

KALAMAZOO COUNTY BROWNFIELD REDEVELOPMENT AUTHORITY

MEETING DATE: Thursday, July 23, 2009
PLACE OF MEETING: County Administration Building
201 West Kalamazoo Avenue, Board Chambers
Kalamazoo, Michigan 49007

MINUTES

Present were: Thell Woods, Clare Annen, Julie Rogers, Ruth Blake, Matthew VanDyk, Leroy Crabtree, Katrina Schuur, Marc Hatton, Robert Barnard
Absent: Larry Baumgart, Ken Peregon
Staff Support: Lotta Jarnefelt, David Artley, Jeff Hawkins (consultant)
Recording Secretary: Tracy Free

- I. Meeting called to order – by Chair Ms. Rogers at 4:02 pm
- II. Leroy Crabtree made a motion to approve the June 25, 2009 minutes. The motion was seconded by Thell Woods. The motion carried unanimously.
- III. Citizens Comments: No comments were given.
- IV. Consent Calendar
 - A. Four Bills for Payment
 1. Invoice #25534: Total \$120.00
General Programmatic Activities
Work order #16 (Bill Group D) -\$120.00
This can be split between Haz. Substances Grant and Petroleum Grant Activities included communications with County staff, project updates and preparation for BRA meeting.
 2. Invoice #25535: Total \$5,831.29
Davis Creek Business Park Methane Investigation, Kalamazoo, MI
Work Order #12 (Bill Group A, E, and F) - \$5,831.29
This can be applied only to the Petroleum Grant
Activities include: data review, methane point installation and monitoring activities and report preparation.
 3. Invoice #25539: Total \$6,522.91
2700 N. Pitcher Street, Kalamazoo, MI
Work Order #15 (Bill Groups C, D, and E) - \$6,522.91

This can be applied only to the Hazardous Substances Grant. Activities include completion of Phase II ESA, BEA, Due Care Plan and Brownfield Plan.

4. Invoice #25536: Total \$2,345.25
Rapid Transit Cab Company, 802 S. Burdick Street,
Kalamazoo, MI
Work Order #18 (Bill Groups A and B) - \$2,345.25
This can be applied only to the Petroleum Grant.
Activities include site eligibility and project initiation activities and initiation of Phase I ESA.

Ruth Blake made a motion to accept the Consent Calendar and to pay the four bills numbers 25534, 25535, 25539 and 25536. Katrina Schuur seconded the motion. The motion carried unanimously.

V. Committee Reports

A. Executive Committee

1. Midlink presentation on July 8th was well received in the am meeting
 - a. A handout was distributed at the meeting
 - b. LDFA is one option Midlink and Comstock are reviewing – The BRA will be a part of the discussion when appropriate.
2. The next Executive Committee Meeting is Wed., Aug. 12th – 7:300 am at Food Dance
 - a. A suggestion was made that either Aug or Sept meeting be held at Midlink

B. Project Finance Committee

1. EPA Budget Adjustments/ Grant Extension/ 10% / One Year
 - a. EPA gave one year extension on both grants through September of 2010.
 - b. Clare Annen made a motion to move the EPA County Subtotal of \$21,063.55 to contract services category (increasing postage and copy charges and shifting staff costs. Thell Woods seconded the motion. The motion carried unanimously.
 - c. The funds in travel will remain in travel for the national BRA conference.
2. Travel to BRA in New Orleans
 - a. It was suggested that LISC be asked for a grant towards cost of travel. Note we have enough in the budget to send 2 or 3 persons. Lotta and David are unable to attend.

- b. Staff will send out an email to poll interest from Board Members in attending the national BRA conference in Nov.
 - 3. Work Order #17B (Former Sun Chemical, 8975 Shaver Road, Portage, MI)
 - a. Julie Rogers made a motion to amend work order 17B as stated in the hand out. Robert Barnard seconded the motion. It passed unanimously.
 - b. E.T. Invoice #25544: Total \$6,065.00 – (Bill Groups E and F) – \$6,065.00 – This can be applied only to the Hazardous Substance Grant. Activities include completion cleanup activities and additional assessment activities. Rogers made the motion to approve; support by Rob Barnard; passed unanimously.
 - 3. DeLisle Request And Staff Response in Letter of 7/17/09
 - a. A request was made for payment of the environmental work done at 2700 Pitcher site by DeLisle on behalf of Goodwill.
 - b. Request was denied by Project and Finance Committee upon staff recommendations for the following reasons.
 - 1. EPA grant funds cannot be spent on remediation costs
 - 2. Work was not done under the auspices of a QAPP .
 - 3. No formal action was necessary by the BRA.
 - 4. Project and Finance Committee is scheduled to meet on Thur., Aug, 13 at 4 pm
- C. PR / Media Committee
 - 1. Signs
 - a. Looking for sites to place signs with high visibility / traffic
 - b. It was suggested that putting up signs at sites be written into the agreements
 - 2. Banner
 - a. Jeff Hawkins presented two new banners
 - 3. Rotary
 - a. Meeting will be held August 13, 2009 at 4 pm. in Oshtemo/ Katrina Schuur and staff will attend.
 - 4. Still looking for more members to join PR Committee
- VI. New Petroleum Site Consideration
 - A. 7 to 8 sites are located in the core circle for Kalamazoo Wellhead Protection Program
 - 1. Sites
 - a. 1 site owned by Bronson – have not heard back / located on SE Corner of Vine and Burdick/ Staff to follow up.
- VII. 2700 Pitcher Brownfield Draft Plan/ Site#2

