

Gregg
Miller
Nash

BEAR CREEK
INTER-COUNTY DRAINAGE BOARD
APRIL 26, 2017
10:00 a.m.
AGENDA

1. Call meeting to order and roll call
2. Approval of Agenda
3. Public participation
4. Approval of minutes of meeting of March 29, 2017
5. Consideration of approval of invoices:
 See attached spreadsheet
6. Financial Update – Bruce Manning
7. Old Business
8. New Business
9. Adjourn

A meeting of the Inter-County Drainage Board for the **BEAR CREEK DRAIN** was held in the Office of the Macomb County Public Works Commissioner, 21777 Dunham Road, Clinton Township, Michigan on March 29, 2017.

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

Brian Baker, Acting Secretary
Chief Deputy, Macomb County Public Works Commissioner

Jim Nash, Member
Oakland County Water Resources Commissioner

ALSO PRESENT: Candice Miller, Macomb County Public Works Commissioner, Karen Czernel, Deputy, Keith Graboske, P.E., Chief Engineer, Dan Heaton, Public Relations Manager, Bruce Manning, Acting Financial Manager, Lynne Seymour, P.E., Environmental Engineer, Lara Sucharski, Soil Erosion & Sediment Control Supervisor, Barbara Delecke, Administrative Services, Brent Avery, Office of Macomb County Public Works Commissioner; Steve Korth, Manager, Jacklyn Thomas, Staff Assistant, Office of Oakland County Water Resources Commissioner; Gordon Wilson, P.E., Sydney Kanan, Graduate Engineer, Anderson, Eckstein & Westrick (AEW)

The Chairman called the meeting to order at 10:27 a.m.

A motion was made by Mr. Nash, supported by Ms. Miller and unanimously carried to approve the agenda as presented.

The minutes of the meeting of January 25, 2017 were presented. A motion was made by Mr. Nash, supported by Ms. Miller and unanimously carried to approve the minutes as presented.

The Chairman presented the invoices totaling \$13,220.50 as provided to the board for review and approval.

Motion was made by Ms. Miller, supported by Mr. Nash to approve the invoices as presented.

AYES: Miller, Nash and Gregg

NAYS: None

Motion approved.

A trial balance sheet for the Bear Creek Drain was presented to the board for review. There is approximately \$181,581.00 in the account. A copy of the minutes from October 6, 1988 for the Bear Creek Enclosure Drainage District were presented. At that time, there was \$700,000.00 being held for operation and maintenance. Mr. Korth and Mr. Manning will meet to review account balances on the different Bear Creek drains and determine the responsibilities of each district. This item was moved to new business for further discussion after the presentation by Anderson, Eckstein & Westrick, Inc. (AEW).

A motion to receive and file the Bear Creek Trial Balance, dated October 1, 2016 – February 28, 2017 as submitted was made by Ms. Miller, supported by Mr. Nash.

AYES: Miller, Nash and Gregg
NAYS: None
Motion approved.

Ms. Miller excused herself from the meeting.

Ms. Seymour and Mr. Wineka have been working together to process the data that AEW has provided. Ms. Kanan, AEW updated the board on work done to date. All preliminary work has been completed, including inspections of open-channels, enclosed structures and manholes. All Closed Circuit Television (CCTV) footage and inspection reports have been reviewed. A list of prioritized areas in need of structural or operational and maintenance repair have been compiled. The Bear Creek Drain is generally in good condition. A 5 rating means the structure is in imminent danger of failure; a rating of 4 means the structure will probably fail in 0 – 5 years. The MDEQ will loan low-interest money to drainage districts for repairs with a Pipeline Assessment and Certification Program (PACP) rating of 4 to 5. Based on the above, there are about \$530,000 in repairs needed for this drainage district. Most of the maintenance needed on the drain is related to log jams and collected debris. In the criticality analysis of the drain inspections, anything above a 16 needs immediate attention. This highest score for the Bear Creek was 13.2, with an average of 5 – 6. The SAW Grant ends on May 8, 2017. An initial budget of \$100,000 over the next three years will be presented to the board. There is \$143,000 left on the engineering portion of the SAW Grant. It was suggested using \$50,000 to have Doetsch go back in and do some of the clean-up on a lateral that comes off the Bear Creek and goes along 11 Mile Road and down to I-696 to allow for the needed televising and inspection. Doetsch provided a proposal to clean this section in the amount of \$48,500. Doetsch is a CCTV and lining company out of Warren, Michigan. The work on the Bear Creek was competitively bid and Doetsch was the low bidder. They are also a subcontractor on the Stephens Relief Drain and performed work on the North Gratiot Interceptor and Oakland-Macomb Interceptor. Ms. Seymour spoke about the green infrastructure plan of the grant and communicating with local communities in partnering on implementation of these types of projects. Projects are being prioritized between the SAW Grant work group and AEW to determine the top five projects. Findings will be emailed to Mr. Gregg for his review before the next board meeting in April. Ms. Seymour commended Ms. Kanan on being very efficient and thorough.

