

**MILK RIVER INTERCOUNTY DRAIN DRAINAGE DISTRICT
DRAINAGE BOARD MEETING MINUTES
NOVEMBER 21, 2019**

A meeting of the Milk River Intercounty Drain Drainage Board was held on Thursday, November 21, 2019, at the St. Clair Shores City Hall, Geer Conference Room, located at 27600 Jefferson Avenue, St. Clair Shores, Michigan 48081.

Members Present

Michael R. Gregg, Chair, Michigan Dept. of Agriculture & Rural Development, State of Michigan
Matthew Coppler, City Manager, City of St. Clair Shores
Karen Czernel, Deputy Public Works Commissioner, Macomb County
Patrick Cullen, Interim Deputy Drain Commissioner, Wayne County
Joe Rheker, City Manager, City of Harper Woods

Others Present

Kyle Seidel, Anderson, Eckstein and Westrick
Brent Avery, Southeast Macomb Sanitary District
Brett McDonald, Southeast Macomb Sanitary District
Lori Hicks, Southeast Macomb Sanitary District
Frank Schulte, City of Grosse Pointe Woods
John Brennan, Fahey, Schultz, Burzych & Rhodes
Jim Grezlik, Wayne County ESG Finance
Russ Strassburg, Tetra Tech

1. Call to Order

Mr. Gregg called the meeting to order at 10:00 a.m.

2. Approval of Agenda

Mr. Rheker moved to approve the agenda as presented. The motion was supported by Mr. Cullen. Motion adopted.

3. Approval of the Minutes for:

• **October 23, 2019, Milk River Intercounty Drain Drainage Board Meeting**

Ms. Czernel moved to approve the October 23, 2019, minutes of Milk River Intercounty Drain Drainage District Board Meeting. The motion was supported by Mr. Cullen. Motion adopted.

- **October 23, 2019, Milk River Intercounty Drain Drainage Board Closed Session**

Mr. Cullen moved to approve the closed session minutes of the October 23, 2019, Milk River Intercounty Drain Drainage District Board Meeting. The motion was supported by Ms. Czernel. Motion adopted.

4. Reports

a. Operations and Maintenance (O&M)

The Operations and Maintenance (O&M) update was presented by Brent Avery, Kyle Seidel, and Brett McDonald. Mr. Avery reported that there were two storage non-events since the last Board meeting and that the collection system storage was successfully utilized. There have been no discharges since May 1st. SEMSD is continuing to operate and work with the construction team.

Mr. McDonald commented that the contractor's temporary wall in Basin 2 collapsed. There are gates between Basin 1 and 2, so Basin 2 has been dewatered since the collapse. He also advised the Board that there was a sensor failure with the Harper Woods' flow control and the sensor will be replaced.

Mr. Seidel commented that Tetra Tech is looking at extending the Milk River effluent weir. Mr. Seidel reviewed his presentation on next summer's Lake St. Clair level projections. The Milk River is not a detailed FEMA studied river, but the still water 100-year flood plain is projected. Based on projected lake levels, there is a potential concern of impaction to residential properties along the Milk River while storm pumping at station capacity. He suggested a hydraulic model be conducted on the Milk River. The model would produce information and public notification could be sent; possibly providing sandbags from the Authority or the municipalities. He could have a proposal prepared for the next Board meeting to map the flood plain lake level with the model to be completed by mid-February if approved.

Mr. Cullen asked if the public notification/information should come from the MRIDDD Board or the municipalities.

Mr. Brennan replied that he is not sure if the Board has a legal responsibility to notify the public. He believes the Board should send notifications in a good faith effort to work with the residents and municipalities.

Mr. Seidel commented that some public recommendations for residents could be getting flood insurance and/or a sandbag program.

Mr. Gregg asked Mr. Coppler if the City of St. Clair Shores had engaged in public communication with their lakefront residents.

Mr. Coppler replied that was done before he started as City Manager, but he knows the City did provide sandbags to lakefront property owners.

Mr. Schulte believes that the SCS sandbag program was mandatory. If the SCS lakefront property owner did not sandbag, the City would hire someone to do it at the property owner's expense.

Mr. Gregg commented that high resolution, less than two feet, survey data would be needed in order to complete a hydraulic model. He requested a proposal from both AEW and Tetra Tech for survey and modeling quotes.

Mr. Cullen will check with Wayne County to see what Lidar surveys they have on file.

Mr. Seidel would like to separate the survey and modeling quotes. Mr. Strassburg agreed with Mr. Seidel and they will work together to provide separate proposals.

Mr. McDonald commented that a deadline extension for the work plan might be needed on the December 31, 2019, date set by Dennis Ryan at EGLE.

Mr. Gregg replied that hopefully the deadline will be extended.