1. First discussion of BRA Plan Site #2 took place.
 - a. Based on \$215,900 future taxable value
 - b. Tax capture in 2010 or later – now will start in 2010
 - c. Personal Property is not included in the plan – staff will double check this?
 - d. Plan does not include the capture of School millage and Kzoo Twp – Street Light /Police/Fire Millage
2. Timeline; for BRA Plan –Site #2.
 - a. Present to K-Twp Board on 8/10
 - b. Send notice of Public Hearing to all tax jurisdictions on 8/12
 - c. Discuss with BRA Exc. Comm. on 8/12
 - d. Discuss with BRA Project and Finance Comm. on 8/13
 - e. Post Public Hearing in Gazette on 8/14 & 8/15
 - f. Post on County Info Board on 8/14
 - g. K-twp consider approval and vote on 8/24
 - h. BRA consider approval and vote on 8/27
 - i. CBOC in COW – discuss BRA Plan – Site#2 on 9/1
 - j. CBOC conduct the Public Hearing on BRA Plan – Site#2 on 9/15
 - k. CBOC consider and vote on resolution of approval and acceptance of BRA Plan – Site#2.

VIII. Staff Report

- A. 2805 East Cork – Davis Creek – City of Kalamazoo
 1. More samplings are being conducted
 2. Draft of initial report and a monthly report will be given to the City and the County
 3. The weather has been playing a role creating interesting findings/ air pressure can affect the readings.
- B. City of Kalamazoo Wellhead Protection / Petroleum Concerns – Work Order #18 Rapid Transit -802 S. Burdick, Kalamazoo, MI for \$20,500.00 to conduct Phase I and II ESA activities
 1. Would like to conduct the work with Bronson site at 801 S. Burdick right across the street
- C. Future Funding – Meeting with City of Kalamazoo BRA Envirologic Technologies, and County BRA.
 1. RFP not yet out
 2. Still evaluation the pluses and minuses of a collaborative \$1,000,000 grant application with City et al.

IX. Other – No Report

X. Board Member Comments

- A. Julie Rogers and several other volunteers worked on cleaning up the highway. She is seeking future assistance and will send out an email
- B. Marc Hatton is on the panel for the DEQ and EPA workshop

Scheduled for Tuesday, September 29, 2009. The location is in Lansing and is intended for BRA audience. The fee will be a cost.

XI. Meeting was adjourned at 5:13 pm

The next meeting is scheduled for Thursday, August 27, 2009

**Kalamazoo County Brownfield Redevelopment Authority
Project Update – August 14, 2009 BRA Meeting
Prepared by: Envirologic Technologies, Inc./ KCBRA staff**

Davis Creek Business Park – City of Kalamazoo

Work Order #12

Two additional monitoring events have been conducted since the last meeting; a normal monthly sampling event was completed on July 23rd and a dry weather sampling event was conducted from August 10th to the 12th. Two draft reports were also prepared and submitted to the City of Kalamazoo for review. These reports included a comprehensive report detailing the installation of the methane monitoring points and a monthly monitoring report updating the conditions at the site through the June sampling event. Laboratory results for the July 23rd sampling event have been received and an update is currently being prepared. Upcoming field activities include:

- August 27, 2009 – Monthly monitoring event.

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

Work Order #15 and Amended Work Order #15

Brown Family Holdings, LLC is now able to occupy the building and begin their relocation. Due to contractual production obligations, Brown Family Holdings, LLC delayed their scheduled relocation to the building. Brown Family Holdings, LLC anticipates moving equipment into the new facility within the next several weeks.

