

Gregg  
Miller  
Nash  
Suma  
Wiley

CLINTON RIVER SPILLWAY  
INTER-COUNTY DRAINAGE BOARD  
JUNE 23, 2020  
10:00 A.M.  
AGENDA

**NOTE: THIS MEETING WILL BE HELD BY TELECONFERENCE**

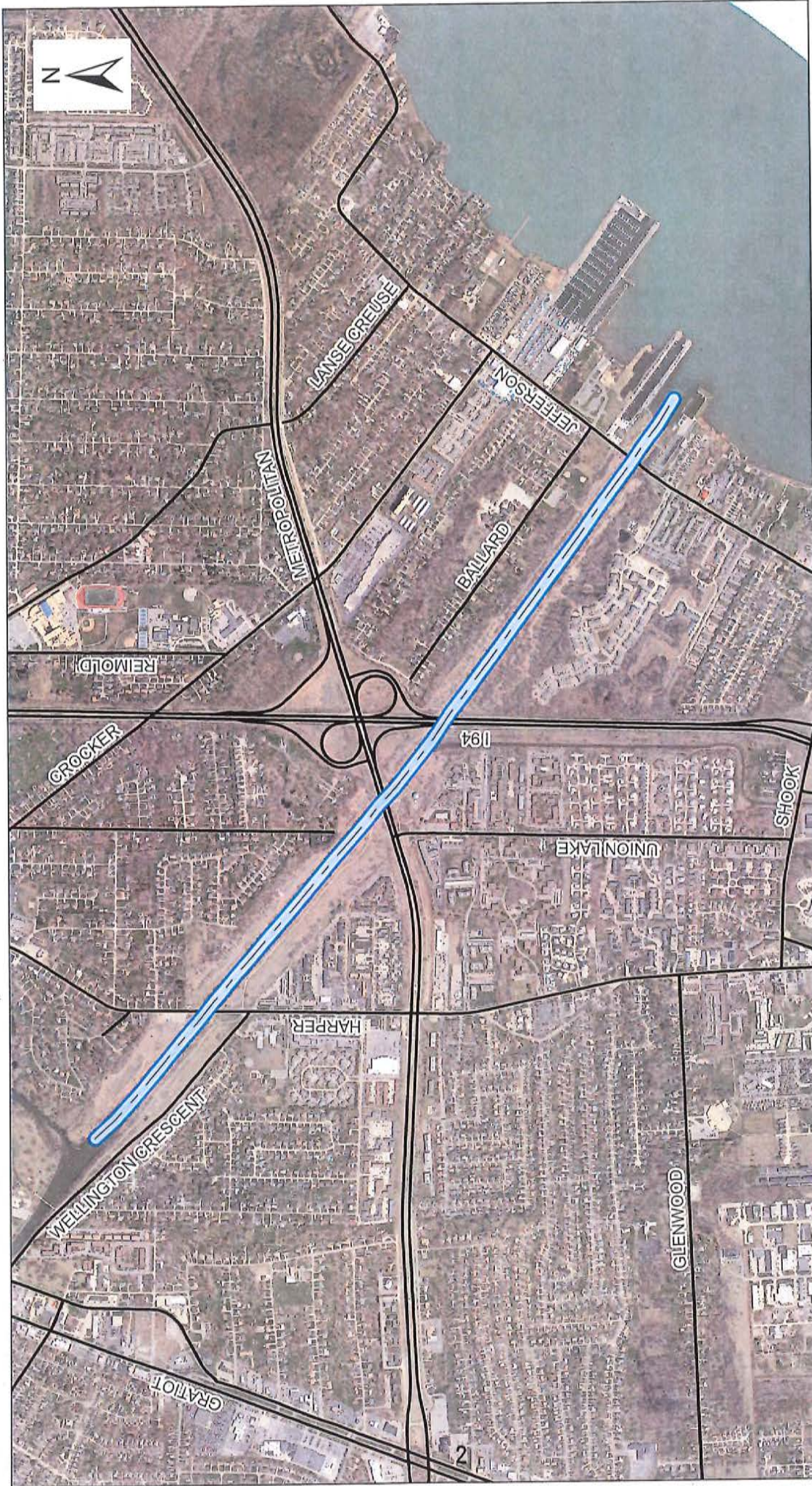
**Call in Number: 1-408-418-9388**  
**Access Code: 129 957 0662**

