

Board Minutes for the Board of Sanitary Commissioners Meeting of July 27, 2022

THE BOARD OF SANITARY COMMISSIONERS conducted a regularly scheduled meeting.

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

Department managers and staff present; John Barlow, District Administrator; Mark McKinney, Legal Counsel; Deana Cox, Financial Manager; Harvey Wright, Sewer Maintenance Superintendent; John Anderson, District Engineer; Jason Ingram, WPCF Plant Supervisor; Barnell Vance, Sanitation Supervisor; and Maggie Bales, Executive Office Manager.

Public present: Phil Tevis, Flatland Resources.

Consideration of Minutes: Mr. Brand entertained a motion to approve the minutes as presented. Mr. Leach moved to approve the Board Meeting Minutes as submitted for the meeting of June 13, 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 \$2,578,268.20. Mr. Leach stated on page two of 16 there is a claim for \$9,139 for replacement toters. He stated they are not inexpensive by themselves, so we do that on a regular basis. Mr. Leach stated there is a claim for \$28,000 to Yardberry Landscape for the repair of a lateral on Memorial Drive. Mrs. Brothers-Bridge stated on that same page, five of 16, we purchased another truck and this one is for Engineering, purchased from Moe's Auto Sales for \$16,000. She stated on page 10 of 16 we paid Smith Family Services \$14,900 for the sixth mowing for the season. Mrs. Brothers-Bridge stated we continue to get positive feedback about their services. She stated on page 13 of 16, we paid Flatland Resources \$12,567.35 for work on High Street and McKinley. Mrs. Brothers-Bridge stated then \$85,355.60 for work on the Cardinal Greenway. She stated the largest payment that we're making in this cycle is to Bowen Engineering, and that's for \$1,511,788. She stated we paid United Consulting \$74,920.83. Mrs. Brothers-Bridge stated our final BAN payment to Bowen Engineering, we paid them \$17,855. She clarified that is the final payment for that particular BAN. Mr. Brand clarified that it was only the sixth mowing of the season. Mrs. Brothers-Bridge stated yes. Mr. Brand entertained a motion to approve the claims totaling \$2,578,268.20. Mrs. Brothers-Bridge moved to approve the register of claims. Mr. Smith provided second. The motion was approved (4-0).

Old Business:

1. Legal Services RFP – David Smith. Mr. Smith stated as you may recall that at our last meeting, we did take a vote and it was a split vote two to two. He stated at this time, he would like to take the opportunity to ask fellow Board members if they have any new information they might want to bring up. Mr. Smith stated he does not have any new information. Mr. Leach stated no change. Mrs. Brothers-Bridge stated no change. Mr. Brand stated no change. Mr. Smith recommended that the Board move on and potentially discuss this at a future meeting. Mr. Brand stated we will leave it on the table.

2. 2022 Aluminum Sulfate Bids. John Barlow stated there was internal discussion to determine that the annual cost will not meet the margin that requires bidding. He stated at this time we would ask the Board to reject the bids from the last meeting and move forward from there. Mr. Leach stated for clarification that the Board would be rejecting one bid from last meeting. Mr. Brand stated reflecting back on my bid tabulation sheet, it does look like it's well below the threshold. He stated Mr. Barlow's request is that we reject the bids. Mr. Brand stated he would accept a motion to reject the bids from the liquid aluminum sulfate supplier. Mr. Smith moved to approve. Mr. Leach provided second. Motion passed (4-0).