Envirologic has prepared a draft amendment to the KCBRA's Brownfield Plan for review by the KCBRA and Kalamazoo Township. KCBRA presented a summary of the Brownfield Plan to the Kalamazoo Township Board at their August 10, 2009 meeting. Remaining timeline is as follows:

- b. Send notice of Public Hearing to all tax jurisdictions on 8/12✓
- c. Discuss with BRA Exc. Comm. on 8/12✓
- d. Discuss with BRA Project and Finance Comm. on 8/13✓
- e. Post Public Hearing in Gazette on 8/14 & 8/15✓
- f. Post on County Info Board on 8/14✓
- g. K-twp consider approval and vote on 8/24✓
- h. BRA consider approval and vote on 8/27←
- i. CBOC in COW – discuss BRA Plan – Site#2 on 9/1
- j. CBOC conduct the Public Hearing on BRA Plan – Site#2 on 9/15
- k. CBOC consider and vote on resolution of approval and acceptance of BRA Plan – Site#2.

Midlink – Spoke with Midlink and have been assured that we will have their sense of next steps by first week of September.

Former Sun Chemical – City of Portage

Work Order #17 as amended

No further activities are anticipated for this site, this project is complete.

Rapid Transit Co. – 802 S. Burdick, Kalamazoo, MI

Work Order #18

Envirologic is underway with the Phase I Environmental Site Assessment. The MDEQ issued a letter to the property occupant on August 10th, 2009 requesting access to the site. The KCBRA was copied on this correspondence. Upon receipt of property access, proposed Phase II ESA activities will be initiated.

Scope of Services
Contract for Professional Services
Kalamazoo County Brownfield Redevelopment Authority
Applicable to Agreement Dated March 20, 2007
Work Order No. 19 Dated _____, 2009

Between

KALAMAZOO COUNTY BROWNFIELD REDEVELOPMENT AUTHORITY (CLIENT)
201 WEST KALAMAZOO AVENUE
KALAMAZOO, MICHIGAN 49007-3777

And

ENVIROLOGIC TECHNOLOGIES, INC. (ENVIROLOGIC)
2960 INTERSTATE PARKWAY
KALAMAZOO, MICHIGAN 49048

Subject Matter: General Programmatic Activities
Funding Source: Split Evenly Between Hazardous Substances and Petroleum Grants
Grant Work Plan Reference: Task A-6 and Task B-5. Community Outreach, Programmatic Expenses

CLIENT requests that ENVIROLOGIC perform the work described below in accordance with the terms of the above-referenced Contract and as described in this "Scope of Services."

ENVIROLOGIC will begin work on this Work Order and complete the services as described in the attached "Scope of Services."

ENVIROLOGIC and CLIENT have designated the following representatives for this "Scope of Services:"

<u>Jeffrey C. Hawkins/David A. Stegink</u>	<u>(269) 342-1100</u>
Name (ENVIROLOGIC)	Phone

<u>David P. Artley, Director</u>	<u>(269) 384-8304</u>
Name (CLIENT)	Phone

If CLIENT accepts this Scope of Services, please sign this Work Order on behalf of CLIENT and return to the ENVIROLOGIC Representative above:

ACCEPTED AND AGREED TO:

KALAMAZOO COUNTY BROWNFIELD
REDEVELOPMENT AUTHORITY (CLIENT)

ENVIROLOGIC TECHNOLOGIES, INC.

By David P. Artley
Title Director

By Jeffrey C. Hawkins
Title President

Signature _____
Date _____

Signature _____
Date _____

1. Scope of Services

Work performed under this Work Order shall include ongoing programmatic and outreach activities to support compliance with the Cooperative Agreement and to facilitate the necessary non-site specific activities described in the Grant Proposal. These activities include preparation of quarterly progress reports, policy development, annual reports, planning activities, development of marketing materials, and other eligible program expenses that the CLIENT may deem necessary in the future. These tasks are typically small in nature and thus are consolidated into this Work Order. Envirologic proposes to complete this work on a time and materials basis as directed by Staff and/or the Authority.

11. Compensation

Compensation for services provided under this Work Order will be completed on a time and materials basis invoiced at the rates provided in the Contract for Professional Services between ENVIROLOGIC and CLIENT. This Work Order #19 requests additional funding for continuing the level of support to the County as outlined in the above Scope of Services and as requested by County Staff. Work Orders #2, #7, #9 and #16 previously provided \$11,100 against the Grant Work Plan total contractual budget of \$8,600. This budget has been expended. It is appropriate to move grant funds between the various tasks as long as they remain within the particular budget category, i.e. Contractual. It was estimated in Work Order #16 that during the remaining months of the grant (through September of 2009), that Envirologic would require an additional \$2,500 to conduct general programmatic activities as required by the grant and as requested by County Staff. This budget has been expended due to activities as requested by the County. Envirologic is requesting that additional Contractual funds be allocated for continued Programmatic Activities. Additionally, since the grant term has been extended, additional budget will be required. This can be split evenly between the Hazardous Materials and Petroleum Grants. **Envirologic is requesting an additional \$4,000.**

111. Schedule

Work performed under this Work Order will be completed as expeditiously as possible as requested by Kalamazoo County.