

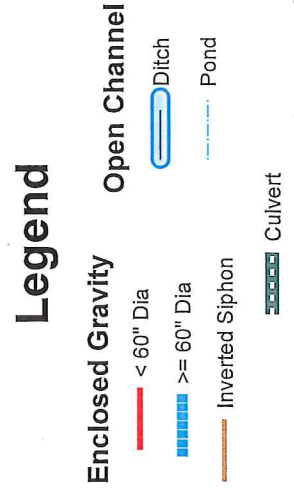
Gregg
Miller
Nash

SHARKEY RELIEF
INTER-COUNTY DRAINAGE BOARD
MARCH 26, 2019
10:15 A.M.
AGENDA

	Page
1. Call of meeting to order and roll call	
2. Approval of Agenda	
3. Approval of Minutes of meeting of February 26, 2019	3
4. Public Participation	
5. Project Update – Jeff Bednar (verbal)	
6. MDOT Correspondence	6
7. Consideration for approval of invoice (see attached)	8
8. Financial Update – Bruce Manning	9
9. Old Business	
10. New Business	
11. Adjourn	

SHARKEY RELIEF

WARREN/OAKLAND COUNTY



0 750 1,500 3,000 Feet

Drain Length (Feet/Miles):
21,297.20 / 4.03



A meeting of the Inter-County Drainage Board for the **SHARKEY RELIEF DRAIN** was held in the Office of the Macomb County Public Works Commissioner, 21777 Dunham Road, Clinton Township, Michigan on February 26, 2019.

PRESENT: Michael Gregg, Chairman
Michigan Department of Agriculture & Rural Development

Candice S. Miller, Secretary
Macomb County Public Works Commissioner

Steve Korth, P.E., Member
Office of Oakland County Water Resources Commissioner

ALSO PRESENT: Jeff Bednar P.E., Environmental Resources Manager, Dan Heaton, Communications Manager, Bruce Manning, Financial Manager, Tom Stockel, Construction Engineer, Madison Tanghe, Senior Secretary, Macomb County Public Works

The Chairman called the meeting to order at 11:03 a.m.

A motion was made by Mr. Korth, supported by Ms. Miller to approve the agenda as presented with an added item under New Business from Mr. Korth regarding Madison Heights requesting surplus funds.

Adopted: YEAS: 3
NAYS: 0

The meeting was open to the public participation, then closed, there being no comments from the public.

The minutes of the meeting of January 22, 2019 were presented. A motion was made by Mr. Korth, supported by Ms. Miller to approve the minutes as presented.

Adopted: YEAS: 3
NAYS: 0

Mr. Bednar updated the board that the SAW project is moving along nicely. The project team has finished reviewing the CCTV tapes, they are doing the condition assessment and business risk evaluation portion of it, identifying what areas of the drain would be considered most critical. We will have that packaged up well in advance of our close out date for that SAW project. The big item is the scope of the siphon and the cleaning activity that we are going to do soon. Doetsch has submitted their traffic approval plan permit to MDOT and was told it would take about 3 weeks to complete.

A motion was made by Mr. Korth, supported by Mr. Miller to receive and file the project update by Mr. Bednar and Mr. Stockel.

Adopted: YEAS: 3
NAYS: 0

The Chairman presented the invoice totaling \$10,316.50 as provided to the Board for review and approval.

A motion was made by Mr. Korth, supported by Ms. Miller to approve the invoice as presented.

Adopted: YEAS: 3
NAYS: 0

A motion was made by Mr. Korth, supported by Ms. Miller to receive and file the financial report presented by Mr. Manning

Adopted: YEAS: 3
NAYS: 0

Mr. Korth updated the board they may receive a request from Madison Heights to declare a portion of the fund balances as surplus. Mr. Korth's office has been working closely with Madison Heights on IDEP work. WRC has been doing some testing on the George Kuhn Drain and upper regions of the Red Run and are finding some indications that need to be pursued into Madison Height's system. Madison Heights would be looking for some funds to help them pursue these connections to their storm drain which is a benefit to the Sharkey drain. There are also some drains that are in arrears that Madison Heights owes funds on as well. The Board can anticipate a letter within the next month requesting perhaps \$150,000 of the fund balance to be declared surplus funds and Madison Heights would have 59% of that total. Hazel Park has also had some suspect readings and this would allow them to work with WRC to track these things down because a portion of Hazel Park is separated as well. This work is in a tributary to Sharkey and GWK, which is tributary to the Red Run. As long as the surplus funds are used for any type of storm drainage improvement or operations they can use those funds. Oakland County is meeting with Madison Heights and Hazel Park, tracking down any connection testing for Chapter 20 drains. Mr. Gregg asked when Mr. Korth receives that letter if he would do a memorandum on the request to declare funds surplus in more detail and cite the statutory provisions that permit the action.

There being no further business it was moved by Mr. Korth, supported by Ms. Miller that the meeting of the Sharkey Relief Inter-County Drainage Board to adjourned.

Adopted: YEAS: 3
NAYS: 0

The meeting was adjourned at approximately 11:23 a.m.