A motion to receive and file the Anderson, Eckstein & Westrick, Inc. report was made by Mr. Nash, supported by Mr. Baker.

AYES: Nash, Baker, Gregg
NAYS: None
Motion approved.

The discussion went back to fund balances for the Bear Creek and Bear Creek Enclosure. The interest on the Bear Creek Enclosure has been used to fund other projects throughout the years. Each community that is assessed for the drainage district is allowed to request their portion of the monies for projects within that district. Mr. Manning and Mr. Korth will work together to decipher if any of the remaining monies can be used for repair and maintenance. Mr. Gregg asked what the jurisdiction is of each board. There is the Bear Creek Drain, Bear Creek Drain Enclosure, Bear Creek Drain – Warren Branches, etc. Mr. Gregg wants to know whether they are truly, separate and distinct jurisdictions or are they one drainage district. Research will need to be done to go back to the original orders of establishment and route course descriptions to develop a lineage of the history of those events. An engineer and an

attorney would have to go through historical information for a determination to be made. Mr. Gregg suggested undertaking that action at a time in the near future to determine what is and where is the jurisdiction of this drainage board called Bear Creek. There is a Public Act 222 liability issue. In the event of a flood and property damage, is this drainage district exposed to that liability. The SAW Grant will itemize all the operation and maintenance activities. Once these items are known, it becomes the responsibility of this drainage board to take action to remove obstructions and to improve the condition of the drain to the extent that it exists. Mr. Gregg feels it is imperative to cleanup and clarify this issue before there is an actual crisis.

The next meeting was scheduled for April 26, 2017.

There being no further business coming before the Board, the meeting was adjourned at 11:10 a.m. by Mr. Gregg on a motion by Mr. Baker, supported by Mr. Nash and unanimously approved.



Brian Baker, Acting Secretary
Bear Creek 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 March 29, 2017, 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.



Brian Baker, Acting Secretary
Bear Creek Inter-County Drainage Board

DATED: 4/3/17

8656.bd

Bear Creek Drain - 4/26/17

<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>
Bear Creek	Chapter 21 SAW 1407-01	Seymour	Anderson, Eckstein and Westrick, Inc.	\$ 33,703.90	Invoice #0113467 - Engineering Services - 2/6/17 - 3/5/17	Engineering Oversight, Manhole & CB Inspection, GIS Mapping, GPS Surveying and CCTV Coordination	\$62,201.32 Plus 10% Match Requirement
	SAW 1407-01	Seymour	Fishbeck, Thompson, Carr & Huber, Inc.	\$ 1,314.00	Invoice #366135 - Engineering Services - ending 3/24/17	Coordination of all SAW Grants - Monthly progress meetings, Stormwater Management Plan, Green Infrastructure, Summary	

Total \$ 35,017.90

YTD Trial Balance

Fund: Bear Creek

As of Fiscal Period: Oct 1, 2016-Mar 31, 2017

	O&M Balance 9/30/2016	O&M	Total 3/31/2017
Cash - Operating⁽¹⁾	250,354.35	5,248.72	255,603.07
Accounts Receivable			0.00
Assets			0.00
Liabilities			0.00
Revenues		5,248.72	5,248.72
Expenditures			0.00
Equity	250,354.35		255,603.07
	0.00		0.00

NOTES

1) O&M cash balance reflects the 10% match required for the grant

Remaining Balance-SAW 1407-01 135,015.00

OTHER BEAR CREEK AVAILABLE CASH BALANCES	3/31/2016
Bear Creek Enclosure	810,437.74
Bear Creek GM Enclosure	3,135.78
Bear Creek Warren Branches	120,456.25
Bear Creek Warren Branches #2	134,191.32
TOTAL ALL BEAR CREEK	1,323,824.16

An adjourned meeting of the Inter-County Drainage Board for the **Bear Creek Enclosure** was held in the Macomb County Public Works Office, 115 South Groesbeck, Mount Clemens, Michigan on October 6, 1998.

PRESENT: Jeffrey Friedle, Acting Chairman
Deputy Director, Michigan Department of Agriculture

Anthony V. Marrocco, Secretary
Macomb County Public Works Commissioner

William Klockow, Member
Oakland County Deputy Drain Commissioner

ALSO PRESENT: Fred Fuller, St. Clair County Drain Commissioner; John Jones, Ira Township Supervisor; Tim Lozen, Freeman McKenzie; Robert P. Thomas, Member of the public; and the following employees of the Macomb County Public Works office: Kenneth Bonin, Chief Engineer; Fred Barnes, Engineer; William Misterovich, Legal Affairs Coordinator; Joseph Cloft, Finance Officer; and Robert Sinnamon, Project Coordinator.

The Acting Chairman called the meeting to order at 12:15 P.M. and the minutes of June 16, 1998 were read. A motion was made by Mr. Marrocco, seconded by Mr. Klockow, to approve the minutes as presented.

