

NOTICE OF MEETINGS
DRAINAGE BOARD FOR THE FOLLOWING DRAINS:

1. Northwest Oakland Sanitary Sewer Drain
2. Clinton River Water Resource Recovery Facility
3. Acacia Park CSO
4. Birmingham CSO
5. Bloomfield Village CSO
6. George W. Kuhn Drain
7. Evergreen-Farmington Sanitary Drain
8. Caddell Drain
9. City of Pontiac Wastewater Treatment Facility
10. Franklin Subwatershed Drain
11. Joslyn Drain

NOTICE IS HEREBY GIVEN THAT MEETINGS OF THE DRAINAGE BOARD FOR THE ABOVE-MENTIONED DRAINS WILL COMMENCE IN THE OAKLAND COUNTY PUBLIC WORKS BUILDING, ONE PUBLIC WORKS DRIVE, WATERFORD, MICHIGAN, AND VIA **MICROSOFT TEAMS** AT 2:00 P.M., ON **TUESDAY, May 23, 2023**, TO CONDUCT NECESSARY AND APPROPRIATE BUSINESS OF THE DRAIN BOARDS. THOSE THAT WISH TO PARTICIPATE REMOTELY MAY FOLLOW THE INSTRUCTIONS ATTACHED TO THIS NOTICE. ALL BOARD MEMBERS WILL BE PARTICIPATING IN-PERSON.

DURING THE MEETING, THERE WILL BE AN AGENDA ITEM FOR PUBLIC COMMENT, DURING WHICH THE PUBLIC MAY PROVIDE INPUT OR ASK QUESTIONS OF THE BOARD. IN THE EVENT A MEMBER OF THE PUBLIC WOULD LIKE TO SUBMIT THEIR INPUT OR QUESTIONS TO BE READ AT THE MEETING BY THE BOARD CHAIRPERSON, PLEASE PROVIDE THE INPUT OR QUESTIONS IN WRITING TO STEPHANIE LAJDZIAK AT LAJDZIAKS@OAKGOV.COM. PERSONS WITH DISABILITIES THAT NEED ASSISTANCE PARTICIPATING IN THE MEETING SHOULD CONTACT STEPHANIE LAJDZIAK AT LAJDZIAKS@OAKGOV.COM.

JIM NASH
Oakland County Water Resources Commissioner
Telephone: 248-858-0958

Posted by: May 17, 2023

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1. Northwest Oakland Sanitary Sewer Drain

AGENDA

DRAINAGE BOARD FOR THE NORTHWEST OAKLAND DRAIN IMPROVEMENTS FIRST MEETING FOR NEW DRAIN PROJECT

New Drain Project
Village of Ortonville, Township of Groveland,
Township of Holly and Charter Township of Brandon

May 23, 2023

1. Call meeting to order.
2. Approve minutes of meeting of April 25, 2023
3. Public Comments
4. Present petitions from the Village of Ortonville, the Township of Groveland, the Charter Township of Brandon, and the Township of Holly.
5. Resolution to:
 - A. Acknowledge consideration of petitions.
 - B. Determine that the drain project is necessary for the public health.
 - C. Designate public corporations to be assessed.

Village of Ortonville
Township of Groveland
Township of Holly
Charter Township of Brandon
 - D. Name the drain project and the drainage district.
 - E. Set the time for the first hearing.
 - F. Direct that notice be published in The Oakland Press.
 - G. Direct that notice be mailed.
6. Authorize staff to advertise for request for proposals.

7. Present Memorandum from Brian Coburn, P.E., Manager, dated May 23, 2023, requesting the Board approve the agreement with Genesee County to purchase sewer capacity I n the Kearsley Creek Interceptor as presented and authorize the Chairperson to execute the agreement after the \$10 million appropriation has been approved by Oakland County Board of Commissioners
8. Present request for Board approval of payment of invoices and/or reimbursement of the Drain Revolving Fund in the amount of \$9,028.10
9. Other business.
10. Approve pro rata payment to Drainage Board members
11. Adjourn.

**MINUTES OF THE MEETING OF THE DRAINAGE BOARD
FOR THE NORTHWEST OAKLAND SANITARY SEWER DRAIN**

April 25, 2023

A meeting of the Drainage Board for the Northwest Oakland Sanitary Sewer Drain was held in the office of the Oakland County Water Resources Commissioner, Public Works Building, One Public Works Drive, Waterford, Michigan at 2:00 p.m. on the 25th day of April 2023.

The meeting was called to order by the Chairperson.

PRESENT: Jim Nash, Oakland County Water Resources Commissioner

David Woodward, Chairperson of the Oakland County Board of Commissioners

ABSENT: Gwen Markham, Chairperson of the Finance Committee, Oakland County Board of Commissioners

Minutes of the meeting held March 28, 2023, were presented for consideration. It was moved by Woodward, supported by Nash, that the minutes be approved.

ADOPTED: Yeas - 2
Nays - 0

Chairperson Nash asked if there were any public comments. There were none.

Brian Coburn provided a detailed presentation (attached) to update the Board on the status of the new Drainage District project. Discussion ensued as to the funding and importance of the project to the infrastructure for the surrounding communities. It was moved by Woodward, supported by Nash, to receive and file the presentation as presented.

ADOPTED: Yeas - 2
Nays - 0

A memorandum from Brian Coburn, P.E., Manager, dated April 25, 2023, requesting the Board receive and file the draft agreement between the Drainage District and Genesee County was presented. It was moved by Woodward, supported by Nash, to receive and file the draft agreement between the Drainage District and Genesee County as presented.

ADOPTED: Yeas - 2
Nays - 0

It was moved by Nash, supported by Woodward, to certify attendance and authorize pro rata payment of \$25 per day to Mr. Woodward.

ADOPTED: Yeas - 2
Nays - 0

There being no further business, the meeting was adjourned.

A handwritten signature in blue ink, appearing to read "Jim Nash", with a stylized flourish at the end.

Jim Nash, Chairperson

STATE OF MICHIGAN)
)SS.
COUNTY OF OAKLAND)

I, the undersigned, do hereby certify that the foregoing is a true and complete copy of the minutes of the Drainage Board for the Northwest Oakland Sanitary Sewer Drain, Oakland County, Michigan, held on the 25th day of April 2023, and that the minutes are on file in the office of the Oakland County Water Resources Commissioner and are available to the public.

I further certify that the notice of the meeting was posted at least 18 hours in advance of the meeting at the office of the Oakland County Water Resources Commissioner which is the principal office of the Drainage Board for the Northwest Oakland Sanitary Sewer Drain Drainage District.

A handwritten signature in blue ink, appearing to read "Jim Nash", is written above a horizontal line.

Jim Nash, Chairperson

Dated: April 25, 2023

PETITION

TO THE DRAINAGE BOARD FOR THE HEREINAFTER MENTIONED OAKLAND COUNTY, MICHIGAN DRAIN PROJECT

The undersigned public corporation petitions for the location, establishment, and construction of an intra-county drain project known as the Northwest Oakland Drain Project (the "Project"), which drain project is necessary for the public health, to extend sanitary sewer service from the Oakland County border with Genesee County to serve certain properties located within the Village of Ortonville, Groveland Township, Holly Township, and Brandon Township (collectively, the "Communities"). The Northwest Oakland Drain Project is to collect and transport sanitary wastewater originating in the County of Oakland only and will provide future capacity to serve the Communities and better protect the environment.

