

# Local Development Finance Authority

## Regular Meeting Agenda

Monday, December 14, 2015  
4:00 p.m., Council Chambers  
South Haven City Hall



City of South Haven

### 1. Call to Order

### 2. Roll Call

Chairman Art Bolt, Tyler Dotson, Thomas Erdmann, Eugen Gawreliuk, Mike Henry, Robert Herrera, Stephanie Timmer, Andy Klavins, Doug Schaffer, Christine Valentine.

### 3. Approval of Agenda

### 4. Approval of Minutes – November 9, 2015 Regular Meeting

### 5. Interested Citizens in the Audience Will be Heard on Items Not on the Agenda

### 6. Financial Report

### 7. Economic Development Report

### 8. Overton Demolition Invoices

#### a. Overton Baseline Environmental Assessment Completion

### 9. General Comments

### 10. Adjourn

RESPECTFULLY SUBMITTED,  
Brian Dissette  
Secretary, Local Development Finance Authority

SOUTH HAVEN CITY HALL IS BARRIER FREE AND THE CITY OF SOUTH HAVEN WILL PROVIDE THE NECESSARY REASONABLE AUXILIARY AIDS AND SERVICES FOR PERSONS WITH DISABILITIES, SUCH AS SIGNERS FOR THE HEARING IMPAIRED AND AUDIO TAPES OF PRINTED MATERIALS BEING CONSIDERED AT THE MEETING TO INDIVIDUALS WITH DISABILITIES AT THE MEETING UPON SEVEN (7) DAYS NOTICE TO THE SOUTH HAVEN CITY HALL.

# Local Development Finance Authority

## Regular Meeting Minutes

Monday, November 9, 2015  
4:00 p.m., Council Chambers  
South Haven City Hall



City of South Haven

Due to the absence of the chair and co-chair, VandenBosch asked for a motion to appoint a chairperson for these meetings.

Motion by Klavins, second by Dotson to appoint Henry as temporary chair.

All in favor. Motion carried.

### 1. Call to Order by Henry at 4:00 p.m.

### 2. Roll Call

Present: Dotson, Gawreliuk, Herrera, Klavins, Timmer, Henry  
Absent: Erdmann, Schaffer, Valentine, Bolt

Also present: Brian Dissette, City Manager; Kate Hosier, City Clerk

### 3. Approval of Agenda

Motion by Timmer, second by Klavins to approve the November 9, 2015 Regular Meeting Agenda as presented.

All in favor. Motion carried.

### 4. Approval of Minutes – October 12, 2015 Regular Meeting

Motion by Klavins, second by Gawreliuk to approve the October 12, 2015 Regular Meeting minutes as written.

All in favor. Motion carried.

### 5. Interested Citizens in the Audience Will be Heard on Items Not on the Agenda

None at this time.

### 6. Financial Report

VandenBosch reviewed the Financial Report.

Motion by Dotson, second by Klavins to accept the Financial Report.

All in favor. Motion carried.

## **7. Economic Development Report**

McCloughan was not available to give the Economic Development Report.

## **8. MBG Utility Incentive Extension**

VandenBosch reviewed the details of progress on getting work done, noting that due to inability to make the deadline and have asked for a six (6) month extension. The agreement was for a \$150,000 credit toward utilities (water and sewer connection fees). VandenBosch explained that payment has already been made, so the financial report will not change if this payment is made.

In response to a question from Dotson regarding the delay, VandenBosch explained that he knows the developers are working on a lot split between Hanson's, Michigan Blueberry Growers and Dole, which is just one of the issues, although the city is not privy to the details.

Henry asked what if extension is not granted what the consequences would be to which VandenBosch responded that the developers would then have to pay a full connection fee and the \$150,000 would be refunded from the city's water fund to the LDFA.

Klavins asked if the \$150,000 covers all their tap fees which VandenBosch responded that it will not cover all of the fees.

Dissette stated he was notified by Jansen that the lot split application should be in today or tomorrow. The complexity of arrangements is much more complicated than a usual deal, with two (2) to three (3) owners of one structure working out the details is taking longer than anticipated.

Henry asked if the city is optimistic about the project continuing forward and VandenBosch responded, "Yes."

VandenBosch explained the content of the resolution provided to extend the incentive.

Motion by Klavins, second by Dotson to approve Resolution No. 2015-04, a Resolution Authorizing a Development Incentive Executive for a Development at 1600 and 1800 2<sup>nd</sup> Avenue.

A Roll Call vote was taken:

Ayes: Dotson, Gawreliuk, Herrera, Klavins, Timmer, Henry  
Nays: None

Motion carried.

## **9. Overton Easement**

VandenBosch reviewed the details of the Overton Easement, noting that the Department of Environmental Quality (DEQ) had planned to enter the site through the parking lot but due to a steep area of the parking lot, the suggestion is to create an easement through the Overton property. This easement will allow the DEQ to do the cleanup on the site and re-route the bike path. City Council approved the easement because they own the bike path; it was approved with the condition that the path be restored with asphalt. VandenBosch noted that the acronym HMA refers to Hot Mix Asphalt. At completion of the project the state will come in and restore everything according to the site plan used by the city.

Henry asked the expected duration to which VandenBosch responded twenty-four (24) months between construction and treatment.

Gawreliuk asked why pavement was proposed and VandenBosch noted that people in wheelchairs and strollers and many other users that would benefit from the asphalt.

