
Members Absent: None.

1. CALL TO ORDER: Ms. Stumbo called the meeting to order at 4:00 p.m.

2. MINUTES OF THE PREVIOUS MEETING: Motion by Bodary to receive and file the minutes of the October 26, 2016 meeting as presented. Support by Doe. In favor: All. Opposed: None. (Motion carried.)

3. NEW BUSINESS:

A. Informational Item - Michigan Municipal League Liability and Property Pool Dividend Distribution – Judy Thomson Torosian

Ms. Torosian advised the Board that YCUA has been a member of the MML Liability and Property Pool for the past 33 years, making the Authority a core member. She indicated that dividend distribution began in earnest in 2011 and, since that time, YCUA has received $214,689. Ms. Torosian explained that this year’s dividend comes in the form of a check to YCUA for $32,361. She pointed out that the Authority has great staff and that MML appreciates YCUA’s membership.

Informational only; no motion from the Board required.


Mr. Castro directed the Board’s attention to a FOIA appeal letter from Michigan Radio dated October 27, 2016. He indicated that the appeal
requests that YCUA reconsider providing addresses for all of the Authority’s 31 lead and copper sample site locations.

Mr. Castro explained that, in May of this year, many communities throughout the state received FOIA requests from Michigan Radio to provide lead and copper sample site location addresses and results. He pointed out that some communities provided addresses and some did not. Mr. Castro also explained that YCUA provided the information requested with street names and results without the house numbers with the intention of protecting customers’ personal information. He further advised that all communities publish a water quality report on July 1st of each year, which is posted on each community’s website, and contains all lead and copper sampling results system-wide.

Mr. Castro stated that he has been in contact with a few of the Authority’s customers that voluntarily allow YCUA to sample their homes. He acknowledged that they have stated that they do not want the Authority to provide their addresses for a litany of reasons. Mr. Castro confirmed that two customers indicated that they would remove themselves from the sampling pool if YCUA were to provide their addresses. He explained that he has also been in contact with Michigan Radio, who stated that their intent is to not publish any addresses but that they cannot promise the same.

Mr. Castro pointed out that, in the wake of the Flint issue that has created national tension regarding lead and copper, the EPA and MDEQ are recommending increased transparency between all public water systems and the public. He also stated that he has discussed this matter with MDEQ staff members, who have recommended that YCUA provide the addresses requested.

Mr. Castro further advised the Board that he has also been participating in a regional work group that has been providing input to the changes being considered by the EPA to the lead and copper rule that will include increased transparency and expanded sampling requirements. He indicated that he has also instructed Authority staff to identify and recruit additional sample sites that meet the Tier 1 criteria, which include lead water service and/or internal copper plumbing with lead solder preferably between 1982 and 1989.

Mr. Castro explained that, although he feels strongly about protecting customers’ privacy and he realizes YCUA will lose current sample sites, this is the direction that lead and copper data is going nationally. He pointed out that he is recommending to the Board that the Authority comply with the appeal and provide the requested information.
YCUA attorney Thomas E. Daniels then provided to the Board a detailed legal opinion of the likely outcome of a lawsuit if YCUA were to deny the appeal. He indicated that the short analysis is that he doesn’t think the Authority would prevail in court. The matter was then discussed at length.

Motion by Doe to approve the Freedom of Information Act (FOIA) appeal and provide the information as requested. Support by Ichesco. In favor: All. Opposed: None. (Motion carried.)

C. Request to Approve – Authorization to Seek Bids re: Sanitary Sewer and Drop Manholes Rehabilitation (O & M Expense Account No. 902-162) – Jeff Castro

Motion by Jason to provide Authorization to Seek Bids re: Sanitary Sewer and Drop Manholes Rehabilitation (O & M Expense Account No. 902-162). Support by Ichesco. In favor: All. Opposed: None. (Motion carried.)

D. Request to Approve - Revisions to Fats, Oil, and Grease (FOG) Program Policy – Luther D. Blackburn

Motion by Jason to approve Revisions to Fats, Oil, and Grease (FOG) Program Policy. Support by Doe.

Mr. Blackburn reminded the Board that they approved the Authority’s FOG mitigation program policy in 2009 and that it is utilized to regulate food service establishments in the City of Ypsilanti and Ypsilanti Township. He indicated that the program has been very successful but that staff is hoping to make two significant revisions.