This petition consists of the following first phase of an intended three-phase process for the Project (the portion as described herein, the "Phase I Project")

1. An exploration of, and request for, applicable grants and other funding sources for the Project.

2. The negotiation and preparation of an agreement or agreements between the drainage district to be established pursuant to this petition process and the County of Genesee providing, without limitation, for the right to place sanitary flow to a sewer line of appropriate capacity located in Genesee County that will be extended to the Genesee County and Oakland County border at an estimated cost of \$35.0 million to Genesee County, which agreement or agreements shall expressly limit the cost for the negotiation and preparation of said agreement or agreements to the amount to be provided by the County of Oakland from ARPA grant funds, which is estimated to be \$10 million.

3. Said Phase I Project is necessary for the public health; and will serve property located entirely within the Communities.

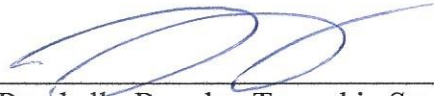
4. This petition is filed pursuant to the provisions of Chapter 20 of Act No. 40 of the Public Acts of Michigan of 1956, as amended.

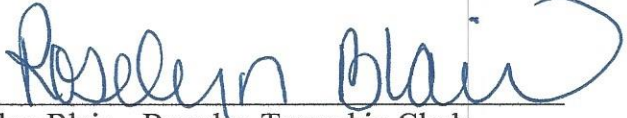
5. It is understood and agreed that the entire cost of the Phase I Project, if any, including litigation costs and the amount of any judgment, arbitration award or settlement, to the extent such costs are payable by the Drainage District, is to be assessed against this petitioner and all other public corporations that benefit from the Phase I Project and contribute to the conditions that make the Phase I Project necessary.

6. The issuance of bonds to finance the Phase I Project contemplated herein is contingent upon the Communities and the proposed drainage district entering into an agreement as provided by law setting forth the services and operations of the proposed drainage district and to provide for methods of addressing and apportioning future improvements to the proposed drainage district.

7. A certified copy of the resolution of the governing body of Brandon Township authorizing execution of this petition is attached hereto.

BRANDON TOWNSHIP

By: 
Jayson Rumball - Brandon Township Supervisor

By: 
Roselyn Blair - Brandon Township Clerk





Charter Township of Brandon
395 Mill St. PO Box 929
Ortonville, Mi. 48462
www.brandontownship.us

Jayson W. Rumball, Supervisor
Roselyn Blair, Clerk
Scott Broughton, Treasurer
Dana DePalma, Trustee
Robert Marshall, Trustee
Kathy Thurman, Trustee
Steve Unruh, Trustee

CHARTER TOWNSHIP OF BRANDON SEWER RESOLUTION #386-23

At a regular meeting of Brandon Township, Oakland County, Michigan held on May 1, 2023.

PRESENT: Blair, Broughton, DePalma, Marshall, Thurman, Unruh, Rumball

ABSENT: None

The following resolution was offered by Thurman and seconded by Blair:

BE IT RESOLVED BY BRANDON TOWNSHIP, OAKLAND COUNTY, MICHIGAN, as follows:

1. That Brandon Township make and cause to be filed the petition attached hereto.
2. That the Supervisor and Clerk are authorized and directed to execute the petition for and on behalf of Brandon Township and to execute an agreement related to the Phase I Project contemplated by said petition and to file the same with the Water Resources Commissioner of the County of Oakland.
3. That the Township Board consents to the assessment of its share of the entire cost, if any, of the Phase I Project against the Township.
4. That the Township agrees that it will pay its share of the costs incurred by the Oakland County Water Resources Commissioner or by the Drainage District in the event the drain or any portion thereof, for any reason, is not constructed.
5. The Township acknowledges that the County of Oakland, its Board of Commissioners, and the Oakland County Water Resources Commissioner will not contribute to the cost of the Phase I Project or its operation and maintenance except as described in paragraph 2 of the petition and to the extent that the County of Oakland may be assessed for the cost of the Phase I Project or may agree to contribute to the cost of the Phase I Project in accordance with the provisions of Chapter 20 of Act No. 40 of the Public Acts of Michigan of 1956, as amended.

6. That all prior resolutions and parts of resolutions insofar as they conflict with the provisions of this resolution are rescinded.

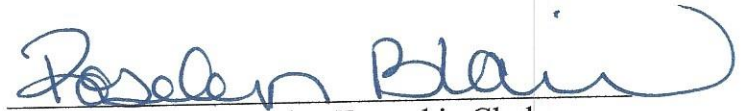
ADOPTED: Yeas 7

Broughton, DePalma, Marshall, Thurman, Unruh, Blair, Rumball


Nays 0

STATE OF MICHIGAN)
) SS
COUNTY OF OAKLAND)

I certify that that foregoing is a true and complete copy of a resolution adopted by Brandon Township, Oakland County, Michigan, at a regular meeting held on May 1, 2023, the original of which is on file in my office. I certify further that notice of the meeting was given and such meeting was conducted in accordance with the Open Meetings Act.



Roselyn Blair – Brandon Township Clerk



Jayson Rumball - Brandon Township Supervisor

**GROVELAND TOWNSHIP
SEWER DRAIN
RESOLUTION #2023-007
WITH OAKLAND COUNTY**

At a regular meeting of Groveland Township, Oakland County, Michigan held on May 8, 2023.

**PRESENT: Robert DePalma, Supervisor / Patricia Back, Clerk / Theresa Bills, Treasurer
Gina Muzzarelli, Trustee**

ABSENT: Jim Christopher, Trustee - Excused

The following resolution was offered by **Robert DePalma** and seconded by **Theresa Bills**

BE IT RESOLVED BY GROVELAND TOWNSHIP, OAKLAND COUNTY, MICHIGAN, as follows:

1. That Groveland Township make and cause to be filed a petition as follows:

PETITION

TO THE DRAINAGE BOARD FOR THE NORTHWEST OAKLAND DRAIN PROJECT

The undersigned public corporation petitions for the location, establishment, and construction of an intra-county drain project known as the Northwest Oakland Drain Project (the "Project"), which drain project is necessary for the public health, to extend sanitary sewer service from the Oakland County, Michigan border with Genesee County, Michigan to serve certain properties located within the Village of Ortonville, Groveland Township, Holly Township, and Brandon Township (collectively, the "Communities"). The Northwest Oakland Drain Project will collect and transport sanitary wastewater originating in the County of Oakland only, to be transported to the border with Genesee County and will provide future capacity to serve the Communities and better protect the environment.

This petition consists of the following first phase of an intended three-phase process for the Project (the portion as described herein is the "Phase 1 Project"):

1. The Phase 1 Project includes an exploration of, and request for, applicable grants and other funding sources for the Project.
2. The Phase 1 Project also includes the negotiation and preparation of an agreement or agreements between the Drainage District to be established pursuant to this petition process and the County of Genesee providing, without limitation, for the right to place sanitary flow to a sewer line of appropriate capacity located in Genesee County that will be extended to the Genesee County and Oakland County border, which agreement or agreements shall expressly limit the cost for the

negotiation and preparation of said agreement or agreements to the amount to be provided by the County of Oakland from APRA grant funds, which is estimated to be \$10 million.

Said Phase 1 Project is necessary for the public health and will serve property entirely within the Communities.

This petition is filed pursuant to the provisions of Chapter 20 of Act No. 40 of the Public Acts of Michigan of 1956, as amended.


It is understood and agreed that the final cost of the Phase 1 Project, if any, including litigation costs and the amount of any judgment, arbitration award or settlement, to the extent such costs are payable by the Drainage District, shall be allocated against this petitioner and all other public corporations that benefit from the Phase 1 Project and contribute to the conditions that make the Phase 1 Project necessary.

