

MINUTES
BROWNFIELD ADVISORY BOARD

February 10, 2015

6:00 p.m.

City Commission Chambers
22 South Beach Street
Ormond Beach, Florida

I. ROLL CALL

Members Present

William McMunn
Michael Sznajstajler
Ryck Hundredmark
Curtis Burkett
Thomas MacDonald
Pat Behnke
Patrick Opalewski (absent)

Staff Present

Richard Goss, Planning Director
Melanie Nagel, Recording Technician
Randy Hayes, City Attorney

II. ADMINISTRATIVE ITEMS

A. Election of Chairperson and Vice-Chair

Mr. Sznajstajler moved to appoint William McMunn as Chair. Mr. MacDonald seconded the motion. Vote was called, and the motion unanimously approved.

Mr. Hundredmark moved to appoint Michael Sznajstajler as Vice Chair. Mr. MacDonald seconded the motion. Vote was called, and the motion unanimously approved.

B. Review and Adoption of the 2015 Meeting Schedule

Mr. Burkett moved to approve the 2015 Meeting Schedule. Mr. Sznajstajler seconded the motion. Vote was called, and the motion unanimously approved.

C. Approval of the 2015 BAB Rules of Procedures

Mr. Hundredmark moved to approve the 2015 Brownfield Advisory Board Rules of Procedures. Mr. Sznajstajler seconded the motion. Vote was called, and the motion unanimously approved.

III. APPROVAL OF THE MINUTES

A. August 12, 2014 Minutes

Vote was called, and the minutes were unanimously approved.

IV. OTHER BUSINESS

A. Review of Sunshine Laws – Atty. Randy Hayes

City Attorney Randy Hayes reviewed some of the major points of the Sunshine Laws. Any matter that comes before the board has to be discussed at a publicly advertised meeting. Board members cannot discuss the matter outside the confines of the public meeting. Board members cannot communicate with each other by telephone, email, or any other form of medium. Members are cautioned that if there is ever a question, contact the City Legal Department and someone will answer your questions about the Sunshine Laws.

B. Review of EPA Grant Submittal Application – Ric Goss, Planning Director

Mr. Goss explained that he has been communicating with Cardno, the company working on the Brownfield grant, to put the application and statistics together. There were about 500 properties that were taken off the EPA site, and letters were sent out to all of the property owners to find out if they would be interested in participating in the program. A couple of people respond back that they are interested in going through the program.

The first seven pages of the application were all about Ormond Beach, and starting on page eight the application gets into the detailed criteria. Mr. Goss tried to get all of the criteria that the Board would consider as they go through the process of selecting properties for the program. The legal status as to access to properties, consistency with the zoning and comp plan, clean up costs, transportation access to the site, the CRA redevelopment plan, are all part of the Tier 1 properties.

Mr. Goss continued that there is a preliminary budget, with money set aside for outreach by this Board, money to do Phase I and II ESA's, and other money set aside for various projects based upon what is found in the corridor. The application has been designed for work on US 1, Granada Blvd, or almost anywhere in the City. Our priorities will be on the designated Brownfield areas, but we can go city-wide.

Mr. Goss made presentations at a number of non-profit organizations and sent letters out to businesses, asking for letters of support. Several people stated they would support this, and sent Mr. Goss support letters. He tried to get a few others to respond, but didn't hear back from them.

The application was sent out in December, and Mr. Goss received notification from EPA that it was received. EPA will be looking at the

applications in the late spring, so hopefully Mr. Goss will have something soon to report to the Board. Mr. Goss recommended to the Board that if they know of anyone who has property that could benefit from this program, to encourage them to look into the program. There are some great re-development opportunities that could be accomplished on US 1, using this program.

Mr. McMunn asked what the latest date was that someone could submit interest for this grant money. Mr. Sznajstajler stated that it is a three year grant, and no one gets locked in or locked out of it. Mr. Goss thought that he had to have all of the properties identified from the beginning. He is hoping that if the application is approved, then other properties will be interested.

Mr. McMunn stated that he thinks people are afraid of finding something out about their property, so they shy away from programs like this. He has spoken to a couple of commercial realtors, and they may be our best bet for knowing places and people to talk to. Mr. Goss stated that he continues to go to places to talk about the grant and Brownfield program, and to reinforce getting the support we will need from the commercial developers.

Mr. Sznajstajler commented that this is one of those things that you don't realize you're going to need it, until you need it. The real benefit to this is if you suddenly are faced with an expense that this grant can cover, the property owners don't realize they need it until they want to sell their property and find out there is a problem.

Mr. MacDonald commented that once somebody gets assistance from the grant, possibly others will realize that this isn't a bad thing. Mr. Sznajstajler commented that Daytona Beach had grant money, and they went for about a year without anyone taking advantage of it, and then once someone utilized it, 5-6 more properties have come forward.

Mr. Burkett asked Mr. Goss, in reference to the public outreach, what he envisions for getting the word out. Mr. Goss stated that information was put out on the City web site, with the form for people to nominate properties. We also did a blog, where the information got sent out to a group of individuals, but Mr. Goss wasn't sure we got the information out to the right people. We should be getting information to the bankers and real estate people. Mr. Goss doesn't believe there is any kind of bankers association, where he could get the information out there on a larger scale. Maybe we need to develop a whole new web page that is just devoted to this, rather than being buried on the City web site.

Mr. McMunn inquired if Mr. Goss had contacted civil engineers. Mr. Goss stated that he contacted everyone that was on DEP's list that had a number. Mr. McMunn stated that there are several civil engineers in town, and they would be a good source to contact, since they all have clients in town. Mr. Goss stated that he will contact the civil engineers. The City has their BTR's, so he has contact information, and will send out a letter to those people. He will also do something with VCARD.

Mr. Sznajstajler suggested that if the City gets the grant, it might want to consider doing a big meeting with neighboring communities who also have grant funding available. Get everyone together to discuss how and where they are using their money.

Ms. Behnke inquired that once we have the money in hand, will it generate more interest? Mr. Goss hopes that it would. Ms. Behnke further stated that someone might be interested in something that is a definite versus speculation.

Mr. McMunn stated that a large number of people don't even want to know if there is a problem on their property. People who do know are reluctant to do anything about it. Usually nothing is done until they want to sell their property, and then work has to be done.

Mr. McMunn asked what we anticipate in the coming months for the Board. Mr. Goss stated that he has nothing right now that he is working on for the Board, other than waiting to hear if we get the grant money.

Mr. Sznajstajler stated that there are presently a couple of changes being made in the Brownfield Statutes. First, when you are designating a Brownfield area in an already established BRA, there is a presumption that you have met all of the criteria to make the property a Brownfield area. Secondly, right now the liability protection of the Brownfield program is limited to lawsuits that compel someone to do cleanup, and now it also includes property damage claims. This extends to not only private parties, but to the state and EPA as well.

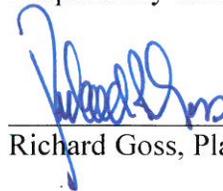
V. MEMBER COMMENTS.

There were none.

VI. ADJOURNMENT

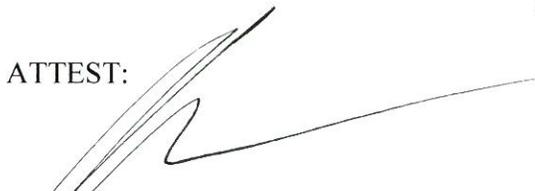
As there was no other business, the meeting was adjourned at 6:35 p.m.

Respectfully submitted,



Richard Goss, Planning Director

ATTEST:



William McMunn, Chair

Minutes prepared by Melanie Nagel