



## Union County Land Reutilization Corporation July 11, 2024

### Attendance:

**Directors Present:** Shelley Beeney; David Burke; Terry Emery; and David Lawrence.

**Directors Absent:** Andrew Smarra, President.

**Guests Present:** Zach Andrews, City of Marysville; Savannah Allen, Union County-Marysville Economic Development; Thayne Gray, Union County Prosecutor's Office; Tim Aslaner, City of Marysville; John Cunningham; Sara Early; Bill Narducci; Brad Lutz, City of Marysville; Evan Cox, Cox-Colvin & Associates; Craig Cox, Cox-Colvin & Associates; Brad Bodenmiller, Logan-Union-Champaign Regional Planning Commission; and Heather Martin, Logan-Union-Champaign Regional Planning Commission.

David Burke called the meeting to order at 8:30 a.m.

### Minutes:

- David Lawrence moved a motion to approve the June 6, 2024, minutes as presented, and Shelley Beeney seconded. All in favor.

### Financial Report

- Brad Lutz provided the financial report. The balance is \$923,534.11.
  - Terry Emery moved a motion to accept the report and David Lawrence seconded. All in favor.

### New Business

- Administration Contract with LUC
  - Brad Bodenmiller provided information on the contract. As part of the contract, it requires the Land Bank to join the Ohio Land Bank Association. This was not done during the first contract timeframe.
  - The Board discussed the contract and believes it's had a positive impact.
  - Terry Emery moved a motion to renew the contract and to join the Ohio Land Bank Association and David Lawrence seconded. All in favor.

### Current Property

- 401 E 5<sup>th</sup> St/Former Swifty Gas Station/Brownfield Project
  - Savannah Allen stated there is additional monitoring required for this property. For the Brownfield program, all work and reimbursement had to be completed by June 30. The monitoring will extend beyond that date. Any cost after that date will not be reimbursed.
- 301 North Main Street/Minute Lube
  - Zach Andrews stated the contractor submitted information, but there is more documentation required. The City reached out to the contractor but has not gotten a response. Terry Emery stated he'd like this to move forward. Zach stated it may make sense that Andrew Smarra completes the historical documentation that's required, instead of the contractor. The Board would like Andrew to move this forward.

### Property Watch

- 12947 St Rt 739/Lambert Property
  - Thayne Gray stated he is still trying to get Mrs. Lambert served. He has tried three times. He has spoken to the Sheriff in the area where she resides and may do a personal service. If that doesn't work, may do a publication. The timeline is unknown.

- 205 East Blagrove
  - Thayne Gray stated Melissa Chase has been working on it. Has some title wrinkles.
- 507 W 9<sup>th</sup> Street
  - Zach Andrews stated the owner of this property is deceased. The property is \$20,000 in arrears.
- 517 E 5<sup>th</sup> St
  - Zach Andrews stated this property is \$30,000 in arrears.

## **Building Demolition and Site Revitalization Program**

- Status
  - The application was filed in December. Currently, we're waiting for approval from the State.

## **Brownfield Remediation Program**

- Status
  - The application was filed in December. Currently, we're waiting for approval from the State.

## **Other**

- Craig Cox introduced himself and Evan Cox. They own a business in Union County and have done work for the City of Marysville in the past. They provided a service packet which will be included.
- David Lawrence moved a motion for the Board of Directors to enter executive session for business that involves trade secrets and Terry Emery seconded. A roll call vote was held which resulted in all members voting to enter the executive session.
- David Lawrence moved a motion to approve a Resolution authorizing the negotiation and consummation of the sale of Memorial Gables by the Union County Land Reutilization Corporation as the agent to and on behalf of the Board of County Commissioners of Union County and Terry Emery seconded. All in favor.
  - The Union County Commissioners partnered with the hospital to find a buyer and expand the services offered. The evaluation process was completed. Over 400 entities were invited to bid on the property, and the county received 11 quality offers. The Union County Commissioners sought an agent to facilitate the sale of this property and felt the Union County Land Reutilization Corporation was a good fit.

## **Adjourn:**

A motion was made by Terry Emery and seconded by David Lawrence to adjourn the meeting at 9:15 a.m. All in favor.