The issuance of bonds to finance the Phase 1 Project contemplated herein is contingent upon the Communities and the proposed drainage district entering into an agreement as provided by law setting forth the services and operations of the proposed drainage district and to provide for methods of addressing and apportioning future improvements to the proposed drainage district.

A certified copy of the resolution of the governing body of Groveland Township authorizing execution of this petition is attached hereto.

GROVELAND TOWNSHIP

By: 
Supervisor

By: 
Clerk

3. That the Supervisor and Clerk are authorized and directed to execute this petition for and on behalf of Groveland Township and to execute an agreement related to the Phase 1 Project contemplated by this petition and to file the same with the Water Resources Commissioner of the County of Oakland.

4. That the Township Board consents to an assessment, if necessary, of the Township's share of the entire cost, if any, allocated against the Township.

5. The Township acknowledges County of Genesee will be providing a sewer line of appropriate capacity located in Genesee County that will be extended to the Genesee County and Oakland County border at an estimated cost of \$35.0 million to Genesee County. The Township

further acknowledges that the County of Oakland, its Board of Commissioners, and the Oakland County Water Resources Commissioner will not contribute to the cost of the Phase I Project or its operation and maintenance except as described in paragraph 2 of the petition and to the extent that the County of Oakland may be assessed for the cost of the Phase I Project or may agree to contribute to the cost of the Phase I Project in accordance with the provisions of Chapter 20 of Act No. 40 of the Public Acts of Michigan of 1956, as amended.

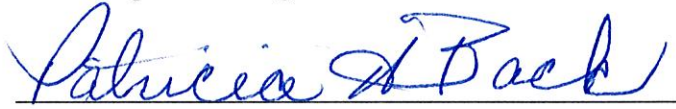
6. That all prior resolutions and parts of resolutions insofar as they conflict with the provisions of this resolution are rescinded.

ADOPTED: Yeas – 4 **Bills, Muzzarelli, DePalma, Back**

Nays - 0

STATE OF MICHIGAN)
) SS
COUNTY OF OAKLAND)

I certify that that foregoing is a true and complete copy of a resolution adopted by Groveland Township, Oakland County, Michigan, at a regular meeting held on May 8, 2023, the original of which is on file in my office. I certify further that notice of the meeting was given and such meeting was conducted in accordance with the Open Meetings Act.


Clerk

Groveland Township

**GROVELAND TOWNSHIP REGULAR BOARD MEETING
MAY 8, 2023 @ 7:00 PM**

Agenda Item 7 Presentation regarding County Drain Sewer Project

The following text (paragraph's 1 – 5) was read into the record by Groveland Township attorney William E. Hosler as a supplement to the ***Petition to the Drainage Board for the Northwest Oakland Drain Project*** ("Petition") under consideration by the Groveland Township Board. The Oakland County Drain District drafted the Petition. The text (below) comes from an email sent on 05/05/2023 by Oakland County Drain District attorney Peter H. Webster to attorney Hosler. The text is intended to further explain Oakland County's current position on the sewer Project with Genesee County, and the purpose of the Petition being to gather support from the communities benefiting from the sewer Project.

TO BE MADE A PART OF THE OFFICIAL MINUTES

1. The Phase 1 Project is simply the exploration and requests for grants and other funding sources (e.g. the ARPA funds) and to negotiate and prepare agreements with Genesee County. The Phase 1 Project does not include any authorization for construction by the Drainage District (i.e. the Dixie Highway Extension or the M-15 extension). If the Phase 1 Project is successful, Groveland will have every opportunity to review and approve yet another petition for the next aspect of the project which would involve the first aspect of construction by the Drainage District.
2. One of my changes makes it more clear that the County of Oakland is the source of funds (the \$10 million ARPA funds) which is contemplated (and will be written into the reference agreement or agreements) to be paid to Genesee County for the reference appropriate capacity of the Genesee Interceptor.
3. Similar to the initial petition which the Communities (including Groveland Township) previously approved last year, there is no anticipated additional cost to this Petition for the Communities. There is no bond anticipated, and that even if there was a hypothetical need for a bond, it could only be issued if there was an agreement as provided by law (i.e. the Drain Code) of the Communities and the Drainage District.
4. The Drainage District cannot allocate any costs to itself under the Drain Code. The Drainage District has no source of funds separate from those approved under the Petition / Drain Code.
5. The Phase 1 Project is to serve the Communities not the Drainage District.

**VILLAGE OF ORTONVILLE
RESOLUTION NO. 2023-02
April 24, 2023**

**RESOLUTION TO THE DRAINAGE BOARD FOR
THE HEREINAFTER MENTIONED
OAKLAND COUNTY, MICHIGAN DRAIN
PROJECT**

At a regular meeting of the Village of Ortonville, Oakland County, Michigan held on April 24, 2023.

PRESENT: President Quisenberry, Trustee Nivel, Trustee Hayden, Trustee Green, and Trustee Randazzo

ABSENT: Trustee George, and Trustee Brooks

The following resolution was offered by **Trustee Hayden** and seconded by **Trustee Nivel**:

BE IT RESOLVED BY THE VILLAGE OF ORTONVILLE, OAKLAND COUNTY, MICHIGAN, as follows:

1. That the Village of Ortonville make and cause to be filed a petition in form substantially as follows:

**PETITION
TO THE DRAINAGE BOARD FOR THE HEREINAFTER MENTIONED
OAKLAND COUNTY, MICHIGAN DRAIN PROJECT**

The undersigned public corporation petitions for the location, establishment, and construction of an intra-county drain project known as the Northwest Oakland Drain Project (the "Project"), which drain project is necessary for the public health, to extend sanitary sewer service from the Oakland County border with Genesee County to serve certain properties located within the Village of Ortonville, Groveland Township, Holly Township, and Brandon Township (collectively, the "Communities") which shall, pursuant to this petition, consist of the following first phase of an intended three-phase process for the Project (the portion as described herein, the "Phase I Project"), to extend sanitary sewer service from the Oakland County border with Genesee County to serve certain properties located within the Communities, without limitation:

• An exploration of, and request for, applicable grants and other funding sources for the Project.

The negotiation and preparation of an agreement or agreements between the drainage district to be established pursuant to this petition process and the County of Genesee providing, without limitation, for the right to place sanitary flow to a sewer line of appropriate capacity located in Genesee County that will be extended to the Genesee County and Oakland County border at an estimated aggregate Project cost of \$35.0 million, which agreement or agreements shall expressly limit the cost for the negotiation and preparation of said agreement or agreements to the amount to be provided by the County of Oakland from ARPA grant funds, which is estimated to be \$10 million. Said Project will provide future capacity to serve the Communities and better protect the environment.

Said Phase I Project is necessary for the public health; and will serve property located entirely within the Communities. The Northwest Oakland Drain Project collects and transports sanitary wastewater originating in the County of Oakland only.

This petition is filed pursuant to the provisions of Chapter 20 of Act No. 40 of the Public Acts of Michigan of 1956, as amended.


It is understood and agreed that the entire cost of the Phase I Project, if any, including litigation costs and the amount of any judgment, arbitration award or settlement, to the extent such costs are payable by the Drainage District, is to be assessed against this petitioner and all other public corporations that benefit from the Phase I Project and contribute to the conditions that make the Phase I Project necessary.

The issuance of bonds to finance the Phase I Project contemplated herein is contingent upon the Communities and the proposed drainage district entering into an agreement as provided by law setting forth the services and operations of the proposed drainage district and to provide for methods of addressing and apportioning future improvements to the proposed drainage district.

A certified copy of the resolution of the governing body of the Village of Ortonville authorizing execution of this petition is attached hereto.