Dotson asked if the bike path will be usable when the equipment is not present and VandenBosch responded, "Yes, there will be a fence separating the work site from the path, with stop signs so the trail will continue to be usable for bikes and pedestrians."

Disette: "The work being proposed brings an end to a long open chapter related to environmental considerations at the Factory Condominium site. The state has agreed to expand that footprint and will be buying the electricity for the cleanup work from the city electric utility. Long standing remediation concerns will be settled and the city will be selling the electric to the state for the cleanup work."

Motion by Timmer, second by Klavins to approve the Overton Easement for access to property for environmental remediation, as proposed.

All in favor. Motion carried.

## **10. NAI Wisinski Agency Agreement**

VandenBosch explained that this agenda item has to do with the brokerage agreement being extended for one year on the Bohn property with a seven percent (7%) brokerage fee with minimum commission of \$5,000 per transaction.

VandenBosch noted there have been several showings of the building and it has been useful to have a broker available to show the building.

Klavins asked about updates and VandenBosch noted that Cindy Compton, a local realtor who has been marketing the property, calls with a weekly update.

Henry believes it makes sense to keep this activity going.

Motion by Dotson, second by Gawreliuk to approve the amendment to the 220 Aylworth listing agreement with Dane Davis, NAI Wisinski of West Michigan.

All in favor.

Motion carried.

## 11. Bohn Warehouse Improvement Proposal

VandenBosch explained that approving this amendment is at the board's discretion. East Jordan Plastics, a local company, wants to rent the building to use as cold storage but cannot get occupancy without sprinkling, lighting and exit paths. VandenBosch is not sure how much it would cost to bring the building into occupation status so asked Abonmarche for a proposal and sample bid package to get the building into condition for cold storage. Their architects proposed \$2,200 to give the city a number which includes an engineer's estimate to bring the building to a condition to rent for cold storage and have a bid packet ready if the board chooses to do so.

Dissette: "This is something I would personally endorse. We have East Jordan Plastics, they have rented that building in the past; this is something that if we had a clear understanding what it would take to get an occupancy permit, as Compton is marketing this, is something we need to know in case we get an offer." Dissette noted he has been through the building; there have been improvements in lighting and cleaning but having a water system in place is a question and this seems to be the efficient way to determine what the costs are.

Henry noted that the proposal seems to make sense but fire suppression would seem to be the issue.

Dotson asked whether the board would we have an answer to this by next time we meet to which VandenBosch responded, "Potentially."

Motion by Klavins to authorize a study by Abonmarche on renovation of the Bohn building for cold storage at a cost of \$2,200. Second by Dotson.

All in favor.

Motion carried.

## 12. General Comments

Henry: You kept us busy on this last meeting.

There were no other comments.

## 13. Adjourn

Motion by Klavins, second by Gawreliuk to adjourn at 4:20 p.m.

All in favor. Motion carried.

RESPECTFULLY SUBMITTED,

Marsha Ransom  
Recording Secretary

City of South Haven  
Local Development Finance Authority  
For the period ended November 30, 2015

	LDFA #1	LDFA #2	LDFA #3
<b>Revenues</b>			
Property Tax Captures	150,822	29,942	45,347
Interest Income	1,912	1,472	5,513
Land Sales			-
Other Revenue State PPT reimb	-	-	-
Other Transfers In	-	-	-
<b>Total Revenue</b>	<b>152,734</b>	<b>31,414</b>	<b>50,860</b>
<b>Expenditures</b>			
Economic Liaison	6,208	6,828	7,656
Administrative Costs	-	-	-
Professional Fees	2,890	-	-
Contractual Services	-	-	89
Capital Projects	88,265	-	-
General Fund Administration	-	12,500	14,583
Transfer to Building Authority Debt Service	-	5,410	-
MEDC Loan Payments			6,802
Transfer to St. Joe Project Debt Service	50,000	-	-
Other Transfers Out	-	-	-
<b>Total Expenditures</b>	<b>147,362</b>	<b>24,738</b>	<b>29,130</b>
Year-to-Date Fund Gain/(Loss)	5,372	6,676	21,730
<b>Cash and Investments</b>			
Cash	331,440	52,269	92,429
Certificates of Deposit	262,850	-	
Other Financial Investments	180,136	124,517	486,635
<b>Total</b>	<b>774,425</b>	<b>176,786</b>	<b>579,064</b>

Land Assets - 345 Kalamazoo St	5.19 acres	\$ 46,710	Mkt Value per assessor
Land Assets - 1391 Kalamazoo St	1.54 acres	\$ 36,729	Mkt Value per assessor
220 Aylworth Ave	13.22 acres	\$ 118,980	Mkt Value per assessor
1280 Kalamazoo St.	3.48 acres	\$ 31,320	Mkt Value per assessor

LDFA Debt Obligations

St. Joe Projects Bonds - Final Maturity - May 2027	\$120,000/Year		
DPW Relocation Bonds - Final Maturity - Nov. 2021		\$13,990 Average/Year	
MEDC Loan -0% Interest - Final Payment - April 2016			\$27,208/Year

November 2, 2015

TO: Local Development Finance Authority

FR: Brian Dissette

RE: Overton Building Expenses

There are a number of invoices that need approval by the authority in order to be paid stemming from the demolition of the Overton building:

1. Abonmarche/ECO Demolition – Application #2, in the amount of \$98,706.15
2. Villa Environmental Consultants – Invoice # 51630 dated 11/25/2015 for \$1,500.00.
  - On-site final testing/final clearance review
3. Villa Environmental Consultants – Invoice # 51631 dated 11/25/2015 for \$3,300.00.
  - Drum Removal/PCB Cleanup/Asbestos Removal Specification and Management
4. Terra Contracting – Invoice # 21113 dated 11/17/2015 for \$8,909.00.
  - Remove/dispose PCB oil and drum disposal

Additionally, a change order has been requested to deal with some recently discovered buried asbestos. Disposal costs are estimated at \$10,000-\$15,000 depending on the volume of fill to be removed containing the material.

