

Board Minutes for the Board of Sanitary Commissioners Meeting of June 15, 2022

THE BOARD OF SANITARY COMMISSIONERS conducted a regularly scheduled meeting.

Board members present; Stephen Brand, Board President; Tonya Brothers-Bridge; Adam Leach, Secretary and David Smith, Board Member. Excused absences: none.

Department managers and staff present; John Barlow, District Administrator; Drew Hall, Legal Counsel; Phil Reagon, Sanitation Superintendent; Jason Ingram, WPCF Superintendent; Deana Cox, Financial Manager; Harvey Wright, Sewer Maintenance Superintendent; Mike Reno, Engineering Administrative Manager; Megan Huff, Executive Office Manager; and Maggie Bales, Executive Office Manager.

Public present: Angie Pool, Cardinal Greenway; and Phil Tevis, Flatland Resources.

Consideration of Minutes: Mr. Leach moved to approve the Board Meeting Minutes as submitted for the meeting of May 18, 2022. Mr. Smith seconded the motion. The motion was approved (4-0).

Consideration of Claims: Mr. Brand entertained a motion to consider the register of claims totaling \$962,064.40. Mr. Brand asked for any clarification of the claims. Mrs. Brothers-Bridge stated on page 3 of 19 our employees attended some training that we paid for. She stated we paid Cover-tek \$570. Mrs. Brothers-Bridge stated we paid \$3,000 to Environmental Staffing Resources. She stated we had some engineering work that was done by J.G. Case Construction in the amount of \$17,100 for testing and landscaping restoration for Fuson Road sanitary sewer extension project. Mrs. Brothers-Bridge stated we paid J.G. Case Construction \$52,968.90 for retainage for the Fuson Road expansion project. She stated for stormwater we paid J & W Construction \$30,600 for the Briar, Wiltshire, and Hampshire project. No further comments. Mr. Brand entertained a motion to approve the register of claims totaling \$962,064.40. Mrs. Brothers-Bridge moved to approve. Mr. Smith provided second. The motion was approved (4-0).

Old Business:

None.

District Administrator Update – John Barlow. Mr. Barlow stated we received a \$90,000 grant for Project Blue Ways from the Ball Foundation for canoe and kayak launches to be created and/or replaced. He stated we are in the process of deciding the best way to utilize the grant. Mr. Barlow stated he visited the jobsite at CSO 28 on Washington Street with Adam Leach earlier this week. He stated they are making really good progress and moving to the east. Mr. Barlow stated Friday, June 17, 2022, is National Trashman Day, we are having an outing today to celebrate and recognize the guys. He stated we received the Volkswagen Grant and invited Phil Reagon to the stand to speak on it. Phil Reagon stated in late 2019 early 2020 we applied for a VW Diesel Grant. He stated this is to remove old diesel trucks off the road and to replace them with new compressed natural gas trucks. Mr. Reagon stated we received a grant for about \$184,139.90. He stated we got the trucks in September of last year and received the grant money this week that was deposited into our account. All board commissioners expressed their congratulatory remarks to Mr. Reagon. Mr. Barlow recognized Megan Huff in her last week working for the Sanitary District. He stated that Mrs. Huff has been training Maggie Bales in preparation for her leaving. Mrs. Brothers-Bridge stated her congratulations and thanks to Megan Huff. She stated for Mr. Barlow and Mr. Reagon, she received an amazing complement for Cedric. Mrs. Brothers-Bridge stated a lady approached her about a friend who insist she wheels the wheelchair to the window so she can watch her trashman and wave at him. She stated Cedric has created a fan club and goes out of his way to get the trash, takes it to the truck, and waves. Mr. Barlow stated his mother is one in the fan club. He stated Cedric went out of his

way to sing her happy birthday a couple weeks ago. Mrs. Brothers-Bridge stated this is just a reminder that no matter the day or the job, we can make someone's day by doing the little things. Mr. Leach stated in the short time he has known Megan Huff, she has done excellent work. He stated it is a loss for the District and that Public Works losing Ms. Bales is a loss for Mr. Leach. Mr. Smith stated his congratulations and wishes Mrs. Huff well. Mr. Brand stated his congratulations to Mrs. Huff and welcomed Ms. Bales aboard. He stated for the Project Blue Ways it is important that we put in a specific area where we put in the launches, so it does not create erosion issues. Mr. Barlow stated we also do it for the safety of those launching their canoes or kayaks. He stated we already have one on Luick Avenue, that needs to be improved. Mr. Barlow stated all other launches will be installed to keep the public is safe, not to create any additional erosion or environmental issues, and to make the public aware that these exist.

