

Board Minutes for the Board of Sanitary Commissioners Meeting of July 26, 2023

THE BOARD OF SANITARY COMMISSIONERS conducted a regularly scheduled meeting.

Board members present; Stephen Brand, President; Adam Leach, Vice President; Michael Wolfe, Board Secretary; David Smith, Board Member; and Tim Overton, Board Member. Excused absence: Michael Wolfe, Board Secretary.

**Department managers and staff present;** John Barlow, District Administrator; Maura Hoff, Legal Counsel; Joe Rhetts, Legal Counsel; Deana Cox, Financial Manager; Thom Noble, Director of Engineering; John Anderson, District Engineer; Harvey Wright, Sewer Maintenance Superintendent; Phil Reagon, Sanitation Superintendent; Jason Ingram, WPCF Superintendent; Rick Conrad BWQ Director; Tony Webb, Sanitation Supervisor; and Maggie Bales, Executive Office Manager.

**Public present:** Chris Hiatt, 1716 N Wheeling Ave.

**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 July 12, 2023. Mr. Smith seconded the motion. The motion was passed (4-0).

**Consideration of Claims:** Mr. Brand entertained a motion to consider the register of claims totaling \$2,670,585.81. Mr. Leach stated a claim on page eleven of eighteen there is a claim to Coop's for \$14,500 for contract levee mowing. He stated a claim for the Touch A Truck event on page fifteen to Unc's BBQ and Neighborhood Pizza. Mr. Leach stated a claim for storm sewer design on Walnut Street with Greeley and Hansen. He stated a claim on page seventeen that there is a \$18,090 claim for a donation to Prairie Creek for a display tank and some MSD educational material. Mr. Brand stated a claim on page six that there are some IT charges, one for \$23,702.72 and a second for \$23,310. Mr. Overton moved to approve the consideration of claims. Mr. Leach provided second. Motion passed (4-0).

**District Administrator Update** – Mr. Barlow stated the CSO 7 project is moving. He stated that Bowen is now out of the Amazing Joes parking lot. Mr. Barlow stated they are working on King and Ace Street, working their way west to Reserve. He stated Drumm Addition is progressing with the drainage project with tree clearing and initial excavation for drain swells. Mr. Barlow stated the Cardinal Greenway bridge at the Elm Street trail head is open to pedestrian traffic and the demolition of the adjacent bridge is moving on rapidly. He stated that the center sections are the most critical in that they are the sections over the river. Mr. Barlow stated that Camp Prairie Creek is going on right now with a max number of participants. He stated there are photos on Facebook. Mr. Barlow stated that we are very close to 6,000 sign ups for the recycling program. He stated that we did direct mailings that came back with about 1,500. Mr. Barlow stated we will probably see more when the first ones are delivered. He stated we still have trucks coming in or that are in and are on schedule to start August 7. Mr. Overton stated his appreciation for working with Dustin to get the display done and he looks forward to what is to come with that at Prairie Creek. Mr. Wolfe asked if the recycling totes will be picked up on the same day as the trash. Mr. Barlow stated the recycling will be picked up on the same day as the trash pickup.

**Department Head Update** – Mr. Conrad stated that the Bureau of Water Quality primary focus is to help protect and improve the water quality of the White River in Muncie. He stated there are three ways we look at how we do this. Mr. Conrad stated the first is how we look at the federally mandated industrial pretreatment program which requires certain categories of industries to monitor their own wastewater and ensure that they are not discharging anything that might be a problem for the water pollution control facility or that might go through the plant. He stated Muncie currently has eighteen industries that are categorized as significant industrial users which means that we do extensive permitting and sampling. Mr.

