

Leelanau County Brownfield Redevelopment Authority (LCBRA)

Meeting Date: Tuesday June 20, 2023 at 10:00 am

Location: Leelanau County Government Center

Members

Dan Heinz, Chairman
Rick Foster, Vice-Chair
John Arens-Sect/Treasurer
Deborah Allen
Gwenne Allgaier
T. Eftaxiadis
David King

Director

Trudy Galla

CALL TO ORDER & PLEDGE OF ALLEGIANCE

ROLL CALL

PUBLIC COMMENT

DIRECTOR COMMENTS

CONSIDERATION OF AGENDA

CONFLICT OF INTEREST

CONSIDERATION OF MINUTES – May 16, 2023 pgs 2-4

CONSENT AGENDA

Items of a routine nature to be voted on with one motion - no discussion. Upon request, members may remove any item and place elsewhere on the agenda, with no vote of the commission. Members will vote on remaining items on the Consent Agenda, after the item removed has been placed elsewhere on the agenda.

- a. Fishbeck – General Consulting and TIF Management *pgs 5-6*
- b. Fishbeck – EPA Assessment Grant *pgs 8-10*

OLD BUSINESS

NEW BUSINESS

1. Review Fee Schedule *pgs 11-12*
2. Work Order 4 – Centerville Twp Dump Site *pgs 13-14*
3. Work Order 5 – Peninsula Housing *pgs 15-17*

FINANCIALS

1. Claims & Accounts \$ 9,603.57 *pgs 18-27*
2. Post Audit, Budget Amendments, Transfers

CORRESPONDENCE/COMMUNICATION ITEMS

PUBLIC COMMENT

DIRECTOR COMMENTS

MEMBER / CHAIRPERSON COMMENTS

ADJOURN

A regular meeting of the Leelanau County Brownfield Redevelopment Authority (LCBRA) was held on Tuesday, May 16, 2023 at the Leelanau County Government Center.

CALL TO ORDER

Meeting was called to order at 10:01 a.m. by Chairman who led the Pledge of Allegiance.

ROLL CALL

Members Present: D. Heinz, D. Allen (10:05 am), G. Allgaier, J. Arens, D. King, R. Foster
T. Eftaxiadis

Staff: T. Galla, Director

Public: T. Searles, L. Mawby, Zach Hillyer, J. Stimson

PUBLIC COMMENT – None

DIRECTOR COMMENTS

Galla noted a late agenda item for consideration, and mentioned a scholarship opportunity for the 2023 Brownfield Conference.

CONSIDERATION OF AGENDA

Motion by Eftaxiadis, seconded by Foster, to accept the agenda with the addition of an application from Centerville Township added as New Business #3 item. Motion carried 6-0.

CONFLICT OF INTEREST – None

CONSIDERATION OF APRIL 18, 2023 MINUTES

Motion by Foster, seconded by King, to approve the minutes as presented. Motion carried 6-0.

CONSENT AGENDA

- a. Fishbeck – EPA Assessment Grant
- b. Fishbeck – General Consulting and TIF Management

Motion by Foster, second by Eftaxiadis, to accept the consent agenda as presented. Motion carried 6-0.

OLD BUSINESS – None

NEW BUSINESS

Part I Application – Peninsula Housing – Consider approval and request for Work Orders.

Galla pointed out that she submitted a memo on page 10 of the packet with a recommendation. Larry Mawby was present to review the application and submitted the \$150 application fee. In the past, the LCBRA has waived fees for non-profits or reduced the fee. After hearing from Mawby, the LCBRA could accept the application and direct Fishbeck to work with Mawby to prepare the Work Order and have it come back to the LCBRA you at the next meeting for consideration. There is also an eligibility determination that has to be completed and submitted to EPA to make sure we can use the funds for this project.

(Deb Allen present)

Larry Mawby from Peninsula Housing stated they acquired the property at the end of December 2022 and had a Baseline Environmental Assessment (BEA) done. He would like to take down the buildings but to do that, he needs more assessment work. The BEA indicated arsenic and lead in the soils and lead paint in the house. They don't know about asbestos. Under the EPA grant, they are applying for assistance. He noted they are also applying

for two other grants from other agencies involved with planning and demolition work. They may also be interested in a plan for capture of TIF. He was not clear how the EPA funds could be used for the assessment and planning as this is the beginning of a long process on this site. Mawby asked for the LCBRA to consider this useful project. He also stated that as a non-profit who has to watch the dollars, he was also asking for consideration to waive the application fees, or discount the fees. They will be looking at submitting the Part II Application which does have a fee for other work.

Motion by Allgaier, seconded by Eftaxiadis, to accept the Part I application and waive the application fee of \$150 and request Director Galla and Fishbeck work with Peninsula Housing and bring back a Work Order in June for consideration.

Arens asked what the property was currently zoned and Mawby said Rural Residential, and there is an overlay district to support eight units of housing per acre. The township is in the process to amend the zoning ordinance. The current density is supposed to remain.

Heinz asked if a special land use permit was needed and Mawby replied, yes.

Eftaxiadis remarked that as related to eligibility determination from EPA for purpose of quantifying the property for use of the EPA grant funds, that should not be a problem because there is lead contamination on the property. There is also arsenic which, unlike the state, the EPA does consider arsenic to be a contamination to qualify. For purposes of TIF, if the property remains in the future as owned by a non-profit, then TIF will not work. However, you could make a portion of the development taxable. This way, there is some TIF generated and you can back calculate the eligible expenses, how much TIF you need and then determine how many parcels you end up with that would be taxable.

Mawby stated they are a community land trust (CLT), non-profit. However, property owned by a CLT is taxable. We do pay taxes on what we own because we get income from it. It would work fine for CLT to own property with TIF.

Heinz asked about the arsenic issues and if there will be well water or village water. Mawby said it will probably be a Type I water system that they will install. Arsenic is in all agricultural soils probably throughout the state. There are certain things you don't want to do on those grounds but you can pave it over, build buildings etc. Herman Park was part of this original farm. At the time the township zoned the property the way it is, there was an agreement between the township and the village to provide municipal services to the property. We have been talking with both the township and village. The township is supportive of it and the village is still talking about the sewer. We may be doing onsite sewer and water. It would be nice if it was all part of the village system. The Rural Readiness grant we are applying for, hopefully gives us the site planning we need. We are zoned for 80 units on that parcel. If we do onsite septic and a Type I well, we can fit 80 units on there. It might be more appropriate to annex property to the village. If that happened, we can't say what the density would be. There are pros and cons being annexed to the village. The township is okay with it being annexed and they still get their taxes.

