

KALAMAZOO COUNTY
BROWNFIELD REDEVELOPMENT AUTHORITY
MINUTES

MEETING DATE: Thursday, January 27, 2011
PLACE OF MEETING: County Administration Building

Present were: Joe Agostinelli, Clare Annen, Larry Baumgart, Brandt Iden, Ken Peregou, Julie Rogers, Anne Summerfield, Thell Woods
Staff Support: David Artle, David Stegink for Jeff Hawkins (consultant), Lotta Jarnefelt
Absent: Ruth Blake, Leroy Crabtree, Matt VanDyk, Representatives from Augusta, Comstock and Kalamazoo
Recording Secretary: Lori Pyatt

1. CALL TO ORDER

Chairperson Rogers called the meeting to order at 4:05pm.

2. MEMBERS EXCUSED

The members excused were Ruth Blake, Leroy Crabtree, Matt VanDyk.

3. INTRODUCTION OF NEW BOARD LIAISON: BRANDT IDEN

The new member, Mr. Brandt Iden, was introduced as the Liaison to the County Board of Commissioners.

4. APPROVAL OF AGENDA

A motion was made to approve the agenda.

Motion: Peregou Support: Agostinelli

Motion carried by unanimous voice vote.

5. APPROVAL OF MINUTES

A motion was made to approve the minutes from the December meeting as written.

Motion: Annen Support: Agostinelli

Motion carried by unanimous voice vote.

6. CITIZENS COMMENTS

Ms. Rogers welcomed Mary Brown and Connie Furguson.

7. CONSENT CALENDAR

a. Gazette Posting of Public Notice of Hearing on Tuesday, December 7, 2010 in front of the County Board of Commissioners. Notice was published on November 19 and November 20, 2010. Total amount - **\$717.60** from BRA Account# 247-000-808.11

b. Clerical Support Services through Lori S. Pyatt of Kalamazoo – Minutes of the Meetings on November 18, 2010. Total amount - **\$101.25** from BRA Account# 247-000-808.11.

- c. Clerical Support Services through Lori S. Pyatt of Kalamazoo – Minutes of the Meetings on December 15, 2010 with review in January 2011. Total amount - **\$120.00** from BRA Account# 247-000-808.11.
- d. Legal Services – Susan Padley, Howard and Howard – December 8th through December 21, 2010 for review of Midlink Documents. 4.3 hours – Total amount - **\$1,333.00** from BRA Account 247-000-808.11
- e. Envirollogic Technologies - Invoice #26826: Total **\$300.00**. Midlink Business Park – BRA Account 247-000-808.00. Work Order #1 (Bill Group A) Activities include: communications with County, review of revised Developer Agreement and Act 381 Work Plan

All the invoices would be applied to the previous year, except for a portion of 7c), which Mr. Artley would explain later.

- f. Meeting Calendar for BRA for 2011 – 4th Thursday of the month except for November and December 2011 wherein it will be the 3rd Thursday of the month – (See p 10)

A motion was made to approve the consent calendar.

Motion: Woods

Support: Peregon

Motion carried by unanimous voice vote.

8. COUNTY'S BRA FINANCIAL BALANCE SHEETS

Mr. Artley referred to the "Expenses" handout – Account numbers:

247-000 General Account – held the 125K from the County

247-001 Midlink

247-002 Brown Family Holdings

Page B) listed the expense status for 2010. The balance (\$122,776.37) did not include items d) and e) approved under Agenda item #7 because those amounts would be paid out of other accounts.

A suggestion was made that the BRA be enabled to pay invoices before the County Board approved them, but the current funds were different than past grant dollar. Mr. Iden suggested that Mr. Artley email the County Board Chair, then Mr. Iden would follow up—the change also would have to travel to County Finance because the current process was County policy.

Page C&D) detailed page B): each line item listed multiple entries then listed the total. The invoice for the recording secretary was split over the two years and recorded for on Page F) for \$11.25 and on Page C) for the remainder.

Page G): with the action that evening, \$4,857 had been spent of the \$125,000; \$121,143 was left for 2011. Of the ET Contract's stipulation of 'up

to \$110,000 for environmental assessment and plan development', invoices of \$1,560 have been approved as shown on Page Z).

Ten thousand dollars would be budgeted in "Contractual-Other" to record costs from Susan Paddley and Ms. Pyatt in order to track separately from environmental assessment. Copy charges had a \$1,500 budget, and \$1,203 was put into Miscellaneous; these allocated the remaining dollars (\$121,143) from the County.

This would be coming before the Authority to become the approved 2011 Budget.

The \$4,700 (on Page T), which would be coming back from Brown Family Holdings' TIR, would go to the Travel account for Board Trainings. Page W showed that the check for \$4,618.18 was received from the township.

In response to a question by Mr. Annen, it was stated that spread sheets were not completed for the dollars remaining in previous accounts. Mr. Artley asked that the members familiarize themselves with the spread sheets, and further questions and discussion would be covered in Committee meetings. Ms. Jarnefelt gave an overview of the different types of spread sheets: there were status reports and detail reports.