District Administrator Update – John Barlow. Mr. Barlow stated he has a few updates. He stated one, if anyone is looking at social media, they would see that Camp Prairie Creek is going on this week. Mr. Barlow stated it looks like it is absolutely packed, active, and all sorts of good stuff going on out there. He states many thanks to Jason Donati for putting the camp on for about 12 years. Mr. Barlow stated the camp filled up within about an hour and a half of putting it out for registration. He stated it looks like it's really a happening place out there, for the kids, a lot of learning going on. Mr. Barlow stated he would like to thank the other departments that are participating in that as well and just wanted to let everybody know that the camp was happening this week. He stated that hopefully they got under some cover before the rain today, but he thought they should have decent weather for the rest of the week. Mr. Barlow stated he received an email from Bowen Engineering, they plan on milling and paving Washington Street in early August. He stated that was sent out to their neighborhood association and they are coming into the final stages of that work as they move east toward Ohio. Mr. Barlow stated he wanted to say a special thank you and goodbye to Lance Summers from Bowen Engineering. He stated Lance is leaving Bowen for another opportunity and came in to talk to Mr. Barlow about that the other day. Mr. Barlow stated Friday is Lance's last day. He stated Lance has been just exemplary. Mr. Barlow stated especially the Washington State project. He stated Lance has made things go smoothly anytime we have had to deal with any of the projects, whether it's dealing with residents, contractors, or anything. Mr. Barlow stated Lance has just been a great person to work with. He stated we wish Lance the best of luck. Mr. Barlow stated Mr. Brand and he met with the Delaware Regional Wastewater District folks on Monday, just to touch base regarding ongoing negotiations with our contract renewal. He stated that was a very constructive meeting and a lot of good things came of it. Mr. Barlow stated we are going to meet again, later in August. He stated we are hopefully moving closer and closer to coming up with the terms of a renegotiation that that both parties are happy with. He stated we have the Touch-A-Truck opportunity or outing that is a combination between the city and MSD. Mr. Barlow stated that is happening on the 29th of this month, between 10 am and 2 pm, over in the parking lot, that is to the north of the fieldhouse. He stated we will have various rollingstock from most of the city departments and MSD departments. Mr. Barlow stated this is for people, kids, and residents to come take a look up close and personal. Mr. Barlow stated there will be food trucks at the event. He stated he would encourage anybody who's interested to come on out and see us. Mr. Barlow gave an update for the folks who live in Drum Addition. He stated he knows that they are very active in their drainage issues and asking me about it. Mr. Barlow wanted to let them know that we have completed the core sampling for the terrain in their area. He stated we plan on doing the survey early next month to move toward a final design to get them some drainage relief out there. Mr. Barlow stated we have done some televising of an existing pipe that runs to Buck Creek. He stated we know we have conduit to get water out of there, we just have to get it to the pipe. Mr. Barlow stated those are the ongoing steps. He stated it is hard for people to be patient when they have drainage issues in their front yard, but you cannot just start digging in the ground haphazardly. Mr. Barlow stated the last thing you want to do is create more problems. He stated it is part of the process and wanted to let those folks know that it is moving forward. Mr. Barlow stated we are committed to getting it done. He asked the folks of Drum Addition to stick with us, we will get them some relief as soon as we can get it designed and built. Mrs. Brothers-Bridge asked to clarify the time of the Touch-A-Truck event. Mr. Barlow stated 10 am to 2 pm on the 29th of this month. Mrs. Brothers-Bridge stated that Lance Summers with Bowen leaving is a big hit, he did terrific work for us. Mr. Barlow stated he came in the other day and explained it is a commute for him and his family. He stated this is a better opportunity for him and that we will miss him. Mrs. Brothers-Bridge asked if a replacement has been found for Lance. Mr. Barlow stated Alex, who is already on staff with them is going to go out and help Jason Ingram out at the plant with plant work. He stated Lance introduced me to his successor on the Washington job and recalls his name to be Jeff. Mr. Barlow stated that is the extent of his knowledge on that. Mrs. Brothers-Bridge stated Bowen is a class act and is delighted to have them as a partner. She stated that she thinks they have done a nice job communicating with us. Mr. Leach stated some more nice things about Lance. He stated he has been great to work with especially on the street side in the permitting. Mr. Leach stated he will be missed but he understands he has to do what is best for his family, not necessarily what's best for the

