

Board Minutes for the Board of Sanitary Commissioners Meeting of August 26, 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; Josh Brown, Legal Counsel; Deana Cox, Financial/Billing Manager; Jason Donati, Stormwater/Recycling Educator; Phil Reagon, Sanitation Superintendent; John Barlow, WPCF Superintendent; Tim Stover, IT Administrator; John Anderson, District Engineer; Harvey Wright, Sewer Maintenance Superintendent and Tamelia Moore, Working Foreman/Account Specialist.

Public present: Dan Ridenour, Mayor of Muncie; Greg York, Mayor of New Castle and Lee Walker, Street Department Superintendent of New Castle.

Consideration of Minutes: Mr. Stephens-Hotopp moved to approve the minutes as submitted for the August 12, 2020 meeting. Mr. Brand seconded the motion. The motion was approved (5-0).

Consideration of Claims: Mr. Cline moved to approve the Register of Claims for \$1,430,325.00. Mr. Evans seconded the motion. The motion was approved (5-0). Mr. Stephens-Hotopp asked about a payment made to the Bank of New York Trust. He asked if that is an interest payment or if it is being paid to the contractor. Mrs. Cox said this money goes to an escrow account until the Contractor has a punch list. Mr. Cline said this is Bowen's account that we pay into for retainage. Mr. Stephens-Hotopp said it is worth pointing out some of the bigger ticket items on these claims are two payments to Bowen Engineering for CSO separation, pipe work and part of the Sanitation building construction. Mr. Smith asked Mrs. Cox if the claims are now being added to the website. Mrs. Cox said yes after the meeting the claims are being shared on the website.

Old Business:

- 1. Interlocal Cooperation Agreement. – Greg York, Mayor of New Castle, Indiana. – Mr. York** asked Phil Reagon and Mayor Ridenour to come up to the podium. He said three months ago the City of New Castle had endured a fire at their street department facility where they lost everything including all their trash trucks. He said the City of New Castle did not lose one day of trash because the Sanitary District stepped up and offered to help. Mr. York said the service of all the employees that lent a hand was very much appreciated and at this time he would like to offer a plaque of recognition to Mr. Reagon and Mayor Ridenour. Mr. Reagon read aloud the words on the plaque, "Thank you to the Muncie Sanitary District. The City of New Castle sincerely appreciates your neighborly kindness and efforts to help us in a time of need. City of New Castle Street Department." Mr. Smith thanked Mayor York for taking the time to present this recognition to the District. Mr. York

said it was his pleasure.

2. **Follow up to Mayor Dan Ridenour's question regarding water shut offs. – Stephen Brand, Board Member.** – Mr. Brand said out of the 24,000 customers in the District over 25% of customers currently have late notices, but nobody is being shut off currently. He said all our customers must do if they find themselves in a situation of being late is call the Sewage Billing office and set up an agreement to get current on their bill and the 10% penalty will be removed. Mr. Brand said we do not intend to shut off water at this time.
3. **Update on Whitely Neighborhood. – Brian Stephen-Hotopp, Board Member.** Mr. Stephens-Hotopp said there have been several questions as well as some confusion regarding the Whitely Neighborhood project. He said we have a pretty full agenda for today's meeting, but at the next meeting we plan to give an overview of the project's timeline and to address some questions that have been asked in recent weeks.

New Business:

