

Van Buren County Brownfield Redevelopment Authority Regular Meeting Minutes July 12, 2023

**Physical Location Component at the Donald Hanson Board of Commissioners Room,
 Van Buren County Administration Building,
 219 E Paw Paw Street, Paw Paw MI 49079**

Remote Component Host: Wayne Nelson, Secretary-Treasurer at the meeting site

Note for the Record: This meeting was held at the stated physical location, with an additional online remote component using Zoom remote meeting software. The meeting notice and tentative agenda, including the Zoom Meeting ID Number and login instructions, were properly and timely posted on the county’s website to allow public participation. Each Board Member who attended remotely when a reasonable accommodation to attend remotely under the Americans with Disabilities Act was granted to any Board Member, announced upon the start of the meeting or upon subsequent arrival his/her specific remote location (municipality/county/state), and is accorded quorum and voting status for the meeting. Any other Member attending remotely is not accorded quorum and voting status and is not required to declare a physical location.

Note for the Record: On May 23, 2023, Board Members Katie Strohauer and Zach Morris (whose terms would have expired on June 1, 2023) were reappointed by the VBC Board of Commissioners, each for an additional three-year term to expire June 1, 2026. Their reappointment resolutions are on file.

1. Call to Order and Determination of Quorum and Attendees

At 3:34 PM, by Chair Patterson-Gladney with attendees/absentees/remote locations/quorum status as stated above and as follows:

Board Member Attendance Report--Brownfield Redevelopment Authority Board										
Name	Position	Attendance/Quorum Status	Declared Remote Location			Present Anytime	Present @ Start	+ Late Arrivals	- Early Departs	Present @ End
			Municipality	County	State					
Gail Patterson-Gladney	Chair	Attended physically				Yes	Yes	✓		Yes
Lisa Phillips	Vice Chair	Attended physically				Yes	Yes	✓		Yes
Cynthia Compton	Secretary	Attended physically				Yes	Yes	✓		Yes
Kate Hosier	Member	Attended physically				Yes	Yes	✓		Yes
Katie Strohauer	Member	Attended physically				Yes	Yes	✓		Yes
Zach Morris	Member	Attended physically				Yes	Yes	✓		Yes
Dr. Patrick Creagan	Member	Attended physically				Yes	Yes	✓		Yes
John Young	Member	Attended physically				Yes	Yes	✓		Yes
Lisa Imus	Member	Did not attend meeting				No	No	✓		No
Count:						8	8	0	0	8
Members Present:							8 of 9	8 of 9	8 of 9	8 of 9
Quorum (Yes/No):							Yes	Yes	Yes	Yes

- a. **Board Members Present (8); Board Members Absent (1); Board Vacancies: (0).** A quorum (8 of 9) is initially present, and a quorum remained throughout the meeting.
- b. **Staff and Others Present:** Wayne Nelson; BRA Secretary-Treasurer; David Stegink, VP-Fishbeck.

2. Approval of Agenda--The prepared agenda was presented and approved by unanimous consent.

3. Approval of Minutes of Regular Meeting held May 10, 2023--The proposed minutes of the meeting were included in the agenda packet. Motion by Imus, supported by Hosier, to approve the minutes as presented. Approved by a vote of 8-0.
Note: The scheduled June 14, 2023, meeting was canceled.

4. Public Comment—None.

5. Secretary-Treasurer’s Report—

- a. Nelson presented a written report with oral enhancements.
- b. Invoices—There were no invoices for approval.

6. Other Correspondence—None

7. New Business—

- a. **Officers for the period until June 2024—**Due to the cancellation of the June 2023 meeting, the matter of the determination of Board Officers until June 2024 is in order. Current Chairperson Gail Patterson-Gladney stated that she would prefer to step aside. Current Vice Chairperson Lisa Phillips stated to Wayne Nelson that she is willing to remain in office. Wayne Nelson stated that he desires to remain Secretary-Treasurer.
 - i. Motion by Patterson-Gladney, supported by Morris, to elect the following officers for a term until June of 2024: Kate Hosier as Chairperson, Lisa Phillips as Vice Chairperson. Approved by a vote of 8-0.
 - ii. Motion by Hosier, supported by Compton, to select Wayne Nelson as Secretary-Treasurer for a term until June 2024. Approved by a vote of 8-0.
 - iii. Kate Hosier is now Chairperson and assumed the meeting Chair.

- b. **The Lodge BP Reimbursement Request—**David Stegink presented the request from 10336 Blue Star Highway, LLC for reimbursement of eligible costs for the approved Brownfield Plan at 10336 Blue Star Highway in South Haven Charter Township, known as The Lodge. Fishbeck has documented the eligible costs totaling \$30,270.85, of which \$14,300.64 is to reimburse the VBCBRA and \$15,970.21 is to reimburse the developer. Today’s request includes additional information as requested and approved by Lisa Phillips per email. Motion by Compton, supported by Patterson-Gladney, to approve the reimbursement requests as set forth above and in the request documentation, totaling \$30,270.85. Approved by a vote of 8-0.

