project. Additional costs will be reimbursed with local TIR.

   b. Up to $50,000 in state school operating TIR will be captured from each project to reimburse the actual costs of implementing the Brownfield Plan and Act 381 Work Plan(s) for that project. Additional costs will be reimbursed with local TIR.

   c. For Housing Development Brownfield Plans with affordable housing components, the Brownfield Plan shall provide for the reimbursement of annual Work Plan Implementation costs for the duration of the Plan and required monitoring period for the affordable housing units within any limits required by Act 381. The annual fees shall be reimbursable to the Authority from annual TIR captured pursuant to Section 3.g.a. and Section 3.g.b. above. The amount of the reimbursement shall be sufficient to cover the Authority's costs to conduct the annual monitoring and reporting of the affordable housing units. The amount of annual Work Plan Implementation fees shall be in accordance with the following schedule:~~, but not less than $1,000 per year~~.

1 to 8 units	$2,000 per year
9 to 20 units	$3,000 per year
21 to 35 units	$4,000 per year
36 to 50 units	$5,000 per year
51 to 65 units	$6,000 per year
66 to 80 units	$7,000 per year
81 to 100 unit	$8,000 per year
101 and above	As needed by the Authority

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Commented [NV3]: Maybe too early to establish a policy, but I feel we've been guessing at this recently, and this would provide a guide

d. Reimbursement of the costs described in this section shall take precedence over reimbursement of all eligible activities costs incurred by the project developer.

Section 4: Procedures:

The WCBRA recognizes the importance of development project schedules and will expedite brownfield plan review and approval process to the extent possible.

1. The following are typical steps to access brownfield redevelopment incentives in Washtenaw County. The steps may change if a combined Brownfield Plan/Work Plan, MSHDA Housing Project Brownfield Plan, or Transformational Brownfield Plan is proposed.

   A. Project Concept Summary – Received by the Authority after having been provided to the LUG by applicant and Authority.
   B. Brownfield Plan Application and Fee – Submitted and paid by applicant (see below)
   C. Brownfield Plan Project Sub-Committee – Formed by County Brownfield Authority
   D. Brownfield Plan Developed – Development Team, Staff, LUG, and Sub-Committee
   E. Brownfield Plan – Approved by Local Unit of Government
   F. Brownfield Plan – Approved by County Brownfield Redevelopment Authority
   G. Brownfield Plan – Public Hearing Scheduled by County Board of Commissioners
   H. Brownfield Plan – Approved by County Board of Commissioners after Public Hearing
   I. Brownfield Plan Processing Fee - Paid by applicant (see below)
   J. Act 381 Work Plan(s) – Approved by County Brownfield Redevelopment Authority.

2. The Brownfield Plan Application fee is due upon submittal of the Brownfield Plan Application. This fee is based on the type of project proposed. The Processing Fee, due upon approval of the Brownfield Plan by the County Board of Commissioners, is based on total developer-reimbursable Eligible Activities in the Plan:

Brownfield Plan Fee Schedule	
Application Fee*	$2,500
Processing Fee**	1% of Developer-Reimbursable Eligible Activities in Approved Brownfield Plan.
Minimum Processing Fee Per Project	$3,000
Maximum Processing Fee Per Project	$15,000

Housing Tax Increment Financing Brownfield Plan Fee Schedule	
Application Fee*	$5,000
Processing Fee**	1% of Developer-Reimbursable Eligible Activities in Approved Brownfield Plan.
Minimum Processing Fee Per Project	$3,000
Maximum Processing Fee Per Project	$30,000

Transformational Brownfield Plan Fee Schedule	
Application Fee*	$7,500

Processing Fee**	1% of Developer-Reimbursable Eligible Activities in Approved Brownfield Plan.
Minimum Processing Fee Per Project	$3,000
Maximum Processing Fee Per Project	$50,000

* A one-time, non-refundable Application Fee is due at the time of application.

** A one-time, non-refundable Processing Fee is due immediately after the Washtenaw County Board of Commissioners' approval of the Brownfield Plan.

Note: The City of Ann Arbor requires a separate Brownfield Plan application fee

3. Once the brownfield plan is approved, it will be forwarded to EGLE, ~~and~~ MEDC, and/or MSHDA for informational purposes. The applicant then needs to execute a Reimbursement Agreement with the WCBRA (See Section 5: Reimbursement Agreement). If capture of state school operating taxes for reimbursement of eligible non-environmental costs is contemplated, the reimbursement agreement must be completed and signed before submission of an Act 381 Work Plan or Combined Brownfield Plan and Work Plan for those activities.