**RESOLUTION OF  
THE BOARD OF DIRECTORS OF THE  
UNION COUNTY LAND REUTILIZATION CORPORATION**

July 11, 2024

A RESOLUTION AUTHORIZING THE NEGOTIATION AND CONSUMATION OF THE SALE OF MEMORIAL GABLES BY THE UNION COUNTY LAND REUTILIZATION CORPORATION AS AGENT TO AND ON BEHALF OF THE BOARD OF COUNTY COMMISSIONERS OF UNION COUNTY

WHEREAS, the Board of County Commissioners of the County of Union, Ohio (the "County"), holds title to certain real property, personal property, and business operations associated with Memorial Gables, a skilled nursing facility having 112 county home beds and located at 390 Gables Drive, Marysville, Ohio, together with the business assets and operations (collectively, the "Property");

WHEREAS, Memorial Hospital of Union County, Ohio, dba Memorial Health (the "Hospital") operates the Property for the County consistent with an Agreement dated January 29, 2004 (the "Management Agreement");

WHEREAS, the Hospital and the County have determined that the Property is not needed for public use and that its sale to and operation by a private entity qualified to continue the operation of the skilled nursing facility will be in the best interest and support the general health and welfare of the citizens of the County;

WHEREAS, the Hospital, with the consent and at the direction of the County, publicly advertised the sale of the Property and has evaluated for the County, the qualifications of responders and the quality of responses to such advertisement;

WHEREAS, the Property, being a county home licensed under Section 3721 of the Ohio Revised Code, and being titled in the name of the County, can be sold to a third party pursuant to the provisions of Section 5155.31(B) of the Ohio Revised Code, and the County can provide for the continued care of the residents through such transaction, upon such terms as may be agreed upon by the Board;

WHEREAS, by Resolution No. 16-423, adopted November 17, 2016, as appears in Commissioners Journal, volume 2016, page 1403, the County pursuant to Section 1724.10(A)(2) of the Ohio Revised Code, designated the Corporation as agent for the reclamation, rehabilitation, and reutilization of vacant, abandoned, tax-foreclosed, or other real property in the County;

WHEREAS, the County and the Corporation entered into an Agreement and Plan of Reclamation, Rehabilitation, and Reutilization of Vacant, Abandoned, Tax-Foreclosed or Other Real Property in Union County, Ohio, as appears in Commissioners Journal volume 2017, page 243; and

WHEREAS, in connection with the sale of the Property, the County has authorized the Corporation by resolution to act as its agent in the final negotiation and consummation of the contract for sale of the Property; and

WHEREAS, the Corporation is authorized, in part, pursuant to Ohio Revised Code Section 1724.10(B)(2), to act as agent to and on behalf of the County with respect to the purposes of this resolution;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE UNION COUNTY LAND REUTILIZATION CORPORATION, THAT:

RESOLVED, the president, or any other officer of the Corporation, acting alone, is hereby authorized and directed to enter into a Purchase Agreement with a purchaser, as directed by the County, and acting by and through the County as its agent, on such terms and conditions as are deemed by the County to be reasonable or appropriate to result in the sale and transfer of the Property.

FURTHER RESOLVED, the president, or any other officer of the Corporation, acting alone, is hereby further authorized and directed to enter into and deliver such other deeds, instruments, affidavits, closing statements, and certificates and to perform such actions as necessary or appropriate to effectuate the sale of the Property.

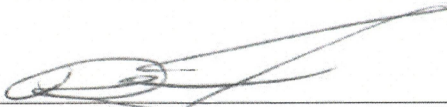
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Upon motion duly made, the foregoing resolution was adopted by on this the 11<sup>th</sup> day of July, 2024.

Yes 4

No 0

  
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Dave Burke, Vice-president

Attest: Heather Martin, Administrator, Heather Martin

Date: 7-11-24

7750 Corporate Blvd. Plain City, Ohio 43064 • Phone (614) 526-2040 Fax (614) 526-2041 • [www.CoxColvin.com](http://www.CoxColvin.com)

Cox-Colvin & Associates (Cox-Colvin) is a customer-driven environmental consulting firm providing high-quality, cost-effective environmental consulting services and innovative environmental solutions to industry, private sector, and governmental clients. Our expertise centers on the cost-effective planning, negotiation, implementation, and management of environmental projects of all sizes regulated at the state and national level. We understand both federal and state regulations and the impact that environmental regulations and policies have on our customers. Accordingly, Cox-Colvin makes concerted efforts to stay informed and, to the extent possible, aid in drafting and directing new environmental rules and policies. As a result, Cox-Colvin has developed a reputation for providing experienced and capable project teams, high-quality work products, solution-oriented approaches, and the creative use of technologies.

