

Board Minutes for the Board of Sanitary Commissioners Meeting of May 1, 2024

THE BOARD OF SANITARY COMMISSIONERS conducted a regularly scheduled meeting.

Board members present; Stephen Brand, President; Adam Leach, Vice President; Overton, Board Secretary; Aaron Clark, Board Member; and David Smith, Board Member.

Department managers and staff present; Rick Conrad, District Administrator; Joe Rhetts, Legal Counsel; Deana Cox, Financial Manager; Chuck Jones; BWQ Director; Jason Donati, Sanitation Superintendent; Thom Noble, Director of Engineering; Tim Stover, IT Administrator; Jason Ingram, WPCF Superintendent; Melanie Lanich, Insurance; Laura Bowley, Surveillance Supervisor; John Anderson, District Engineer; Shokka Griffin, Code Enforcement; Randy Reagon, Code Enforcement; Billy Smith, Code Enforcement; and Maggie Bales, Executive Office Manager.

Public present: None.

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 April 17, 2024. Mr. Brand seconded the motion. The motion was passed (5-0).

Consideration of Claims: Mr. Brand entertained a motion to consider the register of claims totaling \$743,541.13. Mr. Leach stated a claim for the first levee mow of the season and some flooding cleanup from the water level rising on the river. He stated the levee mowing was in the amount of \$14,500 and the flood cleanup was in the amount of \$9,500. Mr. Brand stated a claim on page two to G&G Oil for about \$12,000.00. He stated a claim on page four to Corrigan Oil in the amount of \$7,300.00. Mr. Brand stated that the levee mow was quite a bit more when he came on the board than the contract today. HE stated this current contract is saving MSD about \$70,000 per year. Mr. Brand stated that the cost is managed, there is a long-term agreement for the mowing contract, and reduces the number of mows. He stated a claim on page seven under repair and maintenance where the majority of those costs are predicted maintenance to prevent unplanned downtime. Mr. Overton moved to approve the consideration of claims. Mr. Leach provided second. Motion passed (4-0).

District Administrator Update – Mr. Conrad stated Hoyt Avenue is going to remain closed with the anticipation that it will reopen towards the end of June and final paving toward the end of July. He stated as part of the Northview phase two project, there is a road restriction on McGalliard between Locust and Lanewood beginning today. Mr. Conrad stated there is a full road closure on Virginia from McGalliard to 3400 Virginia Avenue. He stated that there is also some work being done on Elsie. Mr. Conrad stated there is work starting at the end of Luick on a new canoe launch that is part of a Ball Brothers grant. Mr. Brand asked if there were any employment openings with MSD currently. Mr. Conrad stated that there are no full-time open positions. He stated that there are part-time seasonal general labor positions open.

Department Head Update – Jason Donati, Sanitation Superintendent. Mr. Donati provided an update on the Delaware County Housing Summit. He stated it was the first summit that has happened in Muncie and Delaware County where it was held at Ivy Tech downtown. Mr. Donati stated the MSD and other organizations were one of the sponsors of it. He stated that MSD had a table at the event with lots of information and he and code enforcement officers there to answer questions and network with community leaders and neighborhood leaders. Mr. Donati stated it was a successful event with really good conversations and connections happening. He stated that there were panel discussions, keynotes, and speakers from within our community and outside our community all talking about housing and the issues we are facing. Mr. Donati recognized the code enforcement officers Randy Reagon, Billy Smith, Shokka Griffin, and Mike Cole for their great work they have been doing. He stated that we added two additional

