Washtenaw County
Brownfield Redevelopment Authority (WCBRA)
200 N. Main, Lower Level Conference Room

APPROVED MEETING MINUTES
Wednesday, July 3, 2019

Board Present: Jeremy McCallion – Chair, Matt Naud - Secretary/Treasurer, Sybil Kolon, James Harless, Joe Meyers, Todd Campbell

Board Absent: Jason Morgan (Excused), Allison Krueger (Excused), Trevor Woollatt – Vice-Chair (Excused)

Staff: Nathan Voght

In Attendance: Dan Cassidy – SME, Derek Delacourt – City of Ann Arbor, Courtney Nicholls – City of Dexter, Greg Capote – Colliers, Mary Hoeh – AKT Peerless, Patti McCall – TetraTech, Peter Linderman – Communication/Policy Specialist with County Office of Community and Economic Development.

Handouts: None

1. Call to Order
   Chair McCallion called the meeting to order at 9:08 a.m.

2. Public Comment
   J. McCallion asked if there was any public comment, and there was none.

3. Approval of Agenda
   J. Harless moved to add 1150 Midway Subsurface Investigation Environmental Assessment Grant from Ypsilanti Township as Agenda item “5a” (2nd M. Naud), and the motion passed unanimously.
   J. Harless moved to adopt the agenda as amended (2nd T. Campbell), and the motion passed unanimously.

4. Approval of June 6, 2019 Meeting Minutes
   S. Kolon mentioned several typos. D. Cassidy from SME mentioned his name was spelled incorrectly. S. Kolon moved to approve the minutes as amended (2nd T. Campbell), and the motion passed unanimously.

5. Board Member Conflict of Interest Disclosure
   J. McCallion declared a conflict on Business item #1 and #5a.
   J. Harless declared a conflict on Business Item #4.

6. Business
   1. 1165 Ecorse Rd. Phase II Environmental Assessment Amended Application, Ypsilanti Township – Action
J. McCallion recused himself and removed himself from the meeting table and handed control of the meeting over to the Secretary, M. Naud. Staff summarized the request that after Sara Jo Shipley, from the Township, confirmed from the Fire Chief that foam fire fighting drills previously occurred on this site, there is concern for PFAS. The Township would like to proceed with a Phase II, even without a potential purchaser, to determine if there is an issue. The request is for $15,690 in Phase II testing.

J. Harless expressed concerns about benefitting a Liable Party in awarding assessment grant funds to the Township. He stated Act 381 prohibits this. The Board discussed the matter further. N. Voght asked if the Board would consider approving the funding, with the condition the Township pay the funds back after property sale. M. Naud suggested the Board should consult Corporation Counsel. Testing for PFAS is also difficult.

J. Harless moved to table the request to seek legal advice and bring the request back in August (2nd S. Kolon), and the motion passed unanimously with J. McCallion abstaining.

2. **Vacant City of Dexter Dexter-Ann Arbor Road Environmental Assessment Grant Application, City of Dexter – Action**

The Secretary handed control of the meeting back to the Chair, J. McCallion.

Staff discussed the proposed application for Phase I.

J. Harless moved to approve the Phase I application (2nd M. Naud.), and the motion passed unanimously.

3. **2 W. Michigan Environmental Assessment Grant Application Phase II, EGLE – Action**

N. Voght called Ray Govus, from EGLE, so he could participate via conference call in the discussion. The request is for a $19,500 grant for specific site investigation associated with the 2 W. Michigan redevelopment site, as part of the larger, on-going investigation of the extent of potential impacts to the area.

Ray Govus provided an overview of the status and how the requested funding will assist EGLE in its environmental investigation of the area.

J. Harless moved to approve the grant application for $19,500 (2nd T. Campbell), and the motion passed unanimously.

4. **Broadway Park Brownfield Plan, Ann Arbor – Action**

J. Harless removed himself from the meeting table due to a conflict with this item.

N. Voght provided an introduction to the Plan, and the anticipated timeline for approvals. S. Kolon asked a question about Liable Party activities. D. Cassidy explained that Liable Party (DTE) activities will happen first, then the developer-related activities next.

