

Washtenaw County
Brownfield Redevelopment Authority (WCBRA)
Meeting held virtually using Zoom

APPROVED MEETING MINUTES
Thursday, May 13, 2021, 9:00 a.m.

Board Present: Trevor Woollatt – Chair, Christy Maier, James Harless, Morgan Foreman (joined 10am), Sue Shink, Joe Meyers, Allison Krueger, Karen Lancaster (left at 9:48am), Sybil Kolon

Board Absent: None

Staff: Nathan Voght OCED

Joining the Video conference: Jeremy McCallion – AKT Peerless, Adam Bishop – TriTerra, Colleen O’Toole, Jeff Fordice - City of Saline, Patti McCall – TetraTech, Mark Quimby – SME, Ron Mucha – Morningside, Rosie Pahl Donaldson – Washtenaw County Parks, Troy Helmick – SME

Handouts: None

1. Call to Order

Chair Woollatt called the virtual video-conference meeting to order at 9:03 a.m.

- a. Board member Roll Call and Declaration of City/Township/Village, County and State from which they are attending: James Harless, calling from Webster Twp., Washtenaw County, Trevor Woollatt, calling from Ada, Kent County, Christy Maier, calling from Kenneth Square Chester County Pennsylvania, Sue Shink, calling from Northfield Twp., Washtenaw County, Karen Lancaster, calling from Saline, Washtenaw County, Allison Krueger, calling from City of Ypsilanti, Washtenaw County, Sybil Kolon, calling from Manchester Twp, Washtenaw County, Joseph Meyers, calling from City of Ypsilanti, Washtenaw County.

2. Public Comment

There was no public comment.

3. Approval of Agenda

J. Meyers moved to approve the agenda (2nd J. Harless), and the motion passed unanimously.

4. Approval of April 8th, 2021 Meeting Minutes

J. Harless corrected business item #5, to state he was “concerned that the sub-slab investigation was not included...” J. Meyers moved to approve the April 8th, 2021 minutes with the noted correction (2nd K. Lancaster), and the motion passed unanimously.

5. Board Member Conflict of Interest Disclosure

J. Harless stated he has a conflict with Business Item #1, 309 N. Ashley, and A. Krueger stated she has a conflict with #5, 943 N. River 355 W. Clark Rd.

6. Business

1. 309 N. Ashley Eligible Activity Approval – Action

J. Harless recused himself from the discussion on this item.

N. Voght summarized the project and request, which is the first Eligible Activity request totaling \$1,876,130.05. The total maximum developer reimbursement is \$2,039,022, so a maximum of \$162,891.95 in remaining eligible activities can be claimed. He referred to an email exchange with James Harless, provided in the packet, providing clarifying information and answering questions about the submitted costs. One of the questions was the nature of the development LLC, versus the Huron Contracting company, overseeing the construction, owned by one of the developers. Since both entities are made up of different owners, and have an “arms-length” relationship, the charges managing eligible activities from Huron Contracting are eligible. Staff noted the same questions came up for Grandview Commons over a year ago, which is also later on the agenda.

Troy Helmick, from SME, was in attendance to describe in more detail the activities submitted.

J. Meyers moved to approve the requested \$1,876,130.05 in Eligible Activities for 309 N. Ashley (2nd A. Krueger), and the motion passed unanimously, with J. Harless abstaining.

2. Grandview Commons Eligible Activity Approval – Action

N. Voght summarized this second request for Eligible Activity approval, for \$243,360 in activities between July 1, 2019 and December 31, 2020. The Board previously approved \$1,552,678 in Eligible Activities in 2020, which included \$540,645 in Local Only expenses. The approved Brownfield Plan includes a maximum \$2,329,235 in Brownfield Eligible Expenses.

Jeremy McCallion, with AKT Peerless, the environmental consultant for the project, updated the Board on the status of the development, with 11 of 17 buildings being completed soon. He further described the current activities requested, which include soil management, Vapor Mitigation and oversight costs.

J. Harless asked how much more Local Only expenses might be submitted. Staff indicated that not much remains.

J. Harless moved to approve \$243,360 in Eligible Activities for the Grandview Commons project (2nd J. Meyers), and the motion passed unanimously.

3. 1140 Broadway (Beekman on Broadway) Eligible Activity Approval – Action

N. Voght referred to the information submitted by SME summarizing this second request for Eligible Activity approval, in the amount of \$1,946,565.33, including draws 9 through 28, and includes due care, PRB costs, soil management, storm sewer work, demolition, infrastructure, and soft costs associated with public utilities.

