



Minutes

**YPSILANTI COMMUNITY UTILITIES AUTHORITY
BOARD OF COMMISSIONERS MEETING
Tuesday, September 23, 2008 – 9:00 a.m.
YCUA Administration Building
2777 State Road
Ypsilanti, MI 48198-9112**

Members Present: J. Ray Scott, Mark Namatevs, Deedra Climer Bass, Larry J. Doe, and Gregory A. Peoples.

Members Absent: None.

1. **CALL TO ORDER:** Scott called the meeting to order at 9:01 a.m.
2. **MINUTES OF THE PREVIOUS MEETINGS:** Motion by Doe to receive and file the minutes of the August 26, 2008 meeting as presented. Support by Peoples. In favor: All. Opposed: None. (Motion carried.)
3. **NEW BUSINESS:**
 - A. **Request to Approve – YCUA Resolution No. 08-9 re: Retirement of D. Wayne Dudley** – Larry R. Thomas

Mr. Thomas advised the Board that Wayne Dudley is retiring on September 30, 2008. He indicated that Mr. Dudley is currently a supervisor in the maintenance department and has completed thirty years of service to the Authority. Mr. Thomas also explained that this resolution commends Mr. Dudley for his outstanding service and expresses YCUA's appreciation.

Mr. Thomas recommended approval of YCUA Resolution No. 08-9 re: Retirement of D. Wayne Dudley.

Motion by Peoples to approve YCUA Resolution No. 08-9 re: Retirement of D. Wayne Dudley. Support by Bass. In favor: All. Opposed: None. (Motion carried)

B. Request to Approve – Resolution No. 08-10 re: Retirement of Eddie Allison – Larry R. Thomas

Mr. Thomas advised the Board that Eddie Allison has requested retirement on September 29, 2008. He indicated that Mr. Allison has completed 21 years of service to the Authority and is presently a maintenance helper. Mr. Thomas also explained that this resolution commends Mr. Allison for his outstanding service and expresses YCUA's appreciation.

Mr. Thomas recommended approval of YCUA Resolution No. 08-10 re: Retirement of Eddie Allison.

Motion by Doe to approve Resolution No. 08-10 re: Retirement of Eddie Allison. Support by Bass. In favor: All. Opposed: None. (Motion carried)

C. Request to Approve – Change Order No. 1 re: 2008 Roof Replacement Phase 2 – T. Michael Jessee

Mr. Jessee reminded the Board that they previously approved a roof replacement project for five buildings at the wastewater treatment plant site in the amount of \$163,530. He indicated that all of the roofs have been replaced and the project is complete. Mr. Jessee also explained that the project also included 110 feet of walkway paths for the roofs, which are designed to prevent any damage to the new roofs that might possibly be caused when employees are required to work on equipment there. He pointed out that the addition of the walkway paths resulted in a change order in the amount of \$2,750.

Mr. Jessee recommended approval of Change Order No. 1 re: 2008 Roof Replacement Phase 2 in the amount of \$2,750.

Motion by Peoples to approve Change Order No. 1 re: 2008 Roof Replacement Phase 2 in the amount of \$2,750. Support by Bass. In favor: All. Opposed: None. (Motion carried)

D. Request to Approve – Tetra Tech Proposal re: Martz Road Pump Station Header Replacement – T. Michael Jessee

Mr. Jessee advised the Board that YCUA has a very large sanitary pumping station at Martz Road. He indicated that this station has the ability to pump 17.7 mgd. Mr. Jessee also explained that the average flow from this pump station is 5 mgd. He pointed out that, back in late 1990s, it was discovered that the Martz Road pump station and three other large pump stations have very thin piping. Mr. Jessee explained that the large

discharge piping inside the station was dangerously thin. He further advised that a contractor was brought in at that time, who welded metal over the piping as a temporary solution. Mr. Jessee stated that currently, the Factory Street and Snow Road pump station renovations have been completed and the discharge piping replaced. He acknowledged that the next project on the list is Martz Road and staff is desirous of completing the project this fiscal year.

Mr. Jessee confirmed that staff contacted Tetra Tech in order to prepare the specification in order to complete the bidding process. He explained that this project is a little different from the other two in that it includes the replacement of three pumps there, the addition of one new pump, the update of the electrical controls and variable frequency drives (VFDs) for the pumps, and the replacement of the comminutor because this equipment is 30 years old. Mr. Jessee pointed out Tetra Tech prepared a proposal in the amount of \$72,500.

