

Board Minutes for the Board of Sanitary Commissioners Meeting of May 15, 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 Rhett, Legal Counsel; Chuck Jones; BWQ Director; Jason Donati, Sanitation Superintendent; Thom Noble, Director of Engineering; Tim Stover, IT Administrator; John Anderson, District Engineer; Barnell Vance, Sanitation Supervisor; and Maggie Bales, Executive Office Manager.

**Public present:** Greg Martz, Springport, IN; Alec Goodall, Indianapolis, IN; Steve Nutt, Indianapolis, IN; and Randy Saunders, 1313 North Challenge Road Muncie, IN

**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 May 1, 2024. Mr. Clark seconded the motion. The motion was passed (5-0).

**Consideration of Claims:** Mr. Brand entertained a motion to consider the register of claims totaling \$1,451,698.51. Mr. Leach stated a claim on page eleven of fourteen to Greeley and Hansen for stormwater projects that includes some long-term control plan work, Aultshire, and Virginia. He stated a claim in the amount of \$60,960.04 to United Consulting for program management of 2019 bond projects. Mr. Leach stated a claim on page thirteen of fourteen in the amount of \$401,488.20 for Hoyt Avenue improvement projects. He stated this is being paid out of ARP funds the City received from the American Rescue Funds. Mr. Brand stated on page five of fourteen the second levee mow by Coop's in the amount of \$14,500.00. He stated a claim on page seven of fourteen that there was a pump repair at WPCF in the amount of \$40,165.93. Mr. Brand stated on page nine of fourteen that the credit card fees are listed and as a reminder to the public that those fees will become the burden of the user of a credit card. He stated there are other options that are posted on the website. Mr. Brand stated those fees equal about \$20,000 for this pay application. He stated a claim on page twelve of fourteen for an on-call project with Bowen Engineering for \$41,915.00. Mr. Overton moved to approve the consideration of claims. Mr. Leach provided second. Motion passed (5-0).

**District Administrator Update –** Mr. Conrad stated that the work on Elsie has a few more weeks left to be completed. He stated that there are some issues on County Road 350 North with manholes that have become a problem. Mr. Conrad stated that Engineering was able to get out there quickly to remedy the issues, there is some long-term work we are looking at. He stated that the Northview area has no current road closures, but more work will be starting there toward the end of May. Mr. Conrad stated that Hoyt Avenue continues to be closed through at least the end of June and will not be complete until the end of July. He stated the Bureau of Water Quality has a new education and mussel propagation facility where they recently hosted a Ball Brothers board meeting. Mr. Conrad stated a formal opening of the facility is coming where employees and board members can attend and later a ribbon cutting. He acknowledged Tim Stover for his work in getting the district into the modern era with computer systems. Mr. Conrad mentioned his work with Cartegraph and a Human Resources program. He stated that Mr. Stover recently worked to get the district covered under cyber security insurance. Mr. Conrad stated that Mr. Stover is currently working on GIS systems in the forefront. Mr. Brand clarified that the Elsie project includes restoration of paving. Mr. Conrad stated that is correct. Mr. Brand asked if Mr. Conrad needed anything from the board. Mr. Conrad stated that we are operating well right now and keeping an eye on the weather.