Arens asked where the force main is for the sewer. Mawby said it is a gravity main and terminates at intersection of Herman and County Road 633. Sewer service is not that far away. Water terminates at corner of 4th and Elm St, right in front of the school.

Eftaxiadis requested that when Fishbeck does the assessment to make sure there are enough ground water samples.

On a voice vote, the Motion carried 7-0.

Brownfield 2023 Conference in Detroit

Members discussed attendance at the Brownfield conference in August in Detroit.

Motion by Allgaier, seconded by Foster, to have the following participants attend in whole, or in part, the 2023 Brownfield Conference in Detroit: T. Eftaxiadis, D. Allen and G. Allgaier, with possibility of Galla, and Foster

to attend if they have no conflicts. On a voice vote, the Motion Carried 7-0.

Centerville Application for Assessment Work

Galla reviewed the application and stated it was the result of the Supervisor coming to talk with Allen and herself about this site. They are not sure of contamination issues at this old dump site, if there are problems with the soils or any migration of contamination. As part of the EPA assessment grant, Galla has reached out to all townships and villages to ask for the location of the old dump sites. Some of them had more than one. The township would like to assess the property to determine their next steps, and if they can use it or sell it. It would require a Work Order to come back from Fishbeck for consideration next month.

Motion by Eftaxiadis, seconded by Allen, to accept the application from Centerville Township for assessment of suspected dump site and authorize Fishbeck to work with the township to determine the needs for assessment through the EPA assessment grant, and waive the application fee.

Motion carried 7-0.

FINANCIALS

Claims & Accounts

Motion by Foster, seconded by Arens, to approve Claims & Accounts in the amount of \$6,116.25. Motion carried 7 -0.

Post Audit, Budget Amendments, Transfers - None

CORRESPONDENCE/COMMUNICATION ITEMS - None

PUBLIC COMMENT

Mawby told members to keep up the good work.

DIRECTOR COMMENTS

Galla commented on the payment made to the state for the loan on the Leland site. This is the annual payment made to the state and they contacted Galla asking about the status. It was approved and mailed 2 months ago so they will have to track it down. She also had a discussion with our EPA representative yesterday, questioning our projects. In our application to the EPA and how we were scored, we had identified targeted and priority areas and Galla was informed the project in Leland Township was not in a priority area. Galla acknowledged that with the assistance of Fishbeck, the Work Program that was prepared for EPA after we received the grant award identified priority and non-priority sites throughout the county for our projects. There were a few other things she questioned. We need to be sure we are meeting all of our requirements.

Eftaxiadis asked what else was questioned and Galla stated she was questioned our eligibility determination wording. We used wording that EPA concurred with the state determination on the petroleum site and EPA does not want that wording when the state has to make the eligibility determination.

Galla stated we are doing fine, we just need to be mindful of those sites which may not be in our targeted, priority areas. You may even want to have the wording of the motions handled differently for those sites.

MEMBER / CHAIRPERSON COMMENTS

Heinz asked about open houses and follow-up. Galla replied there were two open houses with relatively small turnout but great questions were raised at each session. There was a gentleman who left early at one of the sessions and Galla contacted him later and pointed out other things we may be able to assist him with on his project. He reached back to Galla and was interested and will follow up in the future. Galla noted a few people contacted her on projects but they don't appear to be ready yet.

Heinz asked about the meetings Allen and Galla were doing with the townships. Galla replied that the Centerville

application today was the result of meeting with the Supervisor. Having these small meetings at the township level is working well. Allen added that they did one round of calling all the townships and will do another round of calling to set up some more discussions.

Eftaxiadis asked if the meetings were with the supervisors and Allen said yes.

Arens commented on the dump sites throughout the county and asked how information would be gathered. Galla emailed all township and village clerks and Supervisors and asked if they could help identify the old dump sites. Some of the information is anecdotal about being on the end of a road or on someone's farm. We also have old aerials that we can access but we need a starting point. It will be good to know where these dump sites are at, even if we don't use EPA funds on the sites.

Arens said it might be wise to bring these up at a county board meeting and see where those sites are actually located. Perhaps this is something Fishbeck can get involved in or use another data source. It seems like it should be a priority for us to check out these old dump sites.

Foster added that many farms had dump sites, things were sprayed and put on the ground and we would not do that today. Farms had dumps back in a corner of their property.

Mawby noted there are a significant amount of private dump sites in this county and most likely won't be identified. One of the nice things of doing conservation easements with the Leelanau Conservancy is those have to be identified and cleaned up before a conservation easement is done. There are lots of them.

Heinz commented on the Elmwood Township former dump that is a block away from where he lives. Before he purchased, he had to get paperwork on that site because of the monitoring wells there to determine where the plume was going. There are over 150 homesites now in that area.

Eftaxiadis asked if we have site inventory task listed in the EPA grant program and Searles replied it is not specifically set up in this grant because we already developed it. We are doing updates to the list.

Eftaxiadis noted that EGLE has databases where they have documented any suspected dump sites. He has not looked at those for the county, but could. We could also consider creating an assignment for Fishbeck to look into that. Also, by looking at state health department site and EGLE, we can look for inventory of either Type I community well or residential wells that have exceeded some contamination - primarily arsenic. Once we look at those and the area around through historical area photos, we would be able to see if there are any suspected dump sites. And, as part of a work task, we could try and find people that may have some information such as old timers, farmers, supervisors, etc.

Arens said in a former life in another area, he was very aware of a road commission that would take their various stuff to the end of a road and dump it off the back of the truck. This was a government entity doing this. Old timers will know of sites.

Eftaxiadis asked about creating some type of list as part of the outreach under the EPA grant. Galla replied that we have taken in some nominations of suspected sites and will turn those over to Fishbeck as we work on updating the inventory list. Eftaxiadis commented on the Act 307 inventory for suspected dump sites. Further discussion was held on potential sites and Galla noted the Super Fund site in Elmwood township. EPA will be cleaning that up for some time.

