

Board Minutes for the Board of Sanitary Commissioners Meeting of May 5, 2021

THE BOARD OF SANITARY COMMISSIONERS conducted a regularly scheduled meeting.

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

Department managers and staff present; Mark McKinney, Legal Counsel; John Barlow, District Administrator; Deana Cox, Financial/Billing Manager; John Anderson, District Engineer; Tim Stover, IT Administrator; Jason Ingram, WPCF Superintendent; Harvey Wright, Sewer Maintenance Superintendent; Phil Reagon, Sanitation Superintendent; Jason Donati, Recycling/Stormwater Educator and Megan Huff, Executive Office Manager.

Public present: No members from the public signed in on the attendance sheet.

Consideration of Minutes: Mr. Stephens-Hotopp said while the minutes are accurate, he does want to point out that the discussion of a Public Hearing taking place on April 29 at 8 a.m., but that did not end up happening. Mr. Smith moved to approve the minutes as submitted for the April 21, 2021 meeting. Mr. Stephens-Hotopp seconded the motion. The motion was approved (4-0). Mr. Brand abstained due to his absence at the April 21, 2021 meeting.

Consideration of Claims: Mrs. Brothers-Bridge said on page 1 of the claims, there is a claim in the amount of \$15,770.28. She said this claim is for repairs of multiple vehicles and not just one. Mr. Stephens-Hotopp said on the ETF dated 4/9/21 there is a total of \$60,498 and those are general insurance claims. He said on the larger claims dated 5/7/21 on page 4 there are a few items that are network infrastructure costs of \$3,086.67 and \$14,283.88. He said those had in depth descriptions from our IT Department Head, Tim Stover. Mr. Brand said on page 6 there is a claim for \$11,988 regarding a replacement gate at Jake's Creek. He said for whatever reason those gates have been damaged multiple times. He said in this case we would like to thank the person who was able to help us identify the person responsible for the damage. Mr. Brand said working with their insurance company we will be able to get this money back. Mr. Stephens-Hotopp said there is a claim for \$12,080.50 and that is for the startup of the bar screen that was on a previous claim. He said there is a claim for Coops Lawncare totaling \$25,600 which includes their first mow of the levee system and the spring clean-up of limbs and debris. Mr. Stephens-Hotopp said on page 11 there are several payments to State Board of Accounts and those total roughly \$42,000 for special investigations they did last year. He said on page 13, there is a claim for a temporary flow study for the Long-Term Control Plan from Gripp Inc. for \$15,750. He said that is part of the field work and investigation to modify our LTCP with IDEM. Mr. Stephens-Hotopp said on the last page there are a few claims totaling \$290,898.72 and they are all associated with Bond closing costs. Mrs. Brothers-Bridge moved to approve the claim amount totaling \$977,144.54. Mr. Stephens-Hotopp seconded the motion. The motion was approved (5-0).

Old Business: None.

District Administrator Update. – John Barlow. Mr. Barlow said he has sent out the final draft of the GMAX Contract from Bowen to the Board for review and to the attorney for legal review. He said that the contract will likely be on the Agenda for the next Board meeting. Mr. Barlow said the residents in the East Central neighborhood have received word that there will not be any construction in the area until after the 27th of September as to avoid the Washington Street Festival. Mr. Barlow said we have substantial completion at the Plant's Phosphorus Removal Facility. He said we will have a bid opening on the June 2nd meeting for Alum, the chemical used at that facility as part of IDEM regulations. Mr.

Stephens-Hotopp thanked Mr. Barlow for all his help regarding the GMAX Contract as well as the Long-Term Control Plan Project and addressing neighborhood construction concerns. Mr. Barlow introduced Mr. Conrad for his Department update.