VILLAGE OF ORTONVILLE

By: 
President Ken Quisenberry

By: 
Clerk Amber Willson

2. That the President and Clerk are authorized and directed to execute the petition for and on behalf of the Village of Ortonville and to execute an agreement related to the Phase I Project contemplated by said petition and to file the same with the Water Resources Commissioner of the County of Oakland.

3. That the Village Council of the Village of Ortonville consents to the assessment of its share of the entire cost, if any, of the Phase I Project against the Village of Ortonville.

4. That the Village agrees that it will pay its share of the costs incurred by the Oakland County Water Resources Commissioner or by the Drainage District in the event the drain or any portion thereof, for any reason, is not constructed.

5. The Village acknowledges that the County of Oakland, its Board of Commissioners, and the Oakland County Water Resources Commissioner will not contribute to the cost of the Phase I Project or its operation and maintenance except to the extent that the County of Oakland may be assessed for the cost of the Phase I Project or may agree to contribute to the cost of the Phase I Project in accordance with the provisions of Chapter 20 of Act No. 40 of the Public Acts of Michigan of 1956, as amended.

6. That all prior resolutions and parts of resolutions insofar as they conflict with the provisions of this resolution are rescinded.

ADOPTED: Yeas - Nivelt, Hayden, Green, Randazzo, Quisenberry.

Nays - None

STATE OF MICHIGAN)

) SS

COUNTY OF OAKLAND)

I certify that that foregoing is a true and complete copy of a resolution adopted by the Village of Ortonville, Oakland County, Michigan, at a regular meeting held on April ~~24~~ 2023, the original of which is on file in my office. I certify further that notice of the meeting was given and such meeting was conducted in accordance with the Open Meetings Act.



Clerk Amber Willson

Village of Ortonville

DRAINAGE BOARD FOR THE NORTHWEST OAKLAND DRAIN IMPROVEMENTS
FIRST MEETING FOR NEW DRAIN PROJECT

MAY 23, 2023

The first meeting of the Drainage Board for the hereinafter mentioned Oakland County, Michigan drain project was held at the office of the Oakland County Water Resources Commissioner, Waterford, Michigan on May 23 2023.

PRESENT: _____

ABSENT: _____

The meeting was called to order by the Chairperson. The Chairperson presented to the Drainage Board the petitions referred to in the following resolution, attached to which petitions was a certified copy of each resolution of the respective governing body of the public corporation signing the same, authorizing the execution of the respective petition. The Chairperson stated that the petitions with the attached resolutions were filed in his office on April 24, 2023, by the Village of Ortonville, on May __, 2023, by the Township of Groveland, on May 1, 2023, by the Charter Township of Brandon, and on May __, 2023, by the Township of Holly. After examination and consideration of the petitions, by unanimous consent, they were ordered filed with the Chairperson.

The following resolution was offered by _____ and seconded by _____:

BE IT RESOLVED BY THE DRAINAGE BOARD FOR THE HEREINAFTER MENTIONED OAKLAND COUNTY, MICHIGAN DRAIN PROJECT, as follows:

1. That this Drainage Board has considered the petitions and attached resolutions filed with the Oakland County Water Resources Commissioner on May 3, 2023 by the Village of Ortonville; on May 10, 2023 by the Township of Groveland; on May 3, 2023 by the Charter Township of Brandon; and on May __, 2023 by the Township of Holly, which petitions are as follows:

2. That this Drainage Board determines that the sanitary wastewater to be carried by the proposed drain project originates in the County of Oakland only; and that the drain project is necessary for the public health.

3. That this Drainage Board tentatively determines that the petitions are sufficient; that the drain project proposed therein is practical; and that the following public corporations be assessed to pay the cost of the project to wit:

Village of Ortonville
Township of Groveland
Township of Holly
Charter Township of Brandon

4. That the name “NORTHWEST OAKLAND DRAIN IMPROVEMENTS” is hereby given to the drain project and the name “NORTHWEST OAKLAND DRAIN IMPROVEMENTS DRAINAGE DISTRICT” is hereby confirmed for the drainage district therefor.

5. That this Drainage District shall meet on the ____ day of _____, 2023, at ____:____.m., prevailing Eastern Time at the Office of the Oakland County Water Resources Commissioner, Waterford, Michigan for the purpose of hearing any objections to the aforementioned drain project, to the petitions therefor, and to the matter of assessing the cost of the drain project to the public corporations above named.

6. That a notice of said meeting shall be prepared which notice shall contain the information required by the Drain Code and shall be published twice in The Oakland Press, a newspaper published in the County of Oakland, State of Michigan, the first publication to be not less than twenty (20) days prior to the time of the hearing.

7. That the notice shall be sent by registered or certified mail to each the Clerk of the Village of Ortonville, the Township of Groveland, the Township of Holly and the Charter Township of Brandon, which mailing shall be made not less than twenty (20) days prior to the time of the hearing.

ADOPTED: Yeas - _____
Nays - _____

Upon motion by _____, seconded by _____ and unanimously adopted, the meeting was adjourned.

Chairperson

May 23, 2023

STATE OF MICHIGAN)
)SS
COUNTY OF OAKLAND)

I hereby certify that the foregoing is a true and complete copy of the minutes of a meeting of the Drainage Board for the Northwest Oakland Drain Improvements, Oakland County, Michigan, held on May 24, 2022, and that the minutes are on file in the offices of the Oakland County Water Resources Commissioner and are available to the public.

I further certify that notice of the meeting was given in accordance with the Open Meetings Act.

Chairperson of the Drainage Board

Dated: _____, 2022

**OAKLAND COUNTY
WATER RESOURCES COMMISSIONER****MEMORANDUM**

TO: Jim Nash, Chairperson
Northwest Oakland Sanitary Drain Drainage District

FROM: Brian Coburn, P.E., Manager

SUBJECT: Northwest Oakland Sewer Purchase Agreement with Genesee County

DATE: May 23, 2023

When Genesee County announced the extension of a major sewer interceptor to its border with Oakland County, it revived a decades-old master plan concept of connecting northwestern Oakland County communities to the Genesee County sewer system.

In 2019, the Water Resources Commissioner began working in earnest with Holly, Groveland, and Brandon Townships along with the Village of Ortonville to examine the feasibility of extended service from Genesee County to serve this area.

A study was completed in December 2021 and concluded that this sewer extension would be adequate to serve the specific commercial corridors and downtown areas as identified in each community's master plan. Subsequently, each of the communities passed resolutions confirming support of the project and to take the next steps toward making it a reality. Additionally, these municipalities contributed \$200,000 to help cover the costs of preliminary engineering studies, legal assistance, and consultant support.

For the Oakland communities to participate in the construction of the Kearsley Creek Interceptor sewer by Genesee County, the Drainage District must agree to a purchase agreement to allocate the total project cost of \$35 million to the participating communities and acquire sewer capacity in the system. Through negotiations with Genesee County, the agreement limits the obligation of the Drainage District to the \$10 million in American Rescue Plan funds that has been allocated by Oakland County in June 2022 for the project.

The project ARPA funding appropriation received a positive recommendation from the Economic Development & Infrastructure Committee and the Finance Committee on May 17. Final consideration by the full Board of Commissioners is scheduled for May 25.

WRC staff, in concurrence with outside legal counsel, recommends approval of the agreement as presented. In addition, it is recommended that the Chair be authorized to execute the agreement on behalf of the Drainage District upon final approval by the Board of Commissioners to appropriate ARPA funds for the purchase of sewer capacity from Genesee County. Upon execution of the agreement, Genesee County will begin the final design of their project. Bidding of the work is expected to occur in mid-2024, with construction to commence soon after.