King requested we look at our policy on fees and determine what we are going to do with waiving fees, or not waiving fees. Galla said she can put that on the agenda for next month for consideration. Years ago, the schedule included language that the LCBRA would consider waiving fees and everyone asked to waive fees so that might not be the answer but the LCBRA can review it next month for potential changes.

ADJOURN - Meeting adjourned at 10:51 am.

Memo

TO: Trudy J. Galla, AICP, Director – Leelanau County Brownfield Redevelopment Authority

FROM: Therese Searles and Jeff Hawkins

DATE: June 12, 2023

RE: General Consulting and TIR Management Monthly Updates and Invoices

This memorandum serves to provide information regarding invoices and updates that are being presented to the Leelanau County Brownfield Redevelopment Authority (LCBRA) for services rendered on various projects related to General Environmental Consulting activities.

Please find attached several items for your consideration:

1. General Services (W.O. #2-GS)

Update:

Fishbeck has entered into an agreement of service with the LCBRA for environmental consulting services related to the County's FY22 EPA Assessment Grant. Applicable to this Agreement, Work Order Number 2-GS, an overall general services work order, dated April 18, 2023, was approved at the April LCBRA regular meeting. Activities subject to this work order may include assistance with existing Brownfield Plans, new project communications, evaluating new State reporting requirements, and other project assistance as needed. There are no invoices for consideration this month.

Project Invoices for Consideration:

N/A

2. 2023 Tax Increment Tracking and Annual Reporting (W.O. #1-GS)

Update:

Fishbeck has established a tax increment financing (TIF) tracking system for the LCBRA for its existing Brownfield Plans. The LCBRA has engaged Fishbeck to manage the tracking of tax increment collection and reimbursement associated with the LCBRA's existing brownfield plans for 2023 by updating and sending out Statement of Account twice a year to coincide with tax collection periods. Reimbursement Analysis will also be updated for the LCBRA twice a year. As we have assisted in previous years, Fishbeck will also assist the LCBRA with Annual Reporting through the MEDC online portal in August of 2023. Fishbeck tracks the collection of TIR received on a continual basis as those checks come in and are forwarded on by Trudy Galla. Activities included in this month's invoice were related to review of TIF received associated with delinquent taxes and communication with Trudy Galla and John Gallagher.

Project Invoices for Consideration:

Invoice #424163 (\$126.00)

**Leelanau County Brownfield Redevelopment Authority
General Services
Budget and Cost Summary**

06/12/2023

Number		Activity	Budget Estimates	Actual			Project Budget Remaining		
Project	W.O.	Site/Phase	Total	Invoice No.	Invoice Date	Total Invoiced Amount		Total	Project Complete
230507	1-GS	Tax Increment Tracking and Annual Reporting	\$ 4,900.00	Invoice Total	421222	3/13/2023	\$ 333.75		
					422202	4/5/2023	\$ 63.75		
					230507	5/8/2023	\$ 283.50		
					424163*	6/8/2023	\$ 126.00		
				Project Subtotal			\$ 807.00	Project Subtotal Remaining	\$ 4,093.00
				Invoice Breakdown					
		Statement of Account and Reimbursement Analysis Preparation	\$ 3,700.00	Stmnt of Acct/RA	421222	3/13/2023	\$ 333.75		
					422202	4/5/2023	\$ 63.75		
					423195	5/8/2023	\$ 147.00		
					424163	6/8/2023	\$ 126.00		
				Phase Subtotal			\$ 670.50	Phase Subtotal Remaining	\$ 3,029.50
		Annual Reporting	\$ 1,200.00		423195	5/8/2023	\$ 136.50		
				Phase Subtotal			\$ 136.50	Phase Subtotal Remaining	\$ 1,063.50
230894	2-GS	General Consulting	\$ 6,000.00	Invoice Total	423194	5/4/2023	\$ 59.00		
				Project Subtotal			\$ 59.00	Project Subtotal	\$ 5,941.00
		Approved Project Budgets Subtotal	\$ 10,900.00	Total Expended			\$ 866.00	Budgets Remaining	\$ 10,034.00
		Estimated Budget Remaining	\$ -					Check	\$ 10,900.00
		Project Budgets Returned							
		Available Budget Remaining	\$ 10,034.00						
		Notes:							

Memo

TO: Trudy J. Galla, AICP, Director – Leelanau County Brownfield Redevelopment Authority

FROM: Therese Searles and Jeff Hawkins

DATE: June 12, 2023

RE: FY22 EPA Grant Updates and Invoices

This memorandum serves to provide information regarding updates and invoices that are being presented to the Leelanau County Brownfield Redevelopment Authority (LCBRA) for activities and services rendered on various projects related to the EPA Brownfield Assessment Grant (4B-00E03213-0).

1. QAPP

Project No: 230506 – W.O. # 1

Update:

Jeff Hawkins and Therese Searles of Fishbeck, along with Trudy Galla, attended a virtual Pre-QAPP call with Sarah Gruza, EPA Project Officer on February 28, 2023. Preparation of the QAPP is complete and has been submitted to and approved by the EPA. QAPP self-certification was found to be complete and satisfactory on May 8, 2023. The lump sum billing for preparation of the QAPP was approved at the May meeting so there are no invoices for consideration this month.

Project Invoices for Consideration:

N/A

2. Community Outreach and Programmatic

Project No: 230505 – W.O. # 2

Update:

Programmatic activities relate to preparing work orders, preparing meeting materials, setting up/inputting ACRES information, and communications with the Director of the LCBRA regarding implementing the grant activities. Two informational sessions were held in April to inform attendees on grant funding opportunities. By holding these events in April, the LCBRA is right on track with the proposed grant timeline of completing two community open houses by Quarter 3 of fiscal year 2023 (April-June, 2023). Activities included in this month's invoice for consideration include preparing meeting materials, discussions with the Director regarding new projects in Empire, and making project updates in ACRES.

Project Invoices for Consideration:

Invoice #424161 (\$660.25).