1. **Liberty Regional Wastewater District Comprehensive Mutual Release & Settlement Agreement. – Joshua Brown, McKinney & Malapit Law.** Mr. Josh Brown, Legal Counsel, said there has been an ongoing dispute with the Liberty Regional Wastewater District (LRWD) since 2012 and he wanted to announce that we have officially come to a new long-term agreement. Mr. Brown said LRWD has already accepted and approved this Comprehensive Agreement on their end, so now we must do the same. Mr. Cline said he had never been through such a detailed mediation like what took place with LRWD. He said he is pleased to finally have a resolution for this agreement so things can move forward. Mr. Brown said Mr. Cline was invaluable during the many mediation sessions that led to a fair resolution. Mr. Brand asked if this a 20-year agreement. Mr. Brown said yes, it is a 20-year term. Mr. Brand asked if anyone was present from LRWD. Mr. Brown said no. Mr. Brand said he would like to extend his thanks to the LRWD as well the entire mediation team because this is a big accomplishment. Mr. Evans moved to approve the Liberty Regional Wastewater District Comprehensive Mutual Release & Settlement Agreement. Mr. Cline seconded the motion. The motion was approved (5-0).
2. **Nomination of Board Offices - President and Vice-President of the Board of Commissioners. – Bill Smith, District Administrator.** Mr. Smith said at this time we are going to take nominations for the positions of Board President and Vice President. He said he will be stepping down as Board President and Mr. Cline will be retiring as Vice-President as of August 31st. Once those positions are chosen then the new representatives can finish out today's new business. Mr. Evans moved to nominate Mr. Stephen Brand as President and Mr. Brian Stephens-Hotopp as Vice-President. Mr. Cline said he concurs with the recommendation and seconds the nomination. Mr. Smith said he is very pleased with the new Board members and would like to compliment the Mayor on his selections. He said he wanted each Board member to speak their vote on the motion aloud. Mr. Cline voted yes to the motion. Mr. Stephens-Hotopp voted yes to the motion. Mr. Brand voted yes to the motion. Mr. Smith voted yes to the motion. Mr. Evans voted yes to the motion. The motion was approved (5-0). Mr. Brand thanked the Board members for their vote of confidence and

said he looks forward to working with all the Department heads, the Mayor and the entire District to make the City of Muncie shine.

- 3. Change Order No. 1 – Project 59ST-20 High & 8th Street. – John Anderson, District Engineer.** Mr. Anderson said Project 59ST-20 was part of moving forward in the City's paving list and making repairs to structures in the intersection. He said during the construction we found one of the pipes between two inlets was in poor shape and it needed replaced. He said the original contract amount was for \$12,500 and the change order for replacing this pipe was for an additional \$2,500 for a total contract amount of \$15,000. Mr. Stephens-Hotopp said he does not believe the original contract amount for this project came before the Board so we may need to go back and retroactively approve that. He said he appreciates the responsiveness of the District to get ahead of the paving projects as well as to make sure the entire stormwater system is continuously functioning correctly. Mr. Brand said the request is that John Anderson bring back the original contract at the next Board meeting. Mr. Anderson said he would do that. Mr. Brand said a change order could not exceed 20% of the original value of a project and this happens to be exactly 20%. Mr. Anderson said yes, that is correct. Mr. Stephens-Hotopp moved to approve Change Order No. 1, Project 59ST-20, High Street & 8th Street. Mr. Smith seconded the motion. The motion was approved (5-0).
- 4. MSD Testing Wastewater for Covid-19. – Rick Conrad, Water Quality Director.** Mr. Conrad said his office is a water quality testing enforcement agency with the general mission of trying to protect the quality of the White River. He said this is done in a few different ways like conducting testing at the Water Pollution Control Facility for their IDEM issued discharge permit, industrial testing for any facilities that have wastewater passing through or interfering with the treatment plant as well as regular testing of the White River. Mr. Conrad said today he would like to present the public with a project we have recently begun participating in to help aide with the community's response to COVID-19. Sampling for the presence of coronavirus in wastewaters has become a potentially powerful tool for the detection of outbreaks. He said the lag time between when a person becomes infected with the virus and when we identify them as being infected, they have already been exposing others. An infected person can shed the virus through their stool at the same time they become contagious even if they are not showing symptoms at that time. He said the testing of the virus in wastewater can allow for a much quicker identification and response to an outbreak. In addition to increasing the reaction time for outbreaks this type of testing can guide a more effective use than individual testing which is expensive and logistically difficult to administer. Pooled testing is the least biased making it useful for long term trends which guide state and federal agencies in their response. The project is being funded by the Indiana Funding Authority and will be managed by a group called 120Water located in Zionsville, IN. He said their goal was to find cities in Indiana that have Universities with campus housing for students. Dorms and residence halls house many students from different cities, states and countries which can be prime sources for outbreaks. The project managers will be working with Bloomington and Valparaiso just to name a few of the selected communities. He said the District's role will be to collect samples from two general locations; the primary influent at the WPCF prior to treatment and through wastewater at selected resident halls on Ball State's campus. He said samples will be collected 3 times per week for 10 weeks and