Conrad stated that we also have about a dozen or so that we consider nonsignificant and that we just keep an eye on it to make sure there are no surprises or spills. He is happy to report that all the industries are currently in compliance with all their requirements. Mr. Conrad stated that is not unusual for us, but he wanted to bring it up because he does not want to take that for granted. He stated it takes some vigilance on their part to maintain this and we want to make sure we thank them for their efforts. Mr. Conrad stated the second area that we focus on is performing tests for the water pollution control facility and their state mandated discharge permit. He stated that the treatment plant is the largest discharge to the river, so it is important to make sure that water is clean. Mr. Conrad stated the state ensures this by requiring extensive sampling 356 days per year. He stated that Mr. Ingram, superintendent of the plant, has not had an issue out there in forever. Mr. Conrad stated the third area is the direct focus of sampling of the river and its tributaries. He stated we regularly test many conventional pollutants, heavy metals, but we also look at things like toxic organic compounds, pharmaceuticals, Pfas, environmental DNA tracking, and wastewater born pathogens. He stated we are also one of only a handful of municipal agencies to incorporate biological monitoring in our studies. Mr. Conrad stated all these results can be used to do things like evaluate the effectiveness of our pre-treatment program or the stormwater program. He stated they can be used to improve the effectiveness of district projects like the long-term control plan. Mr. Conrad stated they can help local watershed groups direct their conservation practices. He stated we often get requests from Ball State for data for their research projects and we share this information regularly with state and federal water policy makers. Mr. Conrad stated that we are fortunate that we can do most of this testing in-house. He stated that last year we ran a little over 22,000 samples. Mr. Conrad stated having our own lab not only means we can get results quickly, but it also means that we are doing it a lot cheaper. He stated that if we had to outsource our chemistry samples, we would roughly double our office's entire budget. Mr. Conrad stated he would like to acknowledge the lab manager, Chuck Jones, and his staff, who have once again won the Laboratory Excellence Award from the Indiana Water Environment Association. He stated they are a fantastic resource for us, and they are frequently answering questions from us and other communities in Indiana, helping them either get laboratories started or just troubleshooting various lab issues. Mr. Conrad stated one recent example of a group that was using our data was the White River Alliance that just released their White River report card. He stated this group gathered data from several agencies to try and summarize the health of the river from the headwaters to just south of Indianapolis. Mr. Conrad stated as an advisory member of the group, he helped them assign grades to several of the water chemistry related issues and some of the things he learned were that first that Muncie is really the only community on the White River that has adequate and consistent water quality monitoring. He stated the second is that the water in this area is generally in better shape than most of the segments downstream from us. Mr. Conrad stated the third is one weak spot for all the segments is E Coli contamination due to combined sewer overflows. He stated most communities are still in the middle of their separation for the sewer overflows. Mr. Conrad stated this is still Muncie's biggest impact on the river, but it is also one that we are currently in the middle of addressing through the long-term control plan. He stated that we had our first audit of the state mandated stormwater program in a little over eight years. Mr. Conrad stated the state has been behind on their audits while they are trying to update their permit. He stated the program is a partnership between Muncie, Delaware County and Ivy Tech that started back in 2006 by Shareen Wagley, Toni Cecil, and Jason Donati. Mr. Conrad stated that since that time, IDEM has greatly increased the requirements and we have some staff changes. He stated that we have Laura Bowley as our Stormwater Coordinator and Courtney Pruitt who is our Stormwater Inspector. Mr. Conrad stated based on the review it seems that everything is going well. He stated that they wanted to make sure to thank the hundreds of employees that are responsible for doing much of the stormwater work and basically every municipal department in the county. Mr. Conrad stated it is a lot of work and every year it grows. He stated an update on the mussel propagation program that is being funded by the Indy Zoo, the Indiana Department of Natural Resources, and the Community Foundation of Muncie. Mr. Conrad stated we are starting our third summer and we have produced 1,300 mussels so far. He stated in the fall the state will start stocking mussels from our first batch in 2021. Mr. Conrad stated from the experience of helping Laura Bowley that they are very delicate and this is an incredibly