**3. Bluebird Redevelopment Project - 102 & 103 E. River St. and 101 E. Main St., Leland, MI
Project No: 230504 – W.O. # 3**

Update:

Skip (Daryl) and Lynn Telgard submitted a project application to the LCBRA for their Bluebird Redevelopment Project in Leland. The Telgards are the 3rd generation to run the Bluebird restaurant and tavern, founded in 1927, situated one block from Fishtown and serving both locals and tourists. Historically, the property was used for the production of charcoal for a nearby iron works in the 1800s. The property is currently developed as two restaurants, one storage facility, one retail store, and associated parking. The property at 101 S Main Street was formerly used as a gas station, with a leaking underground storage tank (Facility ID 00036063) which has since been closed. The developer intends to demolish the current building as it is deteriorating, including a failing roof, ventilation system, and windows. In addition to its deteriorating status, many code updates have occurred since its original construction and the building has been determined to be functionally obsolete by the local assessor. It is also unknown whether asbestos-containing materials are present which will need to be determined prior to demolition. The Bluebird will be rebuilt as a smaller restaurant with a rentable commercial space, occupying less land and located closer to the river. The owners are also working with the Michigan Department of the Environment, Great Lakes, and Energy (EGLE) through its permitting process to stabilize the riverbank by repairing a seawall. Further assessment may be performed as needed related to historical charcoal use. Private investment is anticipated at \$3,000,000, with the creation of 25 jobs anticipated. The developers have requested support from the LCBRA through the preparation of a brownfield plan to allow for the reimbursement of eligible costs (work order #3), which was approved by the LCBRA on February 21, 2023. A petroleum eligibility determination was received from EGLE for the use of petroleum grant funds on March 16, 2023 and EPA has concurred with the LCBRA's eligibility demonstration for the use of hazardous substance grant funds as of March 22, 2023. Fishbeck, the Director, the developers, and the township assessor met on March 21, 2023 to discuss next steps. The assessor prepared an affidavit of functional obsolescence for the property. The Telgards have requested additional support from the LCBRA to include a Phase I ESA, pre-demolition asbestos surveys for both structures on the property, and a conceptual budget for a Phase II ESA, if needed. The LCBRA approved an amended work order (WO#3, Amendment No. 1) on April 18, 2023. The Phase I ESA is complete and identified one REC pertaining to remaining tank(s) closed in place and the lack of assessment to determine whether impacts to the subject property exist as a result of these tank(s). Fishbeck prepared the Health and Safety Plan (HASP) and Sampling and Analysis Plan (SAP). EPA accepted the HASP and approved the SAP on May 18, 2023. The asbestos survey field work was completed at the end of May. We are waiting on laboratory results to finalize the asbestos surveys.

Project Invoices for Consideration:

Invoice #424160 (\$8,661.32).

**Leelanau County Brownfield Redevelopment Authority
FY22 U.S. EPA Brownfield Assessment Grant
Budget and Cost Summary**

6/12/2023

Number		Grant	Activity	Budget Estimates	Actual			Project Budget Remaining	
Project	W.O.	Task	Site/Phase	Total	Invoice No.	Invoice Date	Total Invoiced Amount	Total	Project Complete
			Initial Grant Award	\$ 250,000.00					
County		4	Personnel	\$ 4,000.00			\$ -		
County		4	Travel	\$ 3,000.00		BF Conference Aug. 2022	\$ 1,469.17		
County		4	Supplies	\$ -			\$ -		
County		4	Other	\$ -			\$ -		
County Subtotal				\$ 7,000.00	County Subtotal		\$ 1,469.17	County Subtotal	
			Contractual - Fishbeck	\$ 243,000.00			\$ -	\$ -	
230506	1	2	QAPP	\$ 3,000.00	Invoice Total	423193 5/4/2023	\$ 3,000.00		
					Project Subtotal		\$ 3,000.00	Project Subtotal Remaining	\$ -
230505	2	4	Community Outreach and Programmatic	\$ 6,000.00	Invoice Total	421223 3/13/2023	\$ 42.50		
						422203 4/5/2023	\$ 590.00		
						423196 5/4/2023	\$ 1,315.25		
						424161* 6/8/2023	\$ 660.25		
					Project Subtotal		\$ 2,608.00	Project Subtotal Remaining	\$ 3,392.00
230504	3	1,2,3	Bluebird Redevelopment Project	\$ 35,300.00	Invoice Total	421224 3/13/2023	\$ 127.50		
						422204 4/5/2023	\$ 1,057.20		
						423197 5/4/2023	\$ 1,458.50		
						424160* 6/8/2023	\$ 8,661.32		
					Project Subtotal		\$ 11,304.52	Project Subtotal Remaining	\$ 23,995.48
					Invoice Breakdown				
			Brownfield Plan	\$ 5,000.00	421224 3/13/2023		\$ 127.50		
					422204 4/5/2023		\$ 1,057.20		
					424160 6/8/2023		\$ 600.25		
					Phase Subtotal		\$ 1,784.95	Phase Subtotal Remaining	\$ 3,215.05
					Invoice Breakdown				
			Phase I ESA	\$ 3,000.00	423197 5/4/2023		\$ 1,176.50		
					424160 6/8/2023		\$ 1,823.50		
					Phase Subtotal		\$ 3,000.00	Phase Subtotal Remaining	\$ -
					Invoice Breakdown				
			Pre-Demolition Asbestos Survey	\$ 12,000.00	423197 5/4/2023		\$ 88.50		
					424160 6/8/2023		\$ 6,237.57		
					Phase Subtotal		\$ 6,326.07	Phase Subtotal Remaining	\$ 5,673.93
					Invoice Breakdown				
			Phase II ESA (Conceptual)	\$ 15,300.00			\$ -		
					Phase Subtotal		\$ -	Phase Subtotal Remaining	\$ 15,300.00
					Invoice Total				
					Project Subtotal			Project Subtotal Remaining	\$ -
					Invoice Breakdown				
					Phase Subtotal			Phase Subtotal Remaining	\$ -
					Phase Subtotal			Phase Subtotal Remaining	\$ -
					Phase Subtotal			Phase Subtotal Remaining	\$ -
			Approved Project Budgets Subtotal	\$ 44,300.00	Invoice Total		\$ 16,912.52	Budgets Remaining	\$ 27,387.48
			Estimated Contractual Budget Remaining	\$ 198,700.00	Actual Contractual Budget Remaining and un-invoiced		\$ 226,087.48	Check	\$ 243,000.00
			Project Budgets Returned						
				\$ -					
			Available Contractual Budget Remaining	\$ 198,700.00					
			Notes:						

**LEELANAU COUNTY BROWNFIELD REDEVELOPMENT AUTHORITY (LCBRA)
FEE SCHEDULE**

A. Brownfield Project Application Form – Part 1

A Brownfield Project Application Form - Part 1 will be required to introduce a proposed development project to the Leelanau County Brownfield Redevelopment Authority (LCBRA) and request initial consideration of Brownfield Incentives.

