

**MILK RIVER INTERCOUNTY DRAIN DRAINAGE DISTRICT
DRAINAGE BOARD MEETING MINUTES
October 27, 2022**

A meeting of the Milk River Intercounty Drain Drainage Board was held on Thursday, October 27, 2022, located at the City of St. Clair Shores City Hall, 27600 Jefferson Avenue, St. Clair Shores, Michigan, 48081.

Members Present

Michael R. Gregg, Chair, Michigan Dept. of Agriculture & Rural Development, State of MI
Elmeka Steele, Esq., Wayne County Drain Commissioner, Wayne County
Brian Baker, Chief Deputy, Public Works Office, Macomb County
Bryan Babcock, P.E., Director of Public Works/Water, City of St. Clair Shores
Sue Como, Assistant City Administrator, City of Grosse Pointe Woods

Others Present

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
Heather Toutant, Harper Woods
Russ Strassburg, Tetra Tech
Greg Tupancy, Tetra Tech
Moyna Moore, Wayne County
John Brennan, Fahey, Schultz, Burzych & Rhodes
John Johnson, Nickel and Saph, Inc.
Brady Harrington, State of Michigan
Joe Brezvai, State of Michigan
Chad Rogers, State of Michigan

1. Call to Order

Mr. Gregg called the meeting to order at 11:59 a.m. and thanked Tetra Tech and SEMSD for the tour of the Milk River facility and lunch.

2. Approval of Agenda

Ms. Steele, Wayne County, moved to approve the agenda with the revision of adding item 5d., Tetra Tech Engineering budget. The motion was supported by Mr. Babcock, St. Clair Shores. Motion passed.

3. Approval of the Minutes for:

a. September 22, 2022, Milk River Intercounty Drain Drainage District Board Meeting

Mr. Baker, Macomb County, moved to approve the minutes for the September 22, 2022, Milk River Intercounty Drain Drainage District Board Meeting. The motion was supported by Mr. Babcock, St. Clair Shores. Motion passed.

4. Reports

a. Operations and Maintenance

Mr. Trombley noted that it has been a dry month. A meeting with Dennis Ryan, a Compliance officer with EGLE, took place and a tour was given. The NPDES permit took effect on October 1, 2022, which contains new stipulations. A site visit was also done at the Harper Woods Flow Control structure. A hatch was broken and posed a tripping hazard. Photos were displayed. A flow meter cabinet was also located, which they are looking into. They are working with Grosse Pointe Woods to correct the issue.

Mr. Trombley noted that the Recirculation Building experienced a lake recirculation pump failure. Photos were shown of Kennedy Industries removing the pump with a crane. He also noted that Spence has removed cement at the Recirculation Station, however, cement shortages have delayed the project.

AT&T Cell Tower upgrades are taking place. Mr. Trombley met with the project foreman to walk thru the site. They will need access to the roof and safety protocols were reviewed. AT&T noted that they will be on-site in mid-November to begin the upgrades, which are estimated to take approximately two weeks to complete.

The area is being prepared for the Harper Woods Generator installation, bushes have been removed, the cement pad installed, and the generator is purchased. This is expected to be completed by the next board meeting.

It was noted that Wayne County is up to date with payments.

Mr. Seidel reviewed the lake levels. In 2019 and 2020, the lake levels were very high. We are currently 31 inches lower than the recent high levels. The river is very clear, and the water looks great.

A quarterly report was made for the Girard Drain showing approximately 3 ½ feet of water in the drain since the last quarter.

Ms. Como, Grosse Pointe Woods, motioned to Receive and File the Operations and Maintenance Report. Ms. Steele, Wayne County, supported the motion. Motion passes.

b. Priority 1B and Select Improvements Project

Mr. Tupancy noted that no emails have been received regarding the deficiency in work. A reply letter was sent out to Spence concerning the Substantial Completion letter. September 16th, 2022 was agreed to be the date for Substantial Completion. By issuing that completion certificate, the insurance that the contractor has to carry now turns over to the regular building insurance of the District.

It was noted that they are working on revisions to the Allowance Authorization requests, of the 8 received, 6 had to be revised. One change is the credit for the elevator project, allowing for a \$390,000 credit back to the District. There is a discrepancy in the amount of credit.

Tetra Tech's billing is up to date through the end of September. The construction budget is over budget, due to an ongoing project. There has been nothing new submitted from Spence. It was noted that \$1.9 million is currently being held.

Mr. Strassburg requested an extension to December to finish the Backup Generator Study, they are moving forward, but need additional time to complete the study.

A PPC Study was performed at the end of September and they are waiting for guidance from EGLE to see if the results can be submitted or if they want another monitoring session next summer.

Mr. Strassburg requested for Tetra Tech to be considered for the Michigan Association of County Drain Commissioners 2023 Awards Program. This is due in January.

Ms. Steele, Wayne County, motioned to authorize an extension of the Generator Study, to be presented at the December 15, 2022, MRIDDD meeting. Mr. Babcock, St. Clair Shores, supported the motion. Motion passes.

Mr. Babcock, St. Clair Shores, moved to authorize the submission of an award application to the Michigan Association of County Drain Commissioners for the 2023 Awards Program. Tetra Tech shall be authorized to draft the documents and Ms. Steele, Wayne County, shall be authorized to sign the documents on behalf of the Drainage District. Ms. Steele requested to include the 2023 APWA Project of the Year Award. The motion was supported by Ms. Como, Grosse Pointe Woods. Motion passes.

