

**MILK RIVER INTERCOUNTY DRAIN DRAINAGE DISTRICT
DRAINAGE BOARD MEETING MINUTES
August 19, 2019**

A meeting of the Milk River Intercounty Drain Drainage Board was held on Monday, August 19, 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
Bryan Babcock, City of St. Clair Shores
Patrick Cullen, Interim Deputy Drain Commissioner, Wayne County
William Snyder, City of Harper Woods

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
Brett McDonald, Southeast Macomb Sanitary District
Bruce Smith, City of Grosse Pointe Woods
Elizabeth Barrera, Wayne County
Jill Bush, resident of Grosse Pointe Woods

1. Call to Order

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

William Snyder was asked to attend the Milk River Board meeting to represent the City of Harper Woods and can vote.

2. Approval of Agenda

Mr. Cullen moved to approve the agenda with addition to add to New Business (b) SEMSD Milk River Operational List; (c) Fahey, Schultz, Burzych & Rhodes Fee Discussion and (d) Tetra Tech Fee Discussion. Change Unfinished Business to number 8 and add Mediation Process. Mr. Brennan will recommend entering closed session. The motion was supported by Mr. Babcock. Motion adopted.

3. **Approval of the Minutes of July 22, 2019 Drainage Board Meeting**

Mr. Babcock moved to approve the minutes for the July 22, 2019 meeting with the correction the of spelling for Burstein and Gallant. The motion was supported by Mr. Cullen. Motion adopted.

4. **Reports**

a. Operations and Maintenance

The Operation and Maintenance (O&M) update was presented by Brent Avery and Kyle Seidel. On 8/7/19 an isolated rain event happened in Harper Woods and Grosse Pointe Woods and accumulated to 1.37 inch in a half of hour. It did fill up the Milk River Basin, but no discharge occurred. Brent Avery showed pictures of the xylem bypass pumps. These pumps are temporary while working on the sanitary pumps. The SEMSD staff did pulled some trees out. Mr. Greg pointed out that in the winter/spring would be a good time for Tetra-Tech to provide some beautification designs for the site. Brent Avery stated the light at the in-take pipe is fixed.

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. At the entrance bypass ramp the contractors were able to resolve some leaking by removing the ramp and placing the bypass below grade. The bridge crane installation is complete. The wall in the basin is complete and the contractor is finishing up the water proofing. In basin #2 some of the flushing system items have been removed. Prep work is ongoing with sanitary well keeping it dry. The contractor provided start up training for Blower 1. The contractor is also working on tuckpointing at the blower building and miscellaneous painting. In addition, the wall is up for the screen building at the recirculation station. Mr. Tupancy presented the Engineering costs and Construction status report. Tetra Tech is at 100% design and 97.8% construction completed through 6/30/19. The construction project through 5/24/19 is at 61.13%. Additional construction costs summary report shows the unforeseen conditions at approximately \$1.4 million. The summary of SRF Loan shows expenses above and beyond the loan balance of \$1.7 million.

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

5. **New Business**

a. FY20 Budget

Elizabeth Barrera and Kyle Seidel presented the FY20 Budget. The sewer disposal charge has increased from Great Lakes Water Authority (GLWA). A large shift in apportionment this year in the rates is due to no changes from the previous administrator since December 2015. Kyle displayed a rate package that was provided previously in a board packet that illustrates the Milk River flow has been trending up.

