

**MILK RIVER INTERCOUNTY DRAIN DRAINAGE DISTRICT
DRAINAGE BOARD MEETING MINUTES
September 26, 2024**

A Milk River Intercounty Drain Drainage Board meeting was held on Thursday, September 26, 2024, at the SEMSD Operations Center, 20001 Pleasant Street, St. Clair Shores, Michigan, 48080.

Members Present

Michael R. Gregg, Chair, Michigan Dept. of Agriculture & Rural Development, State of MI
Elmeka N. Steele, Esq., Wayne County Drain Commissioner, Wayne County
Bryan Babcock, P.E., Director of Public Works/Water, City of St. Clair Shores
Willie Anderson, Public Works, City of Harper Woods
*Macomb County not present.

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
Greg Tupancy, Tetra Tech
Jim Kowalski, City of Grosse Pointe Woods
John Brennan, Fahey, Schultz, Burzych & Rhodes
Jessica Kenyon, Wayne County
Heather Throne, Division Director, Food and Agriculture Business Development
Joe Brezvai, Intercounty Drain Project Manager

1. Call to Order

A site tour of the Milk River facility and Recirculation Station began at 10:00 a.m.
Mr. Gregg called the regularly scheduled MRIDDD meeting to order at 12:04 p.m.

2. Approval of Agenda

Mr. Babcock, St. Clair Shores, moved to approve the agenda with noted amendments. Item 6 (b.) ACO was added along with 9 (a.) October Meeting Date. Ms. Steele, Wayne County, supported the motion. Motion passed.

3. Approval of the Minutes for:

a. July 25, 2024, Milk River Intercounty Drain Drainage District Board Meeting

Ms. Steele, Wayne County, moved to approve the minutes for the July 25, 2024, Milk River Intercounty Drain Drainage District Board Meeting. Mr. Babcock, St. Clair Shores, supported the motion. Motion passed.

4. Reports

a. Operations and Maintenance

Mr. Trombley reported that there were two discharges in August. One hundred million gallons on August 2nd, 2024, when 2 ½ inches of rain was received in the district. The E. coli test results were the best that they have received so far. A smaller event took place on the 6th of August, discharging 23 ½ million gallons. On Sunday, August 18th, a pop-up shower produced 1 ¼ inches of rain within an hour. This resulted in a full capture, using six million gallons of in-system storage. The Recirculation Station intake has had some issues with debris build-up. Photos were displayed of the intake area and the lighted buoy/post that is approximately one thousand feet offshore. The staff recently had to repair it due to vandalism. This post is mandated by the Coast Guard. They have been physically cleaning the debris build-up with over seven hundred contractor bags of debris being removed. It was also noted that an area of the Bar Rack is damaged and missing. Titus Welding provided the repair of the rack. The cost of the repair work was \$19,800, falling within the authorized spending limit. It was noted that large events will generate an increased amount of debris in the system. Photos of the debris build-up were shown.

The Flushing Gate warranty work continues. Vactor work will take place to help remove sediment. It is estimated to be 4 to 5 days of work, with a potential cost of up to \$50,000. This is directly attributable to the flushing gate issues. Cavanagh has been working to complete the project. Basin #2 is close to being completed. Basin #1 still has work to do. Mr. Brennan noted Spence was responsible for the scope of work to be completed and recommended that a letter be sent to Spence to put them on notice. The work can be done, and an invoice sent to Spence. The SEMSD will document the cost and effort associated with the work to be completed and draft a letter that would notify Spence of their responsibility to pay all related costs. This letter shall be sent to the Board as well as Mr. Brennan, who in return will direct and authorize the SEMSD to send the letter to Spence. All Board members are to be copied with the correspondence.

Mr. Walby reported that the Recirculation Station security cameras are being worked on, JCI had a price increase on their product and noted that the Plume Study is due by 4.28.2026.

Mr. Babcock, St. Clair Shores, made a motion 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 reported that the final Pay Application looked ok. No response has been received from Spence since September 9th. There is \$61,000 being held, and they are still waiting on final waivers from the subcontractors. They will double-check all paperwork before final payment is made.

It was noted that Tetra Tech's service agreement was extended to December 2026.

