

**MILK RIVER INTERCOUNTY DRAIN DRAINAGE DISTRICT
DRAINAGE BOARD MEETING MINUTES
January 21, 2021**

A meeting of the Milk River Intercounty Drain Drainage Board was held on Thursday, January 21, 2021, 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
Elmeka N. Steele, Esq., Wayne County Drain Commissioner, Wayne County
Karen Czernel, Deputy, Public Works Office, Macomb County
Bryan Babcock, P.E., Director of Public Works/Water, City of St. Clair Shores
Bruce Smith, City Administrator, City of Grosse Pointe Woods

Others Present Via Teleconference

Kyle Seidel, Anderson, Eckstein and Westrick
Kip Walby, Southeast Macomb Sanitary District
Pete Trombley, Southeast Macomb Sanitary District
Brent Avery, Southeast Macomb Sanitary District
Dianne Schelosky, Southeast Macomb Sanitary District
William Snyder, City of Harper Woods
Frank Schulte, City of Grosse Pointe Woods
Mike Way, City of Grosse Pointe Shores
Elizabeth Barrera, Wayne County
Jim Grezlik, Wayne County
Moyna Moore, Wayne County
Gregg Tupancy, Tetra Tech
Russ Strassburg, Tetra Tech
Carol Hufnagel, Tetra Tech

1. Call to Order

Mr. Gregg called the meeting to order at 10:06 a.m.
Current legislature validates meeting structure; the board will be proceeding with a virtual meeting, hosted by Kyle Seidel.

2. Approval of Agenda

Amendments to the Agenda were presented. Project Performance Certification (c) and 1st Quarter Financial Report (d) were added to the Agenda under Reports. Level Sensors and Authorization to Proceed (a) was added under Unfinished Business. Mr. Smith, GPW, made the motion made to approve agenda as amended, motion was supported by Ms. Steele, Wayne County. Motion passed.

3. Approval of the Minutes for:

December 10, 2020, Milk River Intercounty Drain Drainage District Board Meeting

Mr. Babcock, St. Clair Shores, moved to approve the minutes for December 10, 2020, Milk River Intercounty Drain Drainage District Board Meeting minutes as presented. The motion was supported by Karen Czernel, Macomb County. Motion approved.

4. Reports

a. Operations and Maintenance

Pete Trombley, SEMSD, reported that it has been quiet with no recent wet weather events, there has not been a need for storage in the RTB. The entrance driveway is complete as well as the operating gate. A nice job was done on the cement work. A sole plate for storm water pump #4 is scheduled to be installed on Friday. Our staff has been taking advantage of the down time to get everything in shape. The WM-S-1 flow meter project should be completed in about a week.

Mr. Walby reported that he received an email from Spence, reporting that concrete work was done in the spring of 2020. The amount to be billed for this work is \$8,920.00. This work is reported to be outside of the contract. Mr. Walby will forward the email to Russ Strassburg for him to review if this work was included in the contract and how it should be paid. Mr. Avery reported that two 8-foot driveways were indeed poured. One by the back of the control room and one by the aeration wall and chamber, there was also a small sidewalk that was poured by the back side of the control building electrical room.

Kyle Seidel reported on the current lake levels. The lake levels are lower than last year. The mean for the month of January is 6 inches lower than last year at this time. The high-end projection for June is 1.5 inches lower than last year's June, which was a record high. The mean is 9.5 inches lower. The low estimate for June is 19 inches lower. The projections look great. Mr. Seidel will keep tracking this and give a recap monthly until we get to a point where the sandbags can be removed.

Mr. Smith, Grosse Pointe Woods, made a motion to receive and file the Operations and Maintenance report. Karen Czernel, Macomb County supported the motion. Motion passed.

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

Gregg Tupancy reported Spence finished up a lot of the work in December, the sole plate is due today, which they will be installing. Pump #4 is due back next week. No progress meeting was held in January, but they will have a February, March and possibly April meeting, as needed. No change from the December meeting regarding the allowance authorizations. There was some money left in the balance, they will be working on some PCO's, work directives which will be put together for another allowance authorization. The summary of the Engineering and Construction progress is updated for 2021. The board did approve Amendment #6 to Tetra Techs' contract, which is reflected in this update. Tetra Tech has invoiced until the end of the year. Spence is invoiced to the end of October. Spence sent an email mid-December, which requested a reduction in retainage specifications. Russ Strassburg reported that the work has been completed 92%. Under contract and mediation settlements, Act 524 dictates that retainage can be released at 94%. They expect the contract to hit that 94% completion in the next month or so, when storm pump #4 is installed. At this point a recommendation on the retainage reduction will be made. Mr. Gregg

questioned if all the concrete work for the driveway has been done satisfactorily as well as porous pavers. The Substantial Completion Certificate has been issued, and they are waiting to see how it goes thru the winter.