RECOMMENDED ACTION: Approval of the agreement with Genesee County to purchase sewer capacity in the Kearsley Creek Interceptor as presented and authorize the Board Chairperson to execute the agreement after the \$10 million appropriation has been approved by the Board of Commissioners.

KEARSLEY CREEK INTERCEPTOR CONSTRUCTION AGREEMENT

This **KEARSLEY CREEK INTERCEPTOR CONSTRUCTION AGREEMENT** (“Agreement”), effective as of the ____ of _____, 2023, is entered into by and between the **COUNTY OF GENESEE** (the “County”), a Michigan municipal corporation, acting by and through its Drain Commissioner, in his capacity as the duly appointed and acting county agency (“County Agency”) pursuant to the provisions of Act 342, Public Acts of Michigan, 1939, as amended (“Act 342”), and the **DRAINAGE BOARD FOR THE NORTHWEST OAKLAND SANITARY DRAIN DRAINAGE DISTRICT** (“NW Oakland District”), a drainage district organized and formed under and pursuant to Chapter 20 of Act 40, Public Acts of Michigan, 1956, as amended (“Drain Code”) (the County and the NW Oakland District are sometimes referred to herein as a “Party,” and collectively, as the “Parties”).

WHEREAS, Act 342 provides that a county board of commissioners of a county may authorize and direct that there be established a system or systems of water, sewer, or sewage disposal improvements and services within or between cities, villages, townships, charter townships, or any duly authorized and established combinations thereof, within or without the county, and to enter into contracts with drainage districts established under Chapter 20 of the Drain Code; and

WHEREAS, the Board of Commissioners (formerly the Board of Supervisors) of the County, by resolution adopted on October 8, 1961 (“Resolution”), authorized and directed that there be established, pursuant to Act 342, a system of sewer and sewage disposal improvements and services (designated therein as “Genesee County Sanitary Sewage Disposal System No. 1,” and sometimes referred to herein as the “System”) to provide sewers and sewage disposal improvements and services to units of government (as defined in Act 342), as approved from time to time by the Board of Commissioners; and

WHEREAS, pursuant to the Resolution, the County Agency has been designated as the “county agency” of the County under the provisions of Act 342 in connection with the establishment of the System and as the person to have supervision and control of the management and operation of the System; and

WHEREAS, the NW Oakland District was established pursuant to Chapter 20 of the Drain Code and is authorized by Section 471 of the Drain Code to contract with any public corporation, including, but not limited to, the County; and

WHEREAS, the NW Oakland District service area includes portions of the Township of Holly, the Charter Township of Brandon, the Township of Groveland, and the Village of Ortonville, each located in Oakland County, Michigan, as more particularly described herein (“NW Oakland District Service Area”); and

WHEREAS, the NW Oakland District has requested that the County acquire and construct an extension to the System, to be known as the Genesee County Kearsley Creek Interceptor (“KCI”), for the purpose of transporting sewage flow from the NW Oakland District Service Area to the County’s Anthony Ragnone Treatment Plant (“ARTP”) for treatment and disposal, all as more particularly described herein; and

WHEREAS, the Charter Township of Grand Blanc, the Charter Township of Davison, the Village of Goodrich and the Township of Atlas, each a unit of local government located in the County (collectively, the “Genesee Municipalities”), will purchase additional units of capacity in the KCI for the transportation and disposal of sewage flow originating in the Genesee Municipalities pursuant to contracts to be entered into by and among the County, acting through the County Agency, and the Genesee Municipalities; and

WHEREAS, the County Agency has caused to be prepared maps, plans, designs, specifications and an estimate of cost of the KCI, and has caused the same to be filed with the Board of Commissioners of the County; and

WHEREAS, the County and the NW Oakland District desire to set forth the terms and conditions upon which the County, acting through the County Agency, will acquire and construct the KCI for the transportation of sewage flow from the service area of the NW Oakland District for treatment and disposal at the ARTP.

NOW, THEREFORE, THE COUNTY OF GENESEE, ACTING THROUGH THE COUNTY AGENCY, AND THE DRAINAGE BOARD FOR THE NORTHWEST OAKLAND SANITARY DRAIN DRAINAGE DISTRICT, MUTUALLY AGREE AS FOLLOWS:

1. Acquisition and Construction of the KCI; Service Area. The County will acquire and construct, pursuant to the provisions of Act 342, and as otherwise provided by law, the sewer and sewage disposal system improvements shown and described in Exhibit A attached (“Improvements and sometimes referred to herein as the ‘Project’”). The improvements to be acquired and constructed pursuant to this Agreement shall comprise and be designated as the “Genesee County Kearsley Creek Interceptor” (“KCI”). The KCI will be designed and constructed as an extension of the System, which will transport sewage flow from the service area of the NW Oakland District described in Exhibit B (“NW Oakland District Service Area”), and from the Genesee Municipalities, to the ARTP for treatment and disposal.

2. Construction; Plans and Specifications. Subject to the terms of this Agreement, the KCI will be acquired and constructed by the County substantially in accordance with the preliminary plans which have been secured by the County Agency, and in accordance with the final plans to be secured by the County Agency, but variations therefrom which do not materially change the location, capacity, or overall design of the KCI shall be permitted by the County Agency if, in its reasonable judgment, circumstances so warrant.

3. NW Oakland District Service Area Local Collection System. The KCI is to serve the NW Oakland District and not the individual property owners located in the NW Oakland District Service Area, unless an exception shall be made by the County Agency by special written agreement between the County Agency and the NW Oakland District. The NW Oakland District Service Area, area from which sewage is to be transported and disposed, shall not be enlarged or extended into new or additional territories without the prior written approval of the County. NW Oakland District may modify its service area but cannot change the area subject to this Agreement without the written approval of the County. The NW Oakland District shall be solely responsible for the collection of sewage flow in the NW Oakland District Service Area and for transporting the same to the sanitary sewage interceptors of the KCI. The acquisition, construction, financing,

operation and maintenance of all collecting sewers and sewage disposal improvements necessary to transport sewage flow from the NW Oakland District Service Area to the sanitary sewage interceptors of the KCI shall be the sole responsibility of the NW Oakland District, and the County shall have no responsibility therefor.

4. Capacity; Maximum Flow. The Main Interceptor and Pumping Stations and Branches (as those terms are described and depicted in the preliminary plans) of the KCI are designed to accept a maximum rate of flow in cubic feet per second (“cfs”) from the NW Oakland District and from each of the Genesee Municipalities as set forth in Section 6 hereof. Except as provided in Section 11(b) of this Agreement, the NW Oakland District and each of the Genesee Municipalities will be limited to the specific maximum rate of flow specified in Section 6 hereof.

5. Estimated Cost of the KCI. The estimated total cost of the KCI Improvements, as established by the County’s consulting engineers, Rowe Professional Services Company (the “Consulting Engineers”), is \$35,090,000, which includes both design and construction, and said estimate of Cost is approved by the NW Oakland District and Genesee Municipalities. As used in this Agreement, the term “Cost” is defined as follows: the total cost of the physical structures, the acquisition of property for sites and rights-of-way, permits, labor and materials necessary to acquire and construct the improvements comprising the KCI, engineering and legal fees, administration expenses during the period of construction, reasonable and customary contingencies, and other reasonable costs incidental to the acquisition and construction of the KCI Improvements.

6. Allocation and Payment of Cost of the KCI. The cost of the KCI Improvements shall be allocated among the NW Oakland District and the Genesee Municipalities in accordance with the percentages set forth in the following table under the heading, “Allocable Percent Share of the KCI Cost.” The following table also sets forth the respective capacity rights of the NW Oakland District and each of the Genesee Municipalities in the KCI, measured in residential equivalent units (“REUs”), and the corresponding maximum rate of flow (measured in cfs) of the NW Oakland District and each of the Genesee Municipalities.