Department Head Update. – Rick Conrad, BWQ Director. Mr. Conrad said his office is the MSD's water quality testing and enforcement agency. He said they implement the federally mandated pretreatment program as well as compliance managing for the WPCF. Mr. Conrad said he wanted to update the Board on something that they do not have to do very often, an emergency spill response. He said last week there was a call from a resident who witnessed a red liquid being discharged into Buck Creek southwest of town. Mr. Conrad said once they arrived it was obvious that they were looking at off road diesel fuel from the color and smell. He said they conducted tracking to see if they could locate the source of the fuel, put up some absorbent booms to mitigate the spill and notified IDEM. Mr. Conrad said they were hunting for something like an agricultural incident or a construction site spill. He said after a few hours it was narrowed down to one single storm basin but were unable to find the exact source. It did not look like it was a continuous flow at that point though. Mr. Conrad said he contacted some facilities that he knew used that type of fuel and one of those was Progress Rail. He said Progress Rail said they were having problems with their diesel fuel through a break in a fuel line, but they thought it was contained on site, so they seemed surprised to receive the call. Mr. Conrad said they did a walk thru of their facility and they did have a nice containment area where they did have fuel pooled and a cleanup taking place. Upon further investigation it looked like their water oil separator was designed to take any spills and put them into what would be a tertiary tank was also sending a portion to a nearby storm drain. Mr. Conrad said they believe their total loss was around 350 gallons with about 150 gallons being sent to the storm drain. He said Progress Rail was identified as the responsible party and they were required to initiate a cleanup of the stream. He said the biggest concern is if there is any fuel left in the storm drain so they are working with our Engineering department and Progress Rail to televisive the pipes to make sure there is nothing left there. Mrs. Brothers-Bridge thanked Mr. Conrad for working with Progress Rail to get this issue addressed. Mr. Conrad said Progress Rail has been cooperative. All Board members echoed Mrs. Brothers-Bridge. Mr. Brand asked if Progress Rail should have contacted the BWQ as part of their spill response. Mr. Conrad said that was the first question to them because even if the spill seemed to be contained, they should have contacted the BWQ or at a minimum IDEM. He said that should have been a requirement. Mr. Conrad said because it is an outside fuel storage facility, they would have separate notifications to MSD but that should have been a requirement to notify IDEM. He said now knowing about the storm drain it will be an added requirement in the future to contact BWQ as well even if they believe it was contained.

New Business:

1. Resolution 2021-06, A Resolution Awarding Build-Operate-Transfer Transaction and Authorizing Document Execution of Performance Services Contract. – Brian Stephens-Hotopp, Board Vice-President. Mr. Stephens-Hotopp said this is going back to the Public Hearing regarding the Solar Projects. He said this just lays out the groundwork for the Agreement and the process for those project locations. Mr. Stephens-Hotopp said at our next meeting we will ideally be entering into a contract and development. He said today is not the actual Agreement, but we are acknowledging that we have gone through the process of qualification reviews and are proceeding through the request for that contract. Mr. Stephens-Hotopp said this is like what we have done in the past with our GMAX projects so it should have a similar feel. Mr. McKinney said he had an opportunity to review the proposed Resolution and matched it up with the statute covering the BOT contracts, and there are no concerns in his opinion. Mr. Brand said the Solar Project will help reduce our carbon footprint, reduce energy costs, and avoid a rate increase on the users in the future so he feels we are taking the right steps forward. Mr. Stephens-Hotopp said all the financing is factored into the net savings that has been projected in a payback period of 16 years and after that timeframe all savings will offset any energy costs, we bare

running our facilities. He said this sets the District up to be saving significant money in the future. Mrs. Brothers-Bridge said in the presentation the company said they are ready to secure the materials to move forward at the Plant, but we are not ready to move forward until our next meeting so is there any concern with that. Mr. Stephens-Hotopp said the Board is making the next procedural step to enter the contract and GM, in good faith, is securing that pricing for us ahead of time. He said we are not financially liable yet. Mr. Stephens-Hotopp made a motion to approve Resolution 2021-06, A Resolution Awarding Build-Operate-Transfer Transaction and Authorizing Document Execution of Performance Services Contract. Mrs. Brothers-Bridge seconded the motion. The motion was approved (5-0).

1. Bid Opening for On-call Paving Services for 2021. – John Anderson, District Engineer. Mr. Anderson said there was only one bid submitted for this pavement and curb restoration that would take place behind MSD’s construction crew. The bid was from E & B Paving out of Muncie, IN for \$2,338,560.00. Mr. Anderson asked the Board to take the bid under consideration and legal review. Mr. Stephens-Hotopp moved to approve that we take the bid under consideration and legal review. Mr. Evans seconded the motion. The motion was approved (5-0).

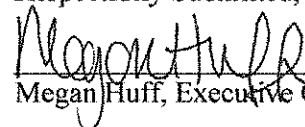
Additional Board Topics: Mrs. Brothers-Bridge said she has noticed a lot of pollution and litter throughout the community and encouraged the citizens to do their part to get trash disposed of properly. She also reminded that this weekend is Mother’s Day and wished a Happy Mother’s Day to all our employees who are mom’s as well as her own mom. There were no further Board comments.

Mr. Barlow said he would like to remind the citizens that if they are grilling out this season with charcoal, please do not dump the charcoal into a toter or dumpster. He said we had an incident where our dumpsters caught fire from the hot coals that were thrown in by a resident. Mr. Barlow said he was told by Phil Reagon, Sanitation Department, that this has happened in toters many times as well.

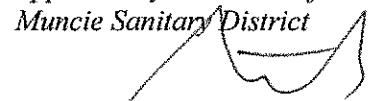
Public Comments: There were none.

Adjourn: Mr. Stephens-Hotopp said the next Board meeting will take place on May 19, 2021. Mrs. Brothers-Bridge moved to adjourn the meeting. Mr. Smith seconded the motion. The motion was approved (5-0).

Respectfully Submitted,


Megan Huff, Executive Office Manager

*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


David Smith, Board Member