Staff asked the Board to further discuss and clarify various soft costs related to building permit fees, architectural/engineering design fees, utility tap fees, and municipal third party inspection fees. The Board was in agreement that tap fees are not eligible. Mark Quimby, with SME, the environmental consultant for the project and who prepared the submittal, confirmed that no tap fees are being requested.

K. Lancaster left the meeting at 9:48 a.m.

Staff specifically requested clarification from the Board on the third-party inspection fees charged by the City of Ann Arbor related to the installation of the eligible public utilities. These fees were substantially higher than projected in the Work Plan cost table. J. Harless, who worked on the Brownfield and Work Plan during initial project planning with SME, stated that specific

percentages for various soft costs were established in the Work Plan so that those percentages could just be applied to the hard costs and added as a “straight” soft cost amount. N. Voght asked for clarity, as this is not how the initial cost submittal was submitted, nor did the Board request percentages be applied during approval of the first round of costs. Rather, soft cost invoices (actual costs) were submitted and approved that were associated with the various activities.

The Board suggested a meeting with the Chair to discuss this further, and that these \$300,000 in city inspection soft costs could be removed and considered next month separately.

J. Meyers asked if the Board has approved third party inspection fees in the past, and he questioned whether the Board would for Thompson Block.

J. Meyers moved to set aside the \$308,283.48 in Soft Costs for further discussion, and approve the remaining requested costs of \$1,638,281.85 (2nd J. Harless) and the motion passed unanimously.

4. 227, 237, 247 Monroe Street, LBRF Application, City of Saline – Action

N. Voght summarized the project, and introduced Colleen O’Toole, Saline City Manager, and their environmental consultant, Patti McCall, with TetraTech. The City is building a parking lot to serve a nature area, and they discovered heavy metals that needs to be disposed properly, which presented a significant increase in cost to the project.

TetraTech provided a cost table with approximately \$85,000 in eligible brownfield activities for which the City of Saline is requesting an LBRF Grant.

T. Woollatt asked about the hard surface material to be used, and Jeff Fordice, City engineer, provided more information. Ms. McCall provided more OSHA issues related to lead costs. The Board further discussed which of the estimated costs are necessary at this time, and what portions of the due diligence conducted in January were related to this project, instead of the wastewater treatment plant.

The Board asked further questions on Task #2 and excavation costs. Patti McCall explained top soil needed as a barrier, and regarding the landscaped areas. A question was asked about the GPR costs, and Ms. McCall further explained that is not related to the parking lot. J. Harless stated he would like some of the extra costs removed and then if there are additional costs that arise, the City can come back and request more funds. The Board asked the City for project timing, and Mr. Fordice replied they’d like to do the work this season.

J. Harless moved to approve a \$50,000 LBRF Grant to the City of Saline, to be amendable in the future if demonstrated costs related to the project exceed this amount (2nd J. Meyers), and the motion passed unanimously.

5. 943 N. River 355 W. Clark Road Environmental Assessment Revised Grant Application, Washtenaw County Parks - Action

A. Krueger recused herself from the discussion on this item.

M. Foreman joined the meeting at 10:30 a.m.

N. Voght summarized the updated cost proposal from TriTerra, which is lower than the previous cost proposals the Board did not accept. He reminded the Board of the County Park’s intent to acquire these properties and expand their passive recreation area.

J. Harless moved to approve the revised Assessment Grant Application for \$9,200, including Phase II, BEA and Due Care Plan (2nd J. Meyers), and the motion passed unanimously, with A. Krueger abstaining.

6. Draft 2019-2020 Brownfield Authority Two-Year Annual Report – Presentation and Discussion

Staff presented the draft two-year report, which was developed with the help of OCED intern, Lauren Milia. The Board provided feedback on the report, and staff will make revisions, and provide an updated report in June.

7. April 2021 Financial Report – Information Only

Staff referred to the Financial Report, fully updated with all TIF reimbursements, and LBRF< and Admin capture reflected.

7. Other Business

A. Krueger asked about continuing to meet virtually, and S. Shink, BOC Representative to the Board stated the County's current policy, which will evolve with additional state and county public health orders.

8. Public Comment:

The Board asked if anyone attending had additional public comment, and no one responded.

9. Adjournment:

S. Kolon moved to adjourn the meeting at 10:48 a.m. (2nd A. Krueger) and the motion passed

These minutes were approved by the Washtenaw County Brownfield Redevelopment Authority at the June 10, 2021 meeting, held virtually with Zoom.