Entity	Allocable Percent Share of KCI Cost	Residential Equivalent Units
NW Oakland District	28.50	4,092
Atlas Township	5.57	800
Charter Township of Davison	6.97	1,000
Charter Township of Grand Blanc	42.63	6,121
Village of Goodrich	2.09	300
Genesee Reserve Capacity	14.24	2,044
TOTAL	100%	14,357

The County will reserve 2,044 REUs “Reserve Capacity” upon completion of the Project. NW Oakland District has the right of first refusal to acquire some or all of the Reserve Capacity. The cost for the Reserve Capacity shall be calculated as the total Project cost (\$35,090,000) divided

by the total number of REUs (14,357), which in this case is \$2,444.10 per REU. The County shall offer the units first to the NW Oakland District in writing. The NW Oakland District has sixty (60) days to determine if it will exercise their claim to the units. After NW Oakland District's response, or sixty (60) days has lapsed, the County may convey or allocate any of the Reserve Capacity to any other entity, including, but not limited to, a Genesee Municipality. The NW Oakland District's declination of its right of first refusal to some of the Reserve Capacity does not waive its right of first refusal to the remainder of the Reserve Capacity. If the NW Oakland District selects to exercise its claim on the units under consideration, it has One Hundred Twenty (120) days to purchase the units from the County.

7. Final Plans and Specifications; Bidding and Contracting. After execution of this Agreement by the Parties, the County Agency shall complete or cause the following to be completed:

- (a) Direct the Consulting Engineers to prepare final plans and specifications for the KCI Improvements.
- (b) Take bids for the construction of the KCI Improvements from responsible bidders.
- (c) After receipt of bids for construction of the KCI Improvements, and before the final award of any construction contracts, provide the NW Oakland District with (i) a detailed summary of bids received, (ii) the total estimated Cost of the construction of the KCI Improvements, taking into account the as-bid contract prices of the lowest responsible bidders, and (iii) the NW Oakland District's share of the Cost of the KCI Improvements, which for the NW Oakland District is fixed at \$10,000,000 (the "Total NW Oakland District Cost").

8. Payment of Total NW Oakland District Cost. Within sixty (60) days of receipt of the information described in Section 7(c) of this Agreement, the NW Oakland District shall pay, or cause to be paid, to the County, the Total NW Oakland District Cost. All funds received by the County pursuant to this Section 8 for the payment of the Total NW Oakland District Cost shall be maintained by the County Agency, or by the Treasurer of the County, as a separate account, and shall be applied by the County solely to the payment of the Cost of the acquisition and construction of the KCI Improvements. Following receipt of payment in full by the NW Oakland District of the Total NW Oakland District Cost, the County Agency shall proceed to make a final award of construction contracts for the KCI, negotiate and enter into construction contracts, apply for any necessary permits and right-of-way not yet obtained, and proceed with the acquisition and construction of the KCI Improvements. The County Agency shall not be obligated to make any final award of contracts for construction of the KCI, or to enter into any construction contracts, until such time as the NW Oakland District has paid the total NW Oakland District Cost as provided in this Section 8.

9. Cost Overruns; Cost Savings.

- (a) For the NW Oakland District, the Total NW Oakland District Cost is fixed at \$10,000,000. Therefore, in the case of a cost overrun, the number of REUs and percent capacity assigned to NW Oakland District would be reduced using newly calculated cost per REU. The method described in Section 6 shall be used to calculate the newly calculated cost per REU.
- (b) If, upon final completion of the acquisition and construction of the KCI Improvements and the payment of all Costs in connection therewith, there remain any surplus funds for the acquisition and construction of the KCI Improvements from the funding sources as provided in Section 6 or Section 9(a) of this Agreement due to cost savings or otherwise (“Construction Surplus”), the total amount of the Construction Surplus shall be allocated and credited to the NW Oakland District and each of the Genesee Municipalities in the same allocation proportion in Section 6 of this Agreement. The County shall, within sixty (60) days of the County Agency’s final accounting of the amount of any Construction Surplus, remit the NW Oakland District’s proportionate share of the Construction Surplus (if any) to or upon order of the NW Oakland District.

10. Operation and Use of the KCI. Before, and as a condition of, making any connection to the KCI, the NW Oakland District shall enter into a mutually acceptable sewer use and operating agreement (the “Operating Agreement”) with the County, acting through the County Agency, which will establish the agreement of the Parties relative to the use and operation of the KCI and the fees and charges to be assessed against the NW Oakland District for use of the sewage transport and disposal services furnished by the KCI and the ARTP. The Operating Agreement will, among other things, contain provisions governing:

- (a) Connections to the KCI during or after completion of construction of the KCI, which shall be made by the NW Oakland District at its own expense, after first securing a permit therefor from the County Agency, which permit shall not be unreasonable withheld.
- (b) The character of sewage flow discharged to the KCI, which shall be subject to the County Agency’s standards and regulations, including regulations governing the discharge of industrial and/or commercial type wastes.
- (c) The operation, maintenance and calibration of a master meter through which all sewage discharge originating in the NW Oakland District Service Area must flow (“Master Meter”). The NW Oakland District’s charges for the transportation and treatment of sewage flow from the NW District Service Area, as described in Section 10(d) below, shall be based on the Master Meter readings. The NW Oakland District shall have reasonable access to the Master Meter data, including, but not limited to, an exclusive split data signal feed. The Master Meter is included in the Cost of the KCI and will be installed and owned by the County. No final connection to the KCI shall be made by the NW Oakland District prior to the installation of the Master Meter.

- (d) Payment by the NW Oakland District of monthly or quarterly service charges established from time to time by the County Agency for the transportation and treatment of sewage flow from the NW Oakland District Service Area. Such charges shall be calculated upon the basis of metered sewage flow from the NW Oakland District Service Area using such reasonable means as the County Agency may determine, without unjust enrichment. The rates and charges to be established from time to time by the County Agency and assessed against the NW Oakland District and the Genesee Municipalities will be sufficient to provide for (i) the costs of operating and maintaining the KCI and the treatment and disposal of sewage flow at the ARTP received by the ARTP from the KCI, and (ii) the establishment and maintenance of reserve funds in such amounts as may be reasonably determined by the County Agency for the maintenance, repair and replacement of the physical assets of the KCI and of the ARTP.
- (e) Payment by the NW Oakland District of the applicable County Capital Improvement Fee ("CCIF") for each connection to the KCI. The KCI is connected to, and is an extension of, the Northeast Extension Sewer Interceptor ("NEES"). The County Agency has established a CCIF for each direct or indirect connection to the NEES. The NW Oakland District shall pay to the County Agency a CCIF for each connection to be made to the KCI in accordance with the CCIF methodology established by the County Agency for connections to the NEES, which methodology shall be set forth in the Operating Agreement.
- (f) Late payment charges for failure by the NW Oakland District to make payment of any charges provided by the Operating Agreement when due, which shall accrue on all past due amounts at the rate of one-half of one percent (1/2 of 1%) for each month or fraction thereof that the same remains unpaid after the due date, unless there is good faith dispute pursuant to the dispute resolution provisions of the Operating Agreement.