**Department Head Update – None.**

**Old Business: None.**

**New Business:**

**1. Bowen Engineering Solar Panel BOT Scope of Work – Greg Martz and Alec Goodall with Bowen Engineering.** Greg Martz stated that he is before the board with Alec Goodall and Steve Nutt with Bowen Engineering. He stated that the best way to start would be to give a background on the project. Mr. Martz stated that MSD had issued a public request for qualifications in July of 2020. He stated that it was a general request for a team to work with the district to try to find solar opportunities that would pair up with sewer projects. Mr. Martz stated that based on past presentations we have presented several options, containing about eight sites, over the last four years. He stated the response was put in in August of 2020, there were initial analysis made, there was a public hearing in May of 2021, and financing was closed in July of 2021. Mr. Martz stated that the financing was closed at that time due to advice from the financial advisor, thinking the interest rates would increase. He stated that the rate was locked in at that time at 2.75%. Mr. Martz stated that all the public hears have been held that are required and the financing is closed. He stated that under the procurement process MSD uses we are now in the scoping period process. Mr. Martz stated that the scoping period ends when a project scope and budget that you are comfortable with. He stated that several sites were looked at and did not work, but now there is a site that seems to work. Mr. Martz stated that Alec Goodall will present that scope and the budget. Mr. Goodall stated that the financing intent was to build a levee near Main and Jackson with a solar site at the old King Forge site across the railroad tracks to the east. He stated that the site has moved to Macedonia and Main with a much smaller solar scope with the financing that was discussed. Mr. Goodall stated that the amount has been lowered to \$602,494.00 including solar system with all panels, engineering, construction, warranty, etc. He stated that it would be on pile driven, solar mounted, solar racking with a battery system that is 30 kilowatts, 3 phase, batter center with 81 kilowatt hours of storage that will power 36 battery powered bollards that will go along the trail that is on top of the proposed levee. Mr. Goodall stated that the cost is just for the solar scope that Bowen will subcontract and manage. Mr. Clark stated that he is familiar with what the City Council has done. He stated the initial thought was to reduce the electric consumption at some of our locations. Mr. Clark stated that this would be a project to light a pathway along the levee or Cardinal Greenway. He stated that this would not realize any savings on the bottom line from the standpoint of AEP. Mr. Brand stated that when hurricane Catrina happened, and it changed the floodplain calculations this tie back levee will save \$4 to \$5 million on the original plan to complete the levee and in order to do that the walking path will go along the levee. Mr. Clark stated that the \$602,494.00 is just for the bollards and solar to power them. Mr. Goodall stated that is correct. Mr. Overton stated for clarification if the solar panels have aluminum or sopper wire. Mr. Goodall stated that all the wire is copper but confirmation from the subcontractor would be required to answer firmly. Mr. Leach clarified that if we are to approve, we are approving a portion of the scope, does the levee portion need to be approved as well to save time. Mr. Martz stated that the finances are written to where the funds are already appropriated to this project so the only thing that needs to be approved is the scope. He stated that the approval would be for a portion of that project and then we would need to come back for the remainder. Mr. Martz stated that the available amount in the trust account is \$4,426,551.00. He stated that we are not using all of that right now, later on there could be a decision that you do not use any of that. Mr. Martz stated that this is just a portion, and the remainder of the scope would be approved at a later date. Mr. Brand stated that this would leave \$3.8 million in our account that is at 2.75%. Mr. Overton stated that the remaining funds will be sufficient to cover the levee work. Mr. Martz stated that it would be sufficient to cover a portion of the levee work. He stated that it would not cover the entire levee unless the scope changes. Mr. Goodall stated that the number is for the solar scope only which still requires the levee to be built. He stated the remaining funds of \$3.8 million would not cover the total levee cost. Mr. Goodall stated that Bowen submitted a proposal for the entire project in November of 2023, the number

will have to be revised with the approval of the solar. Mr. Overton stated that it allows the low interest money that it remains to go to the levee. Mr. Goodall stated that is correct. Mr. Brand stated that the balance to pay for the rest of the levee comes from Stormwater. Mr. Clark clarified the other sites that were looked at. Mr. Martz stated that the main site was at WPCF and where the \$4.7 million budget came from. He stated that with little information that was the one that had the best benefit, and the plant uses a lot of power. Mr. Martz stated that with all the power and utilities there is almost no land to support the size. He stated that the other sites that were looked at were owned by MSD or the City and most of the time we just couldn't get a big enough array that it was a valuable project. Mr. Clark stated that this project is tied to sewer and stormwater separation and solar combined, would it include acquisition of property that would be able to be used. Mr. Martz stated that is correct and would be perfectly fine to acquire property and is a good point because we have only looked at property that is owned by MSD. Mr. Brand stated that we had an area identified behind the Youth Opportunity Center where there is a large open field that is owned by Delaware County. He stated that the commissioners gave that land to MSD to do this project and then it came out that they had also given that land to the Youth Opportunity Center. Mr. Brand stated that the Youth Opportunity Center offered up a forested area out there but to take down the trees made it cost prohibitive. He stated that Jakes Creek and a few others were looked at but determined that they did not work. Mr. Clark stated that he is trying to balance the original intent cost savings from a utility standpoint and now tying this into the levee and having cost savings there. Mr. Brand clarified that we are only approving the solar scope of work for the BOT. Mr. Martz stated that is correct. Mr. Brand stated that this is in the amount of \$602,494.00 of the \$4,426,551.00. Mr. Martz stated that is correct. Mr. Brand stated that he would accept a motion to approve the scope as explained today. Mr. Leach moved to approve. Mr. Brand provided second. Motion passed (4-1).

