

**MILK RIVER INTERCOUNTY DRAIN DRAINAGE DISTRICT  
DRAINAGE BOARD MEETING MINUTES  
November 12, 2020**

A meeting of the Milk River Intercounty Drain Drainage Board was held on Thursday, November 12, 2020, via teleconference in compliance with State Public Act 228 of 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.

**Members Present Via Teleconference**

Michael R. Gregg, Chair, Michigan Dept. of Agriculture & Rural Development, State of Michigan  
Bryan Babcock, P.E., Director of Public Works/Water, City of St. Clair Shores  
Karen Czernal, Deputy, Public Works Office, Macomb County  
William Snyder, Department of Public Works, City of Harper Woods  
Patrick Cullen, Wayne County

**Others Present Via Teleconference**

Kyle Seidel, Anderson, Eckstein and Westrick  
Pete Trombley, Southeast Macomb Sanitary District  
Dianne Schelosky, Southeast Macomb Sanitary District  
Frank Schulte, City of Grosse Pointe Woods  
Mike Way, City of Grosse Pointe Shores  
Elizabeth Barrera, Wayne County  
Moyna Moore, Wayne County  
Gregg Tupancy, Tetra Tech  
Russ Strassburg, Tetra Tech  
Kari Blanchett, PFM Financial Advisors  
Terry Donnelly, Dickinson Wright  
Brady Harrington, State of Michigan

**1. Call to Order**

Mr. Gregg called the meeting to order at 10:02 a.m.  
Current legislature validates meeting structure; board will be proceeding with virtual meeting.

**2. Approval of Agenda**

Motion to approve agenda presented by Mr. Cullen, seconded by Karen Czernal. Motion passed.

**3. Approval of the Minutes for:**

**a. October 15, 2020, Milk River Intercounty Drain Drainage District Board Meeting**

Mr. Babcock, City of St. Clair Shores, moved to approve the minutes for October 15, 2020, Milk River Intercounty Drain Drainage District Board Meeting minutes as presented. The motion was supported by Mr. Cullen, Wayne County. Motion adopted.

#### 4. Reports

##### a. **Update on Finance Closing**

Kerri Blanchett and Terry Donnelly presented an update on the Finance closing. Mr. Donnelly explained the terms of the bond to include the amount of \$4,490,000, with an interest rate of 1.875% and a maturity in 2041, funded thru the State Revolving Fund. He reminded the Board that the bond proceeds can only be used for construction and engineering costs. The loan closed on October 29<sup>th</sup>, 2020. The final payment schedule was sent out to the Drainage Board. She asks that if it is not received please let her know. If the full amount of the loan is not drawn out the amortization schedule will be updated. A transcript of the proceedings dating back to the original order of determination from the Michigan Department of Environmental Quality from 2013 was sent out. Kyle Seidel requested that the Digital Documents be held by the SEMSD to be saved on the internal network. Ms. Blanchett mentioned that the documents are kept on file at Dickenson Wright indefinitely. Mr. Gregg mentioned that the State of Michigan, specifically the Secretary, Wayne County, will retain all documents. Documents will be shared with SEMSD for our records if desired. Documents will be retained thru the State Archivist Office which has a retention policy of 500 years. Mr. Donnelly mentioned the work that Ms. Blanchett did made this financing possible and thanks her for her contribution. Mr. Gregg thanks both Mr. Donnelly and Ms. Blanchett for their work on the loan project.

##### b. **Milk River Landscaping Plan**

Kyle Seidel presented the landscaping plan put together by Tetra Tech with some minor modifications. Grosse Pointe Woods has been working with Fontana Construction, using dirt to make a higher berm to block and screen the facility. The Landscape Plan was presented on screen during the zoom meeting, showing the variety of plants and trees included and changes to be made. A quote from Landscape Services Inc. (LSI) was presented totaling \$13,000. LSI would supply the various trees included in the plans as well as be responsible for the planting. The SEMSD would then follow up with the mulching, seeding, topsoil and the general cleanup of the area. The quote received from LSI included unit pricing in the event more supplies were necessary. Mr. Seidel requested a Budget Amendment that would allow for \$15,000 to be allocated to the supply and planting of trees, \$8,000 allocated to Fontana Construction for the dirt and building the berm, \$4,000 for materials for the SEMSD, \$9,000 for Catch Basin Improvements and \$4,000 in Contingencies. The Budget Amendment would add \$40,000 to the Building Repairs and Maintenance Budget.