Mr. Jessee recommended approval of the Tetra Tech Proposal re: Martz Road Pump Station Header Replacement in the amount of \$72,500.

Gregory A Peoples inquired as to where exactly on Martz Road that this pump station is located. Mr. Jessee responded that it is located just west of Rawsonville Road on the north side of Martz Road.

Larry J. Doe inquired as to whether all of the pump stations have backup generators. Mr. Jessee responded that they do.

Deedra Climer Bass inquired as to how many more pump stations are scheduled for renovation. Mr. Jessee responded that there is this project and then one more at Willow Run. He added that Factory Street, Snow Road, Martz Road, and Willow Run are called "The Big Four" and that all of the sewage collected in the community ends up at one of those stations.

Motion by Doe to approve the Tetra Tech Proposal re: Martz Road Pump Station Header Replacement in the amount of \$72,500. Support by Peoples. In favor: All. Opposed: None. (Motion carried)

E. Request to Approve – Tetra Tech Proposal re: Willow Run Pump Station Header Replacement – T. Michael Jessee

Mr. Jessee advised the Board that the Willow Run station is located across from Willow Run airport just south of the GM Hydramatic plant. He indicated that this station is very similar to Martz Road except that Willow Run has a larger capacity at 25.2 mgd. Mr. Jessee also explained that the Willow Run station averages 2.7 mgd. He pointed out that work here will include all of the inside piping, discharge header, new pumps, variable frequency drives (VFDs), and comminutor. Mr. Jessee explained that the

comminutor is like a large garbage disposal that grinds up all of the rags and debris. He further advised that Tetra Tech provided the proposal for this work in the amount of \$72,500.

Mr. Jessee recommended approval of the Tetra Tech Proposal re: Willow Run Pump Station Header Replacement in the amount of \$72,500.

Motion by Namatevs to approve the Tetra Tech Proposal re: Willow Run Pump Station Header Replacement in the amount of \$72,500. Support by Bass. In favor: All. Opposed: None. (Motion carried)

F. Request to Approve – York Township Industrial Pretreatment Program (IPP) Delegation Agreement – Perry M. Thomas

Mr. Thomas directed the Board's attention to his letter requesting that the Board approve YCUA staff's request to enter into an IPP agreement with York Township. He indicated that the delegation agreement is a document that legally authorizes the Authority to administer the industrial pretreatment program in York Township. Mr. Thomas also explained that York Township officials have signed the agreement. He pointed out that YCUA has a written IPP that was approved by MDEQ.

Mr. Thomas explained that administering the YCUA industrial pretreatment program consists of the Authority being one of the parties that enforces the York Township sewer use ordinance. He further advised that YCUA personnel will become familiar with the York Township wastewater collection system that discharges to the publicly-owned wastewater collection system of the Authority. Mr. Thomas stated that YCUA will document the non-domestic users of the York Township collection system, the nature of their business in regards to wastewater charges, the characteristics of the wastewater charges, evaluate whether the discharges are in compliance with the sewer use ordinance, and determine if that user should be a significant industrial user. He acknowledged that, if they are deemed to be a significant industrial user, they will be put into the IPP and will receive an individual control mechanism that is referred to as a permit.

Mr. Thomas confirmed that the Authority will then monitor their adherence to the permit and the sewer use ordinance and evaluate their compliance and issue enforcement as necessary.

Mr. Thomas recommended approval of the York Township Industrial Pretreatment Program (IPP) Delegation Agreement.

Motion by Namatevs to approve the York Township Industrial Pretreatment Program (IPP) Delegation Agreement. Support by Peoples. In favor: All. Opposed: None. (Motion carried)

G. Request to Approve – 2008 Incinerator Emission Testing – Perry M. Thomas

Mr. Thomas directed the Board's attention to his letter requesting approval of the YCUA staff plan to conduct the year 2008 incinerator emission testing. He indicated that the Authority's air permit specifies that YCUA must measure the emission rates of carbon monoxide and mercury in the incinerator exhaust once per year. Mr. Thomas also explained that, in addition to testing for the carbon monoxide and mercury in the exhaust, the Authority is attempting to obtain mercury, dioxin, and furan emission rate data upstream of the granulated, activated carbon absorber. He pointed out that the reason for measuring these pollutants before they enter the GAC absorber is to obtain site-specific emission rates for these pollutants.