4. If the Plan includes the capture of state school operating taxes for eligible activities, an Act 381 Work Plan (or Combined Brownfield Plan and Work Plan) must be completed in accordance with the requirements of Act 381 and guidance published by EGLE/MEDC/MSHDA and submitted to Staff. Staff will review the Work Plan and work with the developer and/or developer's representative (e.g., consultant) to finalize it. Staff then will forward the Work Plan to the WCBRA for approval, and then coordinate with the appropriate agency(s) for the submission and review of the Brownfield Plan and Act 381 Work Plan.

5. Generally, conducting eligible activities can begin once the relevant elements of the approval process are complete. However, pursuant to Act 381, and in accordance with Section 3: Policies, certain eligible activities conducted prior to Brownfield Plan and/or Act 381 Work Plan approval may still be reimbursed with either or both local TIR or state school operating TIR. These might be referred to as "Look Back" activities.

Section 5: Reimbursement Agreement

Staff will provide the most current Reimbursement Agreement template. The applicant should fill in required information using the template, then work with brownfield staff to finalize it. The Reimbursement Agreement must be approved by the WCBRA, then fully executed in accordance with County contract procedures. This includes the applicant filing as a Vendor with the County and providing the required insurance.

Section 6: Reimbursement Process

1. All eligible activities must be completed within the time specified in the Reimbursement Agreement.

2. Requests for reimbursement must be submitted prior to any and all deadlines stated in the Reimbursement Agreement.

3. Request for reimbursement for eligible activities shall be submitted in the form and manner required by the WCBRA. Staff will forward the submitted request, with a recommendation, to the WCBRA for certification and approval.

4. Once capture of incremental taxes begins and any or all eligible expenses have been approved, reimbursement may begin in accordance with the terms of the Reimbursement Agreement.

Section 7: Escrow Fees for Third-Party Legal, Engineering, or Consulting Fees

If in the opinion of the Authority, Brownfield Staff and/or County Corporation Counsel that outside, or third-party technical or legal review of any aspects of a project's submittal is required, and that review will result in incurred costs to the Authority, the Authority may request that fees be placed in escrow with the County, from which these costs are paid. An estimate of these monthly costs will be provided to the Developer, and fees shall be placed in advance in an escrow account held by the County in the amount of at least 2-months of estimated cost. Copies of invoices from outside consultants charged to the account, and paid from escrow balance, shall be provided to the Developer monthly. The Authority may require additional escrow deposits, should further fees be anticipated. The Authority may waive these fees for non-profits and/or affordable housing projects, on a case-by-case basis. However, such a waiver will be based on the estimated costs of outside review, and the ability of the brownfield program to absorb these costs.

Section 8~~7~~: Contact Information

Contact Nathan Voght, Brownfield Redevelopment Coordinator, at 734-660-1061, or voghtn@washtenaw.org for more information.

Ver. Date: 9/25/13; 12/11/14 updated contact phone#; revised and re-adopted 11/5/15
Revised/Re-Adopted 5/4/17, updated "LSRRF" references, Admin and LBRF capture policy revisions
Revised/Re-Adopted 4/9/2026, revised Elig. Activities, updated references, revised process wording, added Implementation Fees language, increased Admin from 10% to 20% max, added March 2025 Fee Schedule
5/14/26 Draft language for Implementation fees and escrow fees paid to cover third-party consultants

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Commented [NV4]: We required an escrow for Arbor South, but lacked a policy. I'd like to consider adopting one.

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WCBRA Financial Report - May 2026

Developer Reimbursement Complete (Zingerman's, Arbor Hills, 618 S. Main)