# LETTER OF TRANSMITTAL

TO: City of South Haven  
529 Phoenix Street  
South Haven, MI 49090

DATE: 11/24/15

JOB NO.: 14-0521

RE: Overton Factory Demolition

ATTN: Brian Dissette, City Manager

WE ARE SENDING YOU:  Contract / Agreement  Prints / Plans  Shop Drawings  
 Change Order  Specifications

COPIES	DATE	DESCRIPTION
1	11/1/15	Application for payment No. 2-
		Recommended payment

THESE ARE TRANSMITTED as checked below:

- For Review & Comment  For Your Use  As Requested  
 Approved as Submitted  Approved as Noted  Returned for Corrections  
 For Bids Due:

REMARKS: Hand delivered

COPY TO: ECO Demolition File

SIGNED: \_\_\_\_\_

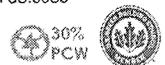


Jeffrey M. Saylor, AIA/LEED AP

P:\\_Projects\2014 PROJECTS\14-0521 Factory & Condo Demo\LOT - Fax\2015-11-24 Brian Dissette LOT.docx

**If enclosures are not as noted, kindly notify us at once.**

95 West Main Street Benton Harbor, MI 49022 269.927.2295  
 750 Lincoln Way East South Bend, IN 46601 574.232.8700  
 361 First Street Manistee, MI 49660 269.637.1293  
 3177 Willowcreek Road Portage, IN 46368 219.850.4624  
 503 Quaker Street South Haven, MI 49090 269.637.1293  
 413 Teal Road Suite B Lafayette, IN 47905 765.607.4474  
 318 South Shore Drive Battle Creek, MI 49014 269.753.0088



## Application and Certificate for Payment

To Owner City of South Haven  
539 Phoenix Street  
South Haven, MI 49090

Project: Overton Building Demolition  
229 Elkenburg Street  
South Haven, MI 49090

Application # 2

Period To 11/1/2015

From Contractor ECO Demolition  
4277 1/2 - 58th St  
Holland, MI 49423

Contract Date 8/18/2015

### Contractor's Application for Payment

Application is made for payment, as show below, in connection with the Contract.  
Continuation sheet is attached.

1 Original Contract Sum	267,000.00
2 Net Change by Change Orders	18,180.00
3 CONTRACT SUM TO DATE <small>(line 1 + line 2)</small>	285,180.00
4 Total Completed and Stored to Date	162,186.50
5 Retainage	
a <u>10%</u> of work completed	16,218.65
b _____ of stored material	-
Total Retainage	16,218.65
6 Total Earned less Retainage <small>(line 4 - line 5)</small>	145,967.85
7 Less Previous Certificates for Payment <small>(line 6 from prior certificate)</small>	47,261.70
8 CURRENT PAYMENT DUE	98,706.15
9 Balance to Finish, including retainage	139,212.15

CHANGE ORDER SUMMARY	ADDITIONS	DEDUCTIONS
Total Changes approved in previous months by Owner		
Total approved this month	18,180.00	
<b>TOTAL</b>	18,180.00	-
<b>NET CHANGES by change order</b>	18,180.00	

AIA Document G702

The undersigned Contractor certifies that to the best of the Contractor's knowledge, information and belief the Work covered by this Application for Payment has been completed in accordance with the Contract Documents, that all amounts have been paid by the Contractor for Work for which previous Certificates for Payment were issued and payments received from the Owner, and that current payment shown herein is now due.

CONTRACTOR:  
By:  Date: 11-24-15

State of:  
County of:

Subscribed and sworn to before me  
this 24th day of November, 2015

Notary Public:   
My Commission Expires: Aug 3, 2018



### ARCHITECT'S CERTIFICATE FOR PAYMENT

In accordance with the Contract Documents, based on on-site observations and the data comprising this application, the Architect certifies to the Owner that to the best of the Architect's knowledge, information and belief the Work has progressed as indicated, the quality of the Work is in accordance with the Contract Documents, and the Contractor is entitled to payment of the AMOUNT CERTIFIED.

AMOUNT CERTIFIED \$98,706.15

ARCHITECT:  
By:  Date: 11/29/15

This Certificate is not negotiable. The AMOUNT CERTIFIED is payable only to the Contractor named herein. Issuance, payment and acceptance of payment are without prejudice to any rights of the Owner or Contractor under this Contract.





**Villa  
Environmental  
Consultants, Inc.**

**Invoice**

408 W. Main St. Benton Harbor, MI 49022 ♦ PH: (269) 927-2434 ♦ Fax: (269) 927-2435 ♦ rvilla@villaenv.com

Bill To
<b>City of South Haven</b> <b>Attn: Accounts Payable</b> <b>539 Phoenix Street</b> <b>South Haven, MI 49090-1499</b>

Date	Invoice #
11/25/2015	51630

Due Date	Project	Job Number	PO/Claim #
11/25/2015	Asbestos Rmvl. Mgmt. - 229 Elkenburg St.	13-373-03	June 30, 2015

Description	Amount
<b>Periodic On-Site Reviews</b> <b>On-Site Final Testing</b> <b>Final Job Meeting</b> <b>Final Clearance Review</b> <b>Final Report/Submittals to South Haven</b>	<b>1,500.00</b>

Thank you for your business.	<b>Total</b> <b>\$1,500.00</b>
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Should you have any questions, please contact Richard P. Villa at 269/927-2434.