	Page
1. Call of meeting to order and roll call	
2. Approval of Agenda	
3. Approval of Minutes of meeting of April 28, 2020	3
4. Public Participation	
5. Project Update – Jeff Bednar/Tom Stockel	6
6. Insurance Policy Renewal – Bruce Manning/Stephen Saph	26
Motion: To approve the general liability insurance coverage renewal with Argonaut Insurance Company in the amount of \$74,025 (Clinton River Spillway share \$12,768)	
7. Consideration for approval of invoices (see attached)	29
8. Financial Update – Bruce Manning	30
9. Old Business	
10. New Business	
11. Adjourn	



# CLINTON RIVER SPILLWAY

LAPEER, MACOMB, OAKLAND, & ST CLAIR COUNTIES



## Legend

- Open Channel
- Ditch
- Pond



Drain Length (Feet/Miles):  
11,281.34 / 2.14





A meeting of the Inter-County Drainage Board for the **CLINTON RIVER SPILLWAY DRAIN** was held via telephone conference per the State of Michigan Executive Order due to the COVID-19 pandemic, on April 28, 2020.

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

Candice Miller, Secretary  
Macomb County Public Works Commissioner

Jim Nash, Member  
Oakland County Water Resources Commissioner

Joe Suma, Member  
Lapeer County Drain Commissioner

Robert Wiley, Member  
St. Clair County Drain Commissioner

ALSO PRESENT: Anne Vaara, Chief Deputy, Steve Korth, P.E., Manager, Office of Oakland County Water Resources Commissioner; Brian Baker, Chief Deputy, Jeff Bednar P.E., Environmental Resources Manager, Bruce Manning, Financial Manager, Tom Stockel, Construction Engineer, Kellie Kource, Drain Account Specialist, Stephen Downing, Construction & Maintenance Manager, Danielle Devlin, Environmental Specialist, Macomb County Public Works

The Chairman called the meeting to order at 10:06 a.m.

A motion was made by Ms. Miller, supported by Mr. Wiley to approve the agenda with an addition to add item #7B – Repair of Four Sinkholes.

Adopted: YEAS: 5  
NAYS: 0

The minutes of the meeting of January 28, 2020 were presented. A motion was made by Mr. Nash, supported by Mr. Wiley to approve the minutes as presented.

Adopted: YEAS: 5  
NAYS: 0

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

Mr. Bednar updated the board that we have warranty still left on the restoration project through June and will coordinate a time to do the walk through with HRC.

Mr. Stockel updated the board that there was an emergency sinkhole repair done between Harper and Union Lake, and three new sinkholes discovered along the Spillway are currently being worked on. In repairing the sinkholes, Mr. Stockel states that an additional four sinkholes were discovered. He estimates the repairs will cost around \$10,000 each to repair. Mr. Stockel plans to have the newly discovered sinkholes repaired while Clancy Contracting and Cortis Brothers

are out there working in the area currently so there will be no mobilization fees for them to come back out later.

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

Adopted: YEAS: 5  
NAYS: 0

Mr. Bednar updated the board that we were awarded an EPA grant to support two years of maintenance and staff training on managing invasive species along the Spillway and the other two drains. After going out to bid with five companies, we recommend moving forward with Cardno to contract with in executing this project.

A motion was made by Ms. Miller, supported by Mr. Wiley to approve Cardno's proposal for maintenance, treatment, and training in the amount of \$178,495 and \$11,790 for mapping and monitoring of invasive species utilizing \$190,285 of no match grant funds (Spillway share of grant costs \$106,326).

Adopted: YEAS: 5  
NAYS: 0

Tom Stockel reported on the sinkhole repair projects.

A motion was made by Ms. Miller, supported by Mr. Wiley to approve:

Clancy Contracting to repair Sinkhole #1 on a time and materials basis at an estimated cost not to exceed \$20,000.

Cortis Brothers to repair Sinkhole #2 on a time and materials basis at an estimated cost not to exceed \$15,000.

Cortis Brothers to repair Sinkhole #3 at a not to exceed cost of \$7,800.

A motion was made by Ms. Miller, supported by Mr. Wiley to approve for the repair of four newly discovered sinkholes along the Spillway on a time and materials basis in a not-to-exceed amount of \$10,000 for each sinkhole based on quotes to be received from Clancy Contracting and Cortis Brothers.

The Chairman presented the invoices totaling \$13,419.23 as provided to the Board for review and approval.