code enforcement officers, they have been doing a great job checking tickets and other issues. Mr. Donati stated that one of the issues that occurs often is going to a particular house or location that was reported and struggling to find out who owns it. He stated that we will try Beacon or contacting county officials and often an LLC owns it where it is hard to track down a contact for them. Mr. Donati stated it is hard to enforce codes when it is a struggle to find or contact the owners. He stated that some of this could be due to tax sales and companies purchase through a platform. Mr. Donati stated that collaboration is important to help overcome some of these issues. He stated that we work closely with the Building Commissioners Office and the Health Department in some cases. Mr. Donati stated that it would be a good idea to be innovative and think of ideas to better enforce the code to hold owners responsible for some of the issues. Mr. Clark thanked Mr. Donati and the code enforcement employees for representing MSD at the Housing Summit. He stated that he serves Unsafe Housing and recognized that it is difficult at times to try to figure out who some of those owners are. Mr. Clark agreed with the idea of efforts to strengthen our ordinances and working with the City Council to keep things clean and moving, not to penalize people. He stated that we have a duty to keep the trash picked up and not piled up in yards. Mr. Leach stated that Steve with the Building Commissioners Office is very complementary of Mr. Donati. He appreciates the work of both Mr. Donati and the code enforcement employees. Mr. Leach stated that ways to strengthen code enforcement are being looked into. He stated that water quality, water treatment, stormwater treatment and management, and keeping the city clean are some of the very defined missions of MSD. Mr. Leach stated that anything we do to further improve those missions is fully supported. Mr. Smith thanked Mr. Donati and the code enforcement officers for what they do. Mr. Brand stated that he was at the Housing Summit and saw the MSD employees interacting with others. He stated that he was asked why MSD would be at a Housing Summit. Mr. Brand explained that as neighborhoods age stormwater issues creep in and then it is discovered that it was not done correctly from the start. He stated that it is important that MSD be at the table when it comes to designing stormwater and sewers for these new housing developments. Mr. Brand asked what the board could do to help Mr. Donati and his department. Mr. Donati stated he appreciates the support. He stated that looking at enforcement using existing city code could potentially give us the opportunity to enforce littering and illegal dumping in a more tangible way. Mr. Donati stated that this is not necessarily aimed at penalizing but considers a littering violation. He stated that the goal is not to penalize but to work with the homeowner or tenant to find a solution. Mr. Donati stated sometimes it is a matter of educating individuals about the services we offer or where the proper location is to put disposal items. He stated that the code enforcement officers were at the Neighborhood IDEA conference communicating with all those neighborhood presidents and leaders. Mr. Donati stated that thinking of ways to make enforcement stronger not with the goal of penalizing but with the goal of corrective action. He stated the neighborhood cleanups that are coming up; Saturday May 11th are neighborhoods Riverside Normal City, Whitely, McKinley, Industry, and South Central and Saturday, May 18th are neighborhoods East Central, Morningside, Thomas Park Avondale, and Old West End.

Tabled Business:

1. Consideration of Baker Tilly Scope of Work. Mr. Leach made a motion to remove this item for discussion. Mr. Brand provided second. Motion passed (5-0). Mr. Leach stated initially we started a build, operator, transfer agreement for a solar project as it related to the Sanitary District to provide electrical power to either lift stations or to our Water Pollution Control Facility. He stated after a few rounds of discussion it was found that those facilities were not very well situated to provide solar power either due to the lack of property, tree blockage, site development, etc. Mr. Leach stated that those mitigated all of the chances of using the BOT. He stated that there was thought we might use the King Forge site located off of SR 32. Mr. Leach stated in pursuing that there was question of build back better credits for solar and how much credit we could get to justify the investment. He stated after looking at what it would cost to develop solar at the scale we were looking at with the available property, the rate of return did not work out in favor for the MSD. Mr. Leach stated that Baker Tilly determined in their scope of work that which credits we would be able to apply for and to help us with that application process given the fact that even

with the most optimistic 40% credit at the scale of solar MSD was going to do, the return on investment was not sufficient to consider it. He stated that given the fact that we are not considering that any longer it would be irresponsible to pay Baker Tilly to look at credits we will not be applying for. Mr. Clark stated that he agrees, as you look at the scope of work and the size of the project and paying them what could be an equal amount to the credits we get back, it does not seem like a good idea. Mr. Brand stated that it does not make sense, for example, to pay Baker Tilly \$20,000 to get \$20,000 back in credits. Mr. Brand made a motion to not proceed with the Baker Tilly scope of work. Mr. Overton provided second. Motion passed (5-0).