c. Project Performance Certification

Russ Strassburg introduced Carol Hufnagel to report on the Milk River Project Performance Certification (PPC). In the Administrative Consent Order and with SRF funding, it is required to perform a Project Performance Certification. The schedule for the PPC plan is about one year prior to the completion of construction. There are three different requirements in the Administrative Consent Order, for evaluation of the facility, these are: (1) Project Performance Certification, (2) Dissolved Oxygen Evaluation, and (3) Total Residual Chlorine Evaluation. Milk River has the responsibility to comply with each of the parts of the evaluations and each part should be looked at from a perspective that an evaluation will proceed. PPC is one piece, were the objectives of which are to show that the facility does what it is supposed to do, and all components work as are intended. The other part of the PPC is to review the performance of the facility relative to the NPDES Discharge permit. The Dissolved Oxygen study has the objective of demonstrating that the Milk River facility remains within the dissolved oxygen water quality standard at times of discharge and following discharge. There has been a long-standing dispute between the State and the Milk River about potentially extending an intake for the recirculation system. The objective of the Total Residual Chlorine Evaluation consists of a Total Residual Chlorine Minimization Evaluation, which focuses on achieving disinfection while keeping your chlorine levels as low as possible. Internal conversations have taken place on how to proceed with this plan and how it will be presented to the State. Mr. Gregg questioned if any values of the Dissolved Oxygen Levels or Residual Chlorine Levels changed over time and since the signing of the ACO in 2014, Ms. Hufnagel reported that they have not changed. The requirements in the ACO are the same as other facilities in the area. Milk River has always been under intense scrutiny over the years due to the ongoing issue of whether the intake for the recirculation system should be updated. Ongoing discussions have occurred since the signing of the original ACO between various CSO facility operators and the State on how the Total Residual Chlorine levels will be evaluated.

Kyle Seidel reported that the board will need to follow up on the extension request to the ACO milestones, which was last done in 2018. He suggests that a letter should be sent requesting an extension to establish the key milestone dates for all the elements that Carol Hufnagel summarized. Certification that everything built meets the requirements of the ACO will need to be accomplished. A collaboration between Tetra Tech and the SEMSD is recommended in order to draft a letter that can be sent to EGLE. This letter should include any revised dates and updates needed to comply with the provisions of the ACO and the NPDES permit. This letter may be brought to the next MRIDDD meeting to be approved by the board. Mr. Babcock questioned if the cost of the work on the PPC would be included in the original Tetra Tech contract, it was confirmed that the costs of the PPC are included in the original contract. Mr. Gregg noted that the original agreements with Tetra Tech and ACO are over 6 years old, they are available in a PDF format, and will be transmitted to the board for review.

A motion to receive and file the Construction Update Report and the PPC Report was made by Bruce Smith, Grosse Pointe Woods, supported by Brian Babcock, St. Clair Shores. Motion passed.

d. 1st Quarter Financial Report

Moyna Moore and Jim Grezlik presented this report. Mr. Grezlik will serve as the primary contact and budget manager. Mr. Grezlik noted that the 1st quarter is somewhat skewed as the expenses were incurred last year but not paid or recorded until this year. Negative balances are showing on expenses, this is due to the lag time in incurring the expense and getting it recorded, which is when it gets paid. Mr. Grezlik presented the report and noted that a clearer picture will be presented in the next report as the expenses get paid. Ms. Steele questioned as to when we might expect DPS finance to issue the invoices for the assessments. Ms. Moore reported FY20 Invoicing went out, however, the 1st quarter of FY21 has not yet been invoiced. They will be looking at the open A/R very soon.

A motion to receive and file the Quarterly Financial Report as presented was provided by Mr. Babcock, St. Clair Shores, supported by Mr. Smith, Grosse Pointe Woods. Motion passed.

5. New Business

There was no new business to report.

6. Unfinished Business

a. Level Sensors and Authorization to proceed

Kyle Seidel reminded the Board that a motion was approved at the September 17, 2020 meeting regarding the metering project. This was to install two level sensors. The funds were not available at the time. This project was to be completed in FY2021 as the funds became available. The project would put in two level sensors upstream of the Milk River system. One would be located on the Black Marsh Drain, just north of the Torrey Pump Station, the other would be at Vernier and Harper, on the Girard Drain. These sensors allow the operators to see the levels in the system and help to provide additional storage during storm events. This will also allow better access to see what the system is doing. Mr. Seidel is asking if the board has the financial ability to start this project at this time. Ms. Moore reported that this project is in the budget for this fiscal year and there are approximately \$22,000 in budgeted funds available for this sensor project. \$110,000 was also budgeted for Miscellaneous Contractual Services, for AEW, Motor City, and DTE feeds for electricity source for the level sensors. Mr. Smith commented that the extra potential storage would be useful and makes good sense. This would minimize the number and amount of discharges and maximize the efficiency of the system. Mr. Seidel reported that the extra operations and maintenance costs to run these sensors will be minimal. The maintenance will be performed by the SEMSD staff. These sensors will allow for us to have a live view on the SCADA screen. This project will most likely take about 4-6 months before the sensors are live in the system. These funds were already board approved, so no motion is necessary at this time.

A motion to receive and file the Level Sensor and Authorization to proceed report as presented was proposed by Karen Czernel, Macomb County, supported by Bruce Smith. Motion approved.

7. Approval of the SEMSD Operations and Maintenance Invoice

The SEMSD Operations and Maintenance (O&M) Invoice for December 2020 for \$54,606.40 was reviewed. The total amount billed included the O&M monthly invoice and the reimbursable pass-through costs.

Mr. Babcock, City of St. Clair Shores, moved to authorize the payment of the SEMSD Invoice O&M 12-2020. The motion was supported by Ms. Czernel, Macomb County. Motion passed.

8. Public Comment

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

9. Next Drainage Board Meeting

The next regularly scheduled board meeting is planned for Thursday, February 18, 2021, at 10:00 a.m. This meeting will be held in the virtual format.

10. Adjournment

Mr. Smith, Grosse Pointe Woods, moved to adjourn the MRIDDD meeting. The motion was supported by Ms. Steele, Wayne County. Motion adopted.

There was no further discussion to come before the Drainage Board; the meeting adjourned at 11:14 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.