Mr. Thomas explained that the incinerator was down between January and June 2008 due to problems with the GAC absorber that resulted in the blocking of the gas going through. He further advised that the Authority inquired with MDEQ about bypassing the GAC absorber since the pipework was already in place to do so. Mr. Thomas stated that MDEQ consulted with the EPA to determine the dioxin and mercury emission rates if this was done. He acknowledged that MDEQ used literary values for emission rates from the EPA and studied similar incinerators that do not employ a GAC absorber.

Mr. Thomas confirmed that eventually MDEQ responded that YCUA could bypass the GAC absorber for a short time. He explained that repairs were almost complete at that time, so the MDEQ provision was not utilized. Mr. Thomas pointed out that some actual, site specific data for those pollutants upstream of the GAC will be very helpful in the future for YCUA and MDEQ decision-making processes. He also stated that Authority staff developed the documents and advertised for sealed bids in the *Michigan Contractor and Builder* publication, intergovernmental trade network, and posted it on the YCUA website.

Mr. Thomas advised the Board that five bids were received: Avogadro Environmental Corp. in the amount of \$24,500, NTH Consultants, Ltd. in the amount of \$27,705, Bureau Veritas North America, Inc. in the amount of \$28,800, Civil & Environmental Consultants, Inc. in the amount of \$36,628, and MACTEC Engineering and Consulting, Inc. in the amount of \$42,000. He indicated that due diligence was performed on Avogadro Environmental Corp. and their references came back as very favorable. Mr. Thomas also explained that Avogadro Environmental Corp. has worked for YCUA before with excellent results. He pointed out that he

feels that Avogadro Environmental Corp. is a very reputable company and capable of analyzing such low chemical concentrations.

Mr. Thomas explained that their insurance certificates met the Authority's requirements.

Mr. Thomas recommended approval of the 2008 Incinerator Emission Testing contract with Avogadro Environmental Corp. in the amount of \$24,500 with a contingency budget of \$2,400 for a total budget of \$26,900.

Mark Namatevs asked for clarification as to whether the carbon bed will be bypassed in a situation where there is a problem with the carbon bed and whether \$2,400 will be spent on a contingency plan. Mr. Thomas responded that carbon monoxide and mercury must be measured once per year but it must be measured below the bed so that the data can be site-specific data in the event that the GAC absorber develops a problem again.

Mark Namatevs asked for clarification that this testing must be done anyway but that it would normally be done after it passes through the carbon bed. Mr. Thomas responded affirmatively, indicating that the dioxin and several other pollutants must be measured once every five years at the exhaust. He indicated that this will not be done this year because it was done in 2006. Mr. Thomas also explained that YCUA staff did request that, if it was done again this year, the clock be reset so that it would not need to be done again until 2013. He pointed out, however, that this would not provide the data that staff needs of the dioxin, furans, and mercury concentrations before the exhaust goes into the GAC, which is mainly what it is put online for.

Mark Namatevs inquired as to whether there were heavy concentrations of mercury in the past that required hazmat disposal. Mr. Jessee responded that there was never any dangerous material in that bed at all. He responded that hazmat was never needed but that outside people certified in these matters were brought in to empty the carbon. J. Ray Scott interjected that he remembers it being a hazmat issue. Larry R. Thomas reiterated that there was never enough mercury to deem it hazardous material but that it still needs to be properly disposed of and cannot be taken to a normal landfill. Mr. Jessee indicated that the reason this additional testing is being requested is as a proactive measure so that data can be collected of the emissions before they go into the carbon bed so that, if the carbon bed goes down and the incinerator cannot be operated, YCUA will be able to advise MDEQ and the EPA that the data shows there are no hazardous emissions going into the carbon bed and, therefore, the Authority can request special permission to operate the incinerator

without the carbon bed for a three- to six-month period while the repairs are done. Mr. Jessee also explained that the bypass is already in place to accomplish this.