A motion was made by Mr. Wiley, supported by Mr. Suma to approve the invoices as presented.

Adopted: YEAS: 5  
NAYS: 0

A motion was made by Mr. Wiley, supported by Mr. Nash to receive and file the financial report presented by Mr. Manning.



Adopted: YEAS: 5  
NAYS: 0

New business was brought to the board by Ms. Miller regarding the 6-acre parcel near Sheffield Street that Clinton Township was to purchase from the board. Clinton Township stated that they have received the State grant, and EGLE has approved the proposal submitted to them to move forward on the purchase. A purchase agreement will be brought to the board at an upcoming meeting.

There being no further business, it was moved by Mr. Suma supported by Mr. Nash that the meeting of the Clinton River Spillway Inter-County Drainage Board be adjourned.

Adopted: YEAS: 5  
NAYS: 0

The meeting was adjourned at approximately 10:55 a.m.



Candice Miller, Secretary  
Clinton River Spillway 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 April 28, 2020. 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.



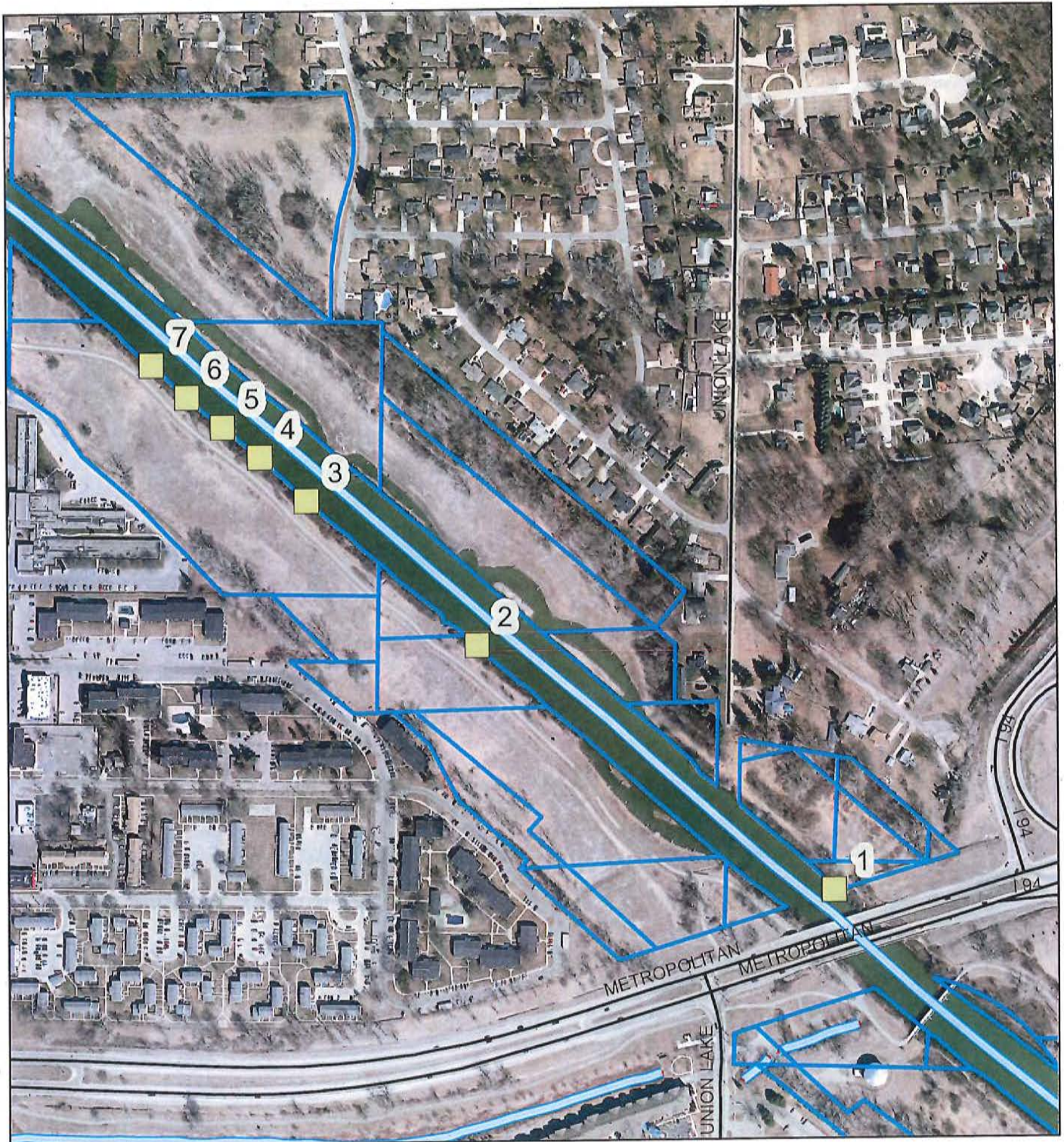
Candice Miller, Secretary  
Clinton River Spillway Inter-County Drainage Board