Candice Miller, Secretary
Sharkey Relief Inter-County Drainage Board

STATE OF MICHIGAN
COUNTY OF MACOMB

I certify that the foregoing is a true and correct copy of proceedings taken by the Inter-County Drainage Board for the Drainage District shown on the attached set of Minutes, on February 26, 2019. The original of which is on file in the Public Works Commissioner's Office. Public notice of the meeting was given pursuant to Act No. 267, Public Acts of Michigan, 1975, including, in the case of a special or rescheduled meeting or a meeting secured for more than 36 hours, notice by posting at least 18 hours prior to the time set for the meeting.


Candice Miller, Secretary
Sharkey Relief Inter-County Drainage Board

DATED: 2/26/19



STATE OF MICHIGAN
DEPARTMENT OF TRANSPORTATION
LANSING

GRETCHEN WHITMER
GOVERNOR

PAUL C. AJEGBA
DIRECTOR

February 4, 2019

Mr. Michael R. Gregg
Chair, Sharkey Intercounty Drain Board
Deputy for the Director of Agriculture
525 West Allegan Street
P.O. Box 30017
Lansing, MI 48909
greggm@michigan.gov

Dear Mr. Gregg:

Subject: Sharkey Intercounty Drain Agreement

I write to you in your capacity as chair of the Sharkey Intercounty Drain Board (Board), which represents the Sharkey Intercounty Drainage District.

The Drainage District's infrastructure includes an inverted siphon drain that traverses Interstate 696 near Dequindre Rd. In 2016, the Michigan Department of Transportation (MDOT) and the Board entered into an agreement ("the Agreement") to allocate costs for "cleanouts" of accumulated sediment and debris in the siphon and other necessary maintenance.

Under the Agreement, the Board is to inspect the siphon and determine the need for a cleanout or other work. 2016 Agreement, ¶3. When the Board determines work is required, the Board is to provide proposed bid documents, including cost estimates, to MDOT at least 30 days before the work is let for competitive bidding. *Id.*, ¶5. During this review, MDOT may elect to self-perform certain work items to reduce project costs. *Id.*, ¶7. If the lowest responsible bid exceeds 10% of the engineer's estimate, MDOT is permitted to review the bids and make a recommendation to the Board regarding acceptance of the bid. *Id.*, ¶6. If the Board follows this process, MDOT is to reimburse the Board for 50% of the final project cost. *Id.*, ¶11.

Recently, the Macomb County Public Works Commissioner advised MDOT that it had requested quotes from four companies for a siphon cleanout. It is MDOT's understanding that only one company provided a responsive quotation. The Commissioner has now sought MDOT's approval to enter into a contract with that company.

That process did not comply with the Agreement's contracting and bidding requirements. Therefore, the Board did not satisfy the conditions precedent to obligate MDOT's financial participation in this project.

Mr. Michael Gregg

Page 2

February 4, 2019

That being the case, MDOT has reviewed the responsive quotation and has concluded that it is in MDOT's best interest to authorize the Board to proceed with this project using that quotation. Therefore, provided that the Board complies with all remaining obligations during the project, including all administration and oversight responsibilities, MDOT will excuse the Board's non-compliance in this instance, and it will participate in this project in accordance with Paragraph 11 of the Agreement.

Please be advised, however, that in so participating MDOT is not waiving any right or defense that it has under the Agreement. More importantly, by agreeing to participate in this project, MDOT is not waiving compliance with the Board's obligations, including, but not limited to, those contained in Paragraphs 3, 4, 5, 6, and 8 of the Agreement, for any future project or contract. To the contrary, MDOT expressly reserves its right to withhold participation in any future project unless all contractual obligations are fully satisfied.

Please do not hesitate to contact me if you have any concerns. I look forward to our continued cooperation on this facility.

Sincerely,



Harold L. Zweng Jr., P.E.

MDOT Environmental Services Section Manager

Phone: (517) 335-4401

Email: ZwengH@michigan.gov

SHARKEY RELIEF 3/5/19 - 3/19/19

<u>Funding Source</u>	<u>Apportionment</u>	<u>Manager</u>	<u>Vendor</u>	<u>Amount</u>	<u>Invoice Detail</u>	<u>Project Summary</u>	<u>Project Balance</u>
Sharkey Relief	Chapter 21 Macomb County - 81% Oakland County - 10.00% Warren - 30.12% Madison Heights - 59.07% SAW Grant 1401-01 (Closing date 11.27.19)	Bednar	Anderson, Eckstein & Westrick, Inc.	\$ 9,959.50	Invoice #120977 - 02.21.19 Engineering Services - 01.07.19 - 02.03.19	Engineering Oversight, Survey, CCTV Investigation, GIS, Capital Improvement Plan	\$ 87,592.34
Total				\$ 9,959.50			

YTD Trial Balance

Fund: Sharkey Relief

As of Fiscal Period: Oct 1, 2018-Feb 28, 2019

	O&M Balance 9/30/2018	O&M	Total 2/28/2019
Cash - Operating	650,232	20,864	671,096
Accounts Receivable			0
Assets			0
Liabilities			0
Revenues		20,963	20,963
Expenditures		99	99
			0
Equity	650,232		671,096

NOTES

	Grant	Match	Total
SAW 1404-01	260,100	28,900	289,000
YTD	(172,303)	(19,144)	(191,447)
Remaining	87,797	9,756	97,553