Old Business: None.

New Business:

1. Resolution 2024-05 Interlocal agreement with the City of Muncie Regarding City Engineer

Services – Rick Conrad. Mr. Conrad stated that Resolution 2024-05 is an interlocal cooperation agreement between the Sanitary District and the City of Muncie for services for the city engineer. He stated that recently our board vice president and city engineer was hired by the engineering firm WSP. Mr. Conrad stated that this means he will no longer be on the City's payroll or the Sanitary District's payroll but will be acting in almost the identical capacity as he was prior. He stated that this work will now be paid for from the City to WSP and rather than having a separate payment be sent by MSD to either Mr. Leach or WSP, MSD will pay that to the City to be included in the contract payment with WSP. Mr. Conrad stated that this agreement would pay the city \$3,333.33 per month. He stated that this does not represent any change in what the district is paying, it is more consolidated now. Mr. Conrad stated that should the city hire a new City Engineer on the city payroll, it will revert back to the same agreement we had in the past. Mayor Dan Ridenour stated that he is sad to see the employment change with Mr. Leach. He stated that this agreement is a way to continue to have him here and help us do good things in Muncie. Mayor Ridenour stated that he and Mr. Conrad have discussed this, and it is the most efficient and effective way to cover that service. He stated that he would encourage approval of this agreement. Mr. Overton stated that Mr. Leach has a wealth of knowledge of how government works, how engineering works, and his ability to put it all together and articulate it is second to none. Mr. Leach stated that he will be abstaining from the vote and comment. Mr. Smith stated that Mr. Leach is a true asset, and it is the right thing for the board to do. Mr. Brand stated that this costs the Sanitary District the same amount of money to keep the same level of service that we already have. Mr. Brand made a motion to approve Resolution 2024-05 as presented. Mr. Smith provided second. Motion passed (4-0).

2. Resolution 2024-06 Amendment to 2024 Salary Resolution – Rick Conrad. Mr. Conrad stated that 2024-06 is a proposal to raise the hourly rate for part-time Sanitary District employees from \$15.00 per hour to \$16.00 per hour. He stated that we have a number of percentage rate increases that the district has received for employees over the last five years or so. Mr. Conrad stated that part-time rates are not included in that, so they have been sitting at \$15.00 per hour for over five years. He stated that it seems pertinent to make sure we are getting the best applicants. Mr. Conrad stated that this addresses a relatively small number of employees, but those are vital to the work we do. Mr. Overton stated that inflation has been increasing a lot so this needs to be done and he is glad we are doing it. Mr. Leach stated that this is a need, especially since part-time employees are the pathway to full-time employment for a lot of our departments. He stated that this allows us to get slightly better people initially and hopefully will lead to better people in the long run. Mr. Leach stated that there have been numerous percentage increases for our full-time employees over the last 3-5 years with a range of 3% to 5% over those years. He stated this catches the part-time employees up. Mr. Leach stated that our part-time employees are cheaper

on an hourly basis even at the same rate of pay just due to the various costs of our benefits. Mr. Brand stated that he spent some time looking at recent and local wage data and this is very much in line with what was reviewed. Mr. Brand made a motion to approve Resolution 2024-06 as presented. Mr. Leach provided second. Motion passed (5-0).

3. Consideration of Bids for Queen Street Parcels – Rick Conrad. Mr. Conrad stated that MSD recently completed construction on the separation of combined sewer overflow number 7 which is located near 610 W Queen Street. He stated that there is a lot there that was purchased by MSD to be used for construction, was paved, and used as an alternative parking lot for one of the neighboring businesses so we could use their property. Mr. Conrad stated that the use of this property is done, and it was put out for bid. He stated that we received one bid from 710 West LLC in the amount of \$30,000. Mr. Conrad stated this was above the minimum bid expectation. Mr. Clark stated that he appreciates the process that we are doing as we move on from some of these properties to allow time for those who might be interested to bid. Mr. Leach stated that any property sold by MSD does have to go through an open bid process. He stated that the bids were posted, and it was a known amount. Mr. Leach stated that this was properly advertised and above board and transparent. He stated that he is happy that the bid came in over what the appraisal did. Mr. Smith stated that this would be a good thing for MSD to do. Mr. Brand stated for clarification that the bid came in more than our minimum, not necessarily over the appraisal. Mr. Conrad stated that is correct. Mr. Brand entertained a motion to accept the bid for the Queen Street property as presented. Mr. Leach made a motion to approve. Mr. Clark provided second. Motion passed (5-0).

