

**MILK RIVER INTERCOUNTY DRAIN DRAINAGE DISTRICT
DRAINAGE BOARD MEETING MINUTES
AUGUST 13, 2020**

A meeting of the Milk River Intercounty Drain Drainage Board was held on Thursday, August 13, 2020, via teleconference in compliance with the State of Michigan Executive Order No. 2020-02, dated March 13, 2020, and Executive Order No. 2020-154, dated July 17, 2020; electronic (telephonic or video conferencing) attendance will meet the quorum requirements, all votes will be taken by roll call, and public participation will be allowed at the designated portion of the agenda in accordance with the recommendations of Executive Order 2020-154.

Members Present Via Teleconference

Michael R. Gregg, Chair, Michigan Dept. of Agriculture & Rural Development, State of Michigan
Elmeka N. Steele, Esq., Wayne County Drain Commissioner, Wayne County
Bryan Babcock, P.E., Director of Public Works/Water, City of St. Clair Shores
Karen Czernel, Deputy, Public Works Office, Macomb County
John Szymanski, Acting City Manager, City of Harper Woods

Others Present Via Teleconference

Kyle Seidel, Anderson, Eckstein and Westrick
Kip Walby, Southeast Macomb Sanitary District
Brent Avery, Southeast Macomb Sanitary District
Lori Hicks, Southeast Macomb Sanitary District
Frank Schulte, City of Grosse Pointe Woods
John Brennan, Fahey, Schultz, Burzych & Rhodes
Russ Strassburg, Tetra Tech
Greg Tupancy, Tetra Tech
Elizabeth Barrera, Wayne County
Moyna Moore, Wayne County
Terry Donnelly, Dickinson Wright

1. Call to Order

Mr. Gregg called the meeting to order at 10:03 a.m. Board Members will not communicate via text or other private methods of communication while this meeting is in session.

2. Approval of Agenda

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

3. Approval of the Minutes for:

a. July 16, 2020, Milk River Intercounty Drain Drainage District Board Meeting

Ms. Czernel moved to approve the July 16, 2020, Milk River Intercounty Drain Drainage District Board Meeting minutes as presented. The motion was supported by Mr. Szymanski. Motion adopted.

4. Reports

a. Operations and Maintenance (O&M)

The Operations and Maintenance (O&M) update was presented by Kip Walby. Mr. Walby commented that there was a discharge on August 2, 2020. During this particular event, two inches of rain fell and Pump #7 was utilized. Storm Pumps #1 through #5 have been tested in non-storm conditions. Grit Pump #1 and Dewatering Pump #8 have been tripping and we are currently checking on the warranty. They will need to be assessed and repaired as we do not have another grit or dewatering pump. Spence Brothers will help pull the pumps for the assessment on August 17, 2020.

Mr. Gregg requested a cost estimate for the next Board meeting. He then asked if SEMSD could wait until the next Board meeting.

Mr. Avery replied it would be beneficial to preauthorize the inspection and minor repairs up to \$20,000 for three pumps.

Mr. Walby will keep the Board updated as new details arise.

Mr. Babcock moved to authorize SEMSD to pull three pumps and have them inspected by Kennedy Industries at a cost not to exceed \$20,000. The motion was supported by Ms. Steele. Motion adopted.

b. Sandbagging Project

Mr. Seidel discussed the current Lake St. Clair projected water levels. As of August 11, 2020, the Army Corps of Engineers' report shows the lake level mean at 577.30 and is trending down. The January projected mean is estimated to be eight inches lower than last year and looks promising for the lake level to drop over the next five months. He displayed pictures of the 15 Danger Signs installed around the Milk River Property. The property owner who would not allow access for the sandbagging operation said she is going to take the signs down and put them in her garage if the MRIDDD needs them. Buoys were not used and he believes the homeowner will have a problem with them. Another problem with buoys is they need to be removed in the winter and require quite a bit of maintenance. He recommended submitting a permit to the Army Corps of Engineers before putting up the buoys.

Mr. Brennan commented that if there is a resident who will have a problem with the buoys along with the maintenance concerns, do not proceed with the buoys. The signage would be considered reasonable under the circumstances.

Mr. Gregg commented that the signage is a significant improvement from what was there and the buoys may not be worth the money to proceed.