Mr. Blackburn explained that the first recommended revision is reducing to 90 days the current one-year timeframe within which food service establishments are required to install a grease protection device. He pointed out that a 90-day deadline actually works out to be 120 days from the time of inspection.

Ms. Stumbo inquired as to the cost of a grease trap. Mr. Blackburn responded that around $500 is typical unless there are significant plumbing modifications, in which case it could possibly be in the $2,000 range.

Mr. Blackburn also explained that the second recommended revision is to change the policy language so that it specifies regulation of only establishments engaging primarily in food service activities. He further advised that this change still retains the ability to manage other food service establishments if an issue is found.
Ms. Stumbo interjected that $2,000 might be a lot of money to a small business owner and that she would like to have more time to research this matter.

Mr. Doe inquired as to why all the local food service establishments aren’t in compliance if the program has been in place for seven years. Mr. Blackburn responded that businesses change their names or ownership and new businesses are opening every day. He added that food establishments also don’t always pull permits when they are supposed to and sometimes slip under the radar. Mr. Blackburn stated that YCUA does not have a full time inspector and has been very successful despite its limited resources. He acknowledged that it is a constant battle for the Authority to verify compliance.

Motion by Doe to table this item to allow the Board more time to review the policy. Support by Bodary. By roll call vote: Ayes: Brenda L. Stumbo, Michael Bodary, John Ichesco, Larry J. Doe, and Keith P. Jason. Nayes: None. (Motion carried)

E. Request to Approve – Purchase of Sand, Stone, and Cold Patch in the Amount of $75,080 (O & M Expense Account No. 560-806) – Bob Fry

Motion by Doe to approve the Purchase of Sand, Stone, and Cold Patch in the Amount of $75,080 (O & M Expense Account No. 560-806). Support by Bodary. In favor: All. Opposed: None. (Motion carried.)

F. Fund Balance Report – Dwayne Harrigan

Informational only; no motion from the Board required.


Informational only; no motion from the Board required.

H. Attorney’s Report – Thomas E. Daniels

There was no Attorney’s Report for the month.

I. Environmental Report – Luther D. Blackburn

Mr. Blackburn reminded the Board, several months ago, he reported to them that YCUA had exceeded the new EPA hydrogen chloride limit. He indicated that, on September 20th, the hydrogen chloride in the incinerator was re-tested and the results indicated that the Authority is now in compliance with all of the new EPA regulations.

Mr. Blackburn explained that sewer use ordinance revisions are being proposed that will include special allocations to be approved by MDEQ. He pointed out that the most important change will be to the surcharge
program that allocates the pollutants that the Authority can treat such as total suspended solids. Mr. Blackburn also explained that the there is a specific allocation that YCUA can provide to industrial users to allow them to discharge and stay in compliance with the sewer use ordinance. He further advised that, historically, the Authority has used a uniform allocation wherein all industrial users get an equal portion of the pie but which is not necessarily the most economically-friendly approach if YCUA has unutilized capacity. Mr. Blackburn stated that the change will allow an organization a specific piece of the pie that is in compliance with the sewer use ordinance and doesn’t interfere with the operation of the wastewater treatment plant. He acknowledged that this change will provide the Authority with an additional source of revenue and may be an economic incentive for new businesses that are interested in locating within the YCUA service area.

Ms. Stumbo inquired about the sulfur odor she experienced while driving to the meeting. Mr. Blackburn responded that there are still issues with the headworks odor control facility, which is scheduled to go down during the second week of December for significant cleaning and improvements. He added that, in recent months, a spike in hydrogen sulfide has been experienced, which is responsible for the rotten egg smell. Mr. Blackburn indicated that the source of the hydrogen sulfide is unknown but that staff is investigating. The matter was then discussed further.

Informational only; no motion from the Board required.

J. Director’s Report - Jeff Castro

There was no Director’s Report for the month.

4. OLD BUSINESS: There was no Old Business for the month.

5. OTHER BUSINESS: There was no Other Business for the month.

6. STATEMENTS AND CHECKS: Motion by Ichesco to pay the bills in the amount of $2,057,871.69. Support by Doe. In favor: All. Opposed: None. (Motion carried.)

7. PUBLIC COMMENTS: There were no Public Comments for the month.

8. ADJOURNMENT: Motion by Bodary to adjourn the meeting at 4:50 p.m. Support by Jason. In favor: All. Opposed: None. (Motion carried.)

Respectfully submitted,

JON R. ICHESCO, Secretary - Treasurer