

## COMMITTEE REPORT

**COMMITTEE:**        **Development & Planning (D&P)**  
**CHAIRPERSON:**    **Ron Mapes**  
**DATE/TIME:**        **September 3, 2009 – SPECIAL MEETING**

**PRESENT:**

<input checked="" type="checkbox"/> Kim Monk	<input checked="" type="checkbox"/> Ron Mapes
<input checked="" type="checkbox"/> Merri Berlage	<input checked="" type="checkbox"/> Marvin Schultz
<input checked="" type="checkbox"/> Mike Lorig	<input checked="" type="checkbox"/> Ron Smith

Other Board members: None

Others: Dan Reimer and Pat Leitzen-Fye

Ron Mapes called the meeting to order at 7:03 p.m. and read the 3<sup>rd</sup> floor evacuation policy.

**1. Citizens' Comments** – None.

**2. New Business**

- a) Discussion, consideration and possible recommendation for a Brownfields Assessment Grant Application – presentation by Joel Zirkle from Fehr Graham & Associates. Ron Mapes introduced Joel Zirkle. A presentation packet was distributed to the Committee. Joel Zirkle started his presentation by informing the committee of his position with Fehr Graham and Associates and that he is not actually an Engineer he is a Geologist. What he has done for almost twenty years is assess and clean up contaminated sites. Joel gave specifics on what the EPA explains is a Brownfields site. United States Environmental Protection Agency (USEPA) definition is; with certain legal exclusions and additions, the term “brownfields site” means real property, the expansion, redevelopment, or reuse of which may be complicated by the presence or potential presence of a hazardous substance, pollutant, or contaminant. And the definition that Illinois Environmental Protection Agency (IEPA) gives is; “Brownfields are abandoned or under-used industrial and commercial properties with actual or perceived contamination and active potential for redevelopment.” Zirkle commented that communities need to look at the liability of a site and the ability of turning it into an asset. He said that it is up to the community to determine what they consider a liability; it is not up to him to determine. He has seen different things and can provide prospective but it is not his business to determine. The typical process is redevelopment planning, site screening and prioritization, environmental assessment and planning and cleanup planning, and cleanup. The funding sources that are available through the US Environmental Protection Agency are; Brownfields Assessment Grant, Revolving Loan Fund, Brownfields Cleanup Grant and Brownfields Job Training Grant. And the funding sources that are available through the Illinois Environmental Protection Agency are; Municipal Brownfields Redevelopment Grant Program, Brownfields Redevelopment Loan Program and Brownfields Cleanup Revolving Loan Fund. There are two kinds of assessment grants that are available which are the community-wide assessment grant and coalition assessment grant. The community wide assessment grants which are \$200,000 a piece but they usually come in a package, one for petroleum for \$200,000 and one for hazardous substance for \$200,000 making a total of \$400,000. There is no match required on these grants and this is why they are so competitive and such

sought after grants. He provided a list of the actual eligible entities that can apply and one is a general purpose unit of local government which Jo Daviess County is a municipal form of government so they would be an eligible entity and any community within the County would be an eligible entity. Some of the eligible activities with assessment grants may include; site inventory and prioritization, phase I environmental site assessments with no sampling, phase II environmental site assessments with soil and groundwater sampling, IEPA site remediation program reports and fees, cleanup planning, community outreach, Asbestos inspections, quality assurance plans and grant reporting. The other grant that is available is the Coalition Assessment Grant which is a new grant as of last year and has a maximum grant award of 1 million dollars at 100% and no match. Because this is such a popular grant the USEPA is going to look into the authenticity of a coalition. The eligible entities to be a coalition are a group of three or more eligible (same ones that would be eligible in the community-wide assessment) that submit one grant proposal under the name of one of the coalition members. These grants are typically awarded to grantees that already have an existing brownfields program in place. Coalition members may not have the same jurisdiction (for example, different departments in the same County) unless they are separate legal entities (for example, a county and a redevelopment agency). Other requirements for a coalition assessment grant are; grant recipient must administer the grant, all coalition assessment grant proposals must be community-wide proposals, a Memorandum of Agreement (MOA) documenting the coalition's site selection process must be in place prior to the expenditures of any funds that have been awarded to the coalition, the purpose of the MOA is for coalition members to agree internally about the distribution of funds and the mechanisms for implementing the assessment work, coalition members are not eligible as applicants for additional community-wide or site-specific assessment grants, a coalition member wishing to apply as a separate applicant must withdraw from the coalition to be eligible for individual assessment funds, and a minimum of five (5) sites must be assessed. The eligible activities with assessment grants would be the same as the community-wide assessment grants that were discussed previously. Ron Mapes pointed out that according to the requirements that if TECEDA is formed and that Jo Daviess County is part of TECEDA that TECEDA can not be the controlling entity because they are a non-for-profit entity; it would have to be one of the Counties that are in the coalition. There was discussion on the steps that would be followed if this grant was pursued and the process that some other entities have followed. Zirkle informed the committee that if the area that is in consideration does need clean up and then the next logical step is to pursue a clean up grant. One of the requirements of the clean up grant is that the project area has to be owned by the municipality that applies for the grant. There is also a 20% match required and the match is usually met in one of two ways; in kind through the municipality which could include time and material of municipal crews or by having the in developer pay for some or part of the match. There was discussion on the community deciding on the timing and the value of doing a clean up. This year the USEPA has appropriated around \$78 million for assessment and clean up, country wide. The window to apply for the grant is August 12<sup>th</sup> through October 16<sup>th</sup>. Another avenue that can be pursued for clean up is a revolving loan fund of \$1 million that would be applied for through the USEPA that can then be loaned out by the grant recipient at either no interest or a low interest. Forty percent (40%) of the revolving loan fund money can be sublet granted out to a third party which could be a non-for-profit or a developer but it is