Cox-Colvin provides a wide range of environmental consulting and related services to our customers. These services are conducted under various regulatory programs including, but not limited to, the Resource Conservation and Recovery Act (RCRA), the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), the Safe Drinking Water Act (SDWA), the Clean Water Act (CWA), state solid waste programs, and state voluntary programs.

## Expertise...When You Need It Most

- Agency Negotiation & Regulatory Support
- Vapor Intrusion Assessment & Mitigation Services
- Groundwater Monitoring Services
- Groundwater Resource Development
- Due Diligence and Brownfield
- GIS/Database Applications
- RCRA Generator and Part B Permitted Closure
- Stormwater Permitting & SWPPP
- RCRA Corrective Action
- Environmental Permitting & Compliance
- Site Investigation
- Litigation Support
- Preparation of SPCC and FR Plans
- CERCLA-Related Investigations & Cleanups
- Orphan Site Services
- Remediation



Engineers • Geologists • Hydrogeologists • Soil Scientists



Environmental site assessments and environmental audits have become a standard feature of many property transactions and brownfield programs. Performed by teams of qualified geologists, engineers and regulatory specialists, our environmental audits identify current and historical environmental liabilities for property owners, buyers, and lending institutions. The majority of our audit work is performed for industrial clients with multiple facilities across the country. This gives us broad expertise at dealing with federal, state, and local regulatory agencies. Site assessments typically are conducted in accordance with ASTM Standard Practices and US EPA's Standards and Practices for All Appropriate Inquiries [AAI (40 CFR Part 312; November 1, 2005)]. We also assist our clients in the redevelopment of brownfield sites, such as seeking a Covenant Not to Sue through the Ohio Voluntary Action Program. Due diligence-related services provided by Cox-Colvin & Associates include the following:



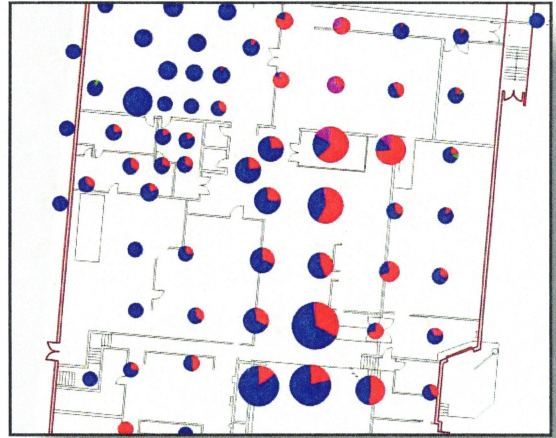
- Phased Environmental Assessments
- Individual/Multi-Site Acquisition and Divestment
- Site Investigations
- Brownfields Assessments
- Covenant Not to Sue through the Ohio Voluntary Action Program
- Compliance Audits
- Future Use Evaluations and Risk Management

Environmental site characterization, or investigation, is one of the most important steps in any cleanup program. If not well designed and executed, environmental investigations can be prolonged and cost as much as the remedy. Poor or improper site characterization can lead to unnecessary remediation, selection of an inappropriate or poorly performing remedy, or the presence of unidentified sources of contamination or exposure pathways which must be addressed after the rest of the site is considered clean. Much of our environmental investigation experience is centered around the RCRA Facility Investigations (RFI) under the RCRA Corrective Action program. Our RCRA Corrective Action experience in Ohio and the midwest is unmatched.

Cox-Colvin & Associates works closely with our clients to define an overall approach to site characterization needs, objectives, and constraints based on the applicable regulatory framework. We use an array of proven and innovative sampling techniques and equipment to investigate environmental problems, including the nature, extent, fate, and migration of contaminants in environmental media.



Volatile Organic Compounds (VOCs) are present in soil and groundwater at virtually every industrial and commercial facility that ever stored, used, or disposed of fuels or solvents. The potential for VOCs to migrate upward into a building's breathing space is known as "vapor intrusion" and is now among EPA's highest priorities. Soil-gas sampling is a vital component of any vapor intrusion investigation.



