

July 5, 2006
CSFM Meeting Minutes

In Attendance:

Richard M. Battison, David Colby, Kristen Thelen, Tom Hopkins, Liz Yeomans, Ray Limb, Rolf Larsen, Kane Loader

Sharon Steel Updates

Liz went over the February and May Quarterly Site Inspection reports last month. Question for Liz. Previously on Question #1 ("Is redevelopment occurring on the site?"), the answer used to be marked "yes", but now it's being marked no. Why is that? Liz - All work stopped in Dec. of 2005. There has been no development since then. Kane - the decision to stop is not coming from UDEQ. Development is stopped because of the lawsuits. The partners are coming to an agreement on the alignment of Bingham Junction Blvd, so the city can proceed with at least that part. The partners are trying to meet the deadline for the dedication to the city. Question: Is that road going to be at grade or will it drop down at 7800? Answer: It will be at grade at 7800. They are planning to slow traffic down on Holden Street to move traffic onto Bingham Junction, which will probably be a 35 mph road. They will try and divert Discover Card traffic onto that road. Question: Will Murray connect with that road? Answer: Midvale City is meeting with them tomorrow about that. The city wants to help them connect their overpass up with roads to help them solve their traffic problems.

Tom - There seem to be common denominators on the reports. The interceptor trench and drains are not being very well maintained. The questions about them being accessible and operational are being marked "no" on every inspection. There is a joint responsibility between the owners and city to make sure things are maintained. Liz- UDEQ is proposing a meeting to straighten it out a little better and to get the land owners to commit on doing that better. UDEQ has not received any comments from the property owners about Liz's report. She thinks they are busy with other things. Kane - They are probably more concerned about getting ownership problems resolved. It will be a major accomplishment if the road gets going. The property owners weren't even talking before this. Tom - There are only 11 items on the Site Inspection report that they have to comply with, and the items are not that taxing. It's surprising that they cannot get a 100% on the report. The only thing they don't have control of it is item #10 which has to do with erosion of the river. The rest of the items could be fixed easily. Ray - one of the things that they have done is they have repaired a fence on 700 west. They only had to repair 2 fences, but repaired many more. Around the residential area there is a lot of vegetation growth right around the fence. They have not responded to that. It's been given to code enforcement, and something should be done next week. If they haven't responded by Friday and fixed it, the city will send a contract person to do it, and they will put the

charge on their tax notice. If the city got involved with the interceptor they would also send someone out and charge the owners for it. Tom – the owners should be more responsible and pro-active on this. If they don't take care of this, will they take care of the rest? Ray – the city has been writing letters to try and take care of the issues, but from now on they will just do code enforcements. Tom – if they had a list of 150 items it would be one thing, but with only 11 it shouldn't be so hard to complete them. Tom – what would it take for the city to be secondary? Answer: They would need something from UDEQ requesting it. Tom – So it would take something official instead of just the checklist saying that it's not being done? Ray – they were able to enforce the vegetation around the fence because it was a health concern – fire, etc. Question: how close is UDEQ to requesting the city's enforcement? Liz – the danger comes during the summer. The ground water monitoring will occur in Sept. and UDEQ will need access to the interceptor trench to do that. If it takes a letter with the latest site inspection copied to the city, she's sure the city would work with them to enforce it. Question: when will the August inspection report be available. Will it be in time for the August 2nd meeting? Answer: no, not until September.

Liz – The ground water monitoring will be done in September. The next site inspection will be in August.

David Colby – wanted to say that he goes along with Tom's remarks about there only being 11 items to keep up on. The cost factor to have a secondary person to do it will cost so much more. Tom – nothing costs very much for them to do it themselves. Unless they had to do something with the bank. Liz – when Ben was purchasing the site, one thing they didn't want to do was ground water monitoring. UDEQ assured them that they didn't have to do that, but they probably should have specified what responsibilities the owners did have so that the ground monitoring could be done. The new OEM she's drawing up will be more specific.

