

Board Minutes for the Board of Sanitary Commissioners Meeting of July 29, 2020

THE BOARD OF SANITARY COMMISSIONERS conducted a regularly scheduled meeting in the Muncie City Hall Auditorium.

Board members present; William Smith, Board President; Mike Cline, Board Vice President; Joseph Evans, Board Secretary; Brian Stephens-Hotopp, Board Member and Stephen Brand, Board Member.

Department managers and staff present; Mark McKinney, Legal Counsel; Deana Cox, Financial/Billing Manager; Jason Donati, Stormwater/Recycling Educator; Tammy Branson, Sanitation Office Manager; Phil Reagon, Sanitation Superintendent; John Barlow, WPCF Superintendent; Tim Stover, IT Administrator; John Anderson, District Engineer; Harvey Wright, Sewer Maintenance Superintendent; Tamelia Moore, Working Foreman/Account Specialist and Megan Huff, Sewer Maintenance Secretary.

Public: Muncie Mayor, Dan Ridenour; Judith Hill, 917 N Blaine and Linda Stark-Colsten, 3828 S Beacon St.

Consideration of Minutes: Mr. Stephens-Hotopp moved to approve the minutes as submitted for the July 1, 2020 meeting and the July 15, 2020 meeting. Mr. Cline seconded the motion. Mr. Stephens-Hotopp said he appreciates the effort that went into the minutes with the detail from Mrs. Huff. The motion was approved (5-0).

Consideration of Claims: Mr. Stephens-Hotopp moved to approve the Register of Claims for \$1,531,486.25. Mr. Brand seconded the motion. Mr. Brand said we were more prepared today to review the claims in advance. He also suggested that we print on two sides to help cut down on paper costs. Mr. Smith said to make note of that suggestion in the minutes. Mr. Stephens-Hotopp said we have been able to work out the details with Deana to get the claims, along with the minutes, posted on our website in the future and he feels this is good step to show the public what we are working on through our invoices. Mr. Smith said Mr. Stephens-Hotopp had another idea of giving background for any large claims that may come across in a Board Meeting for public knowledge. The motion was approved (5-0).

Old Business:

None.

New Business:

- 1. Resolution 2020-10, a Transfer of Funds within the MSD. -Deana Cox, Financial Manager.**
Mrs. Cox said this is a Transfer of Funds to move 1.6 million dollars from the Stormwater Fund to the 2016 Bond Sewage Construction Fund (670-89-444420). Mr. Cline said we had the contractor rebuild the levee that protects the Plant. He said since the contractor was under contract for a Sewer Revenue project we went ahead and paid the invoice out of the Bond account for the concrete wall, but it should have come from Stormwater. Mr. Stephens-Hotopp said so the project has been

completed and now we are just moving the 1.6 million dollars from the Stormwater account to the Bond account. Mrs. Cox said that is correct. Mr. Cline moved to approve Resolution 2020-10, a Transfer of Funds within the MSD. Mr. Stephens-Hotopp seconded the motion. The motion was approved (5-0).

- 2. Minutes from July 15, 2020 for an Executive Session.** Mr. Smith said this is referring to an executive session, that was advertised, where we covered only personnel changes. He said our Attorney said we all need to sign off saying we only discussed personnel at the meeting. Mr. Stephens-Hotopp said since it may already be public is it worth sharing what some of the meeting's details. Mr. Smith said yes, Mr. Stephens-Hotopp could explain if he would like. Mr. Stephens-Hotopp said the Board is looking to hire a permanent District Administrator. He said the HR Department is working to collect those applications to move forward in the interviewing process. Mr. Smith said our policy is to post within the District before posting to the public. He said we have had three applications turned in from the District. Mr. Brand said we plan to have the internal interviews finished by August 12th and the whole hiring process completed by the end of August. Mr. Smith said his date of resignation for the District Administrator will be August 31st.

Public Comments:

Judith Hill, 917 N Blaine, said during the last meeting a fellow Whitely Neighborhood resident spoke with the Board and she has some follow up questions. She asked if there was a new flood map for Muncie and if so when residents could see the map. Mrs. Hill said on July 3rd there was an article in the Star Press titled, "Your Home at Risk" and it was written by a nonprofit organization called First Street Foundation. She said the article included all of Muncie for potential flooding, not just Whitely, so why is the concentration with MSD always on Whitely and not the other Muncie areas with the same problems. Mrs. Hill also asked about the registered letter sent by the Whitely Community to the MSD that was signed for by a Tamelia Moore, yet Mr. Smith claims he did not receive this letter. She said out of the three letters that were sent, the Mayor is the only one who responded. Mrs. Hill said lastly, she would like to see a list of the demolished properties that are included in the project and asked who is paying, every two weeks, to have the yards mowed. Mr. Cline said there is a map that shows the 100-year flood plain as well as the properties that will flood if it occurs, but the map is about 20 years old. He said the only way to get an updated map is by making improvements. Mr. Cline said the Martin Luther King bridge was built too low so when the River raises it goes around the levee and come back into Whitely because of the bridge's height. He said it is a historic bridge which comes with many protective standards. Mr. Cline said therefore people must pay flood insurance in that area because the way the map reads is like there is not a levee. He said the levee must be tall enough, wide enough and meet all the Army Corps requirements. Mr. Cline said once the levee is wide enough, tall enough and the bridge problem can be resolved you then have to make sure the River has a way to evacuate the rushing water during a flood - like the McKinley pond/pumping station does a few blocks away. Mrs. Hill said it does not look like there is ever any water in the McKinley pond even when it rains. Mr. Cline said that pond is sized for a 10-year storm so for a normal rain it may not fill up. He said we have not had a 10-year storm since we finished the pond. Mr. Cline said the last time there was a 100-year storm, it rained for 12 hours and that has not happened since 1913. Mr. Stephens-Hotopp said the idea that there is a new map is not accurate. He said the boundary in the flood plain in Whitely has not changed.

