

Board Minutes for the Board of Sanitary Commissioners Meeting of September 23, 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, 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; Mark McKinney, Legal Counsel; Deana Cox, Financial/Billing Manager; Jason Donati, Stormwater/Recycling Educator; Phil Reagon, Sanitation Superintendent; Tammy Branson, Sanitation Office Manager; Melanie Lanich, Health Insurance Administrator; Tony Webb, Sanitation Supervisor; Rick Conrad, BWQ Director; 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: Phil Tevis, Flatland Resources.

Consideration of Minutes: Mrs. Brothers-Bridge moved to approve the minutes as submitted for the September 9, 2020 meeting. Mr. Stephens-Hotopp seconded the motion. The motion was approved (5-0).

Consideration of Claims: Mr. Stephens-Hotopp said he wanted to highlight that roughly 75% or 1.35 million dollars of the total claims were two pay applications for Bowen Construction regarding the Sanitation building construction and work done on the Long-Term Control Plan. He said there was also an ETF payment for \$72,516.07 that represents a 10% retainage for a pay application for the Sanitation Building. These funds go into an escrow account that is set up for the Sanitation building construction until a specific dollar amount is met and at that time no additional retainage would be held on the Bowen Contract. Mrs. Brothers-Bridge moved to approve the Register of Claims totaling \$1,939,254.19. Mr. Smith seconded the motion. The motion was approved (5-0).

Old Business:

None.

District Administrator Update or Department Head Update – John Barlow, District Administrator.

Mr. Barlow said at this time we will introduce on a rotating basis our Department Heads to update on their departments. He said today he would like to introduce Harvey Wright of the Sewer Maintenance Department to speak on behalf of his department. Mr. Wright said he is the Superintendent of the Sewer Maintenance Department and he works closely with assistant; Mr. Thom Noble, Working Foreman. He said there are currently 22 employees in the department. Mr. Wright said the department's main responsibilities are the running the construction crew, street sweeping, vac trucks, pipe hunter/jet vac truck, housing the MSD Mechanics, Levee maintenance and management of the mowing vendor, mowing of MSD properties as well as sewer maintenance and the DCC's outdoor maintenance program. He said the Downtown project will be completed once we install the walls on the structure. Mr. Wright said the area is presently being used by Sanitation to store trash totes. He said this project was a City and Sanitary District project. Mr. Wright said this past Tuesday at 4 a.m. we had street sweepers out on parts of Madison, Wheeling, Walnut as well as downtown Muncie and combined we picked up 12.3 tons of

dirt. He said the trucks swept approximately 20 lane miles which is both sides of the road. Mr. Brand said had we not picked up that 12.3 tons of dirt is it reasonable to expect that it could have ended up in the River. Mr. Wright said yes, it could have. Mr. Brand said when he first came on the Board, he discussed the cleanliness of the streets with Mr. Wright and Thom Noble and he appreciates that discussion. He asked if there is a fourth street sweeper that will be going on the road soon. Mr. Wright said yes. He said he is in the final stages of the interview process with two candidates. Mr. Wright said at that time the City will be divided into 4 parts for sweeping. He said on a regular basis we sweep downtown as well as the Madison Street Underpass though to keep the inlets, lines, and sewers clear from debris. Mr. Brand said it is part of our requirement for our Stormwater permit to sweep each street in Muncie at least 2 times per year. He asked if Mr. Wright was confident that we were accomplishing that requirement. Mr. Wright said not this year due to COVID and how it had altered our schedules in the spring. He said if things would have been normal this year, we would have probably could have done more than twice especially once we have four sweepers going. Mr. Brand said he saw the photos online of the trucks sweeping on Tuesday morning and the results looked great. He thanked Mr. Wright for the work he has done thus far with the District. Mr. Stephens-Hotopp asked Mr. Wright to explain the GIS upgrades we are looking into. Mr. Wright said two upgraded GIS devices have been ordered and installed into a sweeper and trash truck. He said the sweeper upgrade will keep track of things like miles swept and miles traveled. Mr. Wright said this will help with making sure the employee is doing the work as well as figuring out more efficient routes to cut down on wasted time during travel.