BROWNFIELD PROJECT APPLICATION	APPLICATION FEE
Part 1 Application	\$150.00

All Brownfield applicants will be assessed an Application Fee of \$150.00 for consideration of the Brownfield Project Application Form - Part 1 Application. The Part 1 Application Fee is payable upon submittal. The fee will be non-refundable regardless if the application/request is approved or denied by the LCBRA. The fee is also non-refundable through tax increment financing (TIF) under an approved Brownfield Plan or Act 381 Work Plan.

In addition, applicants shall provide 10% match of the cost required for any project using assessment grant funds. This amount is non-refundable.

B. Brownfield Project Application Form – Part 2 (Brownfield Plan, Act 381 Work Plans and amendments), Revolving Loan Fund, or Local Brownfield Revolving Fund (LBRF), etc.

A Brownfield Project Application Form - Part 2 is required if a Brownfield Plan, **Act 381 Work Plan, Amendments to Brownfield Plans or Act 381 Work Plans**, EPA Revolving Loans, MDEQ Grant/Loans, or **Local Brownfield Revolving Fund (LBRF)** is requested as a project incentive.

BROWNFIELD PROJECT APPLICATION	APPLICATION FEE
Part 2 Application – Brownfield Plans, Act 381 Work Plans, Amendments to Brownfield Plans and Act 381 Work Plans, EPA Revolving Loans, MDEQ Grants/Loans and LBRF Loans	\$500.00

The Part 2 Application fee is payable upon submittal. The fee will be non-refundable regardless if the application/request is approved or denied by the LCBRA. The fee is also non-refundable through tax increment financing (TIF).

The Application Fee will be applied to, but not limited to, the following available Brownfield Programs:

- Leelanau County Brownfield Redevelopment Authority
 - Brownfield Plans and Act 381 Work Plans (including amendments)
 - Brownfield Loan –**Local Brownfield Revolving Fund (LBRF)**-- Administered by the Brownfield Redevelopment Authority

- Michigan Department of Environmental Quality
 - Brownfield Redevelopment Grants (BRGs) - up to \$1,000,000 in funding available to each project
 - Brownfield Redevelopment Loans (BRLs) - up to \$1,000,000 in funding available to each project
 - Revitalization Revolving Loans (RRLs)

- Environmental Protection Agency
 - Brownfield Cleanup Revolving Loan Fund (RLF) Loan - Administered by the Brownfield Redevelopment Authority

Note: Application fees may apply to other grants or loans obtained to address and support Brownfield assessment and/or cleanup activities.

- C. Reimbursement Agreement** – For all projects requiring a Reimbursement Agreement with the LCBRA, 1% of the total amount offered by the LCBRA will be due and payable to the LCBRA upon signing of the Reimbursement Agreement. **The LCBRA will not execute a Reimbursement Agreement until this fee has been deposited into the LCBRA account.** The minimum fee is \$1,000 and maximum (regardless of total amount) is \$15,000. The fee may be refundable through terms detailed in the Reimbursement Agreement.
- D. Brownfield Redevelopment Authority (LCBRA) - Special Meeting \$250.00/meeting.** This fee must be deposited into the LCBRA account prior to the date of the Special Meeting. This fee is non-refundable.
- E. Agency and Other Review Fees** - Any fees required by other agencies, are in addition to the fees cited above and must be paid directly to the agency by the Applicant. Any direct costs associated with the review of a Brownfield application, plan, work plan etc. as identified herein by other than staff for the LCBRA, shall be paid by the Applicant to the LCBRA, prior to the proposal moving to the next stage of the application process. This includes processing fees associated with attorney reviews and any agency reviews.
- F. Additional Review Fees** – for requests of documents not covered by the above fee schedules, the Director may require any fee deemed appropriate to cover the activities necessary for response to the review request.
- G. Waiver** – The LCBRA reserves the right to waive this Fee Schedule if deemed necessary, or appropriate.

Work Order

Applicable to Agreement for Services Dated February 21, 2023

Work Order Number 4 Dated June 20, 2023

Between

LEELANAU COUNTY BROWNFIELD REDEVELOPMENT AUTHORITY (LCBRA) (CLIENT)
8527 E. GOVERNMENT CENTER DRIVE, SUITE 108, SUTTONS BAY, MI 49682

And

FISHBECK
2960 INTERSTATE PARKWAY, KALAMAZOO, MI 49048

Subject Matter: Centerville Township Dump Site – Centerville Township, MI: Phase I ESA

Funding Source: FY22 EPA Brownfield Assessment Grant

Grant Work Plan Reference: Task 1: Phase I ESA

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

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

FISHBECK and CLIENT have designated the following representative(s) for this "Scope of Services":

Jeffrey C. Hawkins
Name of Firm (FISHBECK)

269.342.1100/jhawkins@fishbeck.com
Phone & Email

Trudy J. Galla, AICP, Director
Name (Client)

231.256.9812
Phone

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

ACCEPTED AND AGREED TO:

LCBRA
(CLIENT – Name & Signature)

(FISHBECK – Representative Name & Signature)

Date _____

Date _____

Scope of Services

Centerville Township owns a 14-acre parcel of land that is a closed Township dump site located on Gatzke Road in Centerville Township. There is little information known regarding operation of the dump with respect to years in operation, geographic boundaries, specific materials dumped on the site, etc. Based on local knowledge, the dump is believed to have closed in the mid-1970s or earlier. Centerville Township is evaluating future plans for the site including the potential to redevelop the site for reuse as a public park or selling the property to fund other Township needs.

Centerville Township is seeking funding support through the Leelanau County Brownfield Redevelopment Authority (LCBRA) to conduct assessment of the property to determine appropriate reuse options for the property and identify what activities may be needed to safely reuse the site.