Mr. Namatevs inquired as to the likelihood of the carbon bed failing again. Mr. Jessee responded that eventually, the carbon bed will fail but that is less likely to happen any time soon with the moisture monitoring procedures that are now in place, the fact that some of the equipment is now being operated in manual mode, and the coalescer filter being inspected once a month. He indicated that it is important to be proactive in this matter because when the solids need to be trucked away in the event of an incinerator shutdown, the money really goes out the door.

Mr. Namatevs inquired as to whether the Authority is already running the incinerator on an intermittent basis anyway. Mr. Jessee responded affirmatively, indicating that the schedule between operative periods is presently one week on and one week off, the reason being that it is not necessary to run it all the time. Mr. Jessee explained that if the sludge is run through the incinerator as it comes in, it costs enormous amounts of money for natural gas and electricity and that it is much cheaper to shut it down for a week.

Larry J. Doe inquired as to who did the testing last year. Perry M. Thomas responded that it was done by Bureau Veritas North America, Inc. Mr. Doe inquired as to why their bid was so much higher this year. Larry R. Thomas responded that it is due to the addition of dioxin and furans tests, which are very expensive procedures.

Motion by Bass to approve the 2008 Incinerator Emission Testing contract with Avogadro Environmental Corp. in the amount of \$24,500 with a contingency budget of \$2,400 for a total budget of \$26,900. Support by Namatevs. In favor: All. Opposed: None. (Motion carried)

H. Fund Balance Report - Larry R. Thomas

Mr. Thomas directed the Board's attention to the Fund Balance Report for August 31, 2008. He then proceeded to give a detailed report of the information contained in the report and answered questions from the Board.

Informational only; no motion from the Board required.

I. Financial Report – Authority Net Assets - Larry R. Thomas

Mr. Thomas directed the Board's attention to the Financial Report – Authority Net Assets Report for August 31, 2008. He then proceeded to give a detailed report of the information contained in the report and

answered questions from the Board.

Informational only; no motion from the Board required.

J. Usage Report – Consumption Report - Larry R. Thomas

Mr. Thomas directed the Board's attention to the Consumption Report. He then proceeded to give a detailed report of the information contained in the report and answered questions from the Board.

Mark Namatevs inquired as to whether YCUA staff is being cognizant of the further decline from the large industrial customers in order to avoid any unpleasant surprises. Mr. Thomas responded affirmatively, indicating that he reduced the projected consumption where applicable.

Informational only; no motion from the Board required.

K. Attorney's Report – Thomas E. Daniels

Mr. Daniels advised the Board that he has three items to report on, all of which have been reported on at previous meetings. He indicated that there is one correction to the record from last month's meeting regarding the C.A. Hull litigation, which is the matter regarding the damaged sewer line at Harris and I-94. Mr. Daniels also explained that he had indicated last month that the matter was set for case evaluation, an alternative dispute resolution process that is built into the litigation at circuit court, was scheduled for December 10th but that it is actually scheduled for December 15th.

He pointed out that the status of the Meade Westvaco matter is the same as last month in that it is presently in pretrial discovery, which must be completed by February.

Mr. Daniels explained that WTUA arbitration matter has moved one step forward in that stipulated facts were submitted shortly before the deadline of September 19th, which are undisputed facts that both sides agree upon and are supported with documents where appropriate. He further advised that WTUA has asked for an extension on that deadline to September 26th so that they can present a revised version. Mr. Daniels stated that YCUA arbitration team includes him, Larry Thomas, Mike Jessee, Gwyn Belcher, Dwayne Harrigan, Scott Price from Wright, Griffin, and Davis; and Mark Kettner from Rehmann Robson.

Informational only; no motion from the Board required.

L. Director's Report - Larry R. Thomas

Mr. Thomas advised the Board that YCUA Health and Safety Supervisor Scott E. Robinson was recently recognized in *The Ann Arbor News*

regarding his receipt of the MWEA Health and Safety Professional of the Year Award. He indicated that the award was received in May and a press release was sent out at that time.

Mr. Thomas also explained that National Customer Service Appreciation Week is the week after next. He pointed out that YCUA will be recognizing its employees for their excellent work in serving the community with a gift of appreciation as it has done for the past several years.