DATED: 4/28/2020



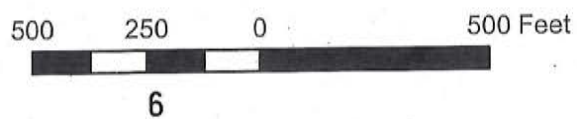
# Spillway Sinkholes

May 7, 2020



## Legend

-  Sinkholes
-  Parcels
-  Major Roads





Sinkhole #1





Sinkhole #1





Sinkhole #1





Sinkhole #1





Sinkhole #1





Sinkhole #1



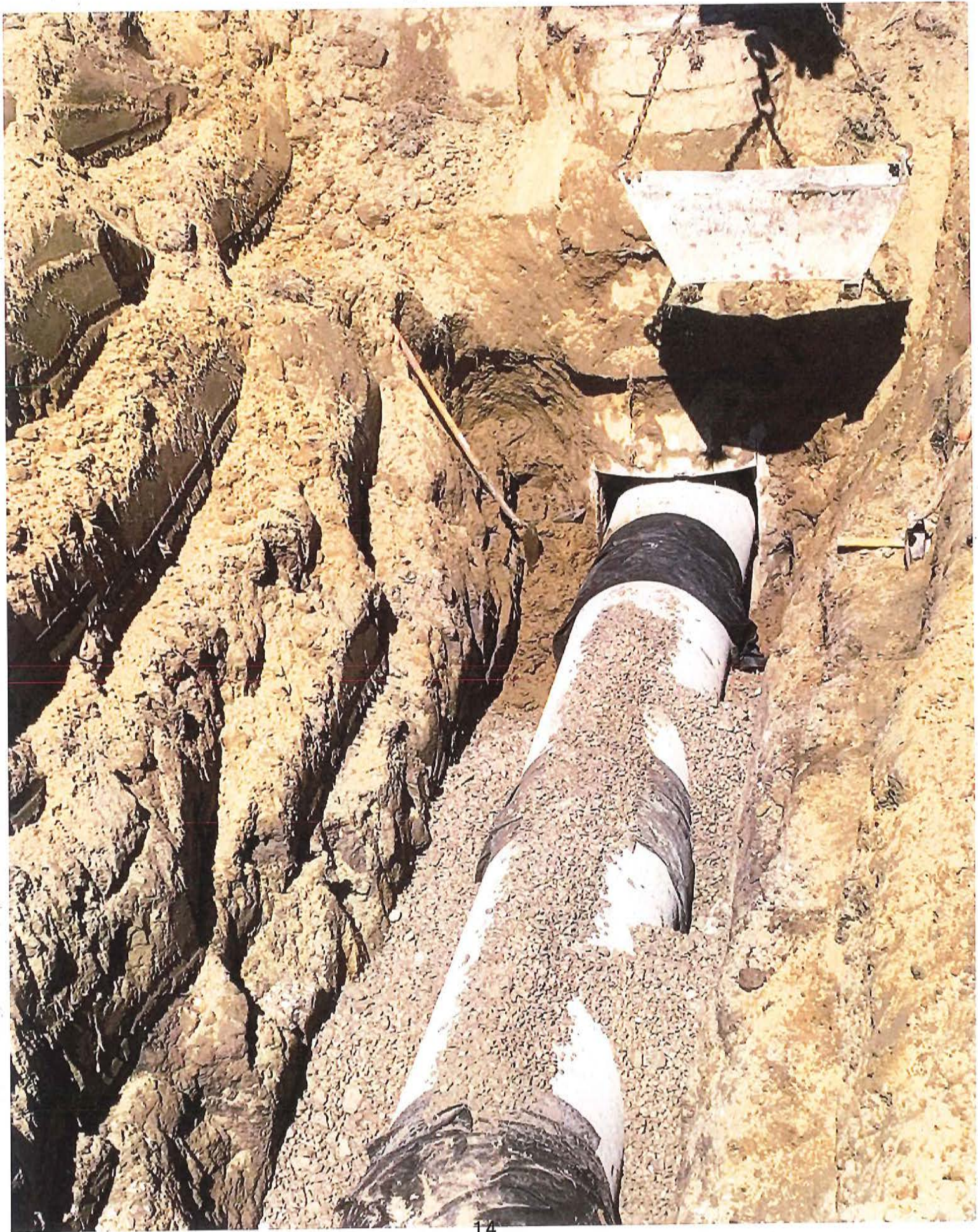


Sinkhole #1