Ms. Steele noted that another FOIA was received from a subcontractor of Spence. Wayne County is responding to the requests.

Mr. Baker, Macomb County, motioned to receive and file the Priority 1B and Select Improvements Project Update Report. Ms. Como, Grosse Pointe Woods, supported the motion. Motion passes.

5. New Business

a. Insurance Renewal

Mr. Walby reviewed the insurance coverage as noted in the board packet and noted the common renewal date of October 27. There has been no change in coverage. Mr. Johnson, Nickel & Saph suggested that Trident is the best option in the marketplace for the full sewer backup limits that they provide, including drain flow issues to a community. Trident is also the only insurance carrier to allow the ability to pick your attorney.

The terrorism policy was discussed. It was noted that the US Government must research each event and declare that an Act of Terrorism occurred.

Ms. Como, Grosse Pointe Woods, motioned to continue with the insurance as presented by Nickel and Saph, Inc., including the terrorism coverage, and not to exceed \$121,293 in premium costs. Ms. Steele, Wayne County, supported the motion. Motion passes.

b. NPDES Permit

The NPDES permit was reviewed. This permit defines the next five years and the conditions that are obligated to be met. Mr. Trombley noted that we are moving away from a time-based sampling protocol to a flow-based composite sampling. They will be working with a flow-based, composite, effluent sampling. The programming is done for the automated effluent samplers. This system will give a better representation of what is being distributed into the water. This also means that there will be fewer laboratory fees for compliance testing. The testing will be for E. Coli only. The health department only accepts E. Coli testing. This streamlines the operation process. There is a stipulation of a TRC minimization program that goes into effect on October 27, 2022. Mr. Trombley noted that they must demonstrate, over the next 18 months and during wet weather events, that the disinfection system can achieve a goal of 1.5 mg per liter event

average of TRC discharge if a discharge occurs. The goal is to lower the TRC count but keep E. Coli numbers under the compliance limit. The compliance numbers are to be under 300 colonies per 100 ml in the swimming season (May-October) and 1,000 colonies in the winter.

Mr. Strassburg will have Carol Hufnagel review the final version of the permit. The permit states that the PPC study is to be completed by September 30, 2024.

A motion to receive and file the NPDES Permit Report was made by Mr. Babcock, St. Clair Shores. Mr. Baker, Macomb County, supported the motion. Motion passes.

c. 2023 MRIDDD Meeting Dates

Discussion occurred regarding the proposed 2023 MRIDDD Meeting Dates.

Ms. Como, Grosse Pointe Woods, motioned to approve the 2023 MRIDDD Meeting Dates, with the changes of moving the proposed July date to July 20, 2022, and the proposed December date to December 14, 2022. Ms. Steele, Wayne County, supported the motion. Motion passes.

d. Tetra Tech Engineering Budget

Mr. Strassburg reviewed the letter dated October 25, 2022, requesting an extension of the engineering services thru the end of 2022. The current contract extends through 2023, this request is an extension of engineering costs until December 2022. The total budget request is \$137,962.13.

Mr. Babcock, St. Clair Shores, moved to approve the extended engineering budget. Ms. Steele, Wayne County, supported the motion. Motion passes.

6. Unfinished Business

a. GPW Inspection Letter & Cross Connection

Mr. Walby noted that they are working with Grosse Pointe Woods to complete the study. They have reached out to McKenna and Hydrocorp. They are waiting on the walk through and hope to have a report at the next board meeting.

7. Approval of the SEMSD Operations and Maintenance Invoice

Mr. Walby reviewed the monthly invoice and pass-thru costs as noted in the Board Packet.

Mr. Walby noted that the purchasing policy used with the Milk River Drainage District is the same policy used with the SEMSD. Any purchase over \$20,000 is brought before the board for approval.

A motion to approve the SEMSD Operations and Maintenance Invoice as presented was made by Ms. Como, Grosse Pointe Woods. Mr. Babcock, St. Clair Shores, supported the motion. Motion passed.

8. Public Comment

Mr. Gregg shared an email received from Dennis Ryan, the EGLE compliance officer. His opinion regarding the facility being a 1st class professional operation was noted. He communicated that he was impressed with the facility and operations as well as noted that the integration and communication with the SEMSD are significant, including the opportunity for the management of flows.

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

9. Closed Session

A motion to enter a closed session for purposes of discussing confidential materials and to receive advice from Attorney Brennan was made by Mr. Babcock, St. Clair Shores. Support was given by Ms. Como, Grosse Pointe Woods. Motion passes. The Board entered a closed session at 1:24 p.m. as permitted by State Statute MCLA 15.268 Sec. 8(e).

The Chair, Mr. Gregg, declared the MRIDDD meeting to be in open session at 2:05 p.m.

Mr. Baker, Macomb County, motioned to direct legal counsel to proceed as recommended and discussed in the closed session. Ms. Steele, Wayne County, supported the motion. Motion passes.

10. Next Drainage Board Meeting

The next regularly scheduled board meeting is planned for Tuesday, November 22, 2022, at 1:30 p.m. This meeting will be held at St. Clair Shores City Hall, 27600 Jefferson, St. Clair Shores, MI 48081.

11. Adjournment

Ms. Como, Grosse Pointe Woods, moved to adjourn the October 27, 2022, MRIDDD meeting. The motion was supported by Mr. Babcock, St. Clair Shores. Motion approved.

There was no further discussion to come before the Drainage Board.

The meeting adjourned at 2:07 p.m.



Brian Baker, Chief Deputy Macomb County Public Works Commissioner

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