Tetra Tech is up to date with paperwork through August and is 99.3% spent.

Mr. Gregg noted that Spence will be sent a communication reminding them that they must pass a final inspection.

Ms. Steele, Wayne County, motioned to receive and file the Construction Progress Update Report. Mr. Babcock, St. Clair Shores, supported the motion. Motion passed.

5. New Business

a. Insurance Renewal

Mr. Walby reviewed the Insurance Renewal Policy as presented in the Board packet. There has been no change in the provider, Nickle & Saph, the underwriting company, Trident, no change in coverage provided or the deductible. Noted was a 4% increase in property value due to inflation. The cost of coverage increased from \$132,975 to \$143,773.

A motion to authorize the approval of the insurance coverage and costs associated with said coverage was made by Mr. Babcock, St. Clair Shores. Ms. Steele, Wayne County, supported the motion. Motion passes.

b. FY 2024 Quarter 4 Financial Report

Ms. Kenyon reviewed the FY 2024 Quarter 4 as presented, noting that the Budget to Actual report shows overall expenditures at 99.68%. Net revenue is reported to be over expenses, and the county chargeback is the only item over budget.

A motion to receive and file the FY 2024 Quarter 4 Financial Report was made by Mr. Babcock, St. Clair Shores. Mr. Anderson, Harper Woods, supported the motion. Motion passed.

6. Unfinished Business

a. Generator

Mr. Tupancy reported that there is no update or change from the last report on the Generator Study.

b. ACO

Mr. Brennan presented his opinion on the current state of the Administrative Consent Order (ACO). It was noted that termination of the ACO is a process. A certification would need to be completed and provided by Tetra Tech, verifying that all aspects of the ACO have been complied with. This position would be presented to and approved by the Board. Once approved, a request for release from the ACO can be made, and the new permit will take over. Milestones will need to be met, such as the Plume Study. It was suggested that a meeting be scheduled with EGLE to further discuss the requirements and develop a strategy to complete all requirements, with the goal being to close out of the ACO. Mr. Gregg will contact Mr. Dennis Ryan to initiate a discussion and set forth a plan of action for spring. It was noted that there has been a general lack of response from EGLE regarding submitted reports.

Ms. Steele, Wayne County, motioned to receive, file, and waive privilege for the ACO discussion. Mr. Anderson, Harper Woods, supported the motion. Motion passed.

7. Approval of the SEMSD Operations and Maintenance Invoice

Mr. Walby reviewed the SEMSD invoice and pass-thru costs for July and August 2024 as presented in detail in the Board Packet and noted expenses such as the tree removal and DTE as the largest expenses.

Ms. Steele, Wayne County, made a motion to approve the invoice for \$138,321.46. Mr. Anderson, Harper Woods, supported the motion. Motion passes.

8. Public Comment

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

9. Next Drainage Board Meeting

a. October Meeting Date

A change in meeting dates was proposed as Wayne County needs all invoices submitted before Monday, November 4, 2024, to close out the year-end financial reports.

October 21, 2024, at 10:00 a.m., was agreed upon for the next MRIDDD meeting.

The November 21, 2024, meeting was removed, and December 12, 2024, at 10:00 a.m. was proposed.

Discussion occurred regarding the venue location of future MRIDDD meetings. SEMSD suggested that the SEMSD Operations Center, located at 20001 Pleasant Street, St. Clair Shores, MI 48080 was available.

All meeting notices shall be posted before each meeting at Harper Woods, Grosse Pointe Woods, and St. Clair Shores City Hall locations, and the website shall be updated accordingly.

Ms. Steele, Wayne County, motioned to move the MRIDDD meeting location, effective with the October 21, 2024, meeting date, from the St. Clair Shores City Offices to the SEMSD Operations Center. Mr. Anderson, Harper Woods, supported the motion. Motion passed.

10. Adjournment

Ms. Steele, Wayne County, moved to adjourn the September 26th, 2024, MRIDDD meeting. Mr. Gregg, State of Michigan, supported the motion. Motion approved.

There was no further discussion to come before the Drainage Board.
The meeting was adjourned at 1:29 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.