New Business:

1. Design of Cut-Off Levee at the Kitzelman Trailhead – Brian Stephens-Hotopp, Board Vice-President. Mr. Stephens-Hotopp said the Kitzelman Trailhead is a City Project that is currently looking at a trail expansion, parking, and other amenities. He said part of the project has included design to incorporate Army Corp of Engineers standards for the levee that is being impacted in the area. He said on the West side of the river there is a portion of a neighborhood where the District has looked at how we can improve and meet the intent of the levee protection system with the most economic cost. The Army Corp of Engineers gave some direction from them to incorporate the Cut-Off Levee design along with the third phase of the Kitzelman Trail to get a more holistic permit approval for both projects. He said we would like to get Board approval to give Notice to Proceed to our Engineer, Christopher Burke, for the Levee Design. Mr. Brand said he appreciates the project update and asked if the other Board members had any questions. There were no questions.

2. Memo of Understanding for MSD and the City or Muncie on the 17th Street Project – Brian Stephens-Hotopp. Mr. Stephens-Hotopp said this MOU has been reviewed by legal counsel of the City and Sanitary District. He said this memo addresses a current issue on the 17th Street Project. He referenced an exhibit where the Sanitary District is shown doing pipe and structure work as well as showing a boundary for paving work. The City would like to sign this Memo of Understanding to set up payment to the MSD for the restoration work done on the other half of the road. The entire width of the road would be milled and resurfaced by the District. The City would be paying the MSD for their portion of the work totaling \$13,217.50 and this number is based on quantity measurements from Bowen Engineering. There were no questions. Mrs. Brothers-Bridge moved to approve the Memo of Understanding for the MSD and City of Muncie on the 17th Street Project. Mr. Stephens-Hotopp seconded the motion. The motion was approved (5-0).

3. Update on Purchase of Trailer and Permission for Purchase of Mini Excavator – Harvey Wright, Sewer Maintenance Superintendent. Mr. Wright said the pricing of the trailer was below the amount required to request approval formally, but he wanted to share it with the Board to be transparent with the purchase. He said he did not receive bids because they were not required but he did request 3 quotes for this 2020 10x20 Flatbed Trailer. Mr. Wright said the trailer is needed to haul mowers as well as other

pieces of equipment like the bushhog. He said the first quote was from Indiana Trailer Sales of Decatur, Indiana totaling \$4,699.00, the second quote was from I-69 Trailer Sales totaling \$5,200 and the third quote was from Maze Trailer Sales totaling \$6,600. Mr. Wright said he chose to purchase from Indiana Trailer Sales and asked if there were any questions. Mr. Brand thanked Mr. Wright for the transparency on this purchase. He asked if there were any vendors considered from Delaware County. Mr. Wright said there used to be a place in Albany, but they did not have the flatbed type of trailer at the time. Mr. Brand said thank you for considering Delaware County in your search because he finds it incredibly important to stay local whenever possible. Mr. Wright said currently we must rent a mini excavator when it is needed for jobs which seems to be quite often this year. He said we usually try to coordinate with the Engineering department to line up several projects to get a bigger bang for our buck when renting the mini excavator. Mr. Wright said the Working Foreman, Thom Noble, has tried other types of equipment for the construction work and nothing seems to work as well as the mini excavator for job. He said we were able to find a vendor here in Delaware County; MacAllister's CAT totaling \$33,204.83. The second closest location was Bobcat of Anderson totaling \$32,803.80, but it was a different model than what they currently rent. He said both pieces of equipment have a two-year warranty. Mr. Wright said he is asking to keep the purchase here in Delaware County and go with the CAT brand although it is about \$400 higher. He said not only are we keeping the purchase within Delaware County, but our staff is more familiar with the CAT brand, our current equipment is CAT, and our mechanics can work on CAT equipment in-house. Mr. Smith said the MacAllister's quote seems to have a long list of things that are included and so does the Bobcat. He asked if we are comparing apples to apples here and if they both include the same things. Mr. Wright said yes, they are comparable. Mr. Stephens-Hotopp asked if there would need to be any additional appropriations for this purchase or was this within the 2020 budget. Mr. Wright said both purchases would be within the year's budget. He said due to COVID there was a lot of work put on-hold in the spring as we were doing emergency work only so that allowed some extra funds in our budget. Mr. Brand confirmed that the primary use of this equipment would be to fit into back yards and other tighter work areas. Mr. Wright said yes. Mr. Brand said if we do not have enough projects between Sewer Maintenance and Engineering lined up, do we wait until we do to rent the mini excavator. Mr. Wright said unless there is an emergency project we do like to wait until there is more than one project that the mini excavator is needed for before renting. Mr. Smith said he was unsure if we could legally buy the equipment from MacAllister's just because they are within Delaware County due to the fact the quote is higher. Mr. McKinney said because you can do the maintenance and repair work in-house that is a viable enough reason to purchase the CAT brand over the Bobcat; even though it is not the lowest quote. Mr. Smith made a motion to approve Harvey's recommendation to Purchase a Mini Excavator from MacAllisters of Muncie, IN totaling \$33, 201.83. Mr. Evans seconded the motion. The motion was approved (5-0).