Phase I ESA

Conducting a Phase I Environmental Site Assessment (ESA) on the property will assist with understanding the historical context and geographic boundaries of the former dump site. Fishbeck will prepare a Phase I ESA compliant with the ASTM Standard and the rules for All Appropriate Inquiry. Work will include review of historical data, site inspection, interviews with people knowledgeable about the site, review of public records, and preparation of a report. Fishbeck will update the ACRES database upon completion. Completion of the Phase I ESA will also inform the scope of assessment needed that will be included in a subsequent work order based on any Recognized Environmental Conditions (RECs) that may be identified in the Phase I ESA.

Schedule

Fishbeck will begin preparing an eligibility demonstration for the use of hazardous substance grant funds immediately upon authorization to proceed. EPA requires 10–14 business days to conduct their review and concurrence with the LCBRA’s eligibility determination. The Phase I ESA will be initiated immediately upon acceptance of eligibility and will take approximately four weeks to complete.

Compensation

Compensation for services provided under this Work Order will be invoiced at the rates provided in the Agreement for Services between FISHBECK and CLIENT. Fishbeck proposes to complete this work on a time and materials basis; however, Fishbeck will not incur additional costs beyond this Work Order without LCBRA’s approval.

Phase I ESA.....	\$ 3,000
Total Estimated Project Costs.....	\$ 3,000

Work Order

Applicable to Agreement for Services Dated February 21, 2023

Work Order Number 5 Dated June 20, 2023

Between

LEELANAU COUNTY BROWNFIELD REDEVELOPMENT AUTHORITY (LCBRA) (CLIENT)
8527 E. GOVERNMENT CENTER DRIVE, SUITE 108, SUTTONS BAY, MI 49682

And

FISHBECK
2960 INTERSTATE PARKWAY, KALAMAZOO, MI 49048

Subject Matter: Peninsula Housing – 980 Herman Road, Suttons Bay, MI: Hazardous Materials Inspection

Funding Source: FY22 EPA Brownfield Assessment Grant

Grant Work Plan Reference: Task 2: Phase II Environmental, Baseline Environmental Assessments/Due Care Plans

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

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

FISHBECK and CLIENT have designated the following representative(s) for this "Scope of Services":

Jeffrey C. Hawkins
Name of Firm (FISHBECK)

269.342.1100/jhawkins@fishbeck.com
Phone & Email

Trudy J. Galla, AICP, Director
Name (Client)

231.256.9812
Phone

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

ACCEPTED AND AGREED TO:

LCBRA
(CLIENT – Name & Signature)

(FISHBECK – Representative Name & Signature)

Date _____

Date _____

Scope of Services

Peninsula Housing is a Michigan non-profit Corporation engaged in the business of providing affordable housing as a community land trust. The property subject to this Work Order is an over 10-acre old farmstead with a house, barn, and other outbuildings located in Suttons Bay, Michigan. The existing buildings are unusable and need to be demolished for redevelopment plans. There is known lead-based paint in the house. The house and other structures have the potential to contain asbestos, which needs to be determined prior to demolition.

Peninsula Housing proposes to develop up to 80 housing units on the site in a mix of rental and owner-occupied apartments, duplexes, etc. beginning in 2024/2025. Current zoning allows two-story, multi-family development at a density of 8 units/acres as special land use. Redevelopment is anticipated to be completed by 2028.

Peninsula Housing is seeking funding support from the Leelanau County Brownfield Redevelopment Authority (LCBRA) for the completion of a Pre-Demolition Hazardous Materials Inspection, inclusive of an asbestos survey and universal waste inventory. Some assessment work has already been completed on the property. Since there is already knowledge of lead-based paint, no further scope of work related to a lead assessment is proposed. There is also knowledge of lead and arsenic in soil, and a Baseline Environmental Assessment (BEA) has already been completed.

There is potential for Peninsula Housing to request grant funding assistance for the preparation of a Brownfield Plan to reimburse certain eligible brownfield costs. Based on the anticipated redevelopment, there are expected brownfield eligible activities that may include lead and asbestos abatement, building and site demolition, and potentially soil management activities. Other funding sources are being sought to leverage different portions of the project. The outcome of any other fundings source requests used to support the project and results of the Pre-Demolition Hazardous Materials Inspection will inform the decision to consider preparation of a Brownfield Plan. If requested, that scope of work would be provided under a separate subsequent amended Work Order for consideration.

Pre-Demolition Hazardous Materials Inspection

Fishbeck will provide a two-person team led by a State of Michigan accredited Asbestos Building Inspector to inspect the five structures located on the property. The developer intends to demolish the structures in 2024 or 2025 as the structures are currently unusable. AHERA sampling protocols will be followed utilizing destructive sampling, and bulk samples will be sent to an accredited laboratory in accordance with the QAPP for PLM analysis of asbestos under chain-of-custody procedures and standard turnaround times. The pre-demolition asbestos surveys will identify the presence, location, and quantity of any asbestos-containing building materials which may need to be removed prior to building demolition. The universal waste inventory will categorize items such as ballasts, fluorescent light bulbs, mercury thermostats, chemical storage containers, etc. that may require special handling and removal prior to demolition.

Schedule

Fishbeck will begin preparing an eligibility demonstration for the use of hazardous substance grant funds immediately upon authorization to proceed. EPA requires 10–14 business days to conduct their review and concurrence with the LCBRA's eligibility determination. Fishbeck will prepare a Health and Safety Plan (HASP) and Sampling and Analysis Plan (SAP) within one week from eligibility acceptance. EPA requires 10–14 business days to conduct their review and approval of the SAP. It is anticipated that field work for sampling activities can be completed within 1–2 weeks from approval of the SAP. Laboratory turnaround time is 7–10 business days, and the reports can be completed within 1–2 weeks from receipt of all analytical results.

Compensation

Compensation for services provided under this Work Order will be invoiced at the rates provided in the Agreement for Services between FISHBECK and CLIENT. Fishbeck proposes to complete this work on a time and materials basis; however, Fishbeck will not incur additional costs beyond this Work Order without LCBRA’s approval.