## Kate Hosier

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**From:** Rick Villa <rvilla@villaenv.com>  
**Sent:** Wednesday, November 25, 2015 11:47 AM  
**To:** Brian Dissette  
**Cc:** 'Nicholas Curcio'; Kate Hosier; 'Lorie Reits'  
**Subject:** RE: Overton Building: villa environmental invoices  
**Attachments:** City of SH Inv.#51630-Asbestos Rmvl. Mgmt. 11-25-15.pdf; City of SH Inv.#51631-Rmvl. Mgmt. 11-25-15.pdf; GE AS S Haven Overton demo services.pdf

Brian

Here are the final two invoices for these projects associated with the demolition. (we have to invoice for the BEA and complete the Due Care plan for this site)

1. When we worked with Paul, he wanted us to reference our proposal date, so he could verify that we invoiced him for the amount quoted.
2. The asbestos specs and management was invoiced for \$3100 a while back and this is for the final work completed
3. The hazardous and non hazardous drums and transformer specs, testing etc. was never billed. I wanted to wait till the work was ALL done
4. I attached the proposal for these services for your review and records.

Let me or our accounting manager know if you need anything else.

Rick

**Richard P. Villa, *President***



**408 West Main  
Benton Harbor, MI 49022**

phone: 269-927-2434  
fax: 269-927-2435  
[rvilla@villaenv.com](mailto:rvilla@villaenv.com)

[www.VillaEnv.com](http://www.VillaEnv.com)

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**From:** Rick Villa [mailto:rvilla@villaenv.com]  
**Sent:** Tuesday, November 24, 2015 12:52 PM  
**To:** 'Brian Dissette' <bdissette@south-haven.com>  
**Cc:** 'Nicholas Curcio' <NCurcio@dickinson-wright.com>; 'Tony McGhee' <tmcghee@abonmarche.com>; 'Kate Hosier' <khosier@south-haven.com>  
**Subject:** RE: Overton Building transformer disposal

Brian

Here is the approved invoice for \$8909 from Terra for the city of south haven to pay direct to Terra.

The notice of award letter is attached for your reference to verify that the amount they are invoicing is exactly the amount they bid and was approved.

Rick

**Richard P. Villa, *President***



**408 West Main  
Benton Harbor, MI 49022**

phone: 269-927-2434

fax: 269-927-2435

[rvilla@villaenv.com](mailto:rvilla@villaenv.com)

[www.VillaEnv.com](http://www.VillaEnv.com)



This email has been checked for viruses by Avast antivirus software.

[www.avast.com](http://www.avast.com)



408 W. Main St. Benton Harbor, MI 49022 ♦ PH: (269) 927-2434 ♦ Fax: (269) 927-2435 ♦ rvilla@villaenv.com

Bill To
<b>City of South Haven</b> <b>Attn: Accounts Payable</b> <b>539 Phoenix Street</b> <b>South Haven, MI 49090-1499</b>

Date	Invoice #
11/25/2015	51631

Due Date	Project	Job Number	PO/Claim #
11/25/2015	Hazardous Material Removal Mgmt.-Overton	13-373-04	Proposal Date of 6/30/15

Description	Amount
1) Transformer Cleaning & Disposal Management: Bid Specs, Site Review, Testing, Manifests to City of South Haven	1,700.00
2) Drum & Disposal Management: Hazardous & Non-Hazardous Drum Disposal, Project Specifications, Bidding, Waste Manifests to City of South Haven	800.00
3) Building Demolition Assistance to Abonmarch: Provided Wording & Technical Details, Written Bid Spec Assistance	800.00
Thank you for your business.	<b>Total</b> \$3,300.00

Should you have any questions, please contact Richard P. Villa at 269/927-2434.



30 June 2015

Paul Vandebosch, Assistant City Manager
City of South Haven
539 Phoenix Road
South Haven, MI 49090

Re: Drum Removal/PCB cleanup/Asbestos Removal Specification and Management
229 Elkenburg Street, South Haven, MI 49090.

There are services that we propose to provide to allow for the demolition of the former Overton building. The 29 May 2015 Due Care report identified the anticipated total costs (budgets) for both consulting and to remove the hazardous materials. We already provided our consulting scope and costs in prior correspondence and for quick review and to initiate the demolition process, the following is provided for review and approval to proceed:

Asbestos Removal Specifications and Management (previously submitted and approved)

- Develop asbestos removal specifications that follow the USEPA and MIOSHA regulations.
Develop the specifications to meet any City of South Haven specific requirements.
Provide the city of South Have an advertisement for bid, so that the project can be advertised in the local paper and in trade publications.
Coordinate and run a pre bid meeting at the site with qualified asbestos removal contractors. We typically recommend coordinating the asbestos pre bid with the demolition pre bid.
Provide a bid tab, recommendation, develop a notice of an award letter to the contractor.
Provide project management, initial job start up management, periodic on site reviews of work during key milestones, provide final job review, air monitoring and clearance testing at the completion of the asbestos removal.
Compile asbestos removal closeout documents and pay requests.