the samples will be sent to a commercial laboratory that specializes in the techniques of identifying genetic viruses in the water. Those results will be reviewed by doctors of Infections Disease and Epidemiology at Notre Dame. The results of all the data collection will be sent to back to the District to pass along to the Health Department and Ball State University to use at their disposal. Mr. Conrad said the testing will be funded by the Indiana Funding Authority and our contribution will be in the form of personnel time which can be completed during our normal workday. Mr. Cline asked if there was Board approval needed for this or if Mr. Conrad was just informing the Board of the project. Mr. Cline said just informing at this time. Mr. Stephens-Hotopp said he applauds opportunities for the District and the Bureau of Water Quality to be involved in research with other scientific bodies. Mr. Brand said this sounds like a very worthy project and he appreciates what the Bureau of Water Quality is doing for our River and community.

- 5. Resignation of Bill Smith, President of the Board of Commissioners, effective August 26, 2020 (will remain as a Board Member until December 31, 2020) and Interim District Administrator, effective August 31, 2020. – Bill Smith, District Administrator.** Mr. Smith said over the last year he has been the Interim District Administrator and Board President, but since the addition of two new Board members to the Board he decided to resign from both positions effective August 31, 2020. He said he will remain on the MSD Board as a member through the remainder of 2020. Mr. Smith said he appreciates all the MSD employees and how they handled the last year as well as during the recent pandemic. Mr. Brand thanked Mr. Smith for the service and proactiveness that he has brought to the District over his 20 years.
- 6. Retirement of Mike Cline, Vice-President of the Board of Commissioners, effective August 31, 2020. – Bill Smith, District Administrator.** Mr. Cline said earlier this year his wife inherited a home in East Illinois, and they have decided to downsize there from their Indianapolis home. Mr. Cline said it was their long-term plan to move to Illinois, but the process sped up with the addition of another Engineer on the MSD Board. He said he is confident that Mr. Stephens-Hotopp and Mr. Brand will do a great job. Mr. Cline said in 2013 the MSD Board found out the District had lost its certification from FEMA and the Army Corps which included four miles of levee. He said he also become fully aware of the Long-Term Control Plan details that was previously set up by the previous Board including a Bond issue of 33 million dollars for improvements. He said during his term, along with Mr. Smith and Mr. Evans, it was decided we would complete projects that gave multi benefits to the ratepayers and neighborhoods. The first of these projects he would like to mention is the CNG Station on Centennial. At the time, the CNG rate was about \$0.75 per gallon compared to \$3.00 per gallon for diesel. Not only did the majority of MSD convert to CNG, but the MPD converted 35% of their vehicles too. Mr. Cline said we were the first City in the State to do this. The second project was the major storm sewer install on Franklin Street. He said when he came on the Board in 2012 the largest diameter of pipe Downtown was 2-foot wide. This project started at about the railroad tracks on Franklin Street and instead of 2-foot diameter pipe we had replaced it with an 8-foot diameter pipe that would flow directly into the White River through a beautified open channel canal. The real benefit was to cut down the distance from the underpass at Madison Street, which constantly floods. He said