Mr. Babcock commented that there are no buoys throughout St. Clair Shores and signage has been enough.

The Board Members agreed with Mr. Seidel's recommendation to not install buoys at the Milk River.

Mr. Seidel commented there is a fund balance of \$12,557.14 in the sandbagging operation fund. LSI will begin work on the edge drains and drainage improvements on August 24, 2020, which is to be paid from the sandbagging operation fund. This work will take place at 21803, 21819, and 21837 on the Milk River property only. The estimate from LSI was \$13,560 and the project should be within 20% of this number. If it goes over the \$600,000 Sandbagging Operation Budget, additional money may be requested.

Ms. Steele replied the money is coming from the O&M fund balance.

Ms. Barrera commented that there is money currently in the O&M budget and will have sufficient resources to pay it.

c. **Priority 1B and Select Improvements Project – Construction Update**

The Drainage District Board received the Engineering Services and Construction Contract Status Report and the Summary of SRF Loan Costs Reports as of August 7, 2020, with no change from the July 9, 2020, Report. AA No. 22 will be for a \$41,000 credit back to MRIDDD and AA No. 23 will be for \$1,200,000 for an additional extension of General Conditions. Mr. Tupancy commented that the engineering contract is approximately 84.95% completed and invoiced through July 31, 2020. The construction contract is approximately 89.42% completed and invoiced through June 19, 2020. He reported the following work is being done: The reports for Storm Pump #4 have been received and the costs are being reviewed; Pumps #1, #3, and #7 are on the new electrical transition; pavement/concrete work should be complete by the end of September; miscellaneous landscaping is done; Rotor Electric is cleaning up miscellaneous items before the formal punch list is done; the contractor, a Canadian Company, for the flushing gates in the basins have been delayed due to COVID border restrictions; the disinfection building is complete with the start up scheduled for August 19, 2020; finish the gas supply; the physical work is done for the 72-inch intake pipe and they are reviewing the reports; and Spence Brothers created some training manuals.

Mr. Gregg asked if the divers are completely out of GPW Lake Front Park. The Board also needs to look at a broader landscape plan.

Mr. Tupancy replied yes and their trailers will be removed by the end of September. The contractors have been working on the landscape plan and are cleaning up the site as they go.

Mr. Babcock moved to receive and file the Construction Reports. The motion was supported by Ms. Czernel. Motion adopted.

d. 3rd Quarter Financial Reports

Ms. Moore reviewed the Budget and Expense Report for Quarter Ending June 30, 2020, which shows a net income of \$190,948. She gave an overview of the line items for revenue and expenditures associated with supplies, contractual services, utilities, and other operating expenses. While reviewing the figures, Ms. Moore noted some corrections needed to be made under the % of Budget Remaining column. She will correct and email a revised copy to Ms. Hicks this afternoon for distribution to the MRIDDD Board Members.

Mr. Babcock moved to receive and file the updated 3rd Quarter Financial Reports. The motion was supported by Ms. Steele. Motion adopted.

5. New Business

a. Proposals for New Level Sensors

Mr. Seidel presented the proposal for new level sensors on the Girard and Black Marsh Drains to monitor in-system levels upstream of the Milk River RTB. There are two proposals for an estimated project cost of \$132,000: AEW estimates \$26,000 for engineering and surveying services, and DTE permit fees; and Motor City Electric Technologies estimates \$106,000 for electrical engineering services, control panel fabrication, electrical installation, and supply of related electrical equipment necessary for the implementation of the new level sensors. If approved, this would be added to the FY21 Budget.

Ms. Czernel asked if a hydraulic study had been done.

Mr. Seidel replied a flow metering study was done and reported to the MRIDDD previously. Based on that flow metering study, the new level sensors were recommended.

Mr. Babcock moved to table the discussion of the Proposals for New Level Sensors until the September 17, 2020, MRIDDD Board Meeting. The motion was supported by Ms. Czernel. Motion adopted.

b. Proposed MRIDDD FY21 Budget

Mr. Seidel reviewed the line items of the 2020-2021 O&M Budget and commented if the new level sensors get approved, \$132,000 should be added to the Miscellaneous Contractual Service line item. He reviewed the Applied Science, Inc. (ASI) memorandum dated May 13, 2020, evaluating the impact of Grosse Pointe Shores (GPS) exceeding their contractually allocated 3-cfs flow rate on the Northeast Sewage Disposal System. GPS is currently under a Memorandum of Understanding (MOU) where they pay penalties for excess flow, which have been given to MRIDDD. ASI recommended that the exceedance sewer fees go to SEMSD and not pass through to MRIDDD. The fee for this year is projected to be \$132,000.

