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**KALAMAZOO COUNTY BROWNFIELD REDEVELOPMENT AUTHORITY**

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**MEETING DATE:** Thursday, April 26, 2018  
**PLACE OF MEETING:** County Administration Building  
201 West Kalamazoo Avenue, Room 207a  
**TIME:** 4:00 pm

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**MINUTES**

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**Present:** Chris Carew (arrived 4:15), Connie Ferguson, Doug Milburn, Joe Agostinelli, Andy Wenzel, Julie Rogers, Travis Grimwood, Ken Peregon

**Members Excused:** Jim Spurr, Habib Mandwee, Jodi Milks

**Kalamazoo Township:** None

**Staff:** Rachael Grover, Lotta Jarnefelt

**Consultant:** Jeff Hawkins

**Recording Secretary:** Rachael Grover

**Community:** Commissioner McGraw; 1 Community

1. Chair Peregon called the meeting to Order at 4:04 p.m.
2. Members Excused: Spurr, Mandwee, Milks
3. Approval of the Agenda: **Agostinelli moved approval of the agenda, Ferguson seconded the motion. Motion carried.**
4. Approval of Minutes: **Wenzel motioned to approve the minutes of March 22, 2018, Agostinelli seconded the motion. Motion carried.**
5. Citizens Comments: none
6. Consent Agenda – Invoices
  - a. **\$ 280.00** - Envirologic General Environmental Review (Invoice #04431)
  - b. **\$ 2,154.75** - Varnum, Vicksburg Mill Loan Reimbursement Agreement/County Resolution
  - c. **\$16,497.80** - 1<sup>st</sup> Qtr. (County FY2018) General Administrative Invoice
  - d. **EPA Grant Invoices**
    - i. **\$277.50** - (\$138.75 Haz.; \$138.75 Pet.) – Outreach EPA WO#3
    - ii. **\$ 80.00** (Pet. Funds) – 703 N. Burdick WO#14 & 15
    - iii. **\$ 902.26** (Pet. Funds) 615 W. Kalamazoo Ave. WO#16, Amendment #1
    - iv. **\$ 802.50** (\$401.25 Haz.; \$401.25 Pet.) – NACD Mall City Ambulance, WO# 17
    - v. **\$345.35** (\$172.67 Haz.; \$172.68 Pet.) - 2<sup>nd</sup> Qtr. (EPA FY 2018) Programmatic invoice

**Agostinelli moved approval of the consent agenda and Ferguson seconded the motion. Motion carried.**

7. Discussion and/or Action Calendar
  - a. **Discussion/Action:** 308 West North Street, City of Kalamazoo
    - i. Envirologic Work Order #17 - \$21,800 – results from Phase I ESA indicate Phase II Environmental Site Assessment needed.

Northside Association for Community Development Executive Director Mattie Jordan-Woods was present for questions regarding the proposed project.

Results from Phase I Environmental Site Assessment indicated further investigation is needed. Hawkins gave an update regarding historical use. Further investigation needed in soil, ground water and soil gas related to a release that had occurred from an Underground

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Storage Tank (UST) at the former Mall City Ambulance portion of the property. Phase I budget was approved at March 22, 2018 meeting. Remaining budget for Phase II, Documentation of Due Care Compliance, and Base Line Environmental Assessment that required Board approval is \$18,300.

Additionally, there is a request from NACD to cap the total application fee at \$500.00.

Chair Peregon noted the project that NACD is proposing for this property has verbally received financial support from many partners, including the City of Kalamazoo, LISC, the Kalamazoo Community Foundation, and Mercantile Bank.

Rogers asked NACD Executive Director Ms. Jordan-Woods if the NACD is prepared to financially cover the costs that may be required if any cleanup will be required pending the results of the Phase II investigation. Jordan-Woods noted that they are committed to securing the funds from other sources.

Staff noted there is \$97,000 remaining in the Petroleum Grant funds.

Rogers noted the KCBRA should be cautious regarding approving too many projects without TIF return due to impacting the Authority's ability to fund future projects, but the community benefit and multiple funding partners for this project are significant and she is supportive of this particular funding request.

Discussion ensued regarding the potential for any TIF capture for this project and with various tax reduction or exemptions, TIF capture is not likely.

Staff noted that a signature on the Reimbursement Agreement is needed (have a printed copy on the form). Jarnefelt asked Jordan-Woods if the NACD would have the ability to repay any funds if the development did not move forward. Jordan-Woods noted that the NACD Board is aware of this and are committed to moving the development forward so this should not be necessary, but worst-case scenario, they would need to set up a payment plan with the KCBRA if that occurred.

**Agostinelli moved approval of remaining scope of work items not previously approved from Enviologic Work Order #17, Rogers seconded the motion. Motion carried.**

**Agostinelli motioned to waive the application fee in excess of \$500.00, Wenzel supported the motion.**

Further discussion occurred, Rogers noted for the record to be clear that the fee would be capped and funding is being approved for this non-TIF generating project due to the financial involvement of many community partners, the intergenerational impact of the project, overall benefit to the community, and the location of the property is in the target zones of the EPA Assessment Grant Application.