Sinkhole #1





Sinkhole #2





Sinkhole #2





Sinkhole #2





Sinkhole #4





Sinkhole #4





Sinkhole #5





Sinkhole # 5



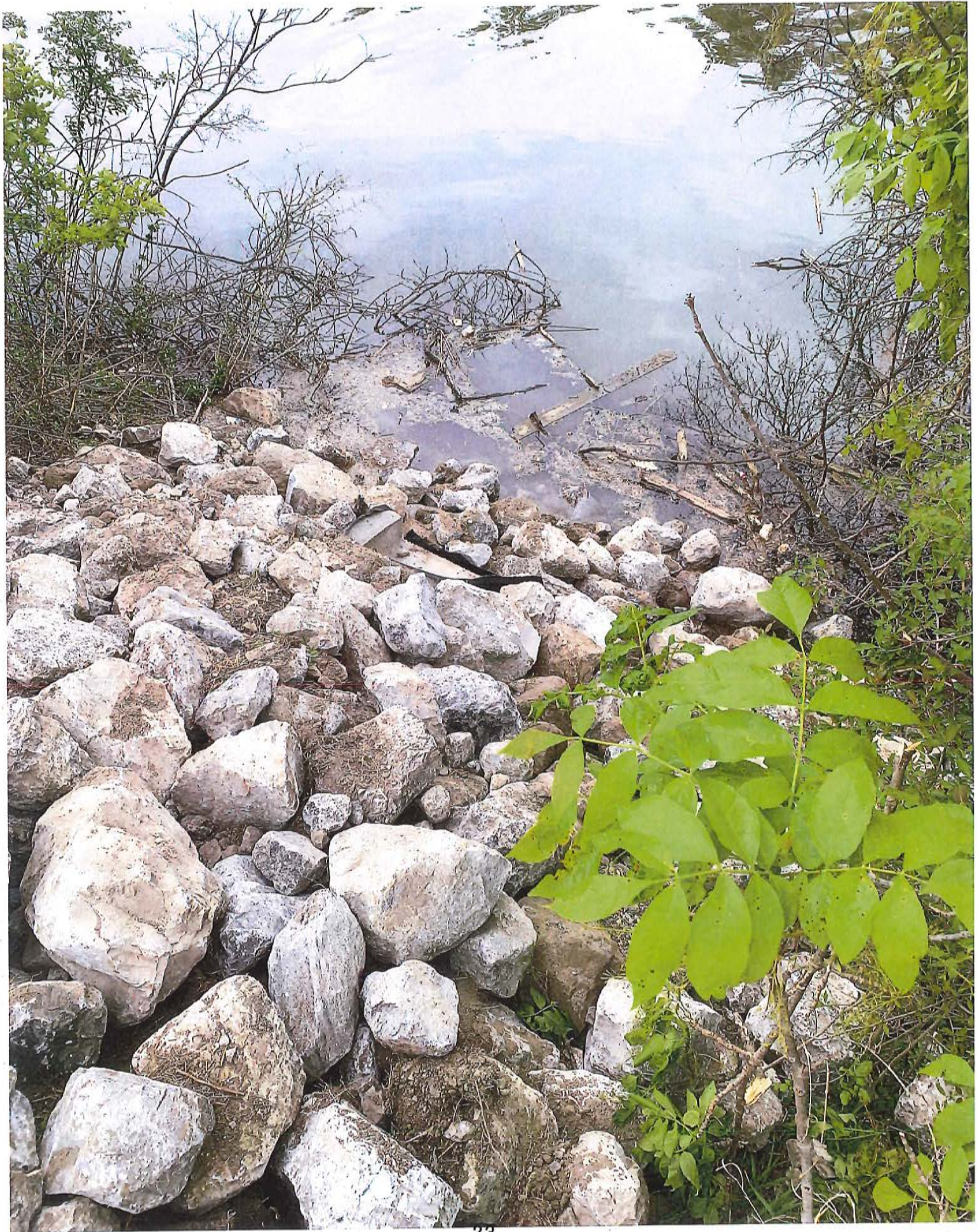


Sinkhole #6





Sinkhole #6





Sinkhole #7





Sinkhole #7







**NICKEL & SAPH, INC.**  
INSURANCE SINCE 1929

MAILING ADDRESS:

