

**MILK RIVER INTERCOUNTY DRAIN DRAINAGE DISTRICT
DRAINAGE BOARD MEETING MINUTES
July 22, 2019**

A meeting of the Milk River Intercounty Drain Drainage Board was held on Monday, July 22, 2019 at the St. Clair Shores City Hall, Geer Conference Room, located at 27600 Jefferson, St. Clair Shores, Michigan.

Members Present

Michael R. Gregg, Chair, Michigan Dept. of Agriculture & Rural Development, State of Michigan
Patrick Cullen, Interim Deputy Drain Commissioner, Wayne County
Heather Toutant, City of Harper Woods
Bryan Babcock, City of St. Clair Shores
Brian Baker, Deputy Macomb County Public Works Commissioner, Macomb County

Others Present

Kyle Seidel, Anderson, Eckstein and Westrick
Brent Avery, Southeast Macomb Sanitary District
Marie Tighe, Southeast Macomb Sanitary District
John Brennan, Fahey, Schultz, Burzych & Rhodes
Greg Tupancy, Wayne County
Russ Strassburg, Tetra Tech

1. Call to Order

Mr. Gregg called the meeting to order at 1:30 p.m.

2. Approval of Agenda

Mr. Baker moved to approve the agenda with addition to correct the day of the meeting from Thursday to Monday. The motion was supported by Mr. Babcock. Motion adopted.

3. Approval of the Minutes of June 20, 2019 Drainage Board Meeting

Mr. Baker moved to approve the minutes for the June 20, 2019 meeting. The motion was supported by Mr. Babcock. Motion adopted.

4. Reports

a. Operations and Maintenance

The Operation and Maintenance (O&M) update was presented by Brent Avery and Kyle Seidel. Kyle provided an update on the lake levels and its effect on the RTB. The extended

weir wall was placed in July to raise the elevation by 6 inches. Based on the Army Corps of Engineers monthly lake levels report; it appears the lake levels are starting to drop. Brent, Kyle and Brett McDonald of SEMSD have assessed the Milk River facility and provided Tetra Tech and Spence Brothers some items to consider to be included into the project. They will meet before the next board meeting to go over the items and discuss the costs. The pumps are in and set up for the bypass pumping for the Sanitary pumps #8, #9 and #10. Programming will be set up in the next few days along with an auto dialer.

Mr. Babcock moved to receive and file the operations and maintenance report. The motion was supported by Mr. Cullen. Motion adopted.

b. Priority 1B and Select Improvement Project - Construction Update

The Drainage District Board received a report from Russ Strassburg and Greg Tupancy regarding the ongoing construction project. Greg showed pictures of the recirculation station and explained how it works. He stated the purpose of the recirculation station is to bring water from the lake and pump it upriver to keep water flowing and keep the odors down. Greg showed the intake pipe, water coming in from the lake through the bar screen to get rid of debris and continues through to the recirculation pump station. He showed a video of the pump building where the pumps are housed. The recirculation station is located at Lake Front Park in St. Clair Shores. The load test performed on the crane has passed. The contractor is working on the separation wall between basin #1 and #2. Engineering Services report through the end of June shows 98% of the construction engineering contract has been spent. The Construction contract through mid-April is approximately 61% complete. Additional Construction costs summary report shows the unforeseen conditions and issues to date at approximately \$2.7 million. Summary of SRF Loan Costs shows expenses above and beyond the loan balance of \$752,321.

Mr. Cullen moved to receive and file the construction update. The motion was supported by Mr. Babcock. Motion adopted.

5. New Business

Elizabeth Barrera presented the 3rd quarter Budget Report ending June 30, 2019. Budgeted revenue is \$2.6 million. Actuals are at \$1.9 million and 26% budget remaining. The invoices for the supplemental funding for this quarter were sent out. Operations and Maintenance (O&M) fund balance is at \$1.2 million, Supplemental Funding Construction Project is at \$2.7 million and Reserve for replacement is at \$341,791 totaling \$4,356,646.

Mr. Babcock moved to receive and file the 3rd quarter Budget Report. The motion was supported by Mr. Smith. Motion adopted.

6. Unfinished Business

a. Legal Update for Priority 1B and Select Improvement Project

John Brennan provided a legal update. After consideration, Marty Bernstein was chosen to be the mediator. Mr. Brennan provided his retainer letter of \$375.00 per hour on August 16, 2019. Jeff Gallant, Counsel for Spence discussed issues with Mr. Brennan regarding the delay claim of 856 days extension, Scada system, the Storm pump #7 Motor Rewind issue and the In-take pipe. Mr. Brennan advised the mediator that he would be working in good faith and make recommendations to the Board.

Mr. Cullen moved to receive and file the communication selecting Marty Burnstein as the mediator, for our negotiations with Spence Brothers and to authorize Mr. Brennan to execute good faith settlements on behalf of the Board. The motion was supported by Mr. Baker. Motion adopted.

7. Approval of the SEMSD Operations and Maintenance Invoice

The SEMSD Operations and Maintenance (O&M) invoice for June 2019 was reviewed. The June 2019 invoice totaled \$56,754.32.

Mr. Baker moved to authorize the payment of SEMSD Invoice O&M 06-2019. The motion was supported by Mr. Babcock. Motion adopted.

8. PUBLIC COMMENT

None

9. Set Next Meeting Date/Time/Location

The next regularly scheduled meeting is Monday, August 19, 2019 at 1:30 p.m. The meeting will be located at St. Clair Shores City Hall, 27600 Jefferson, St. Clair Shores, MI 48081.

10. Adjournment

Mr. Cullen moved to adjourn the meeting. The motion was supported by Ms. Toutant. Motion adopted.

There was no further business to come before the Drainage Board; the meeting was adjourned at 3:14 p.m.

Brian Baker, Deputy Macomb County Public Works Commissioner, Macomb County

NOTE: The forgoing minutes are subject to Milk River Intercounty Drain Drainage Board approval.