Project	Maple Shoppes	Zingerman's	Arbor Hills	618 S. Main	544 Detroit	Water Street	Kingsley Condos - 221 Felch	Grand View Commons-Dexter
Project Parameters								
***Brownfield Plan - Total Approved Elig Activities**	$ 1,209,027.00	$ 1,233,937.00	$ 5,400,000.00	$ 4,628,636.00	$ 698,773.00	$ 22,874,634.00	$ 5,109,420.00	$ 3,370,613.00
Brownfield Plan - Maximum Developer Reimbursement	$ 1,010,042.00	$ 817,265.00	$ 5,400,000.00	$ 3,708,031.00	$ 414,668.00		$ 4,000,000.00	$ 2,799,046.00
Actual Approved Eligible Activity Expenses	$ 1,010,042.00	$ 600,218.85	$ 4,384,556.00	$ 2,726,826.00	$ 383,368.00		$ 4,000,000.00	$ 2,044,368.00
Approved Eligible Activity Expense Reimbursed to Date	$ 1,010,042.00	$ 436,801.71	$ 4,384,556.00	$ 2,726,826.00	$ 343,116.59		$ 4,000,000.00	$ 1,656,252.94
Remaining Approved Eligible Activity Expenses	$ -	$ 163,417.14	$ -	$ -	$ 40,251.41	$ -	$ -	$ 388,115.06
Approved Interest to be Reimbursed	$ 41,282.00	$ 229,072.15	$ 1,015,444.00	$ 508,800.85	$ 70,648.00			$ 368,621.11
Interest Reimbursed to Date	$ 41,282.00		$ 1,015,444.00	$ 508,800.85				
Remaining Interest to be Reimbursed	$ -	$ 229,072.15	$ -	$ -	$ 70,648.00			$ 368,621.11
Project Financial Activity								
12/31/25 Fund Balance	$ -	$ -	$ -	$ -	$ -	$ 284,525.47		$ -
TOTAL 2026 CY REVENUES								
Application Fee	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
Interest Revenue*								
TIF Revenue/Capture	$ 20,215.07	$ 23,526.80			$ 11,603.27	$ 40,610.14		$ 209,053.69
Total Revenues	$ 20,215.07	$ 23,526.80	$ -	$ -	$ 11,603.27	$ 40,610.14	$ -	$ 209,053.69
2026 CY EXPENDITURES								
Certified Expense Reimbursement	$ -	$ -			$ 3,806.27			$ 139,611.69
Administrative Fee Transfer	$ 4,970.00	$ 10,940.00			$ 2,596.00	$ 4,061.00		$ 26,057.00
LBRF Revenue or Deposit	$ 15,245.07	$ 12,586.80			$ -	$ -		$ -
State of MI Brownfield Fund (Approved after 2014)								$ -
Total Expenditures	$ 20,215.07	$ 23,526.80	$ -	$ -	$ 6,402.27	$ 4,061.00	$ -	$ 165,668.69
Misc Refund								
Current Brownfield Account Balance	$ -	$ -	$ -	$ -	$ 5,201.00	$ 321,074.61	$ -	$ 43,385.00
					Reserve for SET			SET Reserve

