

Board Minutes for the Board of Sanitary Commissioners Meeting of August 11, 2021

THE BOARD OF SANITARY COMMISSIONERS conducted a regularly scheduled meeting.

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

Excused absences: Mr. Brand said Joseph Evans has resigned from the MSD Board of Commissioners as Board Secretary and Member effective at close of business on August 6, 2021.

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

Public present: no one signed in

Consideration of Minutes: Mrs. Brothers-Bridge moved to approve the Board Meeting Minutes as submitted for the July 28, 2021 meeting. Mr. Smith seconded the motion. The motion was approved (4-0).

Consideration of Claims: Mrs. Brothers-Bridge said she would like to draw the Board's attention to a USI Insurance Services item for an annual Workman's Comp. claim totaling \$13,101.65 and another for \$15,122.76. She said there is a charge for Specialty Earth Sciences for \$1,890.00 for work at the previous Sanitation Department property and IDEM is expected to reimburse us for this work. Mrs. Brothers-Bridge said there is a claim totaling \$18,000 to ESRI for their work with our IT Department to produce live maps. She said there is a claim to BioChem for Polymer for our belts and Calcium for \$16,806.00. Mrs. Brothers-Bridge said there is another claim to Specialty Earth Sciences totaling \$26,456.96 for work done at our Plant to find potential site placement for our solar panels. She said we have various claims totaling \$6,750.00 for in our Education & Outreach Stormwater account for Camp Prairie Creek. Mrs. Brothers-Bridge said as far as she can see it was tremendously well attended and appreciated by all. Mr. Stephens-Hotopp said there is also a claim to Coop's Lawncare for monthly mowing of the levee totaling \$16,000. There were no further comments. Mr. Smith moved to approve the proposed claims totaling \$364,614.72. Mr. Stephens-Hotopp seconded the motion. The motion was approved (4-0).

Old Business:

None.

District Administrator Update – John Barlow. Mr. Barlow said there will be an East Central Neighborhood Association Meeting on the 17th and anyone who is interested may attend. He said there will be further discussion regarding the Washington Street sewer separation project. Mr. Barlow said some of the Board may have observed some of our employees out yesterday cleaning up the large log placements along the dam downstream the River. He said this is just the beginning of this effort and we have a permit in to eventually put an access road along the north bank near the High Street Bridge. Mr. Barlow said eventually we will be taking bids and proposals to do the full log jam removal which has become quite enormous on the upstream side of the High Street Bridge. He said at some point the County will be brought into that discussion once we get more details. Mr. Barlow said he would like to give credit to the MSD employees who were out here taking care of this for us. Mrs. Brothers-Bridge said thank you for the log removal to Mr. Barlow and the MSD staff. She asked if there was an optimal time when the log removal should take place. Mr. Barlow said the low water is the optimal time that we try to attempt the removal. Mr. Stephens-Hotopp said thank you to our staff as well as

Flatland Resources for gathering the permitting. He said as we can remove the logs if there are other departments that should be included or involved, we should reach out to them. Mr. Brand thanked Mr. Barlow for the update and thanks to the MSD team that was involved in yesterday's efforts. He asked if the logs that are falling are adjacent to the River or coming from somewhere else. Mr. Barlow said his understanding is that they come from far upstream from the banks. Mr. Tevis said some of logs are from the emerald ash borer and others are illegally dumped on the shoreline. Mr. Brand asked if our Code Enforcement team could assist with that dumping investigation. Mr. Barlow said if it is coming from areas outside of the District, there would probably be different entities involved. Mr. Brand said we should try to track where that is coming from especially if someone is doing something improper by dumping these logs illegally. He asked if we were working on the cost for the access road currently. Mr. Barlow said yes. Mr. Brand said if citizens are wondering why, we do not work on clearing these log jams in the spring, could you explain. Mr. Barlow said DNR has a regulation that from the first of April to the end of July we cannot disturb these areas due to small mouth habitat spawning times.