Vapor intrusion investigations are typically performed in accordance with US EPA's 2015 Vapor Intrusion Guidance, and with applicable state or local guidance.

Vapor intrusion assessment is a complex, iterative process involving:

- Comparing existing groundwater or soil data to screening levels
- Developing sampling plans in concert with regulatory agencies
- Running computer models to estimate risk in indoor air
- Investigating indoor vapor sources
- Collecting soil gas and, potentially, indoor air
- Evaluating data to distinguish between vapor intrusion and indoor sources

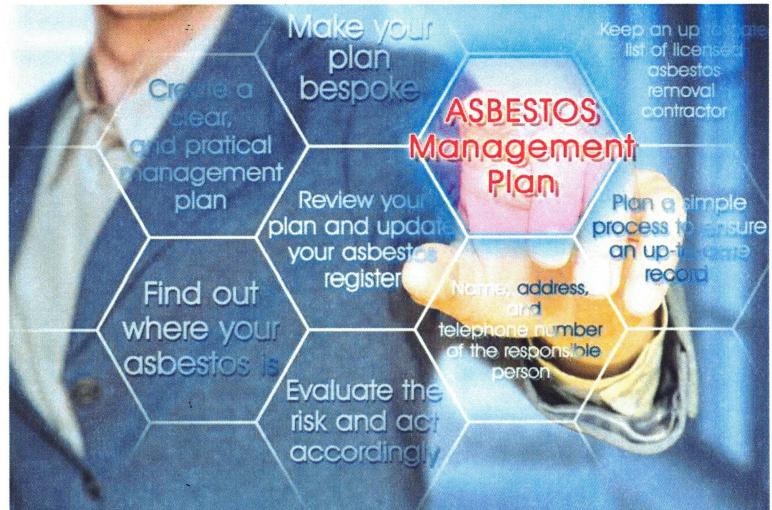
Cox-Colvin has successfully completed many vapor intrusion assessment, source area prospecting and vapor mitigation projects throughout the Midwest. Our innovative approaches for investigating subsurface VOCs enable us to collect large soil-gas datasets with unprecedented speed and accuracy allowing us to better understand site conditions. Using this information we are able to locate contamination sources quickly and efficiently and target remediation and mitigation efforts, saving our clients time and money.

This experience led to the development of our patented Vapor Pin™, which is rapidly becoming the worldwide standard in sub-slab soil-gas sampling.

If vapor intrusion is a potential issue, either on-site or off-site, Cox-Colvin has the expertise to complete accurate and timely assessments; remediate vapor sources through soil removal or treatment; or reduce the effects of vapor intrusion through the design and installation of vapor mitigation systems.



Asbestos containing materials (ACM) in buildings can present a human health risk to workers, occupants, and the general public if disturbed and released into the air. Proper asbestos building surveys and bulk sampling of building materials is the only definitive method in identifying ACM in a structure. The National Emissions Standards for Hazardous Air Pollutants (NESHAP) requires that an asbestos building survey be conducted prior to building renovation and/or demolition of a commercial structure or building. Asbestos building surveys are also conducted as part of environmental site assessments (ESAs). As an aside, the common misconception around asbestos is that a building constructed after promulgation of the Clean Air Act in 1973 will not contain asbestos and all building material produced and used since 1973 are asbestos-free. This is simply not true. A structure's construction or renovation date is not a reliable indication that a structure will be asbestos-free.



Identifying ACM is crucial to protecting workers and occupants during renovation and/or demolitions and can be invaluable in the event of a fire or disaster that damages a structure. With a detailed asbestos survey of a structure, ACM can be addressed via several approved methods, before a release occurs, protecting building occupants and/or workers from asbestos exposure. Cox-Colvin's asbestos hazard evaluation specialists (AHES, an Ohio EPA-specific title) have conducted numerous asbestos building surveys in a variety of settings ranging from single family homes and commercial warehouses to research laboratories, large industrial facilities, and hospitals. Our AHES personnel have also assisted with many asbestos abatement projects providing industrial hygiene air monitoring for abatement workers as well as abatement containment testing and abatement area clearance testing.

Cox-Colvin has expert personnel that are trained and certified to conduct the following asbestos related services.