Mr. Cullen, Wayne County, began discussion about the catch basins at the facility and if they belonged to the Drainage District. It is reported that the catch basins are on the property and appear to be a Milk River storm sewer, the storm is separated from the sanitary. There is a stub going to GPW and it appears to be a combined system. This can be investigated for future improvements to lessen the water going into the overall system. Mr. Gregg advised being cautious in connecting GPW to the storm drainage system due to the potential contaminants that could be added into that system. Mr. Babcock informed the Board that connecting a Public Works system to a combined

street storm system requires significant changes to be made to your facility, more testing requirements and permitting to ensure pollutants are not entering the system during each rain event.

Mr. Snyder questioned the preliminary budget for the Landscape project. Mr. Seidel reported that the original Landscaping Plan was estimated to be \$120,000 and reminded the Board that it was decided at the October meeting that the work would be performed in house, saving the \$120,000. The \$40,000 additional expenses proposed today would be tracked under Building Repair and Maintenance, which had a \$7,000 budget. Mr. Gregg suggested that the Board consider replacing the Colorado Blue Spruce with another option due to their susceptibility to disease and high maintenance issues. The budget amendment of \$40,000 added to Building Repairs and Maintenance was requested so the project can proceed with the approved Landscaping plans. Mr. Strassburg of Tetra Tech reported no issues with the current plan as long as LSI works with Spence and does not interfere with construction.

Dave White is the Project Manager on site for Spence and should be contacted to coordinate construction work. Mr. Cullen questioned if there was a commitment to the residents in area regarding the Landscape plan. Mr. Gregg explained the commitment to the community as proposed when the project started which included the restoration of the area to create a better appearing site at the end of construction. The plan has not yet been publicly shared with the City of GPW residents. Mr. Schulte, Grosse Pointe Woods, recommends leaving the screening up, blocking the view of construction for the residents. The screening is scheduled to remain in place until the landscaping is established. A community survey may prove beneficial.

More discussion occurred regarding the Landscaping plan and the request for the additional \$40,000. Mr. Schulte recommended getting a second quote from Landscape Sources. Mr. Seidel requested to continue with the proposed budget amendment and proceed with the planting due to the time frame for planting. Mr. Babcock questioned if the communities would be reassessed for the increase in the budget. Ms. Moore reported that if the budget is increased by \$40,000, then the monthly invoicing would be modified to accommodate the increase. The cities would therefore be reassessed. Elizabeth Barrera confirmed that the Funding Reserve Balance could be used if the board would like to use it for these expenses as an alternative. Discussion occurred regarding potential outstanding repairs and expenses that the Reserve Balance might be needed and whether Spence should be held accountable to do the initial cleanup and repair of the site.

A motion was presented by Mr. Snyder of Harper Woods to modify the present budget for an additional \$8,000 to be used for earthwork, which will be performed by Fontana construction. The remainder of the Landscape Plan to be completed in the spring and said expenses shall be paid for using the Reserve Budget. Mr. Babcock, St. Clair Shores, supported the motion. Motion accepted.

**c. Operations and Maintenance**

Pete Trombley reported that there have been no wet weather events recorded recently. They are working thru some issues with the automated disinfecting system. Great Lakes Water Authority is doing a WMS1 meter upgrade and are in the process of removing the old meter that was downstream of the Kerby Rd pump station. Flow on whole collection system is being held so that work can be accommodated. Inland Waters is on site and they hope to be wrapped up by the upcoming holiday season. Flow control will be initiated at least 4 more times. A new meter will be placed one manhole upstream from the Kerby Rd. Pump Station. There will be new conduit installed and a penetration pump station for wiring and electric is being made. The contractor is PCI and was contracted by GLWA. The meter is for the entire district. GLWA will now be able to properly meter what is being discharged. Major hydraulic improvements are also being done, which will potentially supply more capacity during dewatering conditions, allowing us to dewater our basins quicker. Basins would be available for storage more quickly.