4. Resolution 2024-07 Updated Personnel Policies Handbook – Rick Conrad. Mr. Conrad stated that this resolution is to update the handbook. He stated that the changes made were mostly clarifications to language that we received questions about, no major changes. Mr. Conrad stated that some of these included the number of days that job vacancies would be posted in house before they are posted out of house, some changes to the policy for use of sick bank days, and changes for requirements for employees who use take home vehicles. He stated that these are all relatively minor and for clarification. Mr. Conrad stated that Department Heads participated in this and approved of the changes so they will be able to take this back to their employees and explain the changes. He stated that this is probably still not perfect but should represent a market improvement. Mr. Clark stated that this was a great collaborative effort between Rick, the Department Heads, and the board. He stated that it is very thorough, and it has been gone over several times. Mr. Overton stated that Rick and Joe did a great job and the Department Heads participated. He stated that this is a good thing to do when there is a new administrator. Mr. Leach stated that he appreciates the work that Melanie did on this with a lot of legal processes inside a handbook. He stated that Joe did a great job as well. Mr. Leach stated that the big push is making sure everyone gets a new copy and signs off on it. He stated that also making sure each new hire gets a copy and signs off on it as well. Mr. Leach stated that these policies apply uniformly to everyone in the district and the biggest change is the Sick Bank policy. Mr. Smith stated that good strong policies are necessary for our organization. He stated a thank you to Rick, Joe, and all the Department Heads for their work on this. Mr. Brand stated that handbooks have the tendency to evolve over time, get hard to follow, and overly complicated. He stated that this clears up a couple grey areas. Mr. Brand stated that he is a big fan of simplification and clarification. He appreciates all the work everyone has done. Mr. Brand made a motion to approve Resolution 2024-07. Mr. Overton provided second.

5. Consideration of IFA Grant Application – Laura Bowley. Ms. Bowley stated for the benefit of the public that four of the past 50 years the Bureau of Water Quality has worked to assess, address, and protect the water quality of our local waterways. She stated that we have and will continue to address the obvious or point source pollution issues. Ms. Bowley stated that even as we have had to address those issues, we have found that it still does not cover everything. She stated that we are always looking for new and innovative ways to address those less obvious issues or non-point source pollution like