- c. **Other New Business—** None

8. Ongoing Business—

- a. **Land Bank Authority Report—**Lisa Imus and Zach Morris reported on Market Van Buren’s grant application from USDA Rural Development for a county-wide Targeted Market Analysis report on the residential sector, status of the VBCLBA’s Hartford site, and information on new state blight elimination grants.

- b. **Economic Development Corporation and Other Economic Development Report—**Zach Morris reported on the apparent success in being awarded ROBIN Grant funding for Midwest Energy & Communications (MEC) to greatly expand internet fiber, and that Market Van Buren as coordinated a RAP Grant 2.0 application to benefits multiple projects in Van Buren and Cass Counties.

9. General Comments—

- a. David Stegink mentioned that new changes in the BRA Act will significantly expand a BRA’s authority involving residential projects. A summary is attached to minutes.

- b. Gail Patterson-Gladney mentioned a July 14 event in South Haven for Safe Harbor Children’s Advocacy Center.

10. Adjournment—Motion by Patterson-Gladney, supported by Morris, to adjourn. Approved by a vote of 8-0. All business being completed, the meeting was adjourned by the Chair at 4:23 PM.



Wayne Nelson, Secretary-Treasurer
 Van Buren County Brownfield Redevelopment Authority

Acronyms used in BRA Minutes:

Acronym	Type	Meaning
BRA or VBCBRA	Agency	Van Buren County Brownfield Redevelopment Authority
EPA	Agency	U. S. Environmental Protection Agency
EGLE	Agency	Michigan Department of the Environment, Great Lakes, and Energy
MEDC	Agency	Michigan Economic Development Corporation
SLBA	Agency	Michigan State Land Bank Authority
VBCLBA or LBA	Agency	Van Buren County Land Bank Authority
VBC	Agency	Van Buren County
VBCBOC or BOC	Agency	Van Buren County Board of Commissioners
VBCEDC or EDC	Agency	Van Buren County Economic Development Corporation
BEA	Environmental Term	Baseline Environmental Assessment
DDCC	Environmental Term	Documentation of Due Care Compliance
ESA	Environmental Term	Environmental Site Assessment (as in Phase II ESA)
QAPP	Environmental Term	Quality Assurance Project Plan
ETI	Company	Envirologic Technologies Inc, the EPA Grant contractor
BP	Brownfield Term	Brownfield Plan
LBRF	Brownfield Term	Local Brownfield Revolving Fund
ED	General Term	Economic development
SEV	Property Tax Term	State Equalized Value-should approximate 50% market value
TV	Property Tax Term	Taxable Value-the value for property tax rate billing



NEW BROWNFIELD INCENTIVES FOR HOUSING DEVELOPMENT

Michigan and other states face a shortage in housing stock, and new construction of all types of housing is needed. Construction costs have continued to increase over the past years. Materials and labor costs have made new housing construction unaffordable for many, especially the workforce housing market.

To help communities, developers, and construction companies move forward on housing development projects, the legislature has amended the Brownfield Redevelopment Financing Act. The amendment allows state and local tax increment revenues to reimburse Housing Development Activities, which include the following:

- Infrastructure improvements that support housing
- Demolition and site preparation that supports housing
- Reimbursement to fill a financing gap for income qualified housing
- Qualified rehabilitation of rental units
- Acquisition costs of blighted or obsolete rental units which promote rehabilitation/adaptive reuse for income qualified households (i.e., households whose annual income is not more than 120% of the area median income)

The amendment additionally:

- Creates a new "Eligible Property" category of "Housing Property" that broadly encompasses any structure used for a dwelling and where construction or rehabilitation is proposed.
- Allows any increased tax revenues from a Payment in Lieu of Taxes (PILOT) to be considered tax increment revenues, which can then be captured through a Brownfield Plan.
- Increases allowable cost of developing a Brownfield Plan.
- Increases allowable annual maximum administrative expense of the Authority.
- Requires MSHDA approval for income qualified projects.
- No longer requires state approval to use school tax increment revenues for the first \$250,000 of asbestos, lead, mold abatement, and demolition.
- Allows market rate housing development projects to take advantage of these changes without approval of an Act 381 Work Plan, expediting and increasing potential tax increment revenue for a project.
- Includes additional relevant clarifications and enhancements to the Act.

Fishbeck is a leader in brownfield redevelopment incentives and the application of brownfield tax increment financing to support housing projects. The amendment to the Brownfield Redevelopment Financing Act strengthens and broadens this tool. Fishbeck stands ready to assist you with evaluating the application of this expanded tool on your next project.



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