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

1. Mr. Leach stated that the Engineering crews have been doing a lot of work for the district at a significantly reduced cost as compared to using contractors and tackling the first large street project. He stated that this is a big step to transition away from contracted work. Mr. Leach stated that the city will pave it and the district is just paying for materials as part of an agreement. He stated that everyone involved has done a great job.
2. Mr. Brand stated that this past Saturday the district facilitated a neighborhood cleanup day with six of our neighborhoods and this coming Saturday there will be five more neighborhood cleanups. He stated that is eleven which is great, but it would be great to see more neighborhoods get involved and take advantage of the opportunity to clean up the neighborhoods and prevent trash from violating codes and getting into the stormwater.

#### **Public Comments:**

1. Randy Saunders, 1313 North Challenge Road Muncie, IN and owner of 610 612 West Queen Street, stated that in 2015 he was approached by Ed Conatser where MSD wanted to purchase a portion of the property and was told that it would be an underground water storage area so the sanitary sewer could be separated from the stormwater and then turning that area into a green space after which it was completed. He stated that he was in favor of this. Mr. Saunders stated that he was approached before to sell the property to the owners of Amazing Joe's and the previous restaurant owners there. He explained that he refused because he did not want a parking lot in the backyard of his rental property. Mr. Saunders stated that he provided copies of drawings given to him by Ed Conatser the realtor of the project when you purchased the property. He stated the document shows the parking area that would be provided for his tenants, which is not what he received. Mr. Saunders stated that according to the document the red outline area is what he received, which is four parking spaces, and he should have received seven. He stated that he has a six-bedroom home there and there's no parking. Mr. Saunders stated that he was to be furnished

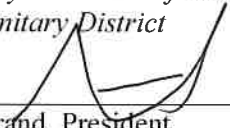
parking berms and no parking signage, which he was never provided like he was told as per the letter from Ed. He stated that at no time he was told that the parking lot was going to be paved as a parking lot for Amazing Joe's. Mr. Saunders stated that he contacted the Sanitary District during this project and told them that his sewer line runs under that parking lot. He stated that they came out, scoped it, and jetted it out prior to the pavement being put down. Mr. Saunders stated that he told them it would be a good time to replace that line at that point and nothing was done. He stated that in April he received a letter stating that the property that he once owned was going up for auction. Mr. Saunders stated that he was in Florida so he could not react at that time. He stated that this property would always have parking rights for Amazing Joe's. Mr. Saunders stated that he would have bought the property back if he had known it was going to be a parking lot. He stated that he feels that the Sanitary District wasted taxpayers' money by building a \$150,000 to \$200,000 parking lot for Amazing Joe's and giving them lifetime use of it at no cost to them. Mr. Saunders stated that with all the new parking Amazing Joe's received their employees still park on Queen Street from 4 to 9 every day, which causes parking issues for his tenants.

**Adjourn:** Mr. Brand stated our next regularly scheduled meeting will be held on Wednesday, May 29, 2024, at 11:30 a.m. in the City Hall Auditorium. Mr. Brand stated he would accept a motion to adjourn. Mr. Smith made a motion to adjourn the meeting for May 15, 2024. Mr. Brand 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