

Board Minutes for the Board of Sanitary Commissioners Meeting of September 9, 2020

THE BOARD OF SANITARY COMMISSIONERS conducted a regularly scheduled meeting in the Muncie City Hall Auditorium.

Board members present; Stephen Brand, Board President; Brian Stephens-Hotopp, Board Vice President; Joseph Evans, Board Secretary; William Smith (remotely), Board Member and Tonya Brothers-Bridge, Board Member.

Excused absences: there were none.

Department managers and staff present; John Barlow, District Administrator; Josh Brown, Legal Counsel; Deana Cox, Financial/Billing Manager; Jason Donati, Stormwater/Recycling Educator; Phil Reagon, Sanitation Superintendent; Tim Stover, IT Administrator; John Anderson, District Engineer; Harvey Wright, Sewer Maintenance Superintendent; Tamelia Moore, Working Foreman/Account Specialist and Megan Huff, Sewer Maintenance Secretary.

Public present: Dan Ridenour, Mayor of Muncie and Audie Barber, 610 W 11th Street.

Mr. Brand said the MSD Board of Commissioners previously responded through Legal Counsel regarding the State Board of Accounts Final Audit Report. He said we will continue to review the findings with Legal Counsel as we consider any necessary action with our policies and procedures.

Consideration of Minutes: Mr. Stephens-Hotopp moved to approve the minutes as submitted for the August 26, 2020 meeting. Mr. Evans seconded the motion. The motion was approved (4-0). Mrs. Brothers-Bridge abstained from voting since this was her first meeting on the Board.

Consideration of Claims: Mr. Stephens-Hotopp said on an ETF payment for August 31st there is a bank fee that is regarding one of our accounts and we are working with the Controller's Office to try to have any future bank fees removed. Mr. Stephens-Hotopp said there is an invoice from Yarberry Land Services totaling \$19,000 for a sewer repair project. He said the depth of some piping projects require us to bid the work and this project falls into that category. Mr. Stephens-Hotopp said there are several invoices for stormwater work, but he would like to note that they are for in-house materials used by our construction crew to get ahead of the paving project the City is working on. Mr. Stephens-Hotopp moved to approve the Register of Claims for \$549,427.02. Mr. Evans seconded the motion. The motion was approved (4-0). Mrs. Brothers-Bridge abstained from voting since this was her first meeting.

Old Business:

- 1. Whitely Neighborhood Update – Brian Stephens-Hotopp, Board Vice-President.** Mr. Stephens-Hotopp showed a map of the Whitely area. He said the yellow area is the flood way, the blue area would be identified as the 100-year flood plain and the pink area would reflect the 500-year flood plain. He said you will notice on the south side of the river there are purple areas that are considered to be protected by the levee. When the levee was

originally constructed there was a part of it that was not built per the original plan, so it was never certified. The next slide showed a yellow area that was an extension of where the levee should have been built and would still need to be built, if the levee were ever to be certified. The next slide showed a purple line that reflects the proposed levee alignment if the Whitely project was to move forward and here you can also identify several storm sewer alignments marked in black that would provide internal drainage through the levee for periods when the river is up. Mr. Stephens-Hotopp said also shown is the depth of flooding that would occur in areas behind the levee if internal drainage was not provided or the levee was not in place. He said one of the discussion points when the Whitely project is discussed is the proposed pond, so this graphic shows where that was going to be built. The intent was to centralize the collection of storm water and to reduce the runoff rate required to process the storm water through the levee through a pump station. When the river is high, storm sewers do not work very well without forced flow. Mr. Stephens-Hotopp said this all came down to what would the project cost and as you can see in the graphic it was about 2.78 million dollars. He said the other option was to purchase the properties that were in the flood plain instead of trying to protect them and certify the levee. He said as you can see in this graphic, there is a red dashed line to represent the flood insurance boundaries if someone were to purchase or refinance a home with a mortgage. He said if someone were to inherit a home or to buy it outright, they would not need flood insurance. Mr. Stephens-Hotopp said when the option of buying the homes outright it came down to a \$965,700 cost it was the most cost-effective choice. Mr. Stephens-Hotopp shared another graphic of current MSD owned properties in the Whitely neighborhood and said at this time we are not actively pursuing the purchase of any additional properties or a drainage/levee project. He said if the community members are interested in revisiting any of these options in the future, the Board would love to hear from them. He said at this time we wanted to share the background of how we got where we are today in regard to the project and the properties owned by the District in Whitely. Mr. Brand thanked Mr. Stephens-Hotopp for the information.

- 2. Original Contract Overview for Project 59ST-20 High & 8th Street – John Anderson, District Engineer.** Mr. Brand said Mr. Anderson came before the Board at the last meeting and shared a Change Order for Project 59ST-20 totaling \$2,500 with an original contract price of \$12,500. Mr. Anderson said on August 17th, as part of working ahead of the paving list for the City, we were replacing inlets at the High St & 8th St intersection. He said the quotes were opened on August 17th and the quote for \$12,500 was the lowest and most responsive. Mr. Anderson said once the contractors got out there, they noticed one of the pipes was damaged and needed repaired which prompted the change order. Mr. Stephens-Hotopp asked Mr. Anderson if we make sure all our contractors are bonded and insured. Mr. Anderson said yes, typically in November we ask all contractors to update their paperwork for January 1st of the next year to reflect any new information. He said only the approved contractors are invited to quote. Mr. Stephens-Hotopp asked how many companies we currently had on that list. Mr. Anderson said maybe 7 or 8.