Department Head Update – Jason Ingram, WPCF Superintendent. Mr. Ingram stated he has about four updates. He stated the first update is that we have four new Wastewater Operators trained and now on shift. Mr. Ingram stated Kevin Smith will be retiring on July 15 of 2022. He stated Mr. Smith has been with WPCF for 10 years and will be greatly missed. Mr. Ingram stated he is already in the process of hiring another Wastewater Operator to fill Kevin's place. He stated the new turbo blower has been ordered and has an anticipated delivery ate of August 12, 2022. Mr. Ingram stated we are seeking bids for aluminum sulfate. He stated this is what we use for phosphorus removal at the treatment plant. Mr. Ingram stated a notification for bids has been placed in The Star Press on the dates of June 10 and June 17 of 2022. He stated bid packets will be opened and read at the Muncie Sanitary District board meeting on July 13, 2022. Mr. Ingram stated we started using aluminum sulfate in August of 2021 and to this date we have used 19,320 gallons of aluminum sulfate and have spent a total of \$18,459.84 on aluminum sulfate. Mrs. Brothers-Bridge ask for clarification that the aluminum sulfate is a new IDEM requirement. Mr. Ingram stated yes for phosphorus removal. Mrs. Brothers-Bridge stated this is a new expense as of 2021. Mr. Ingram stated yes this is a new expense as of August of 2021. Mrs. Brothers-Bridge stated this is our next bid for the next year. Mr. Ingram stated yes, it is for the yearly supply. Mrs. Brothers-Bridge stated her congratulations toward Kevin Smith for his retirement. She asked if his replacement needs to be at a certain certification level. Mr. Ingram stated no. Mrs. Brothers-Bridge asked what level Mr. Ingram is. Mr. Ingram stated a level four. He stated it is hard to find a level four certification, so a lot of the new hires do not have certifications. Mrs. Brothers-Bridge asked if we were not looking for someone with certification. Mr. Ingram stated no, if someone has certification that is great, but we will train those who do not have certification. Mrs. Brothers-Bridge asked if we have any other level four certifications. Mr. Ingram stated we have a few. He stated Arron Wilson and Rick Conrad have a level four certification. Mr. Leach stated his appreciation to Mr. Ingram for keeping the Wastewater Control plant clean and looking good.

New Business:

1. Amendment No. 3 to Professional Services Contract between MSD and Wessler Engineering, Inc. – John Barlow, District Administrator. Mr. Barlow stated this is amendment is amendment number 3 to an existing contract we have with Wessler Engineering, they are one of the on calls for our stormwater project. He stated they have done design on Indian Village and Lyn Mar stormwater projects. Mr. Barlow stated he gave them a design and evaluation of stormwater infrastructure project to investigate in the Drum Addition and Middle Park area of the Muncie Sanitary District. He stated this area is an area within the Muncie Sanitary District but not in the area of the City of Muncie. Mr. Barlow stated Wessler is involved in ascertaining what can be done in that area. He stated in order to do the work as needed, we are adding an amendment to the contract with Wessler Engineering. Mr. Barlow stated there is a not to exceed for \$400,000. He asked the board to approve the amendment so the work can continue. Mrs. Brothers-Bridge asked how we arrived at the not to exceed \$400,000 number. Mr. Barlow stated they did an estimate on the scope of work and level of design that would take place including geotechnical and surveying. He stated they come up with that number, it is a not to exceed so it is not undercut. Mrs.

Brothers-Bridge asked if “they” is Wessler Engineering. Mr. Barlow stated yes, “they” is Wessler Engineering. Mr. Leach spoke to Mrs. Brothers-Bridge comment. He stated that there are two options being considered. Mr. Leach stated option one is doing a true storm sewer system or option two is the alternative for the construction of a detention pond. Mr. Brand entertained a motion to approve amendment number 3, not to exceed \$400,000. Mr. Leach moved to approve. Mr. Smith provided second. The motion was approved (4-0).