district. He stated we probably should have offered him a job at that point. Mr. Leach stated he will be missed, and he is a great guy to work with. Mr. Smith stated he is happy for Lance and wishes his family well. He asked if the Touch-A-Truck information is on the website or on social media. Mr. Barlow stated it should be. He stated he has not seen it on the Facebook page, and it has been sent to Jason Donati. Mr. Barlow stated he will check to make sure it is out there for people to see. Mr. Smith stated he typically likes to share items that are posted. Mr. Brand asked if the Washington Street mill and pave had received any feedback from the neighborhood association. Mr. Barlow stated Lance notified them and copied me on it. He stated he notified Tom Collins directly about the plans. Mr. Barlow stated Lance has been so diligent. Mr. Barlow stated that Lance notified them that barricades are coming down on the streets on this day, mill going to happen on this day, and paving on this day. He stated he notified the president to please not park on the street during the paving process. Mr. Barlow stated Lance has been very detailed to the president of the neighborhood association. He stated to my knowledge, he has not had any feedback. Mr. Barlow stated he thought they have gotten to the point where now they have an ongoing dialogue with Lance, and it saves the translation. Mr. Brand stated good, it is ahead of schedule. Mr. Barlow stated it is going to be ahead of the Washington Street Festival, this has moved on well.

New Business

1. Renewal of PCS & Associates Stormwater Assessment Services Contract. Mr. Barlow stated PCS Associates does stormwater assessment for us of pervious and non-pervious areas, billing for stormwater and such. He stated they perform this service for us for several years now. Mr. Barlow stated they have a contract renewal, but he asked the Board to table this for another meeting. He stated he would like to glean a little bit more information on the terms of the new contract renewal. Mr. Barlow would like to talk to Chuck about some of the details on this and that way that everybody will have a little bit more information before approving this. He stated that he is asking the Board to table this until a future Board meeting. Mr. Brand asked legal counsel if the Board needed to take a formal vote to table. Mr. Brand stated the item is tabled.

2. Smith Family Services – Additional Mowing Scope. Mr. Barlow stated Smith Family Services is our levy mowing contractor. He stated they were awarded the bid earlier this year and they have done an exemplary job. Mr. Barlow stated we have received great feedback from folks out there, citizens, and our own oversight folks that have looked at it. He stated in the in the process of this mowing year, we have added scope that was not on the original maps or the original scope that they bid on. Mr. Barlow stated we have had them take care of this, this year. He stated they are asking for an addition to their per mow contract of \$200 per mow, which would take it from the original of \$14,900 mow to \$15,100 mow. Mr. Barlow stated this is for some areas such as the old Ed's Warehouse area, some manhole service entrances off a Riggin Road and Moore Road, a pathway behind Central area right and left of the new path. He stated they have been taking care of this, but it was added scope that was not only original bidding contract. Mr. Barlow asked the Board to allow him to approve the change order for an additional \$200 per mow for Smith Family Services. Mrs. Brothers-Bridge clarified that this would take the mowing amount from \$14,900 to \$15,100 for every mow. Mr. Barlow stated that is correct. Mr. Leach stated this is extended scope. He stated we have added a little bit more to them for mowing. Mr. Leach stated as this is still under the initial bid that we had when we did it several months ago. He stated he takes no issue with this. Mr. Brand clarified that this is lower than the original second bid. Mr. Leach stated that is correct. Mr. Barlow stated it is by a substantial amount, it does not come close to exceeding the next lowest bid. Mr. Smith stated they provide us great service. He stated he does not see any problem with this. Mr. Brand stated the added scope is made aware to Mr. Wright and Mr. Noble and agree that this is something that is being done that was not previously on the map or previously quoted. Mr. Barlow stated that is correct. Mr. Brand stated that they have already mowed six times this year. Mr. Barlow stated yes. Mr. Brand asked if there is a retro. Mr. Barlow stated no. He stated that they would send an invoice for \$1,000 for what they have been doing for the added scope. Mr. Barlow stated he asked for a T&M invoice for

what they have already done and then this would be added to their subsequent mows for 2022. Mr. Brand clarified that they have already done this added scope five times this year. Mr. Barlow stated that is correct. He stated he asked for a separate invoice for this, and the \$200 would be added onto the ongoing billing. Mr. Brand entertained a motion to approve the scope adjustment for Smith Family Services. He stated the Board is authorizing Mr. Barlow to sign the scope amendment. Mrs. Brothers-Bridge moved to approve. Mr. Leach provided second. Motion passed (4-0).

