

**MILK RIVER INTERCOUNTY DRAIN DRAINAGE DISTRICT  
DRAINAGE BOARD MEETING MINUTES  
November 22, 2022**

A meeting of the Milk River Intercounty Drain Drainage Board was held on Thursday, November 22, 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  
Daniel Acciavatti, Deputy Director of Public Works, Macomb County  
Bryan Babcock, P.E., Director of Public Works/Water, City of St. Clair Shores  
James Kowalski, Director of Public Services, 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  
Dianne Schelosky, Southeast Macomb Sanitary District  
Heather Toutant, Harper Woods  
Russ Strassburg, Tetra Tech  
Greg Tupancy, Tetra Tech  
John Brennan, Fahey, Schultz, Burzych & Rhodes

**1. Call to Order**

Mr. Gregg called the meeting to order at 1:37 p.m.

**2. Approval of Agenda**

Ms. Steele, Wayne County, moved to approve the agenda as presented. The motion was supported by Mr. Acciavatti, Macomb County. Motion passed.

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

**a. October 27, 2022, Milk River Intercounty Drain Drainage District Board Meeting**

Mr. Kowalski, Grosse Pointe Woods, moved to approve the minutes for the October 27, 2022, Milk River Intercounty Drain Drainage District Board Meeting. The motion was supported by Ms. Steele, Wayne County. Motion passed.

Ms. Steele, Wayne County, moved to approve the minutes for the October 27, 2022, Closed Session. Mr. Kowalski, Grosse Pointe Woods, supported the motion. Motion passed.

**4. Reports**

**a. Operations and Maintenance**

Mr. Trombley reported on the operations while a video and photos were displayed of the Milk River and facilities. A complaint was received from a resident near the Alger pump station. This will need to be addressed. There are some overhanging tree branches and limbs that will need to be removed or trimmed. About three weeks ago work started on the upgrades to the AT&T new cell tower. The contractor has been

very safety-conscious and cooperative. They are expected to finish the project on Wednesday, November 23, 2022.

The concrete has been delivered and installed at the Recirculation Station and one of the items on the deficiency list, a crack in flushing bin 1.6, was repaired. A subcontractor, Ram, came in and repaired the flushing bin.

The Sunningdale Meter was noted, and a picture was shown. The GPI and Milk River run parallel and are about 50 feet from each other. This was a good location for level sensors on both pipes and will provide visibility for the system storage. A final calibration was completed on all of the meters has been completed.

The Harper Woods flow control gate and concrete pad are installed and are just waiting for the generator to be installed.

Lake levels were displayed on the screen and it was noted that the de-icers are already in use.

There have not been any wet weather events to note.

Rotor Electric is on-site to clean up the electrical cabinets and pressure testing of the spare sample line is being done.

**b. Priority 1B and Select Improvements Project**

Mr. Tupancy noted that a signed letter of Substantial Completion has been received from Spence. The letter was reviewed by legal counsel and Mr. Gregg signed it on behalf of the board.

The Engineering and Construction Contract was reviewed, and it was noted that they are 95.6% complete on the construction budget with the addition of amendment #8.

Spence's last pay application was #50 and was submitted in March of 2022. Tetra Tech is working with Spence on Allowance Authorizations. The elevator credit was submitted. Two revisions from Spence were noted. The amount to be returned is \$377,000.

The PPC data collection started on May 1, 2022. There was one event during the sample time of one year. The DO sample has been reviewed by EGGLE. They are asking for a briefing on how the data is prepared. The information is currently being collected to be presented to EGGLE. It was noted that during the one event, which took place on June 3, 2022, the dissolved oxygen did not violate the 5 parts per million requirements. No determination has been made to date if further testing needs to be done.

Ms. Steele, Wayne County, reported that additional FOIA requests have been received from Titus Welding. They are requesting the most current pay application submitted. Legal counsel has been copied on the FOIA requests. Wayne County continues to answer the FOIAS and notes that no Pay Applications have been received from Spence Brothers recently. Mr. Brennan will reach out to the counsel for Titus Welding.

**5. New Business**

**a. Harper Woods 2023 Board Change**

Ms. Steele, Wayne County noted that the board change will take effect on January 1, 2023. Heather Toutant, Harper Woods, will be the representative for Harper Woods. Ms. Steele, Wayne County, will be sending out a confirmation letter.

**b. Recirculation Pump Repair**

A quote of \$59,945 from Kennedy Industries to repair a pump at the Recirculation Station was presented. The budgeted amount for this repair was \$40,000. Pictures of the pump were shown. It is requested that the quote from Kennedy Industries be approved. Another pump is scheduled to be repaired in the new fiscal year, the budget will be adjusted to comply with the cost of this pump repair.

Mr. Kowalski, Grosse Pointe Woods, motioned to authorize Kennedy Industries to repair the pump for the quoted amount of \$59,945. Mr. Babcock, St. Clair Shores, supported the motion. Motion passes.

**6. Unfinished Business**

**a. GPW Inspection Letter & Cross Connection**

It was noted that all issues noted have been completed as requested. McKenna is to send confirmation of the completion. More information will be shared as it is received.

**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. Capital Projects were also reviewed.

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

**9. Closed Session**

Ms. Steele, Wayne County, made a motion to enter a closed session for further discussion of the August 22, 2022 opinion of counsel regarding the Spence Construction dispute. Support was given by Mr. Acciavatti, Macomb County. Motion passes. The Board entered a closed session at 2:18 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 2:56 p.m.

**10. Next Drainage Board Meeting**

The next regularly scheduled board meeting is planned for Thursday, December 15, 2022, at 10:00 a.m. This meeting will be held at St. Clair Shores City Hall, 27600 Jefferson, St. Clair Shores, MI 48081.

**11. Adjournment**

Mr. Acciavatti, Macomb County, moved to adjourn the November 22, 2022, MRIDDD meeting. The motion was supported by Ms. Steele, Wayne County. Motion approved.

There was no further discussion to come before the Drainage Board.  
The meeting adjourned at 2:57 p.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.