

---

**KALAMAZOO COUNTY BROWNFIELD REDEVELOPMENT AUTHORITY**

---

**MEETING DATE:** Thursday, March 26, 2009  
**PLACE OF MEETING:** County Administration Building  
**MINUTES**

---

Present were: Marc Hatton, Robert Barnard, Thell Woods, Clare Annen, Larry Baumgart, Ken Peregon, Katrina Schuur, Julie Rogers, Ruth Blake, Matthew VanDyk

Absent: Art Hoekstra

Ex Officio members present: George Cochran

Ex Officio members absent: Tim Hudson, Glen Avis

Staff Support: Lotta Jarnefelt, David Artley, Jeff Hawkins (consultant)

Guests present: Connie Ferguson, Mary Brown

Recording Secretary: Tracy Free

- I. Meeting called to order – by Chair Mr. Woods at 5:07 pm
  
- II. Seating of New Member  
Mr. Matthew VanDyk was welcomed as the new appointed member of the BRA/EDC. He will assume a term which will expire October 31, 2012.
  
- III. Approval of Minutes: After review of the February 26 minutes, the following corrections were made: 1) Under numeral VI “New Assessment Request” Schafer was replaced with Shaver; 2) The following names were removed from the list of “Present were:” John Dilworth, Tim Hudson and Glen Avis. Ex Officio members Tim Hudson and Glen Avis should be marked as absent; 3) In VIII “PR/Media Committee” add the following under 5: “c. Contacts have been made with Rotary to schedule presentations.”  
The February 26 minutes were approved unanimously after the revisions were made.
  
- IV. Bills for Payment
  1. **Invoice #25321: Total \$600.00**  
General Programmatic Activities  
Work Order #16 (Bill Group D) - \$600.00  
This can be split between Haz. Substances Grant and Petroleum Grant  
Activities included communications with County staff and preparation of Grant Quarterly Reports.
  
  2. **Invoice #25322: Total \$130.62**  
Midlink Business Park, Lots 1-6  
Work Order #6 (Bill Group E) - \$130.62  
This can be applied only to the Hazardous Substances Grant.  
Activities included finalizing, compiling and distributing reports to the County and EPA.
  
  3. **Invoice #25323: Total \$562.50**  
Act 381/Loan Work Plan

Work Order #10 (Bill Group B) - \$562.50

Activities include communications with County and Midlink related to Act 381/Loan issues.

**4. Invoice #25324: Total \$5,724.75**

Brown Family Holdings – 2700 N. Pitcher, Kalamazoo, MI

Work Order #15, as amended (Bill Group B and C) - \$5,724.75

This can be applied only to the Hazardous Substances Grant.

Activities include activities related to implementation of Phase I ESA and Phase II ESA including data review, communications with client, sample collection and field activities.

**5. Invoice #25326: Total \$37,141.94**

Davis Creek Business Park Methane Investigation, Kalamazoo, MI

Work Order #12 – (Bill Groups A,B, C, D, E, and F) - \$37,141.94

This can be applied only to the Petroleum Grant.

Activities include: review of historical site data, eligibility determination, modifications to QAPP, preparation of Sampling Plan and Methane Point Installation.

Julie Rogers made a motion to pay the bills. Marc Hatton seconded the motion. The motion for payment of the bills carried unanimously.

Staff handed out a copy of the administrative side of the two EPA budgets and has promised a review of the administrative side of both budgets and make recommendations related to shifting funds from administrative to contractual. Staff will contact our EPA program officer for directions.

V. Work order adjustment/Work Order #17 A

1. Last minute update on the Former Sun Chemical Site located at 8975 Shaver Rd. in Portage, MI. – A proposed Amendment to the original Work Order requested that an additional fund be granted of \$2,800 which would be applied to the Petroleum Grant. The total work order was projected to be \$27,800 to conduct a geophysical survey and an additional soil sampling to address a potential petroleum underground storage tank. The tank was not found and the samples are not contaminated. No action is necessary on plan according to Jeff Hawkins and there was no vote on the amendment.

VI. Staff Report – Hawkins handed out a printed summary

- a) **8975 Shaver Road – CMS – City of Portage**  
No longer requires work under the Brownfield Plan, as stated above.
- b) **2805 East Cork – Davis Creek – City of Kalamazoo**
  1. Jeff Hawkins gave a brief overview of how the Methane monitoring points have been installed at all of the proposed sampling locations.
    - a. Preliminary field data indicates
      1. high concentrations of methane are generally confined to the northwest corner of the facility

2. low concentrations of carbon dioxide and oxygen deficient conditions were noted at many of the locations.
3. March 23, 2009 – 1<sup>st</sup> methane sampling scheduled
4. April 2009, a preliminary review of the analytical data is expected by the middle of the month.