2. Opening of RFP for MSD Legal Services – David Smith, Board Member. Mr. Smith stated back in May we published a request for proposals for legal services for the Muncie Sanitary District. He stated the bid packets were due May 31, 2022, at 4:00PM. Mr. Smith stated some of the services provided to us under the fixed retainer fee: prepare for and attend board meetings; prepare for and attend other meetings requested by the District Administrator or MSD Board; prepare resolutions; review bids, resolutions, letter received by MSD; review property easements prepared by others review and respond to legal correspondents; provide written status updates to District Administrator and/or MSD Board; provide a monthly summary report on any outstanding or unresolved legal matters to the MSD Board; review, draft, and negotiate contracts and leases; advise on corporate and tax-exempt organization legal issues; advise on individual labor and employment matters; review personnel, fiscal and other policies, as well as corporate bylaws; advise on government grant and contract issues; advise on responses to subpoenas, court orders, and requests for information from third parties; and other legal services as needed. Mr. Smith stated anything outside the scope of the retainer firm, it is asked that the offeror be prepared to perform the following: any litigation, mediation, or arbitration matter involving MSD; any preparation for potential litigation; collections; and sewage liens. He stated we received a few proposals from: Dennis Wenger & Abrell; McKinney & Company; and DeFur Voran. Mr. Smith stated these are the only three returns that met the deadline of May 31, 2022, at 4:00PM. He stated going forward we will review the packets and come back at the next meeting with possible discussion. Mr. Smith stated as required by Indiana Law this was published in The Star Press on the dates of May 6 and May 13 of 2022. Mrs. Brothers-Bridge stated for clarification each board member will get a copy of each of the proposals to review. Mr. Smith stated yes at the end of the meeting. Mr. Leach asked Aubrey Crist if the Board met all the requirements for publishing RFPs under the Indiana State Law. Aubrey Crist stated yes, the Board went above and beyond what is required by Indiana State Law. No further discussion.

3. Change Order No. 1 to Project 8ST-22 Briar and Wiltshire-Hampshire – Mike Reno, Administrative Manager. Mr. Reno stated on project 8ST-22 we put out a project for several inlets and pipe. He stated we have a change order for some unforeseen circumstances on concrete coming around the pipe. Mr. Reno stated we had to have 30 feet of pipe flowable filled. He stated this was a pipe that was on the outside of a manhole. Mr. Reno stated the original bid was for \$29,000 and the change order is for \$1,600. He asked for the Board to approve the change order. Mr. Brand stated for the benefit of the public he will read the change order description. He stated the original scope of work included replacing and/or repairing storm sewer structures and storm sewer pipe. Mr. Brand stated Upon construction of the project, there were two additions necessitated. He stated he first was to replace five feet of 15-inch vcp sewer main with 15 feet of 15-inch pvc pipe. Mr. Brand stated the second was to expose, flowable fill, and seal 25 feet of 10-inch pvc pipe to be abandoned in place. He stated cost includes all associated material, labor, and equipment. Mr. Brand stated the original cost was for \$29,000 and the change order is to increase the contract price by \$1,600. Mr. Brand entertained a motion to approve change order number one as presented. Mrs. Brothers-Bridge moved to approve. Mr. Leach provided second. The motion was approved (4-0).

4. Memorandum of Understanding between the City of Muncie, MSD, and the Cardinal Greenway – John Barlow. Mr. Barlow stated we have a three-way MOU with the City of Muncie, MSD, and the Cardinal Greenway, where INDOT would provide a \$3 million grant. He stated the area of this infrastructure and levee work is in the Kitselman Trailhead out on East Jackson. Mr. Barlow stated MSD