Kyle Seidel reported on the Lake St. Clair water levels. The lake level is at 576.27, trending at a median projection for the month of November. The high-end estimate for next April is one inch lower than last year. The mean is 8 inches lower than last year, indicating that the likelihood of houses flooding is down. Coordination with SCS will take place to find out when the emergency declaration will be removed, at which point they can implement the removal of sandbags. The current emergency declaration is in effect until December 2021.

**d. Priority 1B and Select Improvements Project-Construction Update**

Gregg Tupancy reported that the work currently being performed is mostly site work, getting the site cleaned up, top soil spread, curbing around area completed, the sub grade is set, and they are waiting on a shipment of pavers. The work will extend into first part of December. They are working on the entrance, prepping it for pouring. Work on the flushing gates is underway, the leaking has been reduced and is now within operational range. The storm pump system has been tested however no rain event has occurred recently. Storm pump 4 is currently being worked on. The Recirculation Station work has wrapped up and they are working on cleaning up and restoring that site. Spence has met their obligational date of October 20, 2020 to get the non-storm pump work completed, so the certificate will be issued, and the deficiency list will be worked on. Mr. Snyder noted that there is a lot of excavation occurring inside the fence, which is the impervious pavement area, it was mentioned that the area is quite deep, requires a lot of stone and is a large excavation.

Tetra Tech is on a good schedule of getting their invoices out, they are invoiced thru the end of October. They are 90% into the construction aspect of their budget. Russ Strassburg mentioned that the contract ends at the end of the calendar year, a proposal to extend that contract thru the end of construction will be presented at the next MRIDDD meeting. Spence has been paid thru the end of July; the next pay app payment is being held until an issue with a resident is resolved. Pay app #43 will be applied once the complaint is addressed and will include two months. The future of

general conditions for the extended work will need to be negotiated, the project is projected to be completed next year.

The Summary of Allowance Authorizations was reviewed, specifically Allowance Authorization #24. The balance left for the Unforeseen Conditions line item is a little over \$700,000. A change order will need be submitted, perhaps for the next board meeting. Ms. Barrera requested a copy of the invoice that is currently being held for record. A motion to receive and file the Improvement Project Construction Update was made by Mr. Cullen, Wayne County, supported by Mr. Snyder of Harper Woods, motion passed.

**5. New Business**

Mr. Gregg noted that beginning January 2021, virtual meetings will no longer be accepted in accordance with Public Act 228. This may be amended; however, the Board should note and plan that future meetings may be held in person. The December meeting will still be conducted thru Zoom.

**6. Unfinished Business**

Mr. Gregg mentioned that he had the opportunity to discuss the AT&T lease with Mr. Brennan. Mr. Brennan reported that there has been no progress on the AT&T lease, no updates were available at this time.

**7. Approval of the SEMSD Operations and Maintenance Invoice**

The SEMSD Operations and Maintenance (O&M) Invoice for October 2020 for \$53,919.48 was reviewed. The total amount billed included the O&M monthly invoice and the reimbursable pass-through costs.

Mr. Babcock, St. Clair Shores, moved to authorize the payment of SEMSD Invoice O&M 10-2020. The motion was supported by Mr. Snyder of Harper Woods. 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 Meeting**

The next regularly scheduled board meeting is Thursday, December 10, 2020, at 10:00 a.m. via telephonic and video conference per Public Act 228 of 2020.

10. **Adjournment**

Mr. Snyder 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 11:34 a.m.



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Brian Baker, Chief Deputy Macomb County Public Works Commissioner

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