frustrating this to do to keep these things alive. He stated it is great to see some that have reached full size and are ready to be introduced. Mr. Conrad stated we had a visit early in the month from the director of Fish and Wildlife from the state and their staff. He stated they are thrilled with how things are going and excited to send more species to help grow in the future. Mr. Conrad stated last year we received a grant from the Ball Brothers Foundation for a small education facility that will sit at the plant just in front of our office. He stated that our hope is that within a few months we will have a nice little area to invite high school students, college students, and other interested groups to come out and learn about the history of the White River, see some of the equipment we use to monitor, and learn about why we do this. Mr. Conrad stated that the plan is to have a few live specimens from the river, not just bass and sunfish but some of the smaller and more obscure species that you might not otherwise get a chance to see. He stated that we have already had some interest from the Redtail Conservancy, Ball State's Biology Department, and the Muncie Children's Museum in bringing groups out. Mr. Conrad stated the plant periodically does tours too. He stated one of our biologists, Drew Holoway, was speaking with the Mayor at Touch A Truck about our fish sampling program and invited him and newer board members to another demonstration of our electric fishing and biological sampling later in the summer. Mr. Brand stated that Mr. Conrad addressed there are no current pre-treatment concerns. He asked if there are any active remediations going on right now from any spills or anything. Mr. Conrad stated no, everything seems to be in good shape. He stated there may be remediation activities from long past activities. Mr. Conrad stated that we do not usually deal with those unless it is related to discharging treated water to the plant. He is certain that there are a few remediation activities taking place but currently there are none that are discharging wastewater to us. Mr. Brand stated none that we are currently monitoring. Mr. Conrad stated none that we are currently monitoring that we do that on a regular basis. Mr. Brand stated he is attending the MS4 meeting, and he appreciates the work Mr. Conrad, and his team are doing. He stated the regulations do change early and often. Mr. Brand extended his congratulations to Chuck and his team on the award.

#### **Old Business:**

**1. Municipal Solid Waste and Recycling Contract between MSD and Randolph Farms, Inc. –** Mr. Barlow stated that this item was tabled at a few meetings past. He stated since then it has been edited and vetted. Mr. Barlow stated that we came to a final edit that was presented to both ECR and to the board. He stated that we received no issues with that and has also been looked at by our legal counsel. Mr. Barlow stated that ECR has submitted a signed version. He asked the board to consider approval of this long-term contract with ECR that would commence at execution 20 years from date. Mr. Leach stated a thank you to ECR for working with us through the process and we are looking forward to continuing the relationship. He stated we are looking forward to getting our recycling kicked off, that was the impetus for this move. Mr. Leach stated that it is a good contract and Phil is quite happy with it. He stated our legal team has reviewed it at least ten times so we are as legally covered as we can be. Mr. Brand is glad to see this come through. He stated for the public's information that it is important to note that ECR is going to make a significant investment in their process out there that improves both the safety and efficiency of what they are doing. Mr. Brand stated that this is a 20-year contract and the reason it was tabled before was to make sure that we had the ability in case we got a grant for compostable materials so that we could act on those grants. He stated that we were not tied exclusively to ECR. Mr. Brand entertained a motion to approve the 20-year agreement extending our relationship with ECR. Mr. Leach moved to approve. Mr. Smith provided second. Motion passed (4-0).

**Water Pollution Control Facility 2023-2024 Liquid Aluminum Sulfate Bid Award –** Mr. Barlow stated that at the last meeting Jason Ingram opened the bids for liquid aluminum sulfate for use at the Water Pollution Control Facility. He stated that this is used to control phosphorus level on the discharge as mandated by IDEM. Mr. Barlow stated the lowest responsive bid was Chem Trade at \$90,368.78. He stated that the contracts we vetted by our legal counsel found themselves to be in order. He stated that he

would ask the board to approve the lowest responsive bidder, which was Chem Trade for the supply of aluminum sulfate for use at the Water Pollution Control Facility. Mr. Brand entertained a motion to approve the submission by Chem Trade for \$90,368.78. Mr. Smith moved to approve. Mr. Leach provided second. Motion passed (4-0).