Mr. Thomas explained that a press release has been sent out regarding the Authority's water and sewer rates, which will hopefully put a more positive spin on the fact that YCUA's water rate was not increased and the sewer rate only increased 3.5% even in light of other utilities increasing by double digits in some cases. He further advised that the press release also highlighted the decrease in the city surcharge rate by 2%. J. Ray Scott interjected that he is supportive of this press release and that it is always good to get the message to the public that YCUA employees are really meeting the mark and that there are people working hard to keep these rates as low as possible.

Informational only; no motion from the Board required.

4. OLD BUSINESS:

There was no old business for the month.

5. OTHER BUSINESS:

J. Ray Scott advised the Board that he and Larry J. Doe recently communicated with YCUA management regarding some employees who have concerns over policies in place at the Authority. He indicated that this action was taken because the employees had addressed their concerns to individuals outside YCUA. Mr. Scott also explained that this is not in keeping with the procedure set in place several years ago as a result of the organization analysis done by Miller Consulting. He pointed out that it is important to reiterate that policy at this time.

Mr. Scott explained that YCUA administration personnel answer to the YCUA Board of Commissioners and that the Board answers to YCUA City Council and the Ypsilanti Township Board of Trustees. He further advised that, when these things happen, there is a proper process to go through in the proper order, which is to address the YCUA administrators Director Larry Thomas, Assistant Director Mike Jessee, or Director of Administrative Services Gwyn Belcher first, who then are to meet with the YCUA Board of Commissioners to resolve the issues and move on from there. Mr. Scott stated that, in addition, it is policy that the full Board be informed of such personnel matters and that issues should not be

handled by individual Board members. He acknowledged that, because the situation was handled proactively, the problem has already been solved.

Mr. Scott confirmed that the YCUA Board learned a great deal from the problems that occurred several years ago and wanted to make sure that they take care of their most valuable resource in those employees that give everything they have.

Informational only; no motion from the Board required.

6. **STATEMENTS AND CHECKS:** Motion by Bass to pay the bills in the amount of \$4,889,723.10 with an addendum in the amount of \$1,549.25. Support by Peoples. In favor: All. Opposed: None. (Motion carried)
7. **PUBLIC COMMENTS:**
There were no public comments for the month.
8. **ADJOURNMENT:** Motion by Bass to adjourn the meeting at 10:27 a.m. Support by Peoples. In favor: All. Opposed: None. (Motion carried)



Respectfully submitted,

A handwritten signature in blue ink, appearing to read 'DBass', written over a horizontal line.

DEEDRA CLIMER BASS, Secretary/Treasurer

**YCUA RESOLUTION NO. 08-9 ANNOUNCING
THE RETIREMENT OF C. WAYNE DUDLEY AND
COMMENDING HIM FOR HIS SERVICE**

Minutes of a regular meeting of the Board of Commissioners of the Ypsilanti Community Utilities Authority, County of Washtenaw, Michigan, held in the Authority, on the 23rd day of September 2008 at 9:00 o'clock a.m., Eastern Daylight Time.

PRESENT: Commissioners J. Ray Scott, Mark Namatevs, Deedra Climer Bass, Larry J. Doe,
and Gregory A. Peoples.

ABSENT: Commissioners None.

The following preamble and resolution were offered by Commissioner Peoples and supported by Commissioner Bass:

WHEREAS, C. Wayne Dudley, an employee of the Ypsilanti Community Utilities Authority, has completed thirty (30) years of service to the Authority; and

WHEREAS, C. Wayne Dudley has requested retirement as of September 30, 2008 and

WHEREAS, C. Wayne Dudley demonstrated probity, loyalty, dependability, and dedication to his employment; and

NOW, THEREFORE, BE IT RESOLVED THAT the Board of Commissioners of the Ypsilanti Community Utilities Authority commends C. Wayne Dudley for his accomplishments and years of service to the Authority and expresses its appreciation to him.

BE IT FURTHER RESOLVED THAT a suitably inscribed copy of this Resolution of Retirement be sent to C. Wayne Dudley as an expression of the Board's sincere appreciation for his years of service and the desire to convey its best wishes for good health and happiness in his retirement.