Eligibility and preparation of HASP and SAP

Document Preparation	\$ 800
Project Management.....	\$ 200
Subtotal	\$ 1,000

Pre-Demolition Hazardous Materials Inspection (5 structures)

Asbestos Inspectors (2 people for 3 days – includes travel).....	\$ 4,800
Project Management.....	\$ 700
Report Preparation (1 report)	\$ 2,500
Laboratory Analysis (asbestos, est. 175 samples)	\$ 2,700
Field Expenses, Equipment, Lodging, Mileage, Per Diems.....	\$ 1,400
Subtotal	\$ 12,100
Total Estimated Project Costs	\$ 13,100

Vendor Number	Vendor Name	Inv/PO Number	Claim Number	Invoice Date	Due Date	G/L Date	Liq. ?	Comm. Bank No.	System Code	Date	Operator Batch	
35	BUSINESS CARD	2024-01		06/06/23	06/20/23	06/06/23	N			06/13/23	CMK 104	
	101 000000-960-000	Education		Registration "2023 Brownfield Conference" Detroit, MI for D Allen, T Eftaxiadis and G Allgaier							750.00	
				Gross Invoice Amount							750.00	
				Net Invoice Amount							750.00	
4	FISHBECK	424160		06/08/23	06/20/23	06/08/23	N			06/13/23	CMK 104	
	101 000000-801-200	Contractual		Project #230504 - LCBRA/Bluebird Redevelopment Project/Leland, MI - Brownfield Plan (Task 3) PH1 - Phase 1 Pre-Demolition Asbestos Survey through 5/31/23 - Assessment Petro							8,661.32	
				Gross Invoice Amount							8,661.32	
				Net Invoice Amount							8,661.32	
4	FISHBECK	424161		06/08/23	06/20/23	06/08/23	N			06/13/23	CMK 104	
	101 000000-801-200	Contractual		Project #230505 - LCBRA/FY22 Grant Community Outreach/Programmatic Activities (Task 4) through 5/31/23 - Assessment Petro							660.25	
				Gross Invoice Amount							660.25	
				Net Invoice Amount							660.25	
4	FISHBECK	424163		06/08/23	06/20/23	06/08/23	N			06/13/23	CMK 104	
	101 000000-801-000	Contractual		Project #230507 - LCBRA/Tax Increment Tracking and Annual Reporting and Statement of Account/Reimbursement Analysis through 5/31/23 Services							126.00	
				Gross Invoice Amount							126.00	
				Net Invoice Amount							126.00	
				Grand Total Gross							10,197.57	
				Grand Total Net							10,197.57	
				Total Number of Invoices							4	

JUNE 20, 2023 Claims & Accounts

Leelanau County Brownfield Redevelopment Authority

1. Business Card - Invoice #2024-01 (Brownfield 2023 Conference Registrations) 101.000000.960.000	\$ 750.00
2. Fishbeck – Invoice #424160 – Bluebird Dev. (EPA Grant) 101.000000.801-200 Contractual	\$ 8,661.32
3. Fishbeck – Invoice #424161 – Outreach (EPA Grant) 101.000000.801-200 Contractual	\$ 660.25
4. Fishbeck – Invoice #424163 – Tax Increment Tracking (Gen Svc) 101.000000.801.00 Contractual	\$ 126.00
Total Claims & Accounts:	\$ 9,603.57

**PREPARED &
PROOFED BY**

VERIFIED BY

Payment Options

Remit Wire/ACH payments to Acct: 100094457 ABA: 072413829
 Remit checks to: 1515 Arboretum Drive, SE, Grand Rapids, Michigan 49546
 Remittance Advice: accounts.receivable@fishbeck.com
 616.575.3824
 Federal I.D. No. 38-1841857 | Incorporated

Attention: Trudy Galla
Leelanau County Brownfield Redevelopment Authority
 8527 East Government Center Drive, Suite 108
 Suttons Bay, MI 49682-9718
 United States

Invoice : 424160
Invoice Date : 6/8/2023
Project : 230504
Project Name : LCBRA/Bluebird Redevelopment Project/Leland, MI
Bill Term : BT1

For Professional Services Rendered Through 5/31/2023

WO3

	Fee	Available	Billings		
			To Date	Previous	Current
BP - Brownfield Plan (Task 3)	5,000.00	3,621.80	1,978.45	1,378.20	600.25 ✓
Rate Labor	600.25				
PH1 - Phase I	3,000.00	1,823.50	3,000.00	1,176.50	1,830.00 ✓
<i>Less Fee Exceeded</i>					-6.50 ✓
Rate Labor	1,417.50				
Expenses	412.50				
ASB.SUR - Pre-Demolition Asbestos Survey	12,000.00	11,911.50	6,326.07	88.50	6,237.57 ✓
Rate Labor	5,106.25				
Expenses	681.32				
Unit Rate Expense	450.00				
Total Expense	1,131.32				
PH2 - Phase II ESA	15,300.00	15,300.00	0.00	0.00	0.00
		<i>*Max Fee Exceeded</i>			
			Current Billings		8,661.32
			Amount Due This Bill		8,661.32 ✓

Total Fee : 35,300.00
To Date Billings : 11,304.52
Total Remaining : 23,995.48

PREPARED & PROOFED BY
[Signature]
VERIFIED BY

BP - Brownfield Plan (Task 3)

Rate Labor

<i>Class / Employee</i>	<i>Hours</i>	<i>Rate</i>	<i>Amount</i>
Senior Geologist			
Therese Searles	1.75	118.0000	206.50 ✓
Senior Hydrogeologist			
Jeffrey Hawkins	2.25	175.0000	393.75 ✓
Total Rate Labor			600.25

Total Bill Task: BP - Brownfield Plan (Task 3) **600.25** ✓

PH1 - Phase I

Rate Labor

<i>Class / Employee</i>	<i>Hours</i>	<i>Rate</i>	<i>Amount</i>
Environmental Specialist			
Joseph Hunter	7.00	114.0000	798.00 ✓
Hydrogeologist			
Courtney Dunaj	1.25	118.0000	147.50 ✓
Senior Geologist			
Therese Searles	4.00	118.0000	472.00 ✓
Total Rate Labor			1,417.50 ✓

Expenses

<i>Account / Vendor</i>	<i>Cost</i>	<i>Multiplier</i>	<i>Amount</i>
Subconsultant			
EDR	375.00	1.10	412.50 ✓
Total Expenses			412.50