Mr. Rheker moved to receive and file the Operations and Maintenance Report. The motion was supported by Ms. Czernel. Motion adopted.

b. Priority 1B and Select Improvements Project – Construction Update

The Drainage District Board received a report from Russ Strassburg regarding the ongoing construction project. Mr. Strassburg commented the collapse of the temporary wall was a big issue. The contractors have reroofed the upper level of the pump station; the sheet metal work has started; the Basin 2 floor has been milled; the work on the sanitary well is underway with the stop log gate installed, the slide gate installed, the sluice gate installed, and blowers two and three have been tested; handrails repaired around the Grosse Pointe Woods DPW yard; the blower building floors are painted; the sidewalks at the recirculation building are done as well as the shingles on the new addition are being installed. There have been no new issues (other than the collapsed wall) and no changes to the improvement projects report from the last Board meeting. Steps are being taken on the soil boring with the contractor being on site tomorrow to perform the work. He then reviewed the Engineering Services and Construction Contract Status Report, the Additional Construction Cost Summary Report and the Summary of SRF Loan Costs as of November 12, 2019.

Mr. Schulte had one complaint about the blower building light shining in a resident's home.

Mr. Strassburg will follow up to be sure it was fixed.

Mr. Cullen moved to receive and file the Construction Reports. The motion was supported by Mr. Rheker. Motion adopted.

5. New Business

- **Spence Brothers' Update**

Mr. Brennan gave an overview of the meeting with Mr. Ard, Mr. Strassburg, and Mr. Tupancy. Jeff Gallant, Spence Brothers' Attorney, gave preliminary comments on the mediation agreement. The non-storm pump milestone completion date is subject to the assumptions contained in an exhibit, which has not been completed yet. The contractor believes the pump is causing a delay because of the electrical transition so extended general condition costs may be involved.

Mr. Gregg commented that the general condition cost is \$5,800 daily.

Mr. Brennan would like to get back with Mr. Gallant and the mediator as he believes $\frac{3}{4}$ of the dispute is finished. He will contact Mr. Gallant today to try and set up a meeting with the mediator in early December. He will try to have it done before the December 19, 2019, Board meeting.

Mr. Strassburg commented that once the soil boring study is completed tomorrow, the work can begin on the intake pipe.

Mr. McDonald commented that if a recirculation pump needs to be shut off so the contractor can work on the intake pipe, let him know so the contractor can get started.

6. Unfinished Business

- **Available Funds and Overage Report**

Mr. Grezlik presented the Budget and Expense Report for Quarter Ending September 30, 2019.

Mr. Gregg asked what items are included in the DPS/ESG Admin Allocation.

Mr. Cullen replied that he will investigate it and get back to the Board.

Mr. Gregg asked what items are included under Miscellaneous Fees.

Mr. Seidel replied with listing the following categories and included some examples for each category:

- Miscellaneous Fees: Operator Certification, Annual Permits, Water Bucket and Rope;
- Parts – Other Equipment: Chlorine Tester & Supplies, New Pump & Supplies, and Batteries;
- Miscellaneous Contractual Services: Scada, Cable, and Operating Supplies;
- Building Repairs & Maintenance: Diesel Fuel, Fire Hose & Extinguisher, and Paint & Supplies;

- Equipment Repairs & Maintenance: Install Transformer, Test Back Flow Preventor, and Pump Repairs;
- Equipment Rental: Generator Rental; and
- Engineering Services: Mr. Tupancy's Services.

Mr. Rheker moved to receive and file the Budget and Expense Report for Quarter Ending September 30, 2019. The motion was supported by Ms. Czernel. Motion adopted.

Mr. Seidel commented that the Board had previously requested a summary of the Milk River cash on hand to compare with the additional projected construction expenses so that a forward overage projection can be prepared for local communities.

Mr. Cullen will request the report from Elizabeth Barrera.

- **Update on Work Plan to EGLE**
Mr. Strassburg will speak with Mr. Ryan, EGLE, and present a work plan at the December 19, 2019, Board meeting.

7. Approval of the SEMSD Operations and Maintenance Invoice

The SEMSD Operations and Maintenance (O&M) Invoice for October 2019 was reviewed. The October 2019 O&M 10-2019 invoice totaled \$68,171.27. The total amount billed included a reconciliation from the July and August Operations and Maintenance invoice, October's O&M invoice, and the reimbursable Pass-Through Costs.

Mr. Cullen moved to authorize the payment of SEMSD Invoice O&M 10-2019. The motion was supported by Ms. Czernel. Motion adopted.

8. Public Comment

None

9. Next Drainage Board Meeting

The next regularly scheduled meeting is Thursday, December 19, 2019, at 10:00 a.m. located at St. Clair Shores City Hall, Geer Conference Room, 27600 Jefferson Avenue, St. Clair Shores, MI 48081.

10. Adjournment

Ms. Czernel moved to adjourn the meeting. The motion was supported by Mr. Rheker. Motion adopted.

There was no further discussion to come before the Drainage Board. The meeting was adjourned at 11:21 a.m.

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

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