M. Naud moved to approve the Brownfield Plan for Broadway Park (2nd T. Campbell), and the motion passed unanimously, with J. Harless abstaining as he works for SME, the environmental consultant on the project.

5. **1831 Traver Environmental Assessment Grant, City of Ann Arbor for the Leslie Science and Nature Center – Action**

J. Harless rejoined the meeting table.
Derek Delacourt, from the City of Ann Arbor, provided an overview of the project, and the City’s request for assistance with environmental investigations at the Science Center. Patti McCall, with TetraTech, the City’s environmental consultant, provided more information on the proposed investigation.

J. Harless asked why LBRF wouldn’t be considered a funding source. He indicated the Board could approve $50K in assessment funding, and then be repaid with LBRF. N. Voght indicated those are options to consider when/if a subsequent request to support remediation is submitted by the City.

M. Naud asked about the City’s environmental insurance. He suggested they check with Tom Crawford, as he recalls the City purchasing such insurance through Hylant.

J. Harless moved to approve $50,000 in Assessment Grant Funding, as an advance on ultimate LBRF funding to be considered by the Board, to be repaid with LBRF funds upon approval of a Brownfield Plan (2nd M. Naud), and the motion passed unanimously.

5a. 1150 Midway Environmental Assessment Grant for Subsurface Investigation, Ypsilanti Township – Action

J. McCallion handed control of the meeting over to M. Naud.

N. Voght indicated the Phase I was previously supported and completed for this proposed skate park site. He described the additional request by Ypsilanti Township to investigate with shallow hand-augered samples areas around a former foundation on the site, due to concerns on the part of the Township based on historical uses. In addition, an Environmental Construction Management Plan is included in the request.

Mary Hoeh, from AKT Peerless, described the purpose of the investigation further.

J. Harless moved to approve $6,450 in additional environmental assessment grant for the subsurface investigation and Environmental Construction Management Plan (2nd S. Kolon), and the motion passed unanimously, with J. McCallion abstaining as he works for the consultant conducting the work.

6. By-Laws Revision to Membership – Action

N. Voght reminded the Board of the issue identified in a previous County IRS Audit with County Board/Commission members receiving stipends for serving, but not being taxed on that income. The County determined most volunteers serving on Board/Commissions must become temporary County employees to receive the stipend and pay any taxes due. Staff and Brownfield Authority members have been concerned that this requirement is burdensome and problematic. According to Corporation Counsel, if certain Boards/Commissions have specific volunteer positions/slots to be filled, and those members are serving in a way consistent with their expertise and with the permission of their employer, and being paid, they would be exempt from having to become temporary County employees. The exception would be the “community at large member,” which would not be exempt.

Staff made revisions to the membership of the Brownfield Authority creating more narrowly-defined slots, which Corporation Counsel reviewed and concurred that it is sufficient to avoid wholesale on-boarding, but rather only require it for the Community At Large member.

S. Kolon moved to approve the By-Law amendments (2nd T. Campbell), and the motion passed unanimously.

7. 2018 Annual Report – Discussion
N. Voght presented the report along with Peter Linderman, the new Communications/Policy Specialist with the Office of Community and Economic Development. The Board provided some feedback on several pages of the report.

Signs on project sites supported by Brownfield Authority incentives were brought up again, and the Board asked that generic signs be produced and that signs be placed on LBRF and TIF-supported sites. No local unit logos would be added, for simplification.

7. **Other Business**

   None.

8. **Public Comment:**

   None.

9. **Adjournment:**

   S. Kolon moved to adjourn the meeting at 10:43 a.m. (2nd M. Naud), and the motion passed unanimously.

These minutes were approved by the Washtenaw County Brownfield Redevelopment Authority at the September 5, 2019 Meeting.