- Asbestos Building Surveys and Reporting
- Asbestos Bulk Material Sampling
- Asbestos Abatement Air Sampling and Monitoring
- Asbestos Management Plans Development

Our asbestos professionals are federally certified asbestos building inspectors and asbestos management planners and are certified and able to work in Ohio, Michigan, Indiana, Kentucky, Pennsylvania, West Virginia, Illinois, and other states.



Site investigation, or assessment, is common to all cleanup programs and is essential in determining the need for and best approach to cleanup. If not well designed and executed, investigations can lead to unending sampling events, unnecessary remediation, selection of inappropriate or poorly performing remedies, or the presence of unidentified sources of contamination or exposure pathways which must be addressed after the rest of the site is considered clean.

Cox-Colvin has extensive experience with all aspects of planning and implementing environmental investigations of all sizes and has been at the forefront of streamlining the investigation process. This begins with a clear understanding of the regulatory program, objectives, and both our client's and the agency's goals and expectations. Data quality objectives (DQOs) and the use of a conceptual site model early in the process assures that the right amount and the correct types of data are collected in the most cost-effective manner possible.



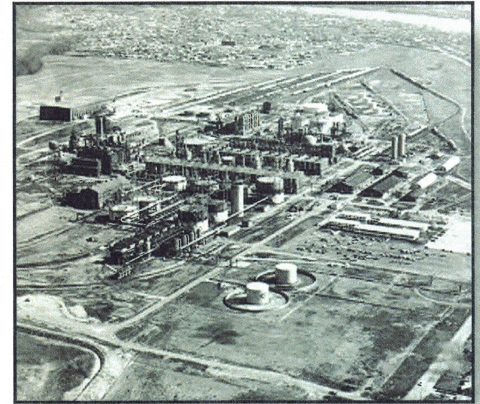
Our staff are trained and experienced in the use of the most current methods and technologies for collecting environmental data and to work safely under all types of conditions. Our scientists and engineers are highly skilled in organizing and managing data, interpretation of data, mapping and modeling techniques, and visualization software applications. Our reports are well organized and well written, and present often complex information in a clear and concise manner.

Cox-Colvin provides our clients with expertise in the following areas:

- RCRA facility investigation (RFI) and CERCLA remedial investigations (RI)
- Investigation design and work plan preparation
- Streamlined and results-based assessment
- Conceptual site model development
- Soil vapor intrusion evaluations
- Mass flux/mass discharge assessment
- Hydrogeologic assessment
- Innovative investigation using dyes, fluorescence, matrix diffusion, and isotopic analysis
- Surface and borehole geophysical analysis
- Soil, groundwater, and surface water sampling
- Data validation



The Comprehensive Environmental Response, Compensation, and Liabilities Act (CERCLA), also known as Superfund, is the primary federal program used to address environmental issues at abandoned industrial sites across the nation. CERCLA also provides the basic underpinnings of the various state abandoned sites (Brownfield) programs administered through orders or voluntary actions. Understanding CERCLA is critical to the successful implementation of due diligence efforts, remedial investigations, feasibility studies, risk assessments, remedial design, and remedial action.



Cox-Colvin & Associates provides the following CERCLA-related services:

- Due diligence assessments
- Consent Order negotiation/project scoping
- Remedial Investigations/Feasibility Studies (RI/FS)
- Remedial Design/Remedial Action (RD/RA)
- Remedy Operation, Maintenance, Monitoring, and Reporting (O&M)
- Public meeting and public outreach support
- Site delisting
- Site reuse and development

Cox-Colvin has been successfully implementing CERCLA projects on the federal and state level since the firm's inception in 1995. Our CERCLA expertise has been gained from the negotiation and implementation of CERCLA-based consent orders with state and federal regulators on behalf of potentially responsible parties (PRPs), under assessment and remediation of sites under state voluntary action programs, and due diligence efforts at a wide variety of industrial facilities in support of real estate transfers.

One keystone project was in Lawrence County where a 600+ acre site along the Ohio River had hosted munitions, fertilizer, and chemical manufacturing facilities for four decades. Cox-Colvin was there at the beginning with its listing on the National Priorities List (NPL) of contaminated sites in September 1984. Over the last three decades, Cox-Colvin worked diligently with local governments and with their state and federal partners as part of a regional economic revitalization effort. One of the signature accomplishments of this project has been the cleanup and reuse of the South Point Plant site as The Point, an industrial park.