District Administrator Update or Department Head Update – John Barlow, District Administrator. Mr. Barlow said we are in the process of posting the Stormwater Construction Compliance Inspector position within the Bureau of Water Quality. He said this job will be posted within the District as well outside of the District. Mr. Barlow said his old job of WPCF

Director will also be posted soon, so hopefully within the next couple weeks there will be candidates to interview for both jobs. Mr. Barlow said Andrew Dale, of Shafer Leadership Academy, will do a ride along with one of the Sanitation employees, Scott Albertson. He said this is part of a program that Mr. Dale is putting together. Mr. Stephens-Hotopp said the soon to be vacant position of Stormwater Construction Compliance Inspector is due to Toni Cecil's retirement. He said she has created a high bar within the District for her role and he wishes her well. Mrs. Brothers-Bridge asked what the hiring procedure is within the District. Mr. Barlow said the standard procedure is if there is a position open, it is first posted within its department. He said if no one signs up at that point it is posted District wide. If no one is hired within the District it is then posted outside to the public through the newspaper and/or other employment-based websites. Mrs. Brothers-Bridge asked if we were currently using the City Personnel Department for our hiring processes. Mr. Barlow said yes, they have been involved with the hires since they have been in office this year. Mrs. Brothers-Bridge thanked Mr. Barlow for the information.

New Business:

- 1. Introduction of New Board Member – Mayor Dan Ridenour.** Mayor Ridenour introduced the next appointee to the Muncie Sanitary District Board of Commissioners, Mrs. Tonya Brothers-Bridge. He said Tonya has extensive executive management abilities including being Chief of Staff in the former Lieutenant Governor's Office as well as years of experience in banking. Mayor Ridenour said he wants to have a diverse Board in qualifications so he felt it would be nice to have someone that has a financial background as well as hiring abilities. Mrs. Brothers-Bridge thanked Mayor Ridenour for the appointment and said she was looking forward to working with the Board Members and staff of the District.
- 2. Change Order #1 on Project 48ST-20, 2809 N Buckles Street – John Anderson, District Engineer.** Mr. Anderson said this project was due to a flooding issue that occurred at 2809 N Buckles. He said we began with needing to install a new inlet and replace an existing manhole. Once construction started and the contractor began to remove the existing structure it was determined that whoever originally installed it had poured 3 ½ feet of concrete around it. The contractor spent about 4 hours jackhammering the concrete with little to no progress. We asked the Contractor if we could core drill trough to make the connection and add the inlet. The contractor was able to do so. Mr. Anderson said the jackhammering and core drilling through the concrete resulted in the change order of \$2,325. He said the original quote was \$8,185. He said he knew this is over the 20% rule, but he did consult with Indiana code and there it reads you can exceed due to unforeseen circumstances that do not change the scope of work. Mr. Stephens-Hotopp said that is correct, the 20% rule is for instances where you are adding additional scope of work and that threshold does not apply if there was something like an unforeseen utility that could be unmarked. Mr. Evans moved to approve Change Order #1 on Project 48ST-20, 2809 N Buckles Street. Mr. Stephens-Hotopp seconded the motion. The motion was approved (5-0).
- 3. 2020 IDEM/VW Grant – Phil Reagon, Sanitation Supervisor.** Mr. Reagon said diesel is a dirty fuel, but the right fuel for some heavy-duty work trucks. Diesel has a high Nitrogen Oxides (NOx) which causes air pollution, smog, and acid rain. In 2013, MSD decided to

move into the alternative fuels, not only for the cost advantage but because it was the right thing to do at the time. In the late 1990s, early 2000s, the EPA instituted NOx pollution standards. In 2006, Volkswagen (VW) advertised "Clean Diesel" on their 2-liter diesel engines and even built a new 'green' plant in Chattanooga, TN. In 2011, students from the University of West Virginia started a study trying to find out how VW was cleaning up the exhaust. Their findings were that VW diesel cars were putting out 40 times the NOx emissions than they were advertising. It was found that VW had installed 'defeat devices' on the cars and when they were to be tested the computer went into a test mode giving an untrue reading of the actual emission. The EPA got involved to find out VW engines were putting out over 50 times the advertised emissions in over 11 million cars sold between 2005 and 2006. The EPA fined VW 25 billion dollars and ordered them to buy back 550,000 cars. The EPA now had 25 billion dollars and figured the best and most fair thing to do was use it for a diesel reduction program. Indiana received 42.2 million dollars and instituted a 3-year VW diesel grant program not only for Municipalities, but for private business as well. Mr. Reagon said we this is the grant we recently applied for through IDEM. He said we finally received an email from Sean Seals from IDEM that reads, "Congratulations, your project was selected for a grant award. The project selected is for the replacement of 2 diesel-powered refuse haulers with compressed natural gas-power. The total approved award amount for this project is \$185,000.00." Mr. Reagon said this makes \$220,000 in the last 2 years that MSD has received from IDEM grants. He said we used the funds last year to purchase a small trash truck to use downtown. This year MSD was the only winner in the Road Refuse category. This decision from IDEM shows statewide confidence and recognition for MSD as being a leader not only in sanitation and recycling but now in diesel reduction. Mr. Reagon said these funds will help replace two 10-year-old trucks. He said trash trucks usually have an average life of 7 years. Mr. Smith congratulated Mr. Reagon on the grant award. Mr. Stephens-Hotopp said he applauds Mr. Reagon for his efforts. He asked how many trucks the Sanitation department currently houses. Mr. Reagon said 25 in total and of that 25, 13 are CNG. Mrs. Brothers-Bridge thanked Mr. Reagon for his diligent work and said any time we can apply for grants we should. Mr. Brand thanked Mr. Reagon for being proactive and helping to reduce MSD's carbon footprint.