P.O. BOX 46907  
MT. CLEMENS, MI 48046-6907

OFFICE ADDRESS:

44 MACOMB PLACE  
MT. CLEMENS, MI 48043  
(586) 463-4573 • (810) 765-8887  
1-800-657-7373 • FAX: (586) 463-3135  
[www.nickelsaph.com](http://www.nickelsaph.com)

May 30, 2020

Mr. Brian Baker  
Macomb County Public Works  
21777 Dunham Road  
Clinton Twp., MI 48036

Re: Macomb County Inter-County Drains Drainage Districts

Dear Mr. Baker:

Enclosed, please find our renewal offering for the casualty insurance coverages for the independent inter-county drainage districts that have been formed through the years for the construction, operation, and maintenance of some storm and sanitary drains within Macomb County and beyond county boundaries. These districts are acknowledged as distinct, independent entities. As distinct entities, the districts are not part of any budgeted Macomb County unit of government and therefore not insured under insurance policies secured by the County.

Of the various insurance coverages discussed, this correspondence will address General Liability and Public Officials' Liability coverages. This correspondence contains:

- I. Responding Insurance Carrier Renewal Proposal

Please review this information and contact our offices with any questions or concerns. Thank you.

Sincerely,

Stephen R. Saph Jr., LIC  
Agent

cc: John P. Anderson, Esq.

Enclosure



## I. Responding Insurance Carrier Proposal

### Trident Public Risk Solutions Presenting Argonaut Insurance Company

Rating – A- XIV, Admitted

General Liability, Non-Owned Automobile Liability, and Public Officials' Liability – all afforded on an Occurrence basis excess of a retained limit.

The retained limit is applicable to both defense costs and the payment of third-party damages.

Defense expenses are outside of the limits of liability afforded by the carrier (payment of defense expenses will not reduce the available limits of liability).

An aggregate does not apply to the Hired and Non-owned Automobile Liability coverage.

Exclusions include but are not limited to the following: Employment Practices Liability, Pollution, Non-Monetary Relief, and Debt Financing. Please refer to policy forms for terms, conditions, definitions, and all applicable exclusions.

Excludes the Oakland Macomb Interceptor.

Separate limits are afforded for each line of coverage (general liability, public officials', and automobile liability). Payment of damages for one line of coverage will not impact or reduce the limits available and dedicated to the remaining lines of coverage.

Each Occurrence Limit –	11,000,000
Aggregate Limit –	12,000,000
Retained Limit -	250,000
Annual Premium (excluding Terrorism) -	72,117
Additional Premium for Terrorism -	1,908
<b>Total Annual Premium -</b>	<b>74,025</b>

Expiring Annual premium - \$72,760. Renewal premium has increased \$1,265 or 1.74%. Current policy expiration date – June 28, 2020. Terrorism is an optional coverage that was secured last year. A decision whether to accept or reject Terrorism coverage must be made again this year.

Argonaut requires the continued involvement of a third-party administrator. The ASU Group currently affords these services by way of a separate agreement.

Stephen R. Saph Jr.

**Nickel & Saph, Inc. Insurance Agency**

586-463-4573 (wk)

586-747-9315 (cell)

586-463-3135 (fax)

[stephenjr@nickelsaph.com](mailto:stephenjr@nickelsaph.com)

May 30, 2020



Macomb County Public Works  
 Liability Insurance - Renewal 6/28/2020  
 Chapter 21

