

**MILK RIVER INTERCOUNTY DRAIN DRAINAGE DISTRICT
DRAINAGE BOARD MEETING MINUTES
October 15, 2020**

A meeting of the Milk River Intercounty Drain Drainage Board was held on Thursday, October 15, 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 Czernal, 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
Dianne Schelosky, Southeast Macomb Sanitary District
Frank Schulte, City of Grosse Pointe Woods
Cathy Behrens, City of Grosse Pointe Woods
Russ Strassburg, Tetra Tech
Elizabeth Barrera, Wayne County
Moyna Moore, Wayne County
Patrick Cullen, Wayne County
Gregg Tupancy, Tetra Tech
Kari Blanchett, PFM Financial Advisors
Terry Donnelly, Dickinson Wright

1. Call to Order

Mr. Gregg called the meeting to order at 10:15 a.m.
Current legislature validates meeting structure; board will be proceeding with virtual meeting.
Mr. Gregg reported that Lori Hicks has recently retired as Recording Secretary of MRIDD, and that Dianne Schelosky will be replacing her. Mr. Gregg welcomed Dianne Schelosky to the position.

2. Approval of Agenda

Mr. Donnelly and Ms. Blanchette requested to move item 6(a), Financial Update, to item 4(a) on the October 15th agenda. Ms. Steele moved to approve the agenda with the requested amendments. Mr. Szymanski supported the motion, motion approved.

3. Approval of the Minutes for:

- a. September 17, 2020, Milk River Intercounty Drain Drainage District Board Meeting**
Mr. Babcock, City of St. Clair Shores, moved to approve the minutes for September 17, 2020, Milk River Intercounty Drain Drainage District Board Meeting minutes as presented. The motion was supported by Ms. Czernal. Motion adopted.

4. Unfinished Business:

a. Update on Financing Options

Mr. Donnelly reported on a \$4,490,000 bond authorizing resolution that had been adopted by the board at the September 3, 2020 MRIDD meeting. The State Revolving Fund of Michigan approved this project for financing in the amount of \$4,490,000. Ms. Blanchett reported that John Barton of the Michigan Finance Authority has been leading the way for the MRIDDD to get the financing and for securing the financing rates that will be more favorable than what would be available on the open market. The Board was asked which financing option they would like to pursue. The rating calls of Grosse Pointe Woods and Harper Woods are being completed and both cities are scheduled to have their credit assessment done and submitted by Friday, October 16th, 2020. Mr. Szymanski reported that he would be in favor of the 20-year schedule with the 1.875% financing rate. Ms. Behren commented that she would be in favor of the shorter amortization schedule and that GPW did have the rating call yesterday, it went well, and they do not expect any issues. It was noted that all documents will be turned into the Michigan Attorney General's office by October 26th, 2020. Closing is scheduled for October 29, 2020 without any further actions by the board. On or after October 29th, 2020 MRIDDD will be able to submit requests for reimbursement of project costs. G. Tupancy reminds the board that the financing is only for the current project/construction work, not for future projects. Mr. Gregg thanked Mr. Donnelly and Ms. Blanchett for their attention and work on this project.

5. Reports

a. Operations and Maintenance (O&M)

The Operations and Maintenance (O & M) update was presented by Mr. Walby, Mr. Avery, and Mr. Seidel. Mr. Walby reported that the last month has been dry, and no spills since early September. SEMSD has taken advantage of the time to perform necessary training, including training of the disinfection system, chemical feed pump training, Hatch Influent and Effluent sample training and updating the O & M Manual, as well as working on repairing a grip pump at Kennedy. Mr. Walby also reported that the SCADA system is an issue that needs to be updated as construction gets completed. Brent Avery suggested that the Milk River SCADA system should be integrated with the SEMSD system, revising the system so that it would be consistent across all facilities. Mr. Babcock noted that some changes have been made to the system to make it more compatible with SEMSD's systems. The Milk River has a standalone system, and it is not currently merged with the SEMSD or any of the other remote sites. Discussion was had on making the systems more compatible. The system should be backed up at the SEMSD and integrated with Milk River system, therefore making data sharable from multiple sites.

Mr. Gregg inquired about the conditions at the construction site. Mr. Walby reported that the site is on schedule for restoration. Topsoil, hydro seed, cement, and gates are all in the plans to be completed this year, hopefully within the next 30 days.

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

Greg Tupancy reported that the contactors are working on the major items and start up on various pieces of equipment, systems, training on equipment and the O & M manuals. The Flushing gates are leaking beyond what is allowed, so work is being done to get them to conform to the leakage requirements. The site has been cleaned up and, topsoil, seeding and mulch will be done soon. Within next couple of weeks, the contractors will be moving off site, subcontractors will be coming in to move trailers. Spence will schedule work during the week and an employee will be on site. A completion date is being worked on and it does look like the items will be done by the October 20th commitment date. Mr. Avery reported that the hydraulics and operations systems seem to be running satisfactory. Mr. Babcock questioned about the recent lowering of the Milk River. Mr. Avery responded that the Milk River was lowered to complete structural and concrete work and should be completed by the end of the week. Mr. Walby reported the river was pumped out and the water level lowered to perform the necessary work. The SEMSD plans to have door hangers made to alert the residents that live on the river of any future maintenance that may occur and assure these residents that there are no major issues with the river. Mr. Babcock noted that the residents have valid concerns regarding their irrigation pumps failing, and other safety issues arising from the lowering of the river that were brought to his attention. He appreciated the idea of the door hangers and suggested that a letter to the residents would serve as notice well. It was also suggested that the city website and FB page should be updated with any information regarding maintenance being done on the river.