difficult to become a recipient of the revolving loan fund. Pat Leitzen-Fye commented that she did hear from the communities of East Dubuque and Warren and they were interested in the possibility of sites for a brownfields grant. Leitzen-Fye asked Joel Zirkle if this County, as a municipality, could apply for this grant on their own. But it was her understanding that because of the size of the municipality that the chances of receiving the grant would be slim. Zirkle's answer was that individual communities can but what he has found is that when you get a community below 10,000 then it is difficult for them to go it alone due to the lack of sites. Ron Mapes asked if the County would need to have all five sites in mind before applying for the grant. Zirkle informed the committee that the grant would be submitted in more generality and they would have three years to find the projects to move forward after completing and submitting the assessment grant. He also explained that an entity could not apply for a grant for themselves and a grant as a coalition in the same cycle period but you could apply for both or either in different grant cycles. Fehr-Graham has not previously been involved in a coalition grant because this is the first year for the coalition grants. The proposed fee for Fehr-Graham for the preparation of the grant applications is a lump sum of \$4,500. Kim Monk asked what the process or procedures with Fehr-Graham are after the grant is submitted. If the grant is awarded there are two steps; the work plan has to be written, which Fehr-Graham will do for a small additional fee but a lot of communities' do this themselves, then the Federal paperwork is filed out this is considered the formal application. The County will then enter into a cooperative agreement with the EPA and a separate bank account is established for electronic transfer of funds. This is not a reimbursement fund this is a fund that can be drawn from as the expenses occur. Kim Monk asked what the continual cost with Fehr-Graham would consist of after the grant application and award. Zirkle informed the committee that if Fehr-Graham is selected as the brownfields consultant firm and the County chooses to hire them to do the grant reporting then the amount is determined by how the grant was written and the amount that was allocated in the grant for a consultant service. Ron Mapes commented that he was concerned with the time constraint and the timeline for the grant application. Mapes feels that this should be a long term process with community participation and that it may be to close to the deadline this year to be able to have enough participants or allocated sites. Mike Lorig asked if they hired Fehr-Graham to submit this year's application for the grant and Jo Daviess County was denied what the cost would be to submit the application next year. Zirkle informed the committee that it would be less and it would partially be determined by the reasoning for the denial. He did inform the committee that to date every time Fehr-Graham has done a re-apply they have always received the grant, the second time around. Ron Mapes asked if it was possible (under the restrictions of the grant application) to enter into an intergovernmental agreement with the different communities to charge them an application fee for participating because the benefits would be shared equally by the County as well as the municipalities. Zirkle informed the committee that it was possible. Mike Dittmar, Elizabeth President, commented that most of the villages just completed their capital improvement plan for this year and in the plans the villages would have a list of possible sites. **Kim Monk made a motion to move forward a recommendation to apply for a Brownfields Assessment Grant application for Jo Daviess County as presented by Fehr-Graham & Associates at a cost of \$4,500. Seconded by Ron Smith and motion passed.**

- b) Discussion, consideration and possible recommendation of a Transportation Investment Generating Economic Recover (TIGER) grant. Pat Leitzen-Fye explained that continued research into the TIGER grant has determined that Jo Daviess County may not be an eligible candidate for this grant. The problem with this grant is that higher priority is given to economically distressed area and there may be municipalities within the County that are considered economically distressed but Jo Daviess County does not qualify as an economically distressed area. In addition to being an economically distressed area the projects had to be previously identified in local planning documents. Although the deadline for this grant is September 15, 2009 it was the understanding that there would be one more round in the infrastructure plan and depending on the types of applications and the amounts would determine the remaining money allotted for the next round. The committee agreed that because of the time constraints for this round it does not seem feasible to apply for this grant now but the County should be working on a five year plan so that they can be ready for the next round or any other stimulus grants that may become available.

**3. Citizens' Comments** – Mike Dittmar wanted to thank the committee for listening and acting on the Brownfields grant.

**4. Board Member Concerns** – None

Meeting adjourned at 8:55 pm following a motion made by Berlage and seconded by Monk.