Total Bill Task: PH1 - Phase I **1,830.00** ✓

ASB.SUR - Pre-Demolition Asbestos Survey

Rate Labor

<i>Class / Employee</i>	<i>Hours</i>	<i>Rate</i>	<i>Amount</i>
Senior Geologist			
Bob Webster	23.75	109.0000	2,588.75 ✓
Therese Searles	3.75	118.0000	442.50 ✓
Total Senior Geologist	27.50		3,031.25
Staff Technician			
Ryan Krozek	22.50	84.0000	1,890.00 ✓
Shelbey Senkewitz	1.25	84.0000	105.00 ✓
Total Staff Technician	23.75		1,995.00
Technician			
Michelle Bell	1.00	80.0000	80.00 ✓
Total Rate Labor			5,106.25 ✓

Expenses

<i>Account / Vendor</i>	<i>Cost</i>	<i>Multiplier</i>	<i>Amount</i>
Travel/Lodging			
Ryan Krozek	619.38	1.10	681.32 ✓
Total Expenses			681.32

Unit Rate Expenses

<i>Account / Unit / Equipment / Vendor</i>	<i>Doc Number</i>	<i>Date</i>	<i>Quantity</i>	<i>Rate</i>	<i>Amount</i>
Equipment Usage					
Field Supplies					
Equipment					
Fishbeck Internal	UE0000015019	5/30/2023	3.00 Day	35.0000	105.00 ✓

ASB.SUR - Pre-Demolition Asbestos Survey

Unit Rate Expenses

<i>Account / Unit / Equipment / Vendor</i>	<i>Doc Number</i>	<i>Date</i>	<i>Quantity</i>	<i>Rate</i>	<i>Amount</i>
Meals					
Per Diem - Full Day					
Bob Webster	ER0000051669	5/31/2023	1.00 Each	65.0000	65.00 ✓
Ryan Krozek	ER0000051665	5/29/2023	2.00 Each	65.0000	130.00 ✓
	full day stay Tuesday.-Wed.		-----		-----
			3.00		195.00
Total Per Diem - Full Day					
Per Diem - Partial Day					
Bob Webster	ER0000051669	5/30/2023	1.00 Each	50.0000	50.00 ✓
Ryan Krozek	ER0000051665	5/28/2023	2.00 Each	50.0000	100.00 ✓
	Monday, Thursday arrival/departure from hotel		-----		-----
			3.00		150.00
Total Per Diem - Partial Day					
Total Meals					
			6.00		345.00
Total Unit Rate Expenses					450.00 ✓
Total Bill Task: ASB.SUR - Pre-Demolition Asbestos Survey					6,237.57 ✓

Total Project: 230504 - LCBRA/Bluebird Redevelopment Project/Leland, MI

8,667.82

Payment Options

Remit Wire/ACH payments to Acct: 100094457 ABA: 072413829
 Remit checks to: 1515 Arboretum Drive, SE, Grand Rapids, Michigan 49546
 Remittance Advice: accounts.receivable@fishbeck.com
 616.575.3824
 Federal I.D. No. 38-1841857 | Incorporated

Attention: Trudy Galla
 Leelanau County Brownfield Redevelopment
 Authority
 8527 East Government Center Drive, Suite 108
 Suttons Bay, MI 49682-9718
 United States

Invoice : 424161
 Invoice Date : 6/8/2023
 Project : 230505
 Project Name : LCBRA/FY22-Grant Community
 Outreach/Programmatic Activities
 Bill Term : BT1

For Professional Services Rendered Through 5/31/2023

WO2

	Fee	Available	Billings		
			To Date	Previous	Current
BP - Outreach & Programmatic (Task 4)	6,000.00	4,052.25	2,608.00	1,947.75	660.25
Rate Labor		660.25			

Current Billings 660.25
 Amount Due This Bill 660.25 ✓

Total Fee : 6,000.00
 To Date Billings : 2,608.00
 Total Remaining : 3,392.00

**PREPARED &
 PROOFED BY**
[Signature]
VERIFIED BY

BP - Outreach & Programmatic (Task 4)

Rate Labor

Class / Employee

Hours

Rate

Amount

Senior Geologist

Therese Searles

3.00

118.0000

354.00 ✓

Senior Hydrogeologist

Jeffrey Hawkins

1.75

175.0000

306.25 ✓

Total Rate Labor

660.25

Total Bill Task: BP - Outreach & Programmatic (Task 4)

660.25 ✓

Total Project: 230505 - LCBRA/FY22 Grant Community Outreach/Programmatic Activities

660.25 ✓

Payment Options

Remit Wire/ACH payments to Acct: 100094457 ABA: 072413829
 Remit checks to: 1515 Arboretum Drive, SE, Grand Rapids, Michigan 49546
 Remittance Advice: accounts.receivable@fishbeck.com
 616.575.3824
 Federal I.D. No. 38-1841857 | Incorporated

Attention: Trudy Galla
 Leelanau County Brownfield Redevelopment
 Authority
 8527 East Government Center Drive, Suite 108
 Suttons Bay, MI 49682-9718
 United States

Invoice : 424163
 Invoice Date : 6/8/2023
 Project : 230507
 Project Name : LCBRA/Tax Increment Tracking and
 Annual Reporting
 Bill Term : BT1

For Professional Services Rendered Through 5/31/2023

WO1 -GS

	Fee	Available	Billings		
			To Date	Previous	Current
SOA/RA - Statement of Account/Reimbursement Analysis	3,700.00	3,155.50	670.50	544.50	126.00
<i>Rate Labor</i>		126.00			
RPT - Annual Reporting (1 Event)	1,200.00	1,063.50	136.50	136.50	0.00
			Current Billings		126.00
			Amount Due This Bill		126.00 ✓

Total Fee : 4,900.00
To Date Billings : 807.00
Total Remaining : 4,093.00

**PREPARED &
 PROOFED BY**
Jy
VERIFIED BY

SOA/RA - Statement of Account/Reimbursement Analysis

Rate Labor

Class / Employee

Hours

Rate

Amount

Staff Environmental Specialist

Logan Mulholland

1.50

84.0000

126.00

Total Rate Labor

126.00 ✓

Total Project: 230507 - LCBRA/Tax Increment Tracking and Annual Reporting

126.00 ✓