Project	1140 Broadway-A2	Thompson Block	309 N. Ashley	Broadway Park-Roxbury	Maple Oaks-Saline	Dorsey Estates	4025 Packard Road	303 N. Fifth/312-314 Detroit	3874 Research Park Drive/Sartorius	Village of Ann Arbor	300 N. Zeeb	Rockwell Chelsea	310 E. Huron
Project Parameters													
***Brownfield Plan - Total Approved Elig Activities**	$ 13,159,069.00	$ 1,651,241.00	$ 2,739,022.00	$ 18,689,046.00	$ 781,957.00			$ 4,192,837.00	$ 3,455,087.00				
Brownfield Plan - Maximum Developer Reimbursement	$ 10,898,443.00	$ 1,332,613.00	$ 2,039,022.00	$ 17,336,999.00	$ 550,000.00			$ 3,298,995.00	$ 2,735,438.00				
Actual Approved Eligible Activity Expenses	$ 10,898,443.00	$ 975,696.00	$ 1,876,130.05	$ -	$ 176,469.06			$ 1,754,105.47	$ 2,735,438.00				$ 33,024.62
Approved Eligible Activity Expense Reimbursed to Date	$ 10,885,313.45	$ 79,986.02	$ 1,507,627.86	$ -	$ 102,397.50	$ 130,320.52		$ 150,286.59	$ 664,882.70				$ 6,508.00
Remaining Approved Eligible Activity Expenses	$ 13,129.55	$ 895,709.98	$ 368,502.19	$ -	$ 74,071.56	$ (130,320.52)	$ -	$ 1,603,818.88	$ 2,070,555.30	$ -	$ -	$ -	$ 601,537.17
Approved Interest to be Reimbursed		Need to Calculate INTEREST						***$ 1,088,270.79***					$ 575,020.55
Interest Reimbursed to Date													
Remaining Interest to be Reimbursed													
Project Financial Activity													
12/31/25 Fund Balance	$ -	$ (2,144.00)	$ -	$ 33,407.22	$ 52,900.00	$ -	$ 448.49	$ 9,230.00	$ -	$ 1,909.40	$ 3,868.21	$ 342.03	$ 3,913.53
TOTAL 2026 CY REVENUES													
Application Fee	$ -	$ -	$ -	$ -									
Interest Revenue*													
TIF Revenue/Capture	$ 112,183.81	$ 18,484.25	$ 88,292.73	$ 315.98		$ 95,312.79		$ 41,186.59	$ 74,576.11	$ 43,715.54	$ 6,344.86		$ 3,317.91
Total Revenues	$ 112,183.81	$ 18,484.25	$ 88,292.73	$ 315.98	$ -	$ 95,312.79	$ -	$ 41,186.59	$ 74,576.11	$ 43,715.54	$ 6,344.86	$ -	$ 3,317.91
2026 CY EXPENDITURES													
Certified Expense Reimbursement	$ 32,703.43	$ 14,119.25	$ -	$ -		$ 90,906.79		$ 2,951.59					$ 6,508.00
Administrative Fee Transfer		$ -	$ 55,781.00	$ 1,114.00				$ 19,775.00	$ 37,378.00	$ 4,487.00	$ 634.00		$ 723.00
LBRF Revenue or Deposit	$ 79,480.38	$ -	$ -										
State of MI Brownfield Fund (Approved after 2014)			$ -										
Total Expenditures	$ 112,183.81	$ 14,119.25	$ 55,781.00	$ 1,114.00	$ -	$ 90,906.79	$ -	$ 22,726.59	$ 37,378.00	$ 4,487.00	$ 634.00	$ -	$ 7,231.00
Misc Refund													
Current Brownfield Account Balance	$ -	$ 2,221.00	$ 32,511.73	$ 32,609.20	$ 52,900.00	$ 4,406.00	$ 448.49	$ 27,690.00	$ 37,198.11	$ 41,137.94	$ 9,579.07	$ 342.03	$ 0.44
		Reserve for SET	partial reserve for SET			Reserve for SET		9230 was SET reser	partial reserve for SET				

***** ***Includes Admin and LBRF Funds***

Total of all 2026 CY Tax Increment Revenues	$ 788,739.54	
Total of all 2025 CY Tax Increment Revenues	$ 5,834,955.72	
Total of all 2024 CY TIF Reimburse Transfers	$ 5,183,898.42	
Total 2024 CY LBRF Capture	$ 875,979.86	
Total 2023 CY LBRF CAPTURE	$ 211,548.00	
Total of all CY 2025 Admin from 2024 Tax Year	$ 212,179.62	
Total of all CY 2024 Admin Transfers (from 23 tax year)	$ 247,490.00	16 Active Projects
Total of all CY 2023 Admin Transfers (From 2022 Tax Year)	$ 192,500.00	16 Active Projects
Total of all CY 2022 Admin Transfers	$ 192,500.00	16 Active Projects
Total of all CY 2019 Admin Transfers	$ 165,000.00	15 Active Projects
Total of all CY 2018 Admin Transfers	$ 164,999.72	15 Active Projects
Total of all CY 2017 Admin Transfers	$ 164,113.00	15 Active Projects
Total of all CY 2016 Admin Transfers	$ 150,739.88	ACCOUNT BALANCES SUMMARY
Total of all CY 2015 Admin Transfers	$ 114,437.35	Admin Fund Cash Reserves as of 12-1-25 **$ 134,944**
Total of all CY 2014 Admin Transfers	$ 87,198.19	LBRF Interest earned since 2017 as of 9-1-25 (inc. in bal. below) **$ 295,330**
2026 LBRF Capture Running Current Yr Total	$ 107,312.25	LBRF Balance as of 12-1-25 **$ 1,414,579**

	To City of A2 Aff Hsng
Due To A2	$ 1,100,000.00
Paid	$ 664,882.70
Remaining	$ 435,117.30

PROJECT

TIF Capture	**Total 2025 Capture**	**Winter Capture**	**Reserve for '25 Ad**	**LBRF Amount**	**Developer Reimbursen**

NOTES