Department Head Update –Rick Conrad, BWQ Director. Mr. Conrad said as you know our Department is responsible for implementing the industrial pretreatment program which is a Federally mandated program. He said this means we conduct regular permitting, monitoring, and sampling of local industries that may have the potential to discharge water with pollutants that can interfere with the way the Water Pollution Control Facility operates or even pass through into the White River and affect wildlife. Mr. Conrad said he is happy to report that all our industries are currently in compliance. He said they do an excellence job and we have had good cooperation with our local industries. Mr. Conrad said recently though we have been working with one new user, Canpack, with an anticipated start date of the fall of 2022. He said they will be qualified as significant user based on the amount of water that they will discharge, and they will be our largest discharger of water by about three times. Mr. Conrad said EPA will consider them a categorical industrial user which means they will have very specific discharge limits that they have to meet. He said we will apply limits to many facilities, but in certain cases the EPA will set it up and are usually very strict. Mr. Conrad said so far Canpack seems very proactive and aware of what they need to do to meet those limits. Mr. Conrad said the BWQ Laboratory that conducts our chemical analysis were recently awarded the Chemical Excellence Award through the Indiana Water Environment Association. He thanked the Laboratory Manager, Mr. Chuck Jones which some may know as Rick Jones, for doing a fantastic job running the lab. Mr. Conrad said Chuck has been with us for 25 years and running the lab for about 15 years. He said we are frequently asked for advice or asked questions by other labs throughout the state, so he knows they are doing an excellent job. Mr. Conrad said since about 2004 we have been periodically working with a group called the White River Watershed Project and they are a community driven group looking at non-point source pollution in waterways. He said they are grant funded and some of the grants require an extensive chemical sampling analysis. The BWQ has been able to assist with some of those analysis in our lab since the tests they run are almost identical to what we are doing it is very easy to assimilate those into our work and then we bill them for any equipment costs. Mr. Conrad said it could be incredibly expensive to get those tests done through a private lab, so we are doing some work with them this summer. He said we are also working with the DNR on an interesting project to help augment freshwater mussel populations. Mr. Conrad said this project has us rearing young mussels in a controlled setting and a handful of places across the country are doing that this year. He said we have a Biologist, Laura Bowley, who is one of the few mussel experts in the state so DNR has asked us to help with that project. Mr. Conrad said the goal is to start with a relatively tolerant species of mussel, try to rear them and reintroduce them to sites across the state. He said eventually we will work our way up to more sensitive species if this is successful. Mr. Conrad said from talking to other facilities across the country that are doing this it seems to be going well for the most part and others are having issues keeping the mussels alive. He said mussels are great indicators of water quality and at improving water quality. Mr. Conrad said we have our staff out looking for any opportunities to explain what we do at High Schools or Ball State. He said we were recently part of Steam night at Yorktown where one of the focuses was science related careers. Mr. Conrad said if there are any questions, he would be happy to answer them. Mr. Brand thanked Mr. Conrad. Mrs. Brothers-Bridge congratulated the BWQ on the Lab award. She asked Mr. Conrad how many employees were housed at BWQ. Mr. Conrad said we have 11

employees. Mr. Stephens-Hotopp thanked Mr. Conrad on the update. He said it is extremely impressive to hear about everything that is going on at the BWQ with the various agencies and research opportunities. Mr. Stephens-Hotopp said keep up the good work. Mr. Smith said thank you for the great job you and your team are doing. Mr. Brand said same thing and to tell Chuck congratulations on the award. He said there was a diesel spill a few months ago and can you provide a quick update on that. Mr. Conrad said yes, once we identified the spill and located the source, IDEM will take over the response. He said we will still be involved, but they will basically run the clean up response after that. Mr. Conrad said Progress Rail had TriMedia clean up the spill almost immediately. He said the spill ended up being small in the stream but there was a lot backed up in the storm lines still and we helped make sure they could clean that out. Mr. Conrad said they separated the diesel line from the storm line and will be looking at a new way to manage the fuel lines to ensure there are no connections possible to drain to the storm drains or sanitary lines. He said he believes last week they closed the incident and there was no evidence of any fish kills or environmental impacts. Mr. Brand asked if Mr. Conrad was confident in their corrective action to separate the lines from the drains. Mr. Conrad said he would describe their response as very thorough. Mr. Brand thanked Mr. Conrad for engagement with the young folks in the community and working with the schools. He said he is also still looking for the fish shocking invitation. Mr. Conrad said it is the perfect time of year and he will get something set up.