Asbestos removal design and listed asbestos removal services . . . . . \$4,600

Transformer (three units) Cleaning and Disposal Management

- Develop general scope of cleaning, removal, disposal, time lines and schedules.
Solicit 3-5 qualified contractors and subcontractors.
Develop the specifications to meet any City of South Haven specific requirements.
Provide a bid tab, recommendation, develop a notice of an award letter to the contractor.
Coordinate and manage the removal and disposal.
Compile the required removal/disposal and closeout documents
Review and approve final pay request from the contractor.

Transformer Cleaning and Disposal Management Services . . . . . \$900

Sampling of the concrete to verify if the PCB is properly removed . . . . . 800

Total for Transformer work . . . . . \$1,700

**Drum Removal and Disposal Management**

- Develop general scope of drum removal and disposal, including the need to receive time lines and schedules.
- Solicit 3-5 qualified contractors and subcontractors.
- Develop the request for bids to meet any City of South Haven specific requirements.
- Provide a bid tab, recommendation, develop a notice of an award letter to the contractor.
- Coordinate and manage the removal of both the drums and contents and in some cases, the removal of strictly the contents and disposal.
- Compile the required removal/disposal and closeout documents
- Review and approve final pay request from the contractor(s).

**Drum Removal and Disposal Management Services ..... \$800**

**Building Demolition Assistance to Abonmarche and Demolition Contractor**

- Provide Abonmarche with documentation and information on the landfill that will accept the soils that are needed to be removed and disposed off the site, if required. This information would be utilized by Abonmarche for their demolition specifications.
- Provide Abonmarche and either the demolition contractor or a future developer, the documentation and company that can store, haul and dispose of the water removed during any needed dewatering activities.
- Provide Abonmarche with documentation and information to insert in their specification so that the demolition contractor can properly remove and dispose of the railroad ties.
- Provide Abonmarche with documentation and subcontractor information to insert in their specification so that the demolition contractor can properly assess, remove and dispose of the fluorescent bulbs and potentially PCB containing ballasts.

**Consulting and Management Services (for Abonmarche, to include in their demolition specifications) ..... \$800**

If you would like to further discuss this proposal please call me at 269-927-2434 or email at your convenience.

Yours truly,



Richard P. Villa, President  
rvilla@villaenv.com

RPV:rv

Signature: \_\_\_\_\_  
Printed Name: \_\_\_\_\_  
Title: \_\_\_\_\_



# Terra Contracting Services, LLC

EXCEPTIONAL ENVIRONMENTAL SERVICES  
A Great Lakes Dredge & Dock Company

(866) 354-8963

[www.terracontracting.net](http://www.terracontracting.net)

Please remit payment to:  
Terra Contracting Services  
62962 Collections Center Drive  
Chicago IL, 60693-0629

VILLA ENVIRONMENTAL CONSULTANTS, INC.  
ATTENTION: ACCOUNTS PAYABLE  
408 WEST MAIN STREET  
BENTON HARBOR, MI 49023

INVOICE **21113**

DATE 11/17/2015

PROJECT 13-373-04

JOB DESCRIPTION: WASTE & PCB OIL REMOVAL  
LOCATION: SOUTH HAVEN, MI  
PER: STEPHEN

DATE	WO	DESCRIPTION	QUANTITY	UOM	RATE	AMOUNT\$
09/02/15	39228	REMOVE/DISPOSE PCB OIL	1.00	LS	\$ 3,222.00	\$ 3,222.00
		T&D DRUM DISPOSAL	3.00	EA	\$ 1,534.00	\$ 4,602.00
		MOB/DEMOB	1.00	LS	\$ 1,085.00	\$ 1,085.00

NOV 19 2015

JOB NUMBER: IS151177

INVOICE TOTAL \$ 8,909.00

**INVOICES NOT PAID WITHIN 30 DAYS WILL BE CHARGED INTEREST AT THE RATE OF 1.5% PER MONTH ON THE UNPAID BALANCE OR AT THE HIGHEST LAWFUL RATE, WHICHEVER IS LESS.**

5787 Stadium Drive | Kalamazoo, MI 49009 | P: (269) 375-9595 | F: (269) 375-2830



August 19, 2015

Suzanne Grix, Territory Sales Manager  
Terra Contracting  
5787 Stadium Drive  
Kalamazoo, MI 49009

RE: Notice of Award: City of South Haven - Former Overton Building Transformer Cleaning  
Project #13-373-04

Dear Ms. Grix:

The City of South Haven awarded your company the contract for transformer cleaning and the removal of PCB oils at their council meeting Monday night. The amount awarded is \$8,909. Please provide us a copy of your certificate of insurance with the City of South Haven listed on the certificate for our records.

Please schedule the cleaning and disposal activities as soon as possible. There are no restrictions on building access, which can be provided by Villa Environmental Consultants, Inc. or the City of South Haven personnel when requested. This project is expected to be completed prior to demolition of the Overton Building, which was also awarded Monday night and is scheduled to begin early to mid-September.

Please contact Villa Environmental Consults, Inc. with your expected starting date for this project. If any additional documentation formally authorizing this project is required please contact me immediately to avoid delays. If you need any further information or have questions, please feel free to email or call me at your convenience.

Yours truly,

  
Stephen Dehring, Project Geologist  
sdehring@villaenv.com

SMD:sd

## Kate Hosier

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**From:** Rick Villa <[rvilla@villaenv.com](mailto:rvilla@villaenv.com)>  
**Sent:** Tuesday, November 24, 2015 12:52 PM  
**To:** Brian Dissette  
**Cc:** 'Nicholas Curcio'; 'Tony McGhee'; Kate Hosier  
**Subject:** RE: Overton Building transformer disposal  
**Attachments:** terra approved inv transformer.pdf; Terra Transformer Award Letter.pdf

Brian

Here is the approved invoice for \$8909 from Terra for the city of south haven to pay direct to Terra.