**Motion carried.**

**b. Discussion/Action: 2017 General Administrative Cost Allocation**

2017 Administrative costs and the allocation of those costs to each active TIF generating Brownfield Plan are presented in the Packet. General Mills total TIF capture includes the School Tax capture from the Midlink properties.

**Ferguson motioned to approve the 2017 Administrative Cost Allocation as presented, Rogers seconded the motion. Motion carried.**

**c. Discussion/Action: County Government Advisory Board Guidelines Signature page**

Authority Board members received the Kalamazoo County Advisory Board Guidelines via email in March. Chair Peregon discussed the Executive Committee discussion regarding

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portions of the Guidelines that are in conflict with the autonomy of the Authority under State of Michigan legislation (Public Act 381).

Commissioner McGraw suggested sending this back to County Administration with concerns.

No Action taken. Chair requested staff communicate with County Administration regarding language concerns in document.

d. **Discussion/Action:** EPA Grant

i. Envirologic Monthly Memo

Hawkins provided updates from the memo.

ii. Quarterly report to MEDQ

Staff is working on Loan and Grant report, will be submitted by April 30 due date.

e. **Discussion/Action:** 381/383 Pitcher Street Project – Delay of capture for 1 year

Staff gave an update regarding tax capture for this Brownfield Plan. City of Kalamazoo did not assess the property for partial completion at the end of 2017 so there is only a minimal increase in taxable value. Recommendation to delay capture for 1 year, with total number of years of tax capture remaining the same. The City of Kalamazoo will be notified. Additionally, the State of Michigan requires notification of delay regarding State Tax capture. This is an administrative change to the Brownfield Plan. It will require an amendment to the development agreement with PS 383, LLC.

**Carew motioned to delay tax capture for one (1) year for the 381/383 Pitcher Street project and authorize staff to prepare amendment to development agreement pursuant to that extension. Rogers seconded the motion. Motion carried with Grimwood, Wenzel, and Agostinelli abstained.**

f. **Discussion/Action:** 555 E. Eliza St. MDEQ Loan and Grant

i. **\$ 371.25** – Invoice #04436 MDEQ Grant

ii. **\$ 310.81** - 2<sup>nd</sup> Qtr. MDEQ Grant Administrative Invoice

**Grimwood motioned to pay both invoices. Wenzel seconded the motion. Motion carried.**

iii. MDEQ 2<sup>nd</sup> Quarterly Report/Grant Reimbursement request (State of MI FY2018)

Staff with Hawkins gave an update regarding the on-site vapor intrusion system tweaks. Grant ends September 30<sup>th</sup>.

g. **Discussion/Action:** Broker's Outreach event – May 3, 2018 – 4:00 p.m.

i. Estimated cost – \$650.00

Food cannot be paid from grant. There is approximately \$90 remaining from postcard printing budget.

Wenzel motioned to approve up to \$650 for food for the event, Agostinelli seconded the motion. Motion carried.

h. **Discussion/Action:** Upcoming Training Opportunities

i. MEDA Spring Toolbox – May 24<sup>th</sup> – Lansing, MI (same day as KCBRA) - \$175

This session is the same day as May Board meeting. Rogers noted due to potential quorum issues, to recommend waiting until Fall MEDA Toolbox

ii. AIPG Annual Conference – Emerging Contaminants & Pathways - \$250 June 12<sup>th</sup> and 13<sup>th</sup> – Higgins Lake

**Ferguson motioned to approve \$250 registration for Grover to attend AIPG conference, Grimwood seconded the motion.**

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Discussion, Jarnefelt requested that the KCBRA cover mileage and per diem in addition to registration and that the Planning Department will cover the work time.

**Ferguson amended motion to also include the mileage and per diem to registration, Travis supported the amendment. Motion carried.**

8. Financial Reports

- a. **Discussion:** Fund 247 and 643  
Staff provided financial update

9. Staff Report

- a. Vicksburg Mill Transformational Brownfield Plan update: Meeting with MEDC and other stakeholders was valuable.  
b. Presentation of KCBRA program and activities – on COW May 15<sup>th</sup> Agenda

10. Committees - times dates and places

- a. Land Bank Report – Next Meeting, June 14, 2018, 8:30 a.m.  
b. Project/Finance Committee – Next meeting Thursday, May 10, 2018, 4:00 p.m.  
c. Executive Committee – Next meeting Friday, May 11, 2018, 9:15 a.m.  
d. Bylaws Committee – additional changes may be recommended for both EDC and KCBRA by-laws to meet legislative requirements. Staff will contact committee for upcoming dates to discuss the potential changes.

11. Other

Peregon noted there may potentially be a board vacancy this year. Jarnefelt has communicated with Administration to make the Interview Committee aware.

Rogers asked Board for recommendations regarding what type of professional experience from the community Board members would like to see in candidates. Discussion occurred regarding advantages to having an attorney on the Board. Agostinelli noted an attorney with real estate experience would be preferred. Peregon recommended diversity.

12. Board Member Comments

13. Adjournment: Meeting adjourned at 5:25 pm

**Next Meeting: Thursday – May 24, 2018 at 4pm  
Room 207a, County Admin Bldg**

PLEASE CALL 384-8112 OR EMAIL RAGROV@KALCOUNTY.COM  
IF YOU ARE UNABLE TO ATTEND THE MEETING

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