- 4. Sharing the Caring Campaign – Allison Robbins, Aspect6 Creative.** Mrs. Robbins said at the beginning of quarantine our Sanitation drivers had to take extra safety measures for trash pickup. She said many residents that were home throughout the day started to notice their trash pickup more often. Mrs. Robbins said we began seeing more appreciation for our drivers and to help highlight our employees we started the Sharing the Caring Campaign on our Facebook page. The drivers have become local heroes to children especially as they run out to look for the trucks and wait for the honk! Mrs. Robbins said drivers have received several cards, colored pages, and even musical performances throughout the last few months. She said the community has really responded well to the campaign giving 77,000 impressions via Facebook. Mrs. Robbins said the main goal of this campaign was to show appreciation for our employees and to say thank you to the public for the support of the Sanitation Department. Mr. Smith said the program speaks for itself in the support it has received from the public. Mr. Stephens-Hotopp said thank you for sharing the information. Mrs. Brothers-Bridge said thank you for the information and that she personally enjoys a wave from her driver each week. She asked Mrs. Robbins to pass along, from the Board, the

appreciation of the hard work put in by the Sanitation drivers. Mr. Brand said he agreed and there are some real heroes out there for our children.

- 5. Request for Qualifications (RFQ) 2020-1 – Brian Stephens-Hotopp, Board Vice-President.** Mr. Stephens-Hotopp said we will be accepting Request for Qualifications for an on-call design contract for Engineers. He said we are looking for a design team to conduct survey and geotechnical investigation to increase our capacity for providing stormwater improvements in areas experiencing flooding, or drainage issues, that are greater than our internal Engineering departments capabilities. He said all questions regarding this RFQ will go to District Administrator, John Barlow, and the proposals are due by September 30th. Mr. Stephens-Hotopp said once a firm is selected, we will follow up in a Board meeting.

Public Comments:

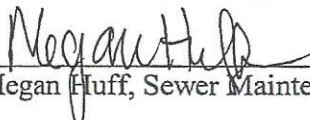
Audie Barber, 610 W 11th Street, said he thinks the Mayor has finally hit a sweepstake. He said the report from the State Board of Accounts shows some illegal activity with some of the Board members. He said he would hope the new Board members pursue every avenue possible to recover the monies reported in the recent State Board of Accounts Audit. Mr. Barber also said he feels at this time since a couple members on the Board were found guilty in this State Board of Accounts Audit, he would like to see them turn in their resignations immediately. He said you guys have been caught with your hands in the cookie jars and you know who you are. Mr. Barber said it is time to put the lid on the cookie jar and find you letter of resignation and turn it in. He would like to see the new Board members conduct an outside audit to see what else is going on within the District from the last 8 years. He said he thinks there has been a lot of criminal activity and it is time to put a stop to it. Mr. Barber said he hopes that the Mayor and the new Board members agrees with that and has them removed immediately.

Mayor Ridenour gave the Board an Ordinance called 22-20. He said it was filed this past July and it was introduced at the Muncie City Council. There were some areas found by the State Board of Accounts that the City had not done so he wanted to correct that as quickly as possible. This Ordinance will be up for a final vote at the next Council meeting. Mr. Ridenour would like to ask the Sanitary District to adopt something similar for their policy.

There were no further comments.


Adjourn: Mr. Brand said he would accept a motion to adjourn the meeting. Mr. Stephens-Hotopp made a motion to adjourn the meeting. Mr. Evans seconded the motion. The motion was approved (5-0).

Respectfully Submitted,



Megan Huff, Sewer Maintenance Secretary.

*Approved by the Board of Sanitary Commissioners
Muncie Sanitary District*




Stephen Brand, President



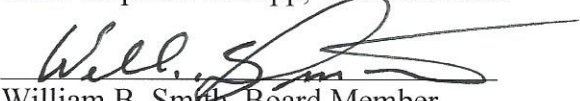
Joseph Evans, Secretary



Tonya Brothers-Bridge, Board Member



Brian Stephens-Hotopp, Vice President



William B. Smith, Board Member