New Business:

1. Amendment #1 to On-Call Services Contract for Design Engineering with Flatland Resources, LLC. – John Barlow, District Administrator. Mr. Barlow said we have a current on-call contract with Flatland Resources for a variety of services and we spoke of some of them earlier regarding the permitting along the White River as well as the expertise on the Levee. He said this contract also has a not to exceed limit of \$75,000. Mr. Barlow said he is asking the Board to approve an amendment to that contract for another \$75,000 for a total not to exceed \$150,000. He said this will be due to some upcoming work we have, if approved, on the next agenda item. Mrs. Brothers-Bridge said to confirm it would be for a total of \$150,000. Mr. Barlow said that is correct. There were no further questions. Mrs. Brothers Bridge moved to approve Amendment #1 to the On-Call Services Contract for Design Engineering with Flatland Resources, LLC. Mr. Stephens-Hotopp seconded the motion. The motion was approved (4-0).

2. Supplemental On-Call Services Contract for Design Engineering with Flatland Resources, LLC. – John Barlow, District Administrator. Mr. Barlow said this would be related to the increase of the original on-call contract that we discussed above. He said this supplemental on-call, or task order, will be for the Riverside Avenue stormwater drainage improvement and pavement restoration project. Mr. Barlow said we have received a figure of \$74,885.50, so he is asking for approval so Flatland Resources can procure services for this project. Mr. Stephens-Hotopp said this is for the drainage and road work along Riverside Avenue. He said some of the items identified are lump sum deliverables and some are time and materials deliverables. Mr. Stephens-Hotopp said this is not changing the contract amount for the on-call agreement with Flatland Resources, but this it is allowing the execution of a task order to preform this type of design work. Mr. Brand said there is a final note that says not including maintenance of traffic which is to be invoiced on a time and material basis, so this is clearly not including traffic control. Mr. Stephens-Hotopp said that is specifically addressing the maintenance of traffic regarding the pavement coring and that work has already been executed. He said the Geotech had that in their agreement, but he asked them to break it out separately so we could pay them for what they needed instead of a lump sum. Mrs. Brothers-Bridge moved to approve Supplemental On-Call Services Contract for Design Engineering with Flatland Resources, LLC. Mr. Stephens-Hotopp seconded the motion. The motion was approved (4-0).

3. Resolution 2021-16, a Resolution Amending to Salary Resolution for 2021. – John Barlow, District Administrator. Mr. Barlow said we have had in our Salary Resolution for several years, a type of siphon that helps fund the Controller's office positions for the various services they assist us with such as accounts payable, payroll, Board claims, etc. He said they hired an Assistant Controller this year which was not originally

included in the Salary Resolution as a position we would assist in helping to pay. Mr. Barlow said for the remainder of 2021, and retroactive back to the hire date of the Assistant Controller, a supplemented amount has been decided on between the Controller and me of \$2.21/hr. He said this would be for the remainder of 2021 and then in 2022 we will draft an updated agreement that is amenable between all parties for the 2022 Salary Resolution. Mr. Stephens-Hotopp said to be clear this is retroactive for the entire period that this position has been filled, right. Mr. Barlow said yes and to be specific that date was January 1, 2021. Mr. Stephens-Hotopp said this supplemental payment is something that MSD has done with the Controller's Office to recognize there are several services provided to the District on the City's behalf. Mr. Brand said he way he understands this is that maybe this is not really a net add for the District because we did not replace an employee this year who left by attrition. Mr. Barlow said yes, we did not replace that employee that worked in the Controller's Office. He said if you were to do the numbers this is probably a savings on our end. Mrs. Brothers-Bridge moved to approve Resolution 2021-16, a Resolution Amending Salary Resolution for 2021. Mr. Smith seconded the motion. The motion was approved (4-0).