**c) 2700 North Pitcher –Goodwill site – Kalamazoo Twp**

Jeff Hawkins gave a brief overview of how the Geoprobe soil borings have been installed for the collection of soil and groundwater samples and the installation / sampling of 18 sub-slab vapor sample points at all of the proposed sampling locations.

1. Envirologic completed Phase II ESA on site field sampling activities
  - a. installation of 11 Geoprobe soil borings for the collection of soil and groundwater samples
    1. No cross contamination was reported
  - b. installation/sampling of 18 sub-slab vapor sample points.
    1. No cross contamination was reported
    2. Future long term monitoring will continue
    3. March 23, 2009 – receipt of remaining sub-slab vapor results will be given
  - c. Ground penetrating radar geophysical survey was conducted
    1. No indication of UST systems on the property
2. The analytical data generated during the Phase II ESA will be shared with Goodwill.

**d) 5200 East Cork – Midlink**

1. Loan as an option is gone. No letter of credit was received. MEDQ will be notified that Kalamazoo County will not accept loan.
2. Developers Agreement not signed by MidLink despite numerous efforts. There was a question raised by the several members related as to whom actually approves the Developers Agreement. Staff is to research and share the answer ASAP; preferably before the April meeting of the BRA. It had been assumed, perhaps incorrectly, that the County Board of Commissioners has to do so. The concern raised was that BRA itself could approve the agreement.
3. 381 Work Plan has yet to be rewritten to remove references to the loan. No feedback from MidLink yet.
4. Board members were very concerned about the slowness of getting the Development Agreement approved and the 381 Work Plan to MDEQ for review and approval as no school tax TIF can be utilized for eligible reimbursement for work done prior to the MDEQ's approval of said Work Plan.
5. A March 19<sup>th</sup> communication with Midlink was shared with the BRA related to the Developers agreement and the County Board Deadlines.

**e) Future Funding:** City of Kalamazoo and County are exploring options to apply for Brownfield funds together. The % of petroleum and hazardous substance will need to be stipulated in the application. Will require a third

party at a minimum to be a partner with City and County. Either City or County will serve as fiduciary of the application.

- f) **City of Kalamazoo Wellhead Protection/Petroleum concerns:** County, City and MDEQ are working together to identify sites to assess using the county petroleum grant. MDEQ is looking at orphan sites in the Wellhead Protection area of the City Water Supply. City will supply the tax ID numbers and DEQ will track down what detail is available. The screening criteria will include “How accessible the sites are” and “How deep the water table is” (the shallower the water table is; the greater the likelihood of petroleum contamination). Next step: Envirologic Technologies will create work orders for the Phase I and Phase II assessment of the selected sites. With work order (s) in hand, the BRA will be asked to authorize the work. Staff projects about \$40,000 is available for the work. With the collaborative work between the State, the City and the County, it will have great appeal to EPA related to eligibility. The project is a community good project and will not bring TIF back. It will help ensure the health and wellness of the community by identifying and potentially prioritizing sites for future State cleanup where drinking water may be at risk.
- g) Extension of EPA grants will also be discussed with our EPA program officer by staff and a report back.

VII. Presentation on the ARRAQ 2009 – Recovery and Stimulus Packet and its impact on Kalamazoo County – Artley

A summary of the Stimulus package prepared by the Michigan Human Services League was handed out and it encompassed all funds headed to Michigan. Artley offered a few examples of the accountability and transparency that is required and the different methodologies of funding that are being used. Some of the funds are thought existing formulas, but at a 1000 times more funds and no more time. The reporting requirements are amazing and all the funding requires separate accounting practices and numerous other requirements including reporting on a quarterly basis. The City of Kalamazoo has added at least one staff to help with the tracking and reporting. One example of the funding is Weatherization which is usually about \$300,000 a year and about 20/30 units are to be done; under the Stimulus Recovery, Kalamazoo County is getting \$4.4 million dollars to be spent in 36 months on 628 units.

VIII. PR/Media Committee

The Rotary is looking to fill its slots for presentations. It currently has six filled. Earth Day at Nature center April 18 – Ms. Rogers suggested that BRA participates if we can get volunteers. Staff will send email request to all, sign up to gauge the interest.

IX. Annual Meeting will be on 4/23 following the EDC annual and regular meetings with its own regular meeting to follow if necessary. Nominated officers include Julie Rogers as Chair and Thell Woods as the Vice Chair. A meeting with staff to discuss procedural processes and ways to expedite the valuable time of the BRA members.

- X. Other – none
- XI. Board Member Comments - none
- XII. Meeting was adjourned at 7:35 pm

*Next Meeting is Thurs, April 23, 2009 @ 4:00 pm – ANNUAL MEETING, Room 207A.*