4. Change Order for 63L-20 1320 E 1st Street – John Anderson, District Engineer. Mr. Anderson said we were replacing 24 feet of sanitary sewer lateral at 8-foot-deep when the Inspector realized there was an error in the scope of work. He said the lateral connection at the main was in fact at 13-foot-deep, not 8-foot-deep as the scope of work had stated originally. Mr. Anderson said this change order is for a deduct because we could not proceed with the work due to the error in the scope. He said we had to pay the contractor for the work that they had already completed for that day totaling a deduction of \$4,737.00. He said the total work the contractor put in for the day was \$3,463.00. Mr. Anderson said the new scope has been sent out for quotes. Mr. Brand asked if there were any questions. Mr. Smith said our policy is to have the department head notify the District Administrator or the Board President before the work is completed on a change order. He said John has been great at following this policy and he just wanted to make the Board aware of this policy that previous Board had in place. Mr. Stephens-Hotopp asked if any quotes have been received yet for the new scope. Mr. Anderson said yes, and the project has now been completed. Mr. Stephens-Hotopp said so this is just making right the difference in charges owed to the Contractor when they got pulled off the job. Mr. Anderson said that is correct. Mr. Stephens-Hotopp made a motion to approve the Change Order for 63L-20 at 1320 E 1st Street. Mrs. Brothers-Bridge

seconded the motion. The motion was approved (5-0).

5. Central Levee Trail Erosion Control Paving Project – Phil Tevis, Flatland Resources. Mr. Tevis said the Sanitary District received a grant from the DNR to complete the Central Levee Trail. He said when the DNR made their final inspection three weeks ago they encouraged the Board to consider paving the trail on the slopes and below at Walnut Street Bridge because of future potential flooding and erosion. Mr. Tevis said he was asked to solicit quotes for this work and there were six firms considered, but all besides Muncie Paving were too busy to participate. Muncie Paving quoted the project at \$26,800. He said most of the firms said the project was too small or that it was too late in the year to consider it. Mr. Smith asked how much the total grant was for. Mr. Tevis said it was roughly \$150,000 and the District had to contribute a 20% match. Mr. Brand asked if this is a recommendation or a requirement. Mr. Tevis said it is only a recommendation. Mr. Brand said if we do not do this we could be faced with repairs in the future or have some of this aggregate ending up in the river. Mr. Tevis said that is correct and the trail serves an additional purpose to let mowing crews in areas they cannot easily reach now on the levee. Mr. Evans moved to approve the Central Levee Trail Erosion Control Paving. Mr. Stephens-Hotopp seconded the motion. The motion was approved (5-0).

