

Van Buren County Brownfield Redevelopment Authority
Regular Meeting Agenda
Wednesday, June 12, 2024, 3:30 p.m.

In-Person Meeting at the Donald Hanson Board of Commissioners Room
219 E Paw Paw Street, Paw Paw, MI 49079

Public Remote Online Component Using Zoom—Hosted by Secretary-Treasurer

1. Notes for the Record:

- a. The terms of Board Members Lisa Phillips and John Young expired on June 1, 2024, and each was reappointed by the VBC Board of Commissioners to an additional three-year term until June 1, 2027, or until a successor is appointed.
- b. The term of Board Member Lisa (Imus) Ransler expired on June 1, 2024, but no person applied to the VBC Board of Commissioners for appointment, and so she is holding over as provided by law until a successor is appointed.

2. Call to Order, and Quorum Determination: Chair Kate Hosier, Vice Chair Lisa Phillips, Gail Patterson-Gladney, Cynthia Compton, Katie Strohauser, Zach Morris, Dr. Patrick Creagan, John Young, Lisa Ransler.

3. Approval of Agenda—By motion.

4. Approval of Minutes—March 20, 2024, and April 17, 2024 (special meeting), by motion.

5. Public Comments

6. Secretary-Treasurer's Report, Recommendations & Invoice Approval

- a. Any enhanced comments on the written report.
- b. Consider approval of any submitted invoices and to receive the report—by motion.

7. Other Correspondence Received

8. New Business

- a. Determination of Officers for terms until June 2025.
- b. 2023 Captured Taxes Distribution—Review and Approval.
- c. Mattawan Commercial LLC Plan—Consider Termination.
- d. Any other new business.

9. Ongoing Business/Reports

- a. HS Fleet Services, Lawton MI project.
- b. Planning for next EPA Grant Application.
- c. Updates, if any, on approved Brownfield Plans.
- d. Updates, if any, on active and suspended projects.
- e. Land Bank Authority Report (Morris).
- f. Economic Development Corp Report and other economic development info (Morris).
- g. Any other ongoing business/reports.

10. General Member Comments and Discussion

11. Adjournment—by motion.

**Report from the Secretary-Treasurer
For the Meeting of June 12, 2024**

1) Accounting—The cash activity and fund balances for the prior five months is as follows:

	General	LBRF	Total
Cash Balance, December 31, 2023	\$ 107,648.07	\$ 177,944.95	\$ 285,593.02
+ Receipts for period			-
2023 Captured Taxes Received	\$ 49,266.10	\$ -	\$ 49,266.10
Application Fees	-	-	-
Loan Principal	-	-	-
Loan Interest	-	-	-
Total Receipts	<u>\$ 49,266.10</u>	<u>\$ -</u>	<u>\$ 49,266.10</u>
- Disbursements for period			
EPA Grant Services-ETI	\$ -	-	-
EPA Grant Costs-Personnel	-	-	-
Non-Grant Costs	158.89	-	158.89
Captured Taxes Disbursed	-	-	-
Total Disbursements	<u>\$ 158.89</u>	<u>\$ -</u>	<u>\$ 158.89</u>
= Cash Balance, May 31, 2024	\$ 156,755.28	\$ 177,944.95	\$ 334,700.23
LBRF Loans Receivable	-	36,553.71	36,553.71
EGLE Loans Payable	(95,246.96)	-	(95,246.96)
Current Invoices Payable	-	-	-
Current Captured Taxes Payable	-	-	-
Escrowed Captured Taxes Payable	(3,628.32)	-	(3,628.32)
GAAP Adj for Long-Term Debt	95,246.96	-	95,246.96
= Fund Balance, May 31, 2024	<u>\$ 153,126.96</u>	<u>\$ 214,498.66</u>	<u>\$ 367,625.62</u>

2) Correspondence—None.

3) Invoices for Approval—No invoices known at time this report was created.

4) 2023 Captured Taxes—This is on the agenda under new business. Included in the packet is the 2023 Captured Taxes Report that shows taxes that were captured for each project, the proposed distribution of those taxes, and a chart that confirms that the proposed distribution meets the rules.

5) Mattawan Commercial LLC Brownfield Plan Termination—This is on the agenda under new business. The Brownfield Plan was adopted on 8/8/2017, but the developer never proceeded to develop the subject parcel and, in fact, sold the subject parcel in 2023 to an unrelated party who has improved the parcel for unrelated commercial use. Thus, the Plan may be terminated under MCL 124.2664, which states in subsection 8 as follows:

A brownfield plan or plan amendment may be abolished or terminated according to this subsection subject to all of the following:

(a) The governing body may abolish a brownfield plan if it finds that the purposes for which the plan was established are accomplished.

(b) 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 meeting.

(c) If a brownfield plan or plan amendment is terminated under subdivision (b), the governing body may approve a new brownfield plan or plan amendment for the eligible property under which tax increment revenues may be captured for up to the period of time provided under section 13(5).

(d) Notwithstanding anything in this subsection to the contrary, a brownfield plan or plan amendment must not be abolished or terminated until the principal and interest on bonds issued under section 17 and all other obligations to which the tax increment revenues are pledged have been paid or funds sufficient to make the payment have been identified or segregated.

I recommend that the Board direct the Secretary to proceed with the written notice, public hearing and termination as set forth in the statute.

- 6) **BRA Board Member Terms**—The terms of member Ransler expired on June 1, 2024. By law, she remains holding over as a Board Member until the VBCBOC appoints a successor. Members Phillips and Young were reappointed to additional three-year terms commencing June 1, 2024.
- 7) **Succession Planning**—I am working with County Administrator John Faul and Lisa Imus Ransler to facilitate planning for succession to my retirement as a county contractor. I believe it would be beneficial for Lisa Ransler to be the next Secretary-Treasurer. The exact transition remains flexible, although I am willing to accept selection as Secretary-Treasurer at this meeting.