DRAIN	(2017-18 Expenses)		(2018-19 Expenses)		2020 Premium	
	EXPENSES	PERCENT	EXPENSES	PERCENT	EXPENSES	PERCENT
Bear Creek <sup>1</sup>	\$233,006	64.72%	\$201,576	36.72%	\$217,291	47.81%
Clinton River Spillway <sup>2</sup>	\$ 86,539	26.82%	\$ 60,239	10.97%	\$ 78,389	17.25%
McCoy Relief	\$ 2,709	0.75%	\$ 1,097	0.20%	\$ 1,903	0.42%
Red Run (all) <sup>3</sup>	\$ 35	0.01%	\$148,447	27.04%	\$ 74,241	16.34%
Sharkey Relief <sup>4</sup>	\$ 27,274	7.58%	\$137,341	25.02%	\$ 82,308	18.11%
Richmond-Columbus	\$ 371	0.10%	\$ 150	0.03%	\$ 261	0.06%
Crapeau Creek	\$ 61	0.02%	\$ 90	0.02%	\$ 76	0.02%
Totals	\$359,995	100.00%	\$548,940	100.00%	\$454,468	100.00%
					\$ 74,025	

Insurance Premium

DRAIN	2019 Premium		2020 Premium		Difference
	2016/17-2017/18	Based on 2 year average of expenses	2017/18-2018/19	Based on 2 year average of expenses	
Bear Creek <sup>1</sup>	59.67%	\$ 43,416	47.81%	\$ 35,393	\$ (8,023)
Clinton River Spillway <sup>2</sup>	32.80%	\$ 23,871	17.25%	\$ 12,768	\$ (11,103)
McCoy Relief	1.51%	\$ 1,097	0.42%	\$ 310	\$ (787)
Red Run (all) <sup>3</sup>	0.02%	\$ 14	16.34%	\$ 12,093	\$ 12,079
Sharkey Relief <sup>4</sup>	5.78%	\$ 4,203	18.11%	\$ 13,407	\$ 9,204
Richmond-Columbus	0.21%	\$ 150	0.06%	\$ 42	\$ (108)
Crapeau Creek	0.01%	\$ 9	0.02%	\$ 12	\$ 3
Totals	100.00%	\$ 72,760	100.00%	\$ 74,025	

New Insurance Premium  
 for 6/29/2020-6/28/2021

DRAIN	CURRENT	AVAILABLE FUNDS
Bear Creek <sup>5</sup>	\$339,960	
Clinton River Spillway	\$168,286	
McCoy Relief	\$326,999	
Red Run (all)	\$365,488	
Sharkey Relief	\$629,927	
Richmond-Columbus	\$ 51,153	
Crapeau Creek	\$ 12,698	

<sup>1</sup> Bear Creek's expenses lower because of previous year's sinkhole and sewer inspection  
<sup>2</sup> Clinton River's expenses lower due to 2017 sinkhole  
<sup>3</sup> Red Run expenses are significantly higher this year, per Oakland County, because of Engineering Services evaluation of the drain to include repair, maintenance and management recommendations  
<sup>4</sup> Sharkey percentage higher because of Siphoning Project in 2018-2019  
<sup>5</sup> \$700,000 of Bear Creek money is in reserve for future operation and maintenance per November 1998 Board Meeting



CLINTON RIVER SPILLWAY DRAIN 5/5/20 - 6/16/20

<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>
Clinton River Spillway	Chapter 21	Bednar	Aloia & Associates, P.C.	\$ 731.50	Invoice #19928 - 5.1.20	Legal Services - Sheffield Title Work	
		Stockel	Cortis Brothers Trucking	\$ 6,099.00	Invoice #3908 - 4.30.20	Emergency Sinkhole #3 Repair	
		Stockel	Cortis Brothers Trucking	\$ 10,410.71	Invoice #3910 - 4.30.20	Emergency Sinkhole #2 Repair	
		Slanec	Marinos	\$ 840.00	Invoice #9283 - 5.31.20	Lawn Care 2020	
		Stockel	Robert Clancy Contracting	\$ 21,275.00	Invoice #8778 - 5.6.20	Emergency Sinkhole #1 Repair - 16 Mile & I-94	
		Stockel	Robert Clancy Contracting	\$ 18,100.00	Invoice #8805 - 5.28.20	Sinkhole Repair #4, 5, 6, & 7 - Final	
		<b>Total</b>		\$ 57,456.21			



YTD Trial Balance

Fund: Clinton River Spillway

As of Fiscal Period: Oct 1, 2019-May 31, 2020

	O&M Balance 9/30/2019	O&M	TOTAL 5/31/2020
Cash - Operating	225,019	(56,302)	168,717
Accounts Receivable			0
Assets			0
Liabilities			0
Revenues		2,465	2,465
Expenditures		58,767	58,767
Equity	225,019		168,717