The notice of award letter is attached for your reference to verify that the amount they are invoicing is exactly the amount they bid and was approved.

Rick

**Richard P. Villa, *President***



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phone: 269-927-2434  
fax: 269-927-2435  
[rvilla@villaenv.com](mailto:rvilla@villaenv.com)

[www.VillaEnv.com](http://www.VillaEnv.com)



This email has been checked for viruses by Avast antivirus software.  
[www.avast.com](http://www.avast.com)

# MEMORANDUM

DATE: December 7, 2015  
TO: Brian Dissette  
FROM: Tony McGhee  
RE: Overton Building Asbestos Issue

During the demolition of the Overton Building a void was uncovered under a small crawl space area during the removal of the concrete slabs. Upon investigation, asbestos containing transite panels were discovered. These panels were concealed under approximately 2 feet of fill.

This issue was not known as part of the original scope of the project due to the nature of it being concealed. It is obvious this material was buried here to avoid the costs of proper disposal by a previous owner of the facility. Unfortunately, there was no way to know this material was on site so a change order will be necessary to cover the costs of the disposal of this material.

The debris piles containing the transite is estimated to be in the area that will require 100 or more cubic yards of disposal- to an approved land fill. Disposal costs are estimated at \$10,000-\$15,000 depending on volume of fill removed containing the material. Therefore, we are recommending the City of South Haven authorize a change order not to exceed \$15,000 to address this issue.

If you have any questions, please do not hesitate to contact me at (269) 252-8980.

# LETTER OF TRANSMITTAL

TO: City of South Haven  
529 Phoenix Street  
South Haven, MI 49090

DATE: December 10, 2015      JOB NO.: 14-0521

RE: Overton Factory Demolition

ATTN: Kate Hosier, Deputy Clerk

WE ARE SENDING YOU:     Contract / Agreement     Prints / Plans     Shop Drawings  
                                   Change Order                     Specifications     \_\_\_\_\_

COPIES	DATE	DESCRIPTION
1	12/9/15	Change Order #3

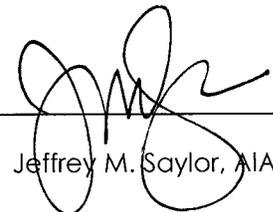
THESE ARE TRANSMITTED as checked below:

- For Review & Comment     For Your Use                     As Requested  
 Approved as Submitted     Approved as Noted             Returned for Corrections  
 For Bids Due:

**REMARKS:** Please sign and date all 3 copies and return to our office. An executed copy will be forwarded after the contractor has signed the documents.

COPY TO: ECO Demolition File

SIGNED: \_\_\_\_\_

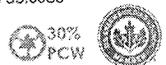


Jeffrey M. Saylor, AIA/LEED AP

P:\Projects\2014 PROJECTS\14-0521 Factory & Condo Demo\LOT - Fax\2015-12-10 Kate Hosier LOT.docx

**If enclosures are not as noted, kindly notify us at once.**

95 West Main Street    750 Lincoln Way East    361 First Street    3177 Willowcreek Road    503 Quaker Street    413 Teal Road Suite B    318 South Shore Drive  
 Benton Harbor, MI 49022    South Bend, IN 46601    Manistee, MI 49660    Portage, IN 46368    South Haven, MI 49090    Lafayette, IN 47905    Battle Creek, MI 49014  
 269.927.2295    574.232.8700    269.637.1293    219.850.4624    269.637.1293    765.607.4474    269.753.0088





Overton Factory Demolition  
Asbestos Abatement Update  
December 4, 2015

A void was uncovered under a small crawl space area during demolition of the concrete slabs. Asbestos containing transite panels were buried under 1-2 feet of fill in this area. This was not discovered immediately because of being buried but was after being disturbed, during excavation.

The debris piles containing the transite is estimated to be in the area that will require 100 or more cubic yards of disposal- to an approved land fill.

Disposal costs are estimated at \$10,000-\$15,000 depending on volume of fill removed containing the material.

There was no way to know this material was on site- The crawl space area was not known and this material was buried as well.

P:\\_Projects\2014 PROJECTS\14-0521 Factory & Condo Demo\Corr - Memo\2015-12-4 Asbestos Abatement Update.docx

95 West Main Street  
Benton Harbor, MI 49022  
269.927.2295

361 First Street  
Manistee, MI 49660  
269.637.1293

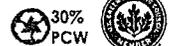
503 Quaker Street  
South Haven, MI 49090  
269.637.1293

750 Lincoln Way East  
South Bend, IN 46601  
574.232.8700

3177 Willowcreek Road  
Portage, IN 46368  
219.850.4624

318 South Shore Drive  
Battle Creek, MI 49014  
269.753.0088

[www.abonmarche.com](http://www.abonmarche.com)





RICK SNYDER  
GOVERNOR

STATE OF MICHIGAN  
DEPARTMENT OF ENVIRONMENTAL QUALITY  
KALAMAZOO DISTRICT OFFICE



DAN WYANT  
DIRECTOR

**November 30, 2015**

**ACKNOWLEDGEMENT OF RECEIPT OF A  
BASELINE ENVIRONMENTAL ASSESSMENT**

**BEA ID#: B201502278PL**

**Legal Entity: Local Development Finance of the City of South Haven  
Attn: Mr. Brian Dissette, City Manager  
539 Phoenix Road  
South Haven, MI 49090-1573**

**Property Address: 229 Elkenburg Street  
South Haven, Van Buren County, MI**

On November 20, 2015, the Department of Environmental Quality (DEQ) received a Baseline Environmental Assessment Report dated November 14, 2015, for the above legal entity and property. This letter is your acknowledgement that the DEQ has received and recorded the BEA. The DEQ maintains an administrative record of each BEA as received.