#### **New Business:**

**1. Resolution 2023-05 Transfer of Properties to the Muncie Redevelopment Commission –** Mr. Barlow stated that we have seven properties that we would seed over to the Muncie Redevelopment Commission that had been purchased in the past. He stated that they were not used for any infrastructure or anything for MSD. Mr. Barlow stated that we were just doing upkeep on them. He stated that it was determined that the MRC could make better use of them. Mr. Barlow stated that on the meeting of March 16<sup>th</sup> for the MRC, they voted in favor of this transfer. He stated that recently he received the signed MOU by the mayor which has been signed and submitted with this package with a list of the properties in which case also then with the MOU came a board resolution for MSD to pass today. Mr. Barlow stated this would officially transfer the properties over to the MRC. He asked the board to consider approval of this resolution finalizing the transfer of properties. Mr. Leach stated some background on why it is happening. He stated the Sanitary District is a quasi-governmental agency, they don't pay taxes on these. Mr. Leach stated that the transfer will put it in the hands of the MRC, which will hopefully put it back in the hands of folks that will buy the properties and start paying property taxes on them. He stated these are more than our need. Mr. Brand entertained a motion to approve resolution 2023-05 as presented. Mr. Overton moved to approve. Mr. Smith seconded the motion. Motion passed (4-0).

#### **Additional Board Topics:**

1. Mr. Leach stated his appreciation to John Anderson, Thom Noble, and the crews of Engineering in getting Wheeling sewed up with additional work. He stated that the work was sprung upon them. Mr. Leach stated that the additional drainage will help the new paving last longer and coordinating with Bowen worked out well for everyone. He stated great work to the team and how quickly they were able to get it done. Mr. Leach expressed appreciation to our legal counsel who is new to us. He stated that they have been doing a fantastic job.

2. Mr. Brand stated that the center section of the Cardinal Greenway bridge is safely on dry land. He stated they dropped it and they drug it up so it is out. Mr. Brand stated this was the largest section, so it is good to see it is down safe. He stated that he talked with some of the folks on site and there are no safety incidents to report.

#### **Public Comments:**

**1. Chris Hiatt, 1716 N Wheeling Ave. –** Mr. Hiatt stated that there was an email that was forwarded to all the board members concerning an issue on Elsie Drive near the north side of Muncie. He stated primarily today he would like to establish for those who are affected by this effort project that for those that may or may not be discovered to be hooked up to this system. Mr. Hiatt stated that there would be some sort of acknowledgement by the board, the administration, or legal of some sort of date stamp on this issue because they would be entitled to come before the board and request a refund for services paid for but not available to them. He stated that he experienced the same thing with a few of his properties on Centennial where he was acknowledged that he was due a refund. Mr. Hiatt stated that he did not get it due to some spontaneous changes in the board and the administration, but he is not seeking that. He would like to get some sort of date stamp without having to drag each and every property owner up here that may be affected by this project and ultimately determine that they weren't hooked up to the city sewer systems. Mr. Hiatt stated that every property owner out there pays for sewers and he has discovered

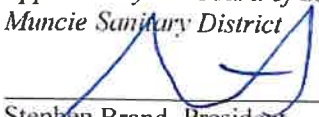
at least one property that he knows for a fact that is on septic still. He stated that is how this came about. Mr. Hiatt stated every day is a dynamic and fluid effort that has been extremely well handled by Engineering and Harvey's people out on the ground, but every time they stick a probe or a jet or a camera down a hole, there is a new revelation. He stated that there is a limited number of known taps and of those known number of taps there is even question of whether any of them are active. Mr. Hiatt stated that it is an ongoing thing, and the projection is to maybe have some resolution to it before spring, but that is six months down the road. He stated that would be six months lost to these people in payments if they are not eligible to be billed. Mr. Hiatt stated that he would like to get some sort of date stamp for these people affected by the project so that should they discover that they are not hooked up, they could come back to the board and seek reimbursement for overpaid fees.

**Adjourn:** Mr. Brand stated our next regularly scheduled meeting will be held on Wednesday, August 9, 2023, at 11:30 a.m. in the City Hall Auditorium. Mr. Brand stated he would accept a motion to adjourn. Mr. Leach made a motion to adjourn the meeting for July 26, 2023. Mr. Smith 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

*excused*  
Adam Leach, Vice President

*excused*  
Tim Overton, Board Member

Digitally signed by Michael Wolfe  
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Michael Wolfe, Secretary  
  
David Smith, Board Member