He said one of the reasons why the Whitely area keeps getting referred to is because it is one of the few areas that is not protected by a recognized levee. Mr. Stephens-Hotopp said FEMA does not recognize the grading of the levee there. He said with the Martin Luther King bridge there the water can find a way around the bridge to flood the neighborhood. Mr. Stephens-Hotopp said the current map is still showing what has been there for several years and he would be happy to help explain it to Mrs. Hill further after the meeting. He said he thinks at some point there a price comparison of the cost to bring the levee into Army Corp and FEMA compliance and that was a more expensive project than what could be addressed at the time. He said the cost would be astronomical. Mr. Stephens-Hotopp said as far as the properties being mowed - those are MSD owned properties that we are upkeeping, so we do not violate any City mowing codes. Mr. Smith said at some point we would be happy to sell or donate those properties, but we were waiting to see if the project was still viable. He said the resistance we ran into delayed the acquisition of more properties. Mr. Smith said in the last meeting he said he did not personally receive the letter not that MSD did not receive it. He said at that time he was working from home, so he did not see the letter and would have no reason not to respond to it if he did. Mr. Smith apologized for that miscommunication and lack of response. Mr. Brand said there was another question asked by Mrs. Hill - why concentrate on the Whitely area? He said he believes it may be beneficial to list the differences between FEMA and the Army Corps of Engineers. Mr. Cline said when the Levee system was decertified in 2014, it meant that in FEMA's eyes it is like there is not even a Levee there. He said there would be over 800 homes and business that would need to begin paying flood insurance due to the Levee being uncertified. He said the McKinley area would have immediately gone into the flood plain and would have had to start paying flood insurance, so that area was one of our highest priority. He said the second highest priority were areas like Whitely - areas that were paying flood insurance but could move out of paying flood insurance by the recertification. Mr. Brand said the difference between the Levee being certifiable by the Army Corp and the flood insurance standards being dictated by FEMA. Mr. Cline said yes. Mr. Stephens-Hotopp said the Army Corps of Engineers are the ones overseeing and regulating the levees. He said FEMA takes that certification and creates mapping from it. Mr. Stephens-Hotopp said in most flood prone areas in Muncie there is a levee that protects those areas that has technically been decertified, but in Whitely there is a levee that was never actually put into certification. He said that is why Whitely has always been in the flood plain and always gets more attention as Mrs. Hill mentioned. He said that Mrs. Hill could take his business card and they could set up a time to speak further on the matter if she would like. Mrs. Hill said before this project began the community did not have flood insurance and she still does not have insurance because she owns her home. Mr. Smith said before we ever started this project Whitely was in the flood plain so that insurance protocol would have been in place. Mr. Stephens-Hotopp said it is completely fine that you do not have flood insurance, but if someone were to purchase a home with a mortgage the bank would require them to have flood insurance. He said the moment that someone pays off their mortgage, or was to inherit a home, the bank does not require that they pay the flood insurance any longer. Mrs. Hill asked if the MSD owned properties in Whitely were required flood insurance. Mr. Smith said there are no structures on the properties, so no. Mrs. Hill said if the community ever purchased those lots would flood insurance been needed. Mr. McKinney said not if they were left empty. Mr. Stephens-Hotopp said even if there was a park or soccer field for instance, they would not have to have flood insurance if there is no structure. Mr. Smith said when Mr. Stephens-Hotopp speaks with Mrs. Hill regarding the map maybe they can discuss the possibly selling or donating the lots. Mr.

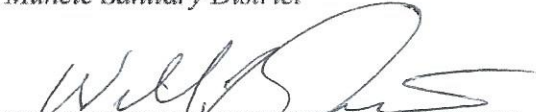
Stephens-Hotopp said he believes there is still value in helping aid homeowners that want to sell their homes and move out of the flood plain or provide a potential drainage project to reduce flooding. He said that is something the Board and new District Administrator can start discussing as soon as one is hired. Mr. Brand said during the last Board meeting Mr. Ivy mentioned a map of properties identified for the Whitely project. Mr. Smith said there was a list of properties that could be given to Mrs. Hill. Mr. Stephens-Hotopp said it would be helpful to add the graphic to these minutes to help make things easier for those who want to see it.

There were no further comments.

Respectfully Submitted,

Megan Huff, Sewer Maintenance Secretary.

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



William Smith, President



Joseph Evans, Secretary

Stephen Brand, Board Member



Michael Cline, P.E., Vice President



Brian Stephens-Hotopp, Board Member