Wayne Nelson, Secretary-Treasurer

Van Buren County Brownfield Redevelopment Authority--2023 Captured Taxes Report

2023 Taxes Captured Summary												
Project	School Tax			Total	Non-School Tax			Total	All Taxes			Total
	Summer	Winter			Summer	Winter			Summer	Winter		
Blue Fin-Keeler Township	-	-	-	-	-	-	-	-	-	-	-	-
Hometown Properties-Bangor City	839.68	2,519.04	3,358.72	3,313.15	2,695.58	6,008.73	4,152.83	5,214.62	9,367.45			
Hometown Properties-Gobles	-	-	-	2,206.10	1,271.68	3,477.78	2,206.10	1,271.68	3,477.78			
Paw Paw Brewing-Paw Paw Village	1,347.64	4,042.94	5,390.58	4,382.71	3,407.90	7,790.61	5,730.35	7,450.84	13,181.19			
Village Pharmacy-Paw Paw Village	-	-	-	1,183.50	920.23	2,103.73	1,183.50	920.23	2,103.73			
Midwest V--Paw Paw Village	2,058.99	6,176.97	8,235.96	6,696.09	5,206.76	11,902.85	8,755.08	11,383.73	20,138.81			
The Lodge	516.90	-	516.90	144.30	335.94	480.24	661.20	335.94	997.14			
Total Taxes Captured	4,763.21	12,738.95	17,502.16	17,925.85	13,838.09	31,763.94	22,689.06	26,577.04	49,266.10			

2023 Captured Taxes Distribution Summary											
Project	Eligible Cost Distributions						Other Cost Distributions			Total	Admin Fee Calculation
	Owner / Developer	Escrow to Distribute in Future	EGLE Loans	LBRF Loans Principal	LBRF Loans Interest	MEDC / SBRF for 50% SET	LBRF Capture	VBCBRA Admin Charges			
Blue Fin-Keeler Township	-	-	-	-	-	-	-	-	-	-	5% of capture
Hometown Properties-Bangor City	-	-	-	-	-	-	8,766.58	600.87	9,367.45	10% of non-school capture	10% of non-school capture
Hometown Properties-Gobles	3,130.00	-	-	-	-	-	347.78	347.78	3,477.78	10% of capture	10% of capture
Paw Paw Brewing-Paw Paw Village	-	(925.36)	4,532.55	7,676.86	323.14	674.00	900.00	13,181.19	\$7,000 per Plan as scheduled	\$750 per year	\$750 per year
Village Pharmacy-Paw Paw Village	1,353.73	-	-	-	-	-	750.00	2,103.73	2,103.73	10% of non-school capture	10% of non-school capture
Midwest V--Paw Paw Village	-	-	17,919.02	-	-	1,029.50	1,190.29	20,138.81	997.14	10% of non-school capture	10% of non-school capture
The Lodge--South Haven Charter Twp	848.14	-	-	-	-	64.50	84.50	997.14	49,266.10	10% of non-school capture	10% of non-school capture
Totals	5,331.87	(925.36)	22,451.57	7,676.86	323.14	1,768.00	8,766.58	3,873.44	49,266.10		

2023 Captured Taxes Distribution Limit Analysis

Project	Total Capture All Years	Less Disbursed in Prior Years	Available for Current Disbursal	Other Distributable Costs				Total	Amount for 2023 Disbursal	
				Approved Eligible Costs	Elig Costs Disbursed in Prior Years	Elig Costs Distributable	Eligible Costs to Distribute			50% of SET for MEDC/SBRF
Blue Fin-Keeler Township	1,985.87	1,985.87	-	38,819.50	1,886.58	36,932.92	-	42,701.45	-	
Hometown Properties-Bangor City	127,946.04	118,578.59	9,367.45	105,777.95	105,777.95	-	600.87	8,766.58	161,777.95	
Hometown Properties-Gobles	31,173.57	27,695.79	3,477.78	24,926.40	24,926.40	83,166.18	3,130.00	347.78	128,092.40	
Paw Paw Brewing-Paw Paw Village	43,736.54	30,555.35	13,181.19	81,332.44	27,404.02	53,928.42	11,607.19	900.00	173,832.44	
Village Pharmacy-Paw Paw Village	30,887.13	28,783.40	2,103.73	65,724.00	24,748.23	40,975.77	1,353.73	750.00	106,724.00	
Midwest V--Paw Paw Village	90,544.91	70,406.10	20,138.81	114,930.98	64,412.91	50,518.07	17,919.02	1,190.29	108,000.00	
The Lodge--South Haven Charter Twp	997.14	-	997.14	30,270.85	-	30,270.85	848.14	84.50	222,930.98	
Totals	327,271.20	278,005.10	49,266.10	544,948.12	249,155.91	295,792.21	34,858.08	1,768.00	8,766.58	944,059.22

More detailed explanation of each column
Taxes captured for all years to date
Taxes disbursed in prior years
Taxes captured for the current year
All approved eligible costs for the project
Approved eligible costs disbursed in prior years
Approved eligible costs not yet disbursed
This year's eligible costs to distribute
On newer plans with school tax capture, 50% of the SET goes to the state MEDC.
VBCBRA Admin charges to distribute
Some plans allow capture for the LBRF. Amounts to distribute this year.
Total Project eligible costs plus Admin, MEDC, and LBRF Capture
Total capture distribution for this year, lesser of Total Allowable or this year's captures.