4. Bid Opening for the Riverside Drainage and Infrastructure Project. – Brian Stephens-Hotopp, Board Vice-President. Mr. Stephens-Hotopp said we had advertised a project to be bid on, but there were no plan holders, nor did we receive any bid packets to open today. He said we will be working with Flatland Resources to plan a readvertisement and to make sure the Contractors are informed of the new timeline and schedule.

5. Memo of Understanding between MSD and the City of Muncie Regarding the Muncie Arts and Cultural Trail. – Brian Stephens-Hotopp, Board Vice-President. Mr. Stephens-Hotopp said the Muncie Arts and Cultural Trail is a project that is currently being funded through the MPO, so that involves a 20/80 match with State funds through INDOT. He said part of that is addressing several trail improvements, but there is also some stormwater and street improvements included in that project. Mr. Stephens-Hotopp said we are at the stage where we are looking at how the local match is going to come from in terms of funds or fundraising. He said there are certainly several stormwater improvements included and we have identified the cost of those so as part of trying to contribute and participate with that project this agreement would have MSD use up to \$200,000 from our Stormwater fund to provide the local match. Mr. Stephens-Hotopp said the project is scheduled to go out for bidding in the fall of 2022 and we would expect construction to take place over the 12 months following. Mrs. Brothers-Bridge said to clarify we are using our Stormwater funds to help with the stormwater portion of the Arts and Cultural Trail. Mr. Stephens-Hotopp said that is correct. Mrs. Brothers-Bridge said she likes it. Mr. Brand asked if we are authorizing Mr. Barlow to sign on MSD's behalf. Mr. Stephens-Hotopp said he believes it should be Mr. Brand signing as the Board President. Mr. Brand said okay. Mrs. Brothers-Bridge moved to approve the MOU between the MSD and the City of Muncie Regarding the Muncie Arts and Cultural Trail. Mr. Smith seconded the motion. The motion was approved (4-0).

Additional Board Topics: Mr. Stephens-Hotopp asked if Mr. Brand would like him to bring up the filling of Board officer positions. Mr. Brand said go ahead. Mr. Stephens-Hotopp said as mentioned Joseph Evans turned in his resignation to the Board last week and he filled the Secretary position on the Board. He said we need to take the time to review the slate of officer positions on the Board. Mr. Brand said he agrees, and he would like to take the time to thank Joe for all his years of public service. He said he served years on the Delaware Regional Wastewater District Board, the Muncie Sanitary District Board and brought a wealth of knowledge to both organizations. Mr. Brand said Joe helped him tremendously over the last year and he appreciates all that he has done. He believes MSD is better off having had Joe be a part of it and hopes to speak with Joe often. Mr. Smith said he would like to reach out to Joe and let him know thank you for the service as well. Mr. Smith said he would like to nominate Mrs. Brothers-Bridge for the position of Board Secretary. Mr. Stephens-Hotopp seconded the motion. The motion was approved (4-0). The Board members congratulated Mrs. Brothers-Bridge. There were no other comments.

Public Comments: There were no public comments.

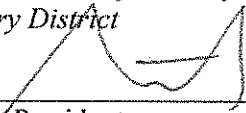
Adjourn: Mr. Brand said the next Board meeting will take place on August 25, 2021. Mr. Stephens-Hotopp moved to adjourn the meeting. Mr. Smith seconded the motion. The motion was approved (4-0).

Respectfully Submitted,



Megan Huff, Executive Office Manager

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



Stephen Brand, President



Tonya Brothers-Bridge, Secretary



Brian Stephens-Hotopp, Vice President



David Smith, Board Member