Mr. Tupancy continued with the status update. Tetra Tech has invoiced thru end of September, keeping up with the invoicing. Spence is only invoiced thru June. Payment #43 is being prepared to process and the work should be completed by October 20, 2020. About 94% of the work is complete, major items that remain are storm pumps and long leak time items.

Ms. Steele reported that Wayne County staff received an email from one of Spences' subcontractors requesting information regarding the payment bond. Ms. Steele questioned if that sub is included in the next pay process. Mr. Tupancy reported that the subcontractor will be included on payment #43. Ms. Steele wanted to make the board aware that there is a subcontractor out there making that request, and that an affidavit will need to be submitted before a copy of the payment bond can be released. Ms. Steele will be informing the subcontractor of the obligations.

Additional cost summary: Mr. Tupancy reported there were no changes from last month, and there is still a balance left in the Unforeseen Conditions Account, with the new loan coming, they will prepare a change order to cover items not yet submitted for payment.

City of St. Clair Shores, Mr. Babcock made the motion to receive and file the Construction Update Report. Wayne County, Ms. Steele, supports the motion, motion approved.

6. New Business

a. Milk River Landscaping Plan

Russ Strassburg reminded the board that back in 2017 the board hired Tetra Tech to provide supplementary landscaping on the southeast side of the Milk River basin site. The proposal was to add a 3ft berm and improve the catch basins. The plan also includes adding shrubbery along the berm area. This landscaping update was to provide screening along the construction site for the residents in the area. Mr. Seidel showed the new landscaping plans on the zoom screen. The additional landscaping would be a separate contract from the Spence contract, to be done after Spence is done with its improvements. This landscaping plan is not included in the funding eligible under the global budget. These improvements are over and above what Spence is scheduled to put in, the berm will obstruct more of the view, providing a visual barrier between the site and the residents nearby. Ms. Moore reported that the project was scheduled to cost a total of \$120,000 for the additional landscaping needs, \$20,000 going towards the design and \$100,000 for construction. Discussion took place to determine if the board wants to move forward with the additional landscaping project. Mr. Gregg questioned if any of the project could be done in house. Mr. Walby reported that SEMSD would be open to doing some of the landscaping and use SEMSD manpower to assist in the project when time allows in 2021. Mr. Seidel suggested that the berm and catch basins could be outsourced while the planting of landscaping trees and shrubbery could be done in house. Mr. Babcock reports that SCS would be able to help with whatever would be needed. Discussion transpired regarding the number of plantings that would need to be done. It was noted that around 27 trees would be planted, and the planting would take place in spring 2021. GPW has soil available that could be used at the site for the construction of the berm. Consensus established that the work can be done in house at a much lower cost than contracting it out and the work can be done in spring 2021. The modifications of the site will be a benefit to the residents in that area. It was requested that the cities involved, GPW, SCS and the SEMSD get together to develop a plan of completion and submit the plan at the November 12, 2020 meeting. Mr. Babcock, SCS, made a motion to receive and file the Landscaping plan, Karen Czernal, Macomb supports motion, motion passed.

b. Discussion of Proposed 2021 MRIDDD Meeting Dates

Discussion occurred regarding a schedule conflict with the July 15th date; the date of July 22, 2020 at 10:00 a.m. was suggested. The September 15th date was entered in error. The date should read September 16th, 2020, at 10:00 a.m.

Mr. Gregg noted that 2021 MRIDDD meetings are scheduled to be held in person. The City of St. Clair Shores will still be able to offer its facilities. Mr. Babcock offered to book the room for the 2021 meeting dates. Mr. Babcock motioned to approve the 2021 meeting dates as amended. Ms. Steele seconded the motion, motion passed.

c. Application for Michigan Clean Water Plan

Brian Babcock informed the Board that the state of Michigan initiated a \$500M Clean Water Plan that would include \$293M that could be applied to sanitary system needs. He suggested that some of the funds may be available to be used for the Milk River. The SEMSD and AEW were advised that they may want to get together and review if there are any projects or needs that could be applied for on the Milk Rivers' behalf. SEMSD will be looking into the program.

d. FOIA Request

Ms. Steele, Wayne County, notified the board that her office has received a FOIA (Freedom of Information Act) request from Jill Bush, who has attended some of the drainage board meetings in the past. Ms. Bush is requesting a copy of the September 2020 meeting minutes. Ms. Steele reported that her office will respond back and supply the approved minutes.

7. Approval of the SEMSD Operations and Maintenance Invoice

The SEMSD Operations and Maintenance (O&M) Invoice for September 2020 for \$78,469.23 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 9-2020. The motion was supported by Ms. Czernal of Macomb County. 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 regularly scheduled board meeting is Thursday, November 12, 2020, at 10:00 a.m. via telephonic and video conference per Public Act 228 of 2020.

10. Adjournment

Ms. Steele of Wayne County moved to adjourn the meeting. The motion was supported by Ms. Czernal of Macomb. Motion passed.

There was no further discussion to come before the Drainage Board; the meeting adjourned at 11:45 a.m.



Brian Baker, Chief Deputy Macomb County Public Works Commissioner

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