11. Project Completion; Assignment of Capacity Rights.

- (a) Upon completion of the acquisition and construction of the KCI, the connection of the NW Oakland District to the KCI and the KCI accepting sewage flow from the NW Oakland District, and the execution by the Parties of the Operating Agreement pursuant to Section 10 hereof, the County will, subject to the terms of this Agreement and the Operating Agreement, accept for transportation and treatment the sewage flow from the NW Oakland District Service Area; provided, however, that the NW Oakland District will be limited to the specific maximum rate of flow specified Section 6 of this Agreement. Except as otherwise provided in Section 11(b) of this Agreement, after such maximum rate of flow has been reached by the NW Oakland District (which maximum flow rate shall be defined in the Operating Agreement), the County is not required to allow any new lateral sewer of the NW Oakland District to be connected to the KCI, or to any sewer connected directly or indirectly to the sanitary sewer systems served by the ARTP where such lateral

sewer is for the delivery of sewage to be transported by the KCI and treated by the ARTP.

- (b) The NW Oakland District may, by separate agreement with one or more of the Genesee Municipalities, assign any part of its allocated maximum rate of flow as measured in cfs in the KCI, as provided in this Agreement, to one or more of the Genesee Municipalities, or accept an assignment from one or more of the Genesee Municipalities of part of its allocated maximum rate of flow in the KCI, upon such terms as may be agreed upon, and in each case subject to the written approval of the County Agency, which approval shall not be unreasonably withheld. No assignment of capacity rights as provided in this Section 11(b) shall in any way affect, change or in any way diminish the obligations of the NW Oakland District as set forth in this Agreement.

12. Governing Law. This Agreement is made and entered into in the state of Michigan and shall be interpreted, enforced, and governed under the laws of the state of Michigan. The language of this Agreement is intended to be construed as a whole according to its fair meaning and not construed strictly for or against any Party.

13. Lawsuits and Claims. The Parties agree that each must bear all the costs (direct or indirect) and expenses of any lawsuits, disputes, or claims of any kind arising directly or indirectly out of this Agreement.

14. Third Party Beneficiaries. There are no intended third party beneficiaries to this Agreement.

15. Governmental Function. This Agreement does not, and is not intended to, impair, divest, delegate, or contravene any constitutional, statutory, or other legal right, privilege power, obligation, duty, or immunity of the Parties. The obligations in this Agreement are in the exercise or discharge of a governmental function.

16. Notices. Notice of a legal nature shall be sent by certified first class mail, return receipt requested or by personal delivery as follows:

County and County Agency:

Jeff Wright
Genesee County Drain Commissioner
G-4610 Beecher Rd.
Flint, Michigan 48532

NW Oakland District:

Jim Nash
Oakland County Water Resources Commissioner
One Public Works Drive, Building 95-West
Waterford, Michigan 48328

All Notices shall be considered delivered to a Party on the date of receipt as represented by the return receipt or by proof of personal service. Any Notice given must be signed by an authorized representative.

17. Entire Agreement, Amendment, Counterparts, and Enforceability. This Agreement sets forth the entire understanding of the Parties concerning its subject matter. The terms and conditions are contractual and not mere recital. This Agreement may be amended only by a writing executed by all Parties with persons with legal authority to bind the respective Party. This Agreement may be executed in several counterparts, each of which shall be considered an original, but all of which shall constitute one and the same instrument. The exhibits and the recital and whereas provisions of this Agreement are considered an integral part of this Agreement. If any provision of this Agreement is judicially determined to be invalid or unenforceable, the remainder of this Agreement (other than those found to be invalid or unenforceable) is not affected and is enforceable, provided that the invalid or unenforceable provision does not substantially alter the Agreement or make execution impractical.

18. Successor and Assigns. This Agreement is binding on, and for the benefit of, the Parties and their respective their successors and assigns.

19. Effective Date. This Agreement shall become effective as of the date first written above.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed effective as of the date and year first above written.

In the presence of :

NORTHWEST OAKLAND SANITARY DRAIN DRAINAGE DISTRICT, a drainage district organized and existing under and pursuant to Chapter 20 of Act No. 40, Public Acts of Michigan 1956, as amended

By _____
Jim Nash, Chairperson
Drainage Board for the Northwest
Oakland Sanitary Drain Drainage District

In the presence of :

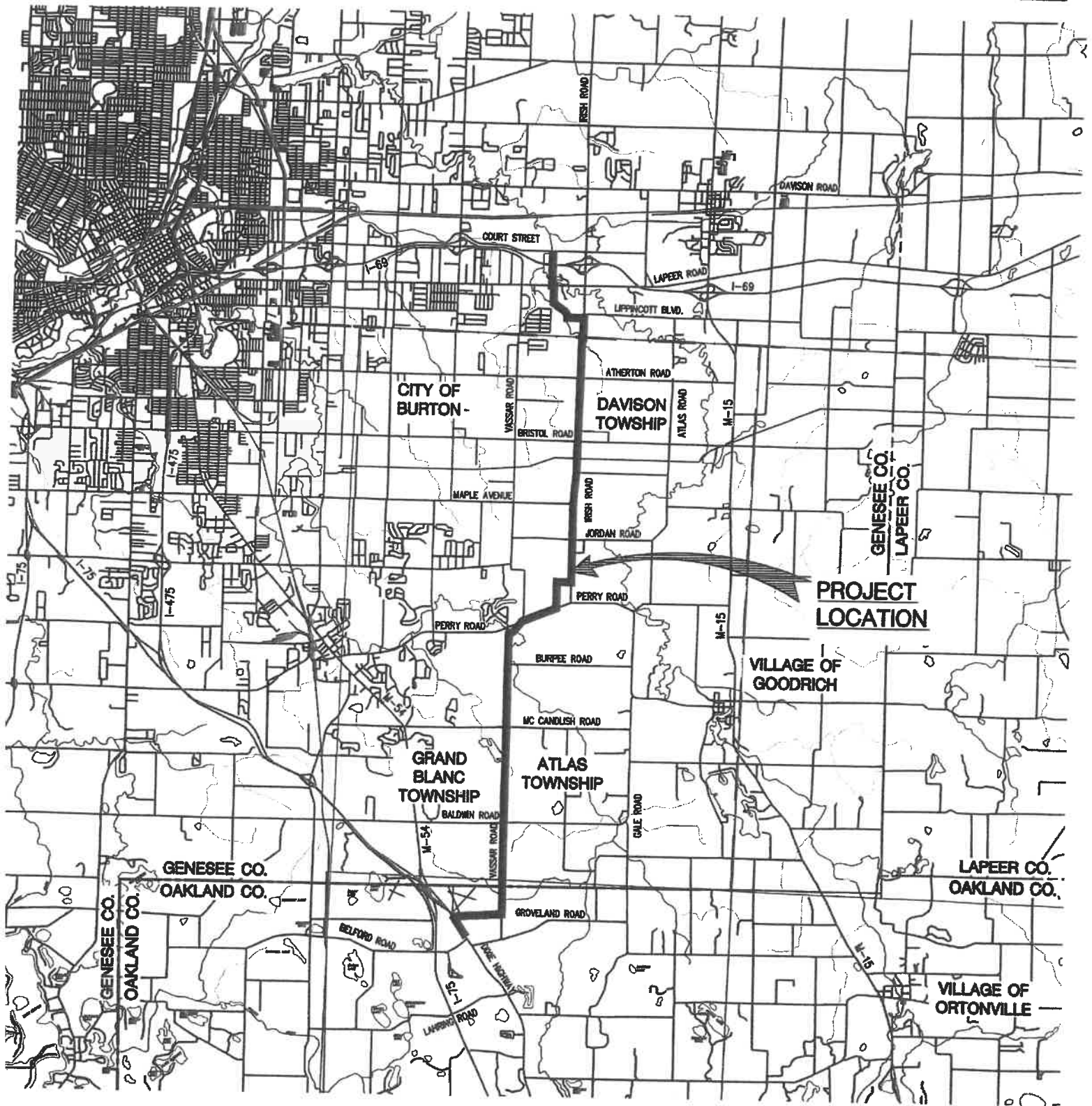
**COUNTY OF GENESEE, MICHIGAN,
by and through its COUNTY AGENCY**