Mr. Babcock asked if a new MOU would be needed.

Mr. Seidel replied no, the money goes to SEMSD in the MOU and SEMSD passed it through to MRIDDD.

Mr. Walby commented that SEMSD is working with GPS on a corrective action plan to try to get the excess flow out of the system.

Ms. Steele asked if the AT&T revenue will be staying the same.

Mr. Brennan replied AT&T should not terminate the lease and the contract goes through next Fiscal Year.

Mr. Seidel suggested adding \$40,000 to the Equipment Repairs and Maintenance line item for annual inspections/maintenance of the pumps before they break down.

The Board agreed with the \$40,000 increase for the annual pump inspections/maintenance.

Ms. Moore asked if money needed to be added for sandbag removal.

Mr. Seidel replied the sandbags may not be removed this year but an estimated cost would be \$400,000. If the residents want to keep the sandbags, they could sign a letter.

Mr. Brennan commented the public notice showed the sandbags staying in place until December 1, 2021.

Mr. Gregg commented that for planning purposes, we were working on a two-year plan. He recommended the sandbag removal project wait until the FY22 budget.

Ms. Steele commented that the budget does not reflect the correct O&M assessment for the communities.

Ms. Moore will update the budget for the September Board Meeting.

Mr. Szymanski had to leave the meeting at 11:50 a.m.

Mr. Babcock moved to table the MRIDDD FY21 Budget for final action until the September 17, 2020, MRIDDD Board Meeting. The motion was supported by Ms. Czernel. Motion adopted.

6. Unfinished Business

a. Interim Financing Options

Mr. Donnelly commented that the Grosse Pointe Woods City Council approved the assessment prepayment of \$1,600,000, St. Clair Shores deferred their prepayment until July 1, 2021, and Wayne County has committed to prepaying making the total \$1,900,000. Ms. Blanchett recommends moving forward with permanent financing, and not interim, as soon as possible. The \$6,385,000 is a good number that does not overextend the loan.

Ms. Steele asked if Wayne County could invoice the prepayments now or should they wait.

Mr. Donnelly recommended invoicing after the borrowing is authorized and the special assessment roll is approved. He will have Ms. Blanchett contact Ms. Steele regarding Wayne County's full faith & credit pledge.

Mr. Gregg commented that MDOT would like an invoice to be paid before September 30, 2020.

Mr. Babcock asked if EGLE confirmed the loan is not SRF eligible for the \$6,385,000 less all prepayments.

Mr. Donnelly replied yes, but he recommended checking with EGLE again just to be sure.

Mr. Babcock moved to hold a Special MRIDDD Board Meeting on September 3, 2020, at 10:00 a.m. to discuss financing options. The motion was supported by Ms. Czernel. Motion adopted.

7. Approval of the SEMSD Operations and Maintenance Invoice

The SEMSD Operations and Maintenance (O&M) Invoice for July 2020 for \$56,554.06 was reviewed. The total amount billed included the O&M monthly invoice and the reimbursable pass-through costs.

Mr. Babcock moved to authorize the payment of SEMSD Invoice O&M 7-2020. The motion was supported by Ms. Czernel. Motion adopted.

8. Public Comment

Mr. Gregg announced Public Comment and asked for any public participants to identify themselves before making public comment. No public comment was made.

9. Next Drainage Board Meetings

The next scheduled special board meeting is Thursday, September 3, 2020, at 10:00 a.m. via telephonic and video conference per Executive Order 2020-154, dated July 17, 2020.

The next regularly scheduled board meeting is Thursday, September 17, 2020, at 10:00 a.m. via telephonic and video conference per Executive Order 2020-154, dated July 17, 2020.

10. Adjournment

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

There was no further discussion to come before the Drainage Board; the meeting adjourned at 12:42 p.m.

Karen Czernel, Deputy Macomb County Public Works Commissioner

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