has infrastructure that runs on railroad right-of-way, through the levee, and other infrastructure out on the street. He stated we by matching \$650,000 we could probably get about double the amount of work done as far as monetary wise. Phil Tevis, Flatland Resources, stated our job is to coordinate between agencies, find money, and make sure the logistics work between all engineers involved. He stated one of the discoveries here is that there is a storm pipe installed by the railroad and by the Army Corps of Engineers on railroad property. Mr. Tevis stated all the stormwater goes along the railroad right-of-way to the levee. He stated there is some damages to the pipe, and after discussion it is cheaper to replace the pipe rather than replace it in place. Mr. Tevis stated the railroad would most likely never let the district in to work on the pipe. He stated there were some rough cost estimates that came to about \$1.2 million and \$1.3 million dollars. Mr. Tevis stated we went back to INDOT for federal aid for the Kitselman Project. He stated INDOT can incorporate this into their project, meaning you are leveraging money at 50 cents on the dollar. Mr. Tevis stated for the City of Muncie, MSD, and the Kitselman Trailhead it would be 20 cents on the dollar, so we are double leveraging this match. He stated the city has an obligation to pay the match for the engineering work and the match for the inspection, and MSD would provide the match that takes care of the stormwater plus builds the rest of the trailhead, and levee work. Mrs. Brothers-Bridge stated the estimates were \$1.2 million. Mr. Tevis stated the estimates are between \$1.2 million and \$1.3 million. Mrs. Brothers-Bridge stated we are getting a 3-million-dollar grant. Mr. Tevis it is 3 million dollars to build the Kitselman Trailhead, if the Sanitary District pays at 100% of the cost to replace the stormwater improvements and levee upgrades, it is in the \$1 to \$1.3 million dollars. He stated if we make the stormwater improvements apart of the 3-million-dollar grant, the whole community buys it on an 80/20 grant, you are providing \$650,000 and would save \$650,000. Mr. Leach stated this is a continuation of everyone's efforts to play well in the same sandbox. He stated MSD is getting some necessary infrastructure, the Greenway is being improved, and the community is being enhanced. Mr. Brand stated for clarification that this is a not to exceed \$650,000. Mr. Tevis stated that is correct, the \$650,000 will be the match for the 3 million dollars. He stated if we go over the 3 million dollars on the Kitselman Trailhead, we all have problems. Mr. Barlow stated when we do the replacement of the pipe, the new one will be off railroad land. He stated the new pipe will be in the City's land directly adjacent to the railroad land. Mr. Brand asked why it is important to do the project now. Mr. Tevis stated this goes into the bigger explanation of the cutoff levee, the Trailhead is dependent upon the construction of the cutoff levee. Mr. Tevis stated there is a levee on the west side of State Road 32 and eventually there will be a new levee on the east side. He stated the area in between will trap water and the stormwater function will take it to the river. Mr. Brand asked so if this is not done water will pond between the current levee and the new levee. Mr. Tevis stated that is correct. Mr. Tevis stated the main function here is State Road 32, which is the third busiest arterial in and out of the city. Mr. Brand asked if the cutoff levee would prevent State Road 32 from flooding in the future. Mr. Tevis stated that is correct. Mr. Brand entertained a motion to approve the MOU between the City of Muncie, MSD, and the Cardinal Greenway. Mrs. Brothers-Bridge moved to approve. Mr. Smith provided second. The motion was passed (4-0).

Additional Board Topics:

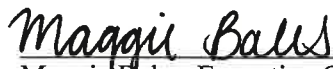
1. Mr. Leach stated just to continue addressing the IT problems a couple weeks ago. He stated the Sanitary District has not forgotten about the outage and are currently looking into another service provider, or a parallel service provider. Mr. Leach stated we are looking at all systems that IT has within the Sanitary District to refine, add redundancy, and/or add resiliency. He stated we are considering a cellular option as a tertiary backup. Mr. Leach stated we are basically looking to build a better box that is less likely to break. He stated this is a big charge for the IT team to take on and a significant amount of work. Mr. Leach stated we take it very seriously that we were unable to be communicated with except in person. He stated from his point of view that is unacceptable. Mr. Leach stated communication within suffered as well. He stated we are both willing and able to invest in fixing that, so it does not happen again. Mr. Leach stated we have a duty to the public to do our best to fix these issues.
2. Mrs. Brothers-Bridge recognized Megan Huff and called her to the stand. She stated she is sad to see

Mrs. Huff go, but stated she is excited and proud of Mrs. Huff and Mommas on a Mission. Mrs. Brothers-Bridge stated the Board is sad to see her go as she was a big part of the office and preparing for items the Board. She thanked Mrs. Huff for working with all constituents and department heads. Mrs. Brothers-Bridge stated Mrs. Huff will be so missed and presented a gift to Mrs. Huff.

Public Comments: Angie Pool, Cardinal Greenway CEO, 700 E Wysor St. Ms. Pool stated her thanks and appreciation to the Board and to MSD. She stated in her time at the Cardinal Greenway since 2008, she feels the partnership has grown. Ms. Pool stated Adam and John are always so helpful with new ideas and thoughts. She stated she is excited for the future of the partnership.

Adjourn: Mr. Brand stated our next regularly scheduled meeting will be held on June 29 at 11:30 a.m. Mrs. Brothers-Bridge made a motion to adjourn the meeting for June 15, 2022. Mr. Leach seconded the motion. The motion was approved (4-0).

Respectfully Submitted,



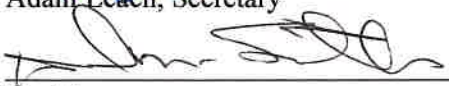
Maggie Bales, Executive Office Manager

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


Stephen Brand, President


Adam Leach, Secretary


Tonya Brothers-Bridge, Vice President


David Smith, Board Member