This BEA was submitted pursuant to Section 20126(1)(c) of Part 201, Environmental Remediation and/or Section 21323a(1)(b) of Part 213, Leaking Underground Storage Tanks, of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended (NREPA). A BEA is submitted for the purpose of establishing an exemption to liability for a new owner or operator of property that has been demonstrated to be a facility or property as defined by Section 20101(1)(s) of Part 201, Environmental Remediation and/or property as defined by Section 21303(d) of Part 213, Leaking Underground Storage Tanks, of the NREPA. Pursuant to Sections 20126(1)(c) and 21323a(1)(b), the conditions of this exemption require the legal entity to disclose the BEA to a subsequent purchaser or transferee of the property.

The BEA is only for the legal entity and property identified in the BEA and on the BEA Submittal Form. Each new legal entity that becomes the owner or operator of this facility must submit their own BEA.

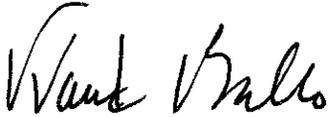
The DEQ is not making any findings about the adequacy of the submittal or whether the submitter is liable or is eligible to submit. The submitted BEA does not alter liability with regard to a subsequent release, threat of release, or exacerbation of existing conditions that is the responsibility of the legal entity submitting the BEA.

The legal entity, as the owner and/or operator of a facility or property, may have Due Care responsibilities under Section 20107a of Part 201, Environmental Remediation and/or Section 21304c of Part 213, Leaking Underground Storage Tanks, of the NREPA.

The legal entity may also have responsibility under applicable state and federal laws, including, but not limited to, Part 201, Environmental Remediation; Part 111, Hazardous Waste Management; Part 211, Underground Storage Tank Regulations; Part 213, Leaking Underground Storage Tanks; Part 615, Supervisor of Wells, of the NREPA; and the Michigan Fire Prevention Code, 1941 PA 207, as amended.

Pursuant to Section 20112a(6) of Part 201, Environmental Remediation, the property(s) identified in the BEA will be placed on the inventory of facilities, which updated daily and posted on the DEQ's website: <https://secure1.state.mi.us/FacilitiesInventoryQueries>

Authorized signature:



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Frank Ballo, District Supervisor  
Remediation and Redevelopment Division  
Kalamazoo District Office  
7953 Adobe Road  
Kalamazoo, MI 49009  
269-567-3531  
ballof@michigan.gov

Enclosures

cc: Mr. Richard Villa, Villa Environmental Consultants

Revision 05/22/2014



B2015022789

**Baseline Environmental Assessment Submittal Form**

This form is for submittal of a Baseline Environmental Assessment (BEA), as defined by Part 201, Environmental Remediation and Part 213, Leaking Underground Storage Tanks, of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended, for the purpose of establishing an exemption to liability pursuant to Section 20126(1)(c) and Section 21323a(1)(b) for a new owner or operator of property that is a facility as defined by Section 20101(1)(s) or Property as defined by Section 21303(d). The BEA report must be conducted either prior to or within 45 days after becoming the owner or operator, whichever is earliest. This form and the BEA report must be submitted within 6 months of becoming the owner or operator whichever is earliest. A separate BEA is required for each legal entity that is or will be a new owner or operator of the property. To maintain the exemption to liability, the owner and operator must also disclose the BEA to any subsequent purchaser or transferee before conveying interest in the property pursuant to Section 20126(1)(c) and Section 21323a(1)(b). An owner or operator of a facility or Property also has due care obligations under Section 20107a and Section 21304c with respect to any existing contamination to prevent unacceptable exposure; prevent exacerbation; take reasonable precautions; provide reasonable cooperation, assistance, and access to authorized persons taking response activities at the property; comply with land use restrictions associated with response activities; and not impede the effectiveness of response activities implemented at the property. Documentation of due care evaluations and response activities need to be available, but not submitted, to the DEQ within 8 months of becoming the owner or operator of a facility.

**Section A: Legal Entity Information**

Name of legal entity that will own or operate the property: Local Development Finance of the City of South Haven Address: 539 Phoenix Road City: South Haven State: MI Zip: 49090 Contact person (Name & Title): Brian Dissette, City Manager, City of South Haven Telephone: 269-637-0750 E-Mail: bdissette@south-haven.com	Contact for BEA questions if different from submitter Name & Title: Richard Villa, President Company: Villa Environmental Consultants, Inc.  Address: 408 West Main Street City: Benton Harbor State: MI Zip: 49022 Telephone: 269-927-2434 E-Mail: rvilla@villaenv.com
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**Section B: Property Information**