Ayes: Mr. Marrocco, Mr. Klockow, Mr. Friedle

Nays: None

Motion adopted.

A discussion was held regarding the amount of funds required for operation and maintenance and the surplus funds available to public corporations in the Drainage District for additional drain improvements. Fund balance as of September 30, 1998 was \$890,000. Mr. Barnes stated that he personally inspected the corrugated pipe of the Bear Creek Enclosure in 1983 or 1984. The pipe was in excellent condition and there were no signs of deterioration of the interior. Mr. Misterovich said there was no need to hold too much in reserve since that account was not designed to replace the entire enclosure. If complete replacement was ever necessary, an assessment would be required.

Following the close of discussion, a motion was made by Mr. Marrocco, seconded by Mr. Klockow, and unanimously carried to designate \$700,000 as the reserve for operation and maintenance and \$190,384 as the amount available as surplus funds, to be credited to the public corporations in the Drainage District according to their original

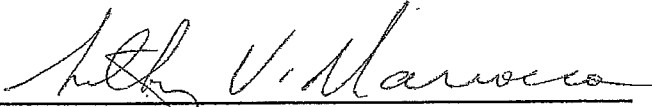
apportionments, as outlined in the attached Financial Report prepared by the Macomb County Public Works Office.

Ayes: Mr. Marrocco, Mr. Klockow, Mr. Friedle
Nays: None
Motion adopted

Mr. Misterovich presented a request by the City of Warren for a transfer of \$55,000 for the Warren Catch Basin Repair Project No. 5. Motion was made by Mr. Marrocco, seconded by Mr. Klockow, and unanimously carried to approve the request by the City of Warren for the transfer of \$55,000 to the Warren Catch Basin Repair Project No. 5. It was noted that approval of the \$55,000 fund transfer will reduce the surplus funds available to the City of Warren from \$98,620 to \$43,620.

AYES: Mr. Marrocco, Mr. Klockow, Mr. Friedle
NAYS: None
Motion adopted

There being no further business coming before the Board, a motion was made by Mr. Marrocco, seconded by Mr. Klockow, and unanimously carried, to adjourn the meeting at 12:24 P.M.



Anthony V. Marrocco, Secretary

Dated 11-25-98



Macomb County
Public Works Commissioner
Anthony V. Marrocco

Bear Creek Enclosure Drain

Financial Report

October 6, 1998

Fund balance as of September 30, 1998:	\$ 890,384
Amount recommended as reserve for operation and maintenance:	<u>700,000</u>
Gross surplus funds	\$ 190,383
Less surplus amounts previously credited to public corporations retained in account	<u>(79,272)</u>
Net additional surplus	\$ 111,112

Allocation of surplus funds to public corporations in Drainage District
based upon original apportionment of costs dated January 5, 1962:

	Apportionment	Net Additional Surplus	Retained Surplus	Gross Surplus
City of Warren	88.75696%	\$ 98,620	*	\$ 98,620
City of Hazel Park	7.18499%	7,893	50,656	58,639
City of Madison Heights	1.71660%	1,907	12,103	14,010
County of Oakland	0.85702%	952	6,043	6,995
County of Macomb	0.82188%	913	5,795	6,708
State of Michigan	<u>0.66305%</u>	<u>737</u>	<u>4,675</u>	<u>5,412</u>
	100.00000%	\$111,112	\$ 79,272	\$ 190,384

* The City of Warren's prior surplus was \$625,799. It was expended in full as a result of transfers in the amount of \$560,000 approved August 13, 1997 for the Warren Catch Basin Repair Project No. 4 and \$65,779 approved June 16, 1998 for the Warren Catch Basin Repair Project No. 5.



Macomb County
 Public Works Commissioner
 Anthony V. Marrocco

Bear Creek Enclosure Drain

Financial Report

October 6, 1998

Fund balance as of September 30, 1998:	\$ 890,384
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Friedle
Marrocco
Kuhn

Agenda

Bear Creek Enclosure Drain
October 6, 1998
11:30 AM

1. Approve minutes of June 16, 1998.
2. Public participation.
3. A discussion was held regarding the amount of funds required for operation and maintenance and the surplus funds available to public corporations in the Drainage District for additional drain improvements. Following the close of discussion, a motion was made by Marrocco, supported by Klockow, to designate \$700,000 as the reserve for operation and maintenance and \$190,383 as the amount available as surplus funds, to be credited to public corporations in the Drainage District according to their original apportionments, as outlined in the attached Financial Report prepared by the Macomb County Public Works office.
4. Request by City of Warren for transfer of \$55,000 for the Warren Catch Basin Repair Project No. 5. Motion was made by Marrocco, supported by Klockow, to approve the request by the City of Warren for the transfer of \$55,000 to the Warren Catch Basin Repair Project No. 5.

It was noted that approval of the \$55,000 fund transfer will reduce the surplus funds available to the City of Warren from \$98,620 to \$43,620.

Adjourn.