stormwater runoff. Ms. Bowley stated that with stormwater runoff we get sediment, hydrocarbons, excess nutrients, and pathogens that run off from our yards, fields, roads, parking lots, etc. during rain and snow events. She stated as part of our water quality work we have been conducting freshwater mussel surveys since 1991 to look at density and diversity of our freshwater mussel populations with respect to water quality. Ms. Bowley stated that mussels are considered to be the ecosystems engineers, the liveries of our rivers, because each mussel is capable of filtering up to 15 gallons of water each day. She stated they help remove excess sediments, nutrients, and pathogens. Ms. Bowley stated that the mussels help with nutrient cycling, aeration, and stabilization of the stream beds and are used as biological indicators of water quality. She stated that we once had extremely dense mussel beds throughout the Midwest but due to different impacts such as pollution, alterations to our waterways, and practices associated with the button and culture pearl industries in our past our native mussel populations were severely impacted. Ms. Bowley stated that we no longer have as many as we used to. She stated that we have realized that with our experienced staff, our location, our long-term data, and our freshwater mussel expertise that we have the unique opportunity to work on these special organisms, especially now that many of these impacts have been addressed. Ms. Bowley stated that we put a plan together to attempt to propagate or breed freshwater mussels with the attempt to restore those native mussel populations hopefully to eventually historic levels where they can function as those filters and ecosystem engineers. She stated that we began propagation in 2021 in a small lab space in our building and in the last three years we have propagated three species, the plain pocketbook, the kidney shell, and the wavyrayed lampmussel. Ms. Bowley stated that the last two of those are Indiana State Special Concern Species. She stated that we have released 123 plain pocketbooks into our waterways here locally and have over 1,100 wavyrayed lampmussels and over 350 kidney shell mussels that are currently growing and will hopefully be released this summer. Ms. Bowley stated that this year we have raised an estimated 1,500 juvenile kidney shells and we are continuing to look at our next round. She stated that we have received grants from the Indianapolis Zoo, the Nature Conservancy, and the Community Foundation of Muncie and Delaware County to build a facility for propagation and raising these mussels. Ms. Bowley stated that we are now applying for funding for supplies and additional building costs as we expand our propagation process. She stated that before the board is an application to the Indiana Finance Authority in the amount of \$16,500 for review. Ms. Bowley stated that this will cover the immediate needs of the facility. She stated that we will continue to pursue additional funding to cover annual costs as we continue to explore opportunities to function sustainably. Mr. Clark stated a thank you to Ms. Bowley for the work on this. He stated that it is an amazing program. Mr. Clark stated that he read where there were nearly 400 species of mussels in our local waterways in years past so for you to spearhead this to propagate, we appreciate your efforts. Mr. Leach certified for public knowledge how many other communities have successfully propagated mussels in the state of Indiana. Ms. Bowley stated that of municipalities, MSD is the only one. Mr. Leach clarified how many state level agencies have successfully propagated mussels. Ms. Bowley stated none at this time. Mr. Leach stated that it is important to key in on the fact that we are the only successful operation doing this in the entire state of Indiana. He recognized the excellent work of Ms. Bowley and the support staff at Water Quality. Mr. Brand stated for clarification that Ms. Bowley is asking the board to approve and authorize him to sign the grant application. Mr. Brand made a motion to approve he as president of the board to sign the grant application that Ms. Bowley presented. Mr. Leach provided second. Motion passed (5-0).

Additional Board Topics:

1. Mr. Clark asked about the free shred event and if there would be another one. Mr. Donati stated that the event was a weeklong in honor of Earth Day. He stated that residents could go to East Central Recycling and get free shredding, up to 50 boxes of material. Mr. Donati stated that it was from 8 am to 1 pm and was very successful. He stated that we partnered with East Central Recycling where those who participated could pull in and go to the shredder on site. Mr. Donati stated that individuals could see their items shredded and get a certificate of destruction report. He stated that anyone who participates in the

blue recycling toter program has access to free shredding year-round. Mr. Donati stated that there will be a shredding certificate sent out to those who participate soon. Mr. Clark stated for clarification not to put shredded material in the blue toter. Mr. Donati stated that is correct is contaminates the other recyclable items. He stated bagged shredded material can be dropped off at East Central Recycling.

2. Mr. Leach recognized Mr. Conrad for his work in grasping MSD and the work he is doing on behalf of the Department Heads. He stated that Mr. Conrad seems to be attentive to the tasks at hand.

3. Mr. Brand stated that the credit card fees are well on is way for those who use credit card to assume that fee or pursue other payment oppourtunities. He stated that MSD has been paying the credit card fees for years and it is quite expensive. Mr. Brand stated that MSD is working to get that modernized and put back on the folks that use credit cards. He stated that there are other payment options to avoid those fees, contact the billing office for details.

Public Comments: None.

Adjourn: Mr. Brand stated our next regularly scheduled meeting will be held on Wednesday, May 15, 2024, 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 May 1, 2024. Mr. Clark seconded the motion. Motion passed (5-0).

Respectfully Submitted,

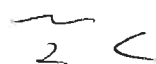


Maggie Bales, Executive Office Manager

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



Stephen Brand, President



Tim Overton, Secretary



Adam Leach, Vice President



David Smith, Board Member



Aaron Clark, Board Member