Street Address of Property: 229 Elkenburg Street  City: South Haven State: MI Zip: 49090 Property Tax ID (include all applicable IDs): 80-53-260-006 -00 80-53-260-007-00 Address according to tax records, if different than above (include all applicable addresses):  City: State: Zip: Status of submitter relative to the property (check all that apply): <table border="0"> <tr> <td></td> <td>Former</td> <td>Current</td> <td>Prospective</td> </tr> <tr> <td>Owner</td> <td><input type="checkbox"/></td> <td><input checked="" type="checkbox"/></td> <td><input type="checkbox"/></td> </tr> <tr> <td>Operator</td> <td><input type="checkbox"/></td> <td><input checked="" type="checkbox"/></td> <td><input type="checkbox"/></td> </tr> </table>		Former	Current	Prospective	Owner	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Operator	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	County: Van Buren  City/Village/Township: City of South Haven  Town: 1S Range: 17W Section: 10 Quarter: SW Quarter-Quarter: NE  Decimal Degrees Latitude: 42.393280 Decimal Degrees Longitude: -86.278504  Reference point for latitude and longitude: Center of site <input checked="" type="checkbox"/> Main/front door <input type="checkbox"/> Front gate/main entrance <input type="checkbox"/> Other <input type="checkbox"/>  Collection method: Google Earth Survey <input type="checkbox"/> GPS <input type="checkbox"/> Interpolation <input type="checkbox"/>
	Former	Current	Prospective										
Owner	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>										
Operator	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>										

**Section C: Source of contamination at the property (check all that are known to apply)**

Facility regulated under Part 201, other source, or source unknown Part 201 Site ID, if known:	<input checked="" type="checkbox"/>
Leaking Underground Storage Tank regulated pursuant to Part 213 Part 211/213. Facility ID, if known:	<input type="checkbox"/>
Oil or gas production and development regulated pursuant to Part 615 or 625	<input type="checkbox"/>
Licensed landfill regulated pursuant to Part 115	<input type="checkbox"/>
Licensed hazardous waste treatment, storage, or disposal facility regulated pursuant to Part 111	<input type="checkbox"/>

**Section D: Applicable Dates (provide date for all that are relevant)**

MM/DD/YYYY

RECEIVED

NOV 20 2015

Date All Appropriate Inquiry (AAI) Report or Phase I Environmental Assessment Report completed: 06/06/2014

Date Baseline Environmental Assessment Report conducted: 10/14/2015

Date submitter first became the owner: 08/31/2015

Date submitter first became the operator (if prior to ownership): 08/31/2015

Anticipated date of becoming the owner for prospective owners:

Anticipated date of becoming the operator for prospective operators:

If former owner or operator of this property, prior dates of being the owner or operator:

**Section E: Check the appropriate response to each of the following questions:** YES NO

- 1. Is the property at which the BEA was conducted a "facility" as defined by Section 20101(1)(s) or a Property as defined by Section 21303(d)? X
- 2. Is the All Appropriate Inquiry (AAI) compliant with 40 CFR 312?  
(The MDEQ acknowledges a Phase I Environmental Assessment conducted in compliance with ASTM E1527-05 or E1527-13 complies with all appropriate inquiry under Parts 201 and 213.) X
- 3. Was the BEA, including the AAI and sampling, conducted either prior to or within 45 days of the date of becoming the owner, operator, or of foreclosure, whichever is earliest? X
- 4. Is this BEA being submitted to the department within 6 months of the submitter first becoming the owner or operator, or foreclosing? X
- 5. Does the BEA provide sufficient rationale to demonstrate that the data are reliable and relevant to define conditions at the property at the time of purchase, occupancy, or foreclosure, even if the BEA relies on studies of data prepared by others or conducted for other purposes? X
- 6. Does this BEA contain the legal description of the property addressed by the BEA? X
- 7. Does this BEA contain the environmental analytical results, a scaled map showing the sample locations, and the basis for the determination that the property is a facility as defined by Section 20101(1)(s) or the basis for the determination that the property is a Property as defined by Section 21303(d)? X

**Section F: Environmental Consultant Signature**

I certify to the best of my knowledge and belief, that this BEA and all related materials are true, accurate, and complete. I certify that an All Appropriate Inquiry (AAI) was conducted in conformance with the scope and limitations of the All Appropriate Inquiry Rule, 40 CFR 312. I certify that the property is a facility as defined by Section 20101(1)(s) or a Property as defined by Section 21303(d) and have provided the sampling and analyses that support that determination. I certify that any exceptions to, or deletions from, the All Appropriate Inquiry Rule are described in Section 1 of the BEA report.

Signature: Richard P. Villa Date: 14 October 2015

Printed Name: Richard P. Villa

Company: Villa Environmental Consultants, Inc.

Mailing Address: 408 West Main Street City: Benton Harbor State: MI Zip: 49022

Telephone: 269-927-2434 E-Mail: rvilla@villaenv.com

**Section G: Legal Entity Signature**

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NOV 20 2015

BEA B2015 02278 PL

MDEQ-KAL-RRD

With my signature below, I certify that the best of my knowledge and belief, this B and all related materials are true, accurate, and complete.

Signature: 

Date: 11-12-15

(Person legally authorized to bind the legal entity)

Printed Name: Brian Dissette

Title and Relationship of signatory to submitter: City Manager, City of South Haven - Owner

Address: 539 Phoenix Street City: South Haven State: MI Zip: 49090

Telephone: 269-637-0750 E-Mail: bdissette@south-haven.com

Submit the BEA report and this form to the DEQ District Office for the county in which the property is located. A office map is located at [www.michigan.gov/deqrrd](http://www.michigan.gov/deqrrd).

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NOV 20 2015

MDEQ-KAL-RRD

BEA B201502278PL