throughout several generations that area has been known to flood and had yet to be fixed. By installing this 8-foot diameter pipe it allowed water to flow quicker and further during a rain event. He said this thought process led to the pumping station and storage facility you see off Madison Street now. Mr. Cline said Mr. Stephens-Hotopp, in fact, is the Engineer that designed that project and not only did it remove the water from the Underpass in basic storm events, but it also remedied the stormwater out of the combined sewer system. Mr. Cline said the third project he wanted to mention was the McKinley area near Central High School. He said there the levee system was failing and being undercut by the River at Myrtle and Madison and we had to separate the sewers per IDEM. We had to pump near the levee, but not into the river or we would not meet FEMA's requirements which is what prompted the retainage pond at McKinley. We were also able to rebuild the levee with the soil we excavated from building the pond and we removed 65 inlets to help meet our CSO mandate. Mr. Cline said if he could leave the newly appointed Board members with any piece of advice it would be to try to do as much as you can with the money available where the outcomes will be multi beneficial to the neighborhoods. He said he would like to thank the MSD staff for all the work they have put in over the years to allow the Board to continue these projects and said he has enjoyed serving on this Board. Mr. Smith said it has been a pleasure working with Mr. Cline and he loves to mention that Mike was the Engineer of the Year while serving on the Board. He said Mr. Cline has put in countless hours serving on the Board and we appreciate all his hard work. Mr. Evans said it has been a pleasure working with Mike and he is a very sharp Engineer. He said we accomplished a lot to help the City tremendously during our time on the Board. Mr. Stephens-Hotopp said he appreciates all that Mike has done over the years and hopes he enjoys his retirement. Mr. Brand said congratulations to Mr. Cline, and he regrets that they do not get to work together longer directly, but he plans to keep Mr. Cline's historical knowledge and input within reach. He said that what he has learned from Mr. Smith and Mr. Cline over the last 6 weeks is to always leave a project better than how we found it and he intends to continue that ethic. Mr. Brand said this will be Mr. Cline's last official meeting and we will be looking for a new appointment from the Mayor.

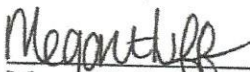
- 7. New District Administrator for MSD. – New Board President.** Mr. Brand said over the last 4-5 weeks the Board has gone through a pretty extensive interview process with support from Nancy Larson, HR Director, to interview four internal candidates. He said there was a lot of back and forth amongst the Board and it was not an easy decision or one that we took lightly. Mr. Brand said at this time he is very pleased to announce that our new District Administrator will be John Barlow. He said John is the currently Superintendent of the Wastewater Treatment Plant and has been with the District for 34 years and he has helped implement tens of thousands of dollars' worth of projects at the Plant. Mr. Barlow thanked the Board for the opportunity and said he looks forward to working with them, Mayor Ridenour and with the MSD Staff. He said he would like to amend what Mr. Brand said though – it has been 38 years of working for the District. Mr. Barlow said he would like to thank Mr. Cline for all the work he has done since he has been on the Board. Mr. Barlow thanked the Board and said he is looking forward to the job.

Public Comments:

There were no public comments.

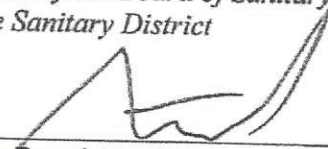
Adjourn: Mr. Brand said he would accept a motion to adjourn the meeting. Mr. Cline made a motion to adjourn the meeting. Mr. Stephens-Hotopp seconded the motion. The motion was approved (5-0).

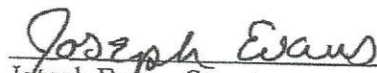
Respectfully Submitted,

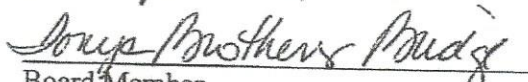


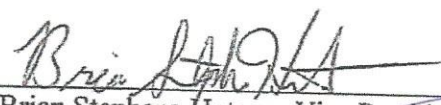
Meghan Huff, Sewer Maintenance Secretary.

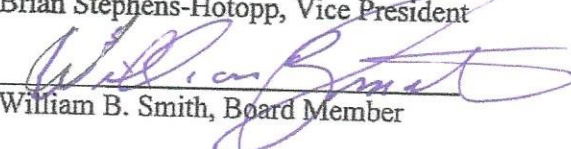
*Approved by the Board of Sanitary Commissioners
Muncie Sanitary District*



Stephen Brand, President

Joseph Evans, Secretary

Board Member

Brian Stephens-Hotopp, Vice President

William B. Smith, Board Member