On both the federal and state level, our CERCLA and enforcement program projects, require us to regularly negotiate and work with agency personnel from Region 5 and every district office of Ohio EPA. There project required negotiating with senior level agency staff. We arrive prepared, develop strong and insightful technical and regulatory arguments, and know when it's important to win, and when it is beneficial to yield. We always begin with the end in mind and look for innovative ways to approach any problem. We have developed excellent, mutually respectful working relationships with many regulators using this approach. Our experience in conducting such work provides a strong foundation for our CERCLA-related work services whereby we seek to minimize potential liabilities, while choosing the right financial strategy to ensure long-term protectiveness.



Groundwater monitoring is required under numerous regulatory programs. In each program, owner/operators are called on to design, install and implement a monitoring system capable of determining the facility's impact on groundwater. Statistically significant changes in groundwater quality are immediately considered by regulatory agencies to be indicative of a release. This could require implementation of a groundwater quality assessment to determine the rate and extent of contamination. In many cases, the apparent release may be due to a poor understanding of site hydrogeology and contaminant migration, improper monitor well design and installation, or the selection and use of improper statistical methods. All of these pitfalls can be avoided.



Groundwater monitoring-related services provided by Cox-Colvin & Associates within this area of expertise include:

- Monitoring program design and monitoring plan preparation
- Monitor well installation, and sampling
- Detection monitoring
- Assessment monitoring
- Compliance monitoring
- Corrective action monitoring, including monitored natural attenuation
- Groundwater quality assessment
- Alternate concentration limit (ACL) development
- Database management
- Statistical analysis and planning
- Hazardous waste supplementary annual report preparation

Cox-Colvin & Associates has conducted groundwater monitoring in numerous hydrogeologic settings using a vast array of monitoring tools and techniques, including genetic testing of bacteria used in the degradation of contaminants. We work closely with laboratories to streamline the flow of data from their LIM systems to our database management systems - resulting in normalized, error-free datasets. At Cox-Colvin, we have been designing and implementing groundwater monitoring programs for decades - from small UST projects with a few wells covering less than an acre to regional groundwater studies involving hundreds of well spread over miles of terrain. How can we help you with your groundwater monitoring project?



Contaminated sites and historic environmental management practices can pose significant risk to human health and the environment, and carry significant clean up liabilities for industry and government. Many older industrial sites have had a history of varied uses resulting in multiple sources and types of contamination in soil, sediment, groundwater, and surface water. Site remediation typically involves remedy selection, design, implementation, and operation and maintenance.



Cox-Colvin's specialty is the planning, negotiation, and implementation of large and/or complex environmental projects. Most of our projects are highly regulated RCRA or Superfund sites, or subject to consent orders with U.S. EPA or state environmental agencies. Our work is routinely scrutinized by those agencies and concerned citizens, and requires the highest level of quality control. As a result, we have developed robust sampling, analysis, remediation, and project implementation processes.

At Cox-Colvin, we engage with our clients to identify their remediation goals and objectives for their site within the context of the regulatory setting. And we work together to weigh options, develop strategies, and take actions based on our mutual understanding of the regulatory requirements, site and subsurface conditions, and short and long-term goals. We focus the remedial alternatives evaluation on realistic remedies while tailoring the use of innovative technologies for characterization and remediation. In many cases, the preferred remedial approach becomes readily apparent during the site characterization allowing the environmental evaluation to remain highly focused. A site-specific exit strategy is incorporated into each remedy. We routinely incorporate green and sustainable remediation (GSR) principles and practices into remediation projects and we have contributed to the advancement of the GSR. Following remedial implementation, Cox-Colvin closely monitors the performance of every remedy against pre-established goals to identify potential optimization and cost-saving strategies.

Remediation services provided by Cox-Colvin & Associates include the following:

- Corrective measures studies (CMS) and implementation (CMI) under the RCRA Corrective Action Program
- Feasibility studies (FS), Remedial Design/Remedial Action (RD/RA) under the CERCLA program
- RCRA closure
- Remedial design and construction management
- In-situ remediation, including bioremediation, chemical oxidations, phytoremediation, permeable reactive barriers, and thermal remediation
- Vapor mitigation
- Operation and maintenance and remedial systems optimization
- Third party review