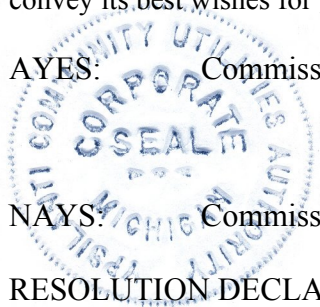
AYES: Commissioners J. Ray Scott, Mark Namatevs, Deedra Climer Bass, Larry J. Doe,
and Gregory A. Peoples.

NAYS: Commissioners None.

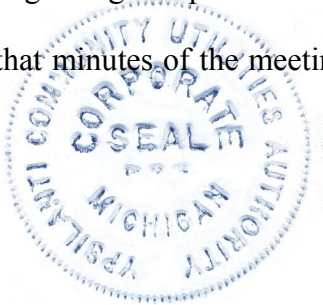
RESOLUTION DECLARED ADOPTED.



DEEDRA CLIMER BASS, Secretary - Treasurer



I hereby certify that the attached is a true and complete copy of a resolution adopted by the Board of Commissioners of the Ypsilanti Community Utilities Authority, County of Washtenaw, State of Michigan, at a regular meeting held on the 23rd day of September 2008 and that public notice of said meeting was given pursuant to and in full compliance with Act No. 267, Public Acts of Michigan, 1976 and that minutes of the meeting were kept and will be or have been made available as required by said Act.



DEEDRA CLIMER BASS, Secretary - Treasurer

**YCUA RESOLUTION NO. 08-10 ANNOUNCING
THE RETIREMENT OF EDDIE ALLISON AND
COMMENDING HIM FOR HIS SERVICE**

Minutes of a regular meeting of the Board of Commissioners of the Ypsilanti Community Utilities Authority, County of Washtenaw, Michigan, held in the Authority, on the 23rd day of September 2008 at 9:00 o'clock a.m., Eastern Daylight Time.

PRESENT: Commissioners J. Ray Scott, Mark Namatevs, Deedra Climer Bass, Larry J. Doe,
and Gregory A. Peoples.

ABSENT: Commissioners None.

The following preamble and resolution were offered by Commissioner Doe and supported by Commissioner Bass:

WHEREAS, Eddie Allison, an employee of the Ypsilanti Community Utilities Authority, has completed twenty-one (21) years of service to the Authority; and

WHEREAS, Eddie Allison has requested retirement as of September 29, 2008 and

WHEREAS, Eddie Allison demonstrated probity, loyalty, dependability, and dedication to his employment; and

NOW, THEREFORE, BE IT RESOLVED THAT the Board of Commissioners of the Ypsilanti Community Utilities Authority commends Eddie Allison for his accomplishments and years of service to the Authority and expresses its appreciation to him.

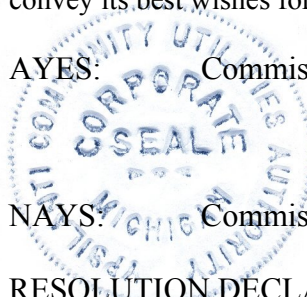
BE IT FURTHER RESOLVED THAT a suitably inscribed copy of this Resolution of Retirement be sent to Eddie Allison as an expression of the Board's sincere appreciation for his years of service and the desire to convey its best wishes for good health and happiness in his retirement.

AYES: Commissioners J. Ray Scott, Mark Namatevs, Deedra Climer Bass, Larry J. Doe,
and Gregory A. Peoples.

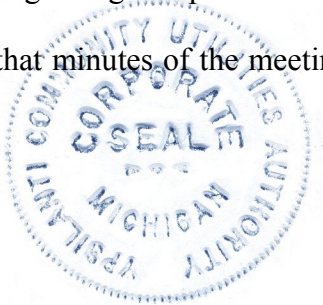
NAYS: Commissioners None.

RESOLUTION DECLARED ADOPTED.


DEEDRA CLIMER BASS, Secretary - Treasurer



I hereby certify that the attached is a true and complete copy of a resolution adopted by the Board of Commissioners of the Ypsilanti Community Utilities Authority, County of Washtenaw, State of Michigan, at a regular meeting held on the 23rd day of September 2008 and that public notice of said meeting was given pursuant to and in full compliance with Act No. 267, Public Acts of Michigan, 1976 and that minutes of the meeting were kept and will be or have been made available as required by said Act.



DEEDRA CLIMER BASS, Secretary - Treasurer