3. Memorandum of Understanding between MSD and the Cardinal Greenway McCulloch Bridge – Phil Tevis. Phil Tevis, Flatland Resources, stated the Board should have a memorandum of understanding that's been reviewed by both the Cardinal Greenway attorney and the MSD attorney. He stated this formalizes the relationship between the Sanitary District and the Cardinal Greenway for the reconstruction of the bridge MSD owns and then, them taking ownership of that bridge when it's finished. Mr. Tevis stated and then allowing you to tear their property down and complete the complete transaction. Mr. Leach stated just to give some backstory on how we came to this moment and why MSD owns a bridge. He stated we do have a double siphon that runs through that area. He stated we are trying to protect that double siphon and removing the Cardinal Greenway bridge would be protecting that. Mr. Leach stated MSD has no interest in being in the bridge business. He stated we would like to fix up a bridge, give it to them get rid of their bridge, and this is the MOU that allows us to do all those things. Mr. Leach stated the bridge has an actual sanitary reason that we were doing all this, but he wanted to make that clear that we have not ventured off into the transportation realm. Mr. Tevis stated that this also creates savings for the reconstruction of the levee on the south bank, would be the south bank or left bank of the river from about Whitely to this bridge. He stated it also is generating savings, not just protection of the sewer line. Mr. Leach stated we are in the levee business. Mr. Brand stated this also addresses the scouring that's going on currently around the existing Cardinal Greenway bridge, which all has to be repaired during this. Mr. Tevis stated that is correct and the scouring is the greatest threat to the intercept. Mr. Brand clarified with Mr. McKinney that he had reviewed the MOU. Mr. Brand entertained a motion to approve the MOU as submitted. Mr. Leach made a motion to approve. Mr. Smith provided second. Motion passed (4-0).

Additional Board Topics:

1. Mrs. Brothers-Bridge stated her thanks to the citizens, she has noticed a decrease in litter. She stated she thinks that is in large part because our street sweepers are doing a phenomenal job. Mrs. Brothers-Bridge stated she also wanted to say thanks for the people who have made an effort to reduce littering by talk to their friends, family and so forth. She stated she is sporting her "Give a Hoot, Don't Pollute" shirt today just to remind everyone to put litter in its place, keep it the car, do not let it blow out the windows and keep doing a good job. Mrs. Brothers-Bridge stated she is seeing a difference in Muncie, and it matters.

2. Mr. Leach stated he will touch on the Touch-A-Truck one more time, it will be from 10am to 2pm, Friday the 29th. He stated Unc's Barbecue will be providing at no cost hot dogs and meat loaf dogs which sounds strange but are tasty. Mr. Leach stated the Barking Cow will be providing ice cream. He stated it looks like the weather may be pretty good for an event. Mr. Leah stated Muncie Police will be out there with a SWAT vehicle and Muncie Fire is intending to bring the heavy rescue and their UTV ambulance, which is a small event ambulance. He stated there will be the officers on hand to take them through the vehicle for a hands-on event. Mr. Leach stated the Public Works department will be out there with the brand-new paver, the milling machine, a roller, and a couple trucks. He stated MSD is bringing a large amount of stuff, including a boat from water quality. Mr. Leach stated there will be employees out there to walk through what they do day to day and interact with the public. He stated the event is completely free to the public, the food is free. Mr. Leach stated it is the Public Works chance to give back to the community. He stated Public Works will have some swag with light up keychains, chip clips, notebooks, etc. Mr. Leach would encourage everybody to come out. He stated we are looking forward to the public

getting to meet our employees because most of the time they just drive by. Mr. Leach stated these guys are great. He stated they do dangerous work by and large, anytime you work on the roadway, in the right of way, you are subject to traffic. Mr. Leach stated it is nice to humanize an element of what we do. He also stated his appreciation to the MSD staff that keeps everything running.

3. Mr. Smith made the reminder that he will be absent for the August 10th meeting.

4. Mr. Brand stated his appreciation to Mr. Wright, Mr. Noble, and crew for running the street sweepers. He stated he had a specific request, and it was addressed the next day. Mr. Brand stated he appreciates that a lot and to keep up the good work.

Public Comments: None.

Adjourn: Mr. Brand stated our next regularly scheduled meeting will be held on August 10, 2022, at 11:30 a.m. in the City Hall Auditorium. Mr. Brand stated he would accept a motion to adjourn. Mrs. Brothers-Bridge made a motion to adjourn the meeting for July 27, 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