Mr. Babcock moved to receive and file the presentation of the FY20 Budget and table the approval until the September 19, 2019 meeting. The motion was supported by Mr. Cullen. Motion adopted.

b. SEMSD Milk River Operational Improvements List

Greg Tupancy asked the SEMSD staff to put a list of items together, that are not in contract for construction but needs attention from an operational standpoint. Brent Avery, Brett McDonald and Kyle Seidel went through the items. At Basin 1 A & 2 provide (2) hatches; Basin 1 install a sampling pump; at Recirculation Station replace gates; at the Pipe Gallery Room replace sump pump, ductwork, clean and snake floor drains; SE Side of Control Building raise grade; at the Maintenance Building replace weather stripping on overhead doors; replace roof of the shed; Pump Station Elev. 567 work room install permanent stairways, replace door & frame, update electrical; at Sanitary Pump 8, 9 & 10 access hatch provide removable rails; at the Pipe Gallery Room remove abandoned water service pipe; at Pump Station Elev. 567 replace door & frame; at Pump Station Elev. 557 remove existing electrical conduit; and at Pump Station Elev. 589 provide cover over stairs. SEMSD Staff to revise the above list, order the items in importance, and represent to the Board.

Mr. Cullen moved to receive and file the SEMSD list of Milk River Operational Improvements. The motion was supported by Mr. Babcock. Motion adopted.

c. Fahey, Schultz, Burzych & Rhodes Fees

John Brennan discussed the increase in fees of Fahey, Schultz, Burzych & Rhodes with the Board. The standard rates for drain work increased this calendar year. The current rate for other drainage boards is \$230.00 per hour. Milk River is paying \$220.00. Mr. Brennan will present a revised rate schedule for future billings at the September 2019 Milk River meeting.

d. Tetra Tech Fees

Russ Strassburg presented a proposal to increase the administration budget for the remainder of the current year (Year 3) and a budget established for the next two years (Years 4 and 5).

Mr. Strassburg explained that the project is taking a great more time than expected. He outlined the extra work that was done over and above the budget. Tetra Tech is asking for an increase in engineering and resident project representative hours. The Board would like to review the documentation presented and revisit at the September 2019 Milk River meeting.

Mr. Cullen moved to receive and file the documentation presented by Tetra Tech. The motion was supported by Mr. Babcock. Motion adopted.

6. Approval of the SEMSD Operations and Maintenance Invoice

The SEMSD Operations and Maintenance (O&M) invoice for July 2019 was reviewed. The July 2019 invoice totaled \$54,721.07.

Mr. Cullen moved to authorize the payment of SEMSD Invoice O&M 07-2019. The motion was supported by Mr. Babcock. Motion adopted.

7. PUBLIC COMMENT

The Drainage Board received public comment from Ms. Bush. Mr. Gregg responded to Ms. Bush's question regarding the requirements of posting an agenda. Mr. Strassburg responded to the completion date of project and the landscaping plans. Kyle Seidel answered the question about the lake levels and how it affects the community.

8. Unfinished Business

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

Mr. Brennan provided an update regarding the meeting with the mediator, Marty Burnstein. They made some significant progress, but some issues were not addressed. No decision on the delay claim. Some questions remain with the in-take pipe. The mediator was very effective. The representatives for Spence Brothers at the mediation were Norman Thomas, CFO of Spence Brothers, Zach Zechmeister, Project Manager and Jeff Gallant, Attorney. Sub-contractors were available by phone. Representing the MRIDDD were Michael Gregg, Russ Strassburg, Greg Tupancy, John Brennan. The next meeting is September 13, 2019.

Mr. Brennan recommended the Drainage District Board enter a closed session for the purposes under Section 8 of the Open Meetings Act, including 8(h), to continue discussion of confidential written opinion of legal counsel. Mr. Babcock moved to enter closed session. The motion was supported by Mr. Cullen. A roll call vote of the Drainage District Board to enter closed session was as follows:

Mr. Gregg: Yes

Mr. Babcock: Yes
Mr. Snyder: Yes
Mr. Cullen: Yes

Motion adopted. A closed session began at 3:45 p.m. and ended at 4:12 p.m.

10. Set Next Meeting Date/Time/Location

The next regularly scheduled meeting is Thursday, September 19, 2019 at 10:00 a.m. The meeting will be located at St. Clair Shores City Hall, 27600 Jefferson, St. Clair Shores, MI 48081.

11. Adjournment

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

There was no further business to come before the Drainage Board; the meeting was adjourned at 4:15 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.