6. Central Levee Trail Change Orders – Fulfilling DNR Grant Contract – John Barlow, District Administrator. Mr. Barlow said Mr. Tevis explained a little bit about this grant and its entirety. He said the last claim for this to close out the DNR Contract except for what Mr. Tevis just explained because we are doing that on our own based on recommendation. Mr. Barlow said we are sending documentation to Mr. Tevis which he can pass along to DNR to close out our contract by October 1st so extensions do not have to occur. Mr. Barlow said on the last claim there were two change orders that took place for a total of \$5,000 and both were required by DNR even though they were not on the original contract. He said one was paving of an ADA parking spot near the trailhead as well as additional fencing near the steeper parts of the slope on the bank. The fencing was added near the Fieldhouse through to the High Street Bridge. Mr. Barlow said both of those items have been executed at this time. Mr. Smith said that is a good recommendation for safety purposes. Mrs. Brothers-Bridge said so these were new requirements for DNR. Mr. Barlow said fencing was originally listed in the contract, but they wanted to see additional fencing and the ADA paving was not in the original contract, but they decided they wanted to see that done. Mr. Brand said the ADA spot was done in aggregate and lime stabilization originally correct. Mr. Tevis said yes, and they would not accept that as a hardened surface. Mr. Stephens-Hotopp said it looks like there was a substantial change in the silt fence cost. Mr. Barlow said he thinks that was a deduct of \$15,000 from originally \$19,000 budgeted to \$4,000 because instead of using silt fencing, we used anti-erosion fencing. Mr. Tevis said when the project was budgeted we assumed we would have to use silt fencing for the whole job, but it was not required at all so we ended up using it for erosion control at the edge of the trail. Mr. Stephens-Hotopp said so there was a \$15,000 deduct, but there have been overages in other areas too. He asked if there was a copy of the change orders that we are asking to approve at this point. Mr. Barlow said they are in the Pay App. He said the work was done just last week after our walk thru with Phil, but they are listed in the Pay App and the last claim to finish this project out was a little over \$22,000. Mr. Barlow said he can provide the Board with any other documentation they would like. Mr. Stephens-Hotopp said it would just be helpful to know the total change to the original contract amount. Mr. Brand thank Mr. Barlow. Mr. Brand said Mr. Smith just asked him a question regarding approval of this item and it may be a question for our Legal Counsel. He asked Mr. McKinney if we needed to take Board action on the Change Orders presented from Mr. Barlow since it was in the previous Pay App. Mr. McKinney said traditionally there has been a vote to act on Change Orders such as these. Mr. Smith moved to approve the Central Levee Trail Change Orders totaling \$5,000 to Fulfill the DNR Grant Contract. Mr. Barlow said the paving totaled \$3,500 and the fencing totaled \$1,500. Mr. Stephens-Hotopp asked if it would make any sense to table the change order until we include the paving with it. Mr. Barlow said it is separate contract because that is part of what was recommended to us by DNR, it was not required, and we are completing that on our own not through the Grant. Mr. Barlow said his

recommendation is to keep these purchases separate from each other. Mr. Stephens-Hotopp asked if a final quantity change order has been done or if one was expected to be done. Mr. Tevis said this is the balancing change order. Mr. Barlow said this is it, there is no additional funding required. Mr. Smith said again he will move to approve the Central Levee Trail Change Orders totaling \$5,000. Mr. Evans seconded the motion. The motion was approved (5-0).

Additional Board Comments:

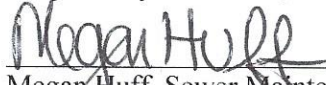
Mr. Stephens-Hotopp said last week was the annual INAFSM Stormwater Conference and Toni Cecil, who is retiring with the District soon, received the Lifetime Achievement Award. He said this award was received for her number of years of service, high quality of Stormwater Management and for making a difference in the industry and the INSAFM Organization.

Public Comments:

There were no comments.

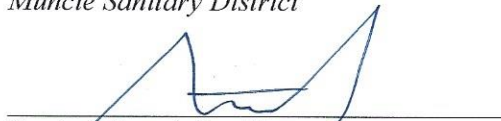
Adjourn: Mr. Brand said he would accept a motion to adjourn the meeting. Mrs. Brothers- Bridge made a motion to adjourn the meeting. Mr. Stephens-Hotopp seconded the motion. The motion was approved (5-0).

Respectfully Submitted,



Megan Huff, Sewer Maintenance Secretary.

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



Stephen Brand, President



Brian Stephens-Hotopp, Vice President



Joseph Evans, Secretary



William B. Smith, Board Member



Tonya Brothers-Bridge, Board Member