Midvale Slag Updates

Ray – a week ago last Monday [on the 26th] there was a quarterly site inspection, which comes with a tour. That was the preemptive final inspection if everything went right. After that inspection, EPA will write a letter saying that it has been completed and set a time when the 1 year warranty will start. They will have one year to make sure slumping, settlement, and everything is maintained.

Where they have run roads over the site, the area has been pretty well compacted. In September they will plant vegetation so during the fall it will be covered by vegetation.

Question: Any idea of the date the warranty will begin? Ray – not exactly sure, but it should be soon. It will be a call on Fran's part. All the grass has to be up. Liz – It will start on the date that she signs the certification 3rd page on each milestone list. Each page has 2 pages of things that need to be done and a 3rd page that she alone signs. Ray – they didn't want to start watering the other side

of the site yet unless they have enough water to water it. If it germinates on it's own, they will have to start watering. Other than that, as far as the ground water monitoring, that is still under discussion. He thinks there will be some agreements soon. Doesn't have any details on it.

Q: What about OU1? It looks like it's going well. Kane – they are probably going to run into the same problem that everyone else is having with the asphalt shortage. They want to get the roads in by the end of the year, but he doesn't know if they will be able to. The developers are working with the city on a lot of construction issues, but they would like to have the roads done by the end of the season. Oil companies have figured out how to get more gasoline from oil, so there isn't as much oil to make asphalt. The oil companies make 3% of their profits on that oil, so it's not in their best interest to use it on asphalt, and with the shortage of oil the cost goes up and doesn't come back down. They do say that they are behind on their schedule of the site. They are about 3 weeks behind. If they wanted to do asphalt in October and it gets pushed back, they may not make it this year, of course they could still make up some time. Kane – UDOT won't pave after Oct 15th.

What is the timetable for the road? Kane – they want to go into construction next spring – May/June. Question – Will the utilities go under the road? Kane – The utilities will be inside the right of way, but outside of the road. The sewer, water, power line will be on both sides of the road. The city doesn't want to cut up the road in the future. The first plan was to have a park strip down the middle. The won't have that anymore. On the Bingham Junction side they will have a linear park along the west side of the road with part of the trail. It will be easier to maintain and more usable. They will be able to have pedestrians and bicyclists along the trails.

It is a busy time for the city. They are getting a lot of e-mails from developers about the sites. Question: what is happening with Bingham Junction? Answer: right now they are working on their due diligence and getting their financing in order. They have 180 days to close. They are working on a bubble diagram to bring into the city. This will be a first shot of what they are thinking to give to the city. This will allow the city to say what fits into their zoning and master plan. It gives them a direction to go with their master plan. Kane – he knows that they are in the middle of that because the city is getting a lot of calls from their consultants. Question: Will they do this before they close on the land – Kane – the buyers want to make sure that what they have got planned will fit in with what the city has planned to do and that it fits in with the zoning.

Lightrail station – The station will probably be by Butterfield lumber. It can still be moved around, but will definitely be in OU2 area. They are thinking of putting in a couple of big office buildings in that area that can be seen from the freeway. An update – they changed the maximum height restriction out there. It went from 75 ft to 90 ft. Kane – the developers of the site are the ones who developed Gateway, so they are very transit oriented. Lightrail will be in the middle of their development. They have about 40 acres of retail that they want to do there. The

other site will have about 50 acres of retail.

Question: Is the light rail station going to be just west of the Boulevard?

Answer: Right now it's tentatively scheduled to be west of 700 West, a $\frac{1}{4}$ of a mile between 700 West and the Boulevard. Question: How close will it be to the new Boulevard going through the property? Answer: Right now it's tentatively next to Butterfield Lumber. More than likely they will put it next to the road that will be by the new office buildings.

Unless they get held hostage by the railroad company, light rail will be 2 lanes. They have to list the 3 lanes on their reports, but are planning on having just the 2 lanes, with freight operation occurring after 11 pm until 6 am. It will be like what they are doing on the North/South line now.

Other Items

Next Meeting: August 2, 2006