9. DISCUSSION &/OR ACTION CALENDAR

A. CONSIDER APPROVING THE FOLLOWING APPLICATION FEE (as tabled on 12/15/2010 for further review):

The members discussed the two-tiered fee schedule and various situations to clarify when a fee may be waived. It was pointed out that the initial \$1,500 application fee for environmental assessment was non-refundable. Blighted or functionally obsolete properties would lead to the \$1,000 fee, and the initial \$1,500 assessment fee could be waived. Legally, adjusting the amounts for individual applicants was too muddy. The County Attorney and Mr. VanDyk both approved the two-tiered approach.

Mr. Peregón was concerned about steering potential clients away. Mr. Artley stated that the policy needed to be passed, then the procedure would be tweaked within the administering of the policy. Criteria for waiving probably wouldn't be developed because there was no way to cover all the variables. The CBOC would have to approve the fee schedule.

The following motion was made:

"I move that the BRA designates its staggered application fee to be potentially a total of \$2,500: \$1,500 non-refundable for environmental assessments application and \$1,000 for development of a Brownfield Plan

Mr. Artley agreed that the goal was to have the Developer's Agreements and the Brownfield Agreements be approved at the same time.

B. BRA PLAN / AMENDMENT #3

Mr. Artley stated he could forward this and the 381 Work Plan in digital format if the members wished.

C. EPA CLOSEOUT REPORT

This report brought closure to the grant and could be forwarded to the members. In response to a request that a binder be compiled with all the EPA quarterly reports, Mr. Artley stated all the documents were all in one file.

D. 381 WORK PLAN

Nothing further was reported.

E. BY-LAWS UPDATE

The County Board had approved the by-laws at the January 17th meeting.

F. MEDIA EXPOSURE

- i. There was a nice article in the Gazette.
- ii. There was also a five or six minute TV spot on WWMT Channel 2.
- iii. An email had been received from the former owner of Brown Family Holding. Brief discussion ensued.

G. JANUARY PRESENTATION AT THE CHAMBER OF COMMERCE-ENVIRONMENTAL COMMITTEE

Mr. Artley summarized his presentation to the Chamber of Commerce—Environmental Council, and went over the response to the Governor regarding changes to the BRA Act that was in the members' agenda packets (page 12). On February 17th the Governor's proposals would be released. Discussion ensued.

(Mr. Hawkins had arrived at 5pm after meeting with the new DEQ Director; he didn't feel that these programs were on their radar—their focus was elsewhere.)

Mr. Arley agreed to be in contact with Mr. Marc Hatton regarding the progress of the Michigan Association of Brownfields.

H. ANNUAL REPORT ON THE PLANNING AND COMMUNITY DEVELOPMENT

The annual report would be given to the County Board in May, under which a Brownfield report would be given. Ms. Rogers was under the impression that they wanted quarterly updates as to how the \$125K was

being utilized, and several Commissioners wished to hear from committee members, not just staff.

I. **POLICY BINDERS**

Policy Binders were available if desired.

J. **OTHER: 2011 National Brownfield Conference.**

Members were encouraged to attend; there was money available in the Training account. It was recommended that at least one member, and possibly a staff member, go to keep Kalamazoo on the radar of the decision makers. Hotel rooms were filling up quickly. The conference itself was free; expenses the BRA would cover included travel expenses and bus tours, etc.

11. **COMMITTEE REPORTS**

A. **LAND BANK**

The inventory included two hundred-three parcels. May 17th was the deadline for spending the dollars; discussion ensued on this topic. The creamery site may be a shared venture between the Land Bank and Bice & Clark. Maps of the projects and meeting minutes were available. Mr. Artley then summarized the grant rules – must be spent in the 6 City of Kalamazoo neighborhoods specified in the grant application and approximately \$4 million must benefit individual families with %50 of Area Median Income or less ; he would further research the possibility that the BRA could receive some of the NSP dollars.

B. **EXECUTIVE COMMITTEE**

There was no January meeting. Next meeting: 7:30am, February 11, 2011—location to be determined.

C. **PROJECT AND FINANCE COMMITTEE**

There was no January meeting. Next meeting: 4pm, February 10, 2011—location to be determined.

D. **PR/MEDIA COMMITTEE**

Mr. Crabtree would be contacted to schedule the next meeting.

12. **OTHER**

Mr. Artley thanked everyone for their patience during the move of his office to a temporary office. He and Ms. Jarnefelt would move to their permanent location on the first floor at the beginning of March.

13. **BOARD MEMBERS COMMENTS**

-Mr. Agostinelli recently joined the Michigan Economic Development Association and would be joining their Advocacy Committee. He did not know if he would be at the next Board meeting due to an MEDA meeting.

14. ADJOURNMENT

The meeting was adjourned at 5:23pm.

Next Meeting: February 24, 2011, at 4pm

Respectfully submitted: LP