By _____
Jeffrey Wright
Genesee County Drain Commissioner

EXHIBIT A

KCI ROUTE

EXHIBIT A KCI PHASE 1



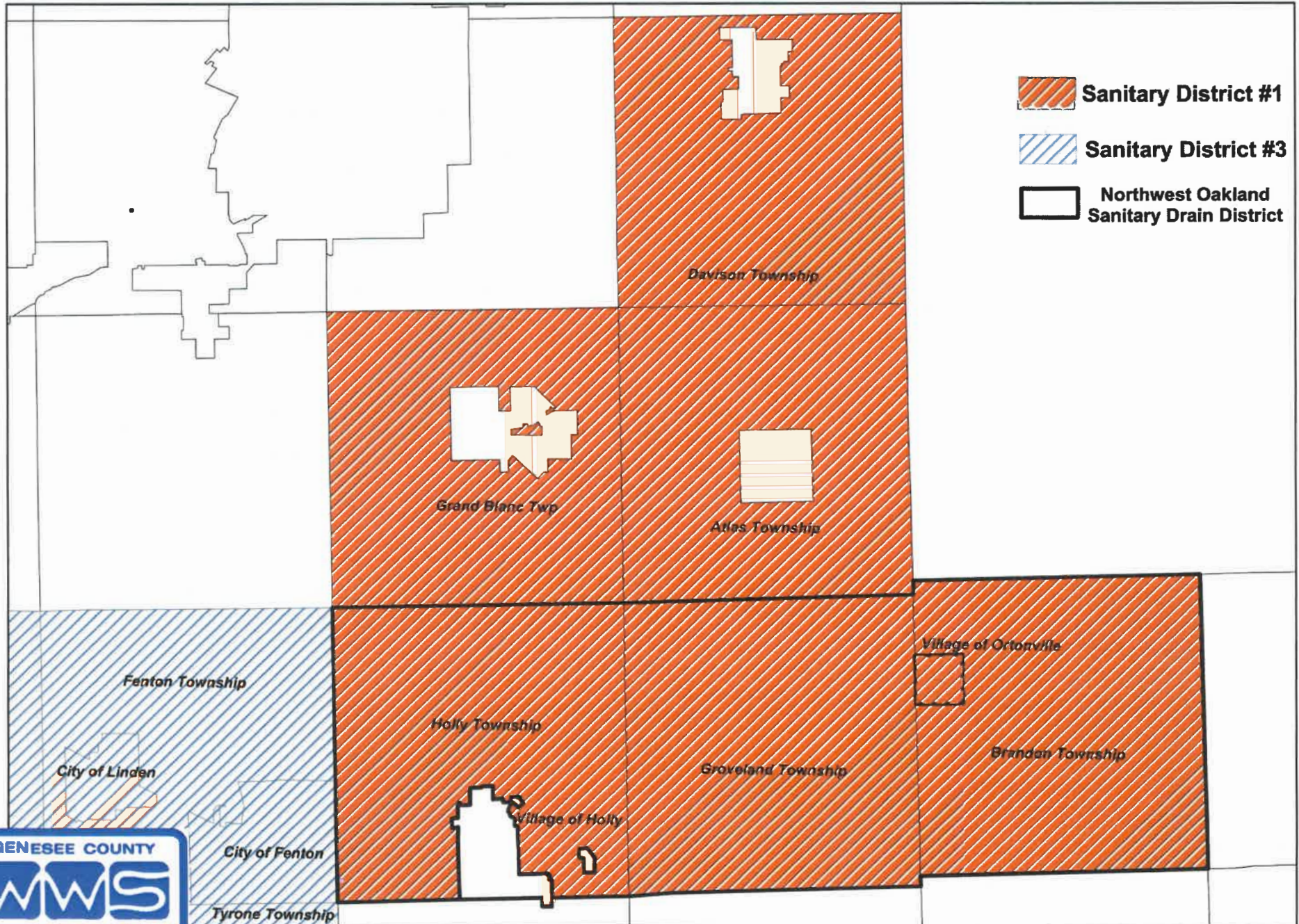
LOCATION MAP

EXHIBIT B

KEARSLEY CREEK SERVICE AREA

KCI Service Area

Exhibit B



MEMO TO: Mr. Jim Nash, Chairman
of the Drainage Board for the NORTHWEST OAKLAND SANITARY DRAIN

FROM: Shawn Phelps, Chief of Fiscal Services
OCWRC Accounting

OK For Shawn Phelps

DATE: May 23, 2023

SUBJECT: Request for Board approval of payment of the following invoices:

Date	Ref No.	Paid To	For	Amount
5/4/2023	V # SINV00179271	Dickinson Wright PLLC	Invoice # 1798158 - Legal Services - 03/31/23 - Proj # 1-7076	\$ 1,145.50
	TBP	Dickinson Wright PLLC	Invoice # 1805217 - Legal Services - 04/30/23 - Proj # 1-7076	5,100.10
	TBP	Rowe Professional Services Company	Invoice # 108287 - Contracted Services - 04/1/23 - 04/30/23	2,782.50
			Total - Proj #1-7076	\$ 9,028.10

2. Clinton River Water Resource Recovery Facility

AGENDA

MEETING OF THE DRAINAGE BOARD FOR THE CLINTON RIVER WATER RESOURCE RECOVERY FACILITY DRAIN OPTIMIZATION PROJECT

May 23, 2023

1. Call meeting to order.
2. Approve minutes of meeting of April 25, 2023.
3. Offer and file proofs of publication and of mailing of notice of hearing on necessity.
4. Open the hearing on necessity.
5. Ask for any written objections.
6. Ask for comments or objections from those present.
7. Close the hearing.
8. Adopt resolution approving petition and drain project and directing issuance of Final Order of Determination.
9. Chairperson executes Final Order of Determination and presents it to Board.
10. Adopt resolution to accept and file Final Order of Determination.
11. Adopt resolution approving plans and specifications for drain project.
12. Adopt resolution approving route and course of drain.
13. Adopt resolution designating area to be served by drain project.
14. Adopt resolution approving estimate of cost of drain project (\$75,000,000).
15. Adopt resolution to:

- A. Approve tentative apportionment of cost of drain project.

City of Auburn Hills	5.257%
Charter Township of Independence	4.090%
City of Lake Angelus	0.000%
Village of Lake Orion	0.570%
Charter Township of Oakland	1.315%
Charter Township of Orion	4.487%
Charter Township of Oxford	1.841%
Village of Oxford	0.572%
City of Pontiac	54.800%

City of Rochester	2.486%
City of Rochester Hills	10.242%
Charter Township of Waterford	11.198%
Charter Township of West Bloomfield	3.142%

- B. Set hearing date on tentative apportionment.
 - C. Approve the form of notice.
 - D. Direct that notice be published.
 - E. Direct that notice be mailed
16. Present Memorandum from Lesli Maes, Operations Engineer, dated May 23, 2023, requesting the Board approve a not-to-exceed budget of \$100,000 to address Lease F building improvements and authorize PM Environmental to proceed with the Sub-Slab Depressurization System Package as proposed
 17. Present Memorandum from Jeffrey Parrott, Supervisor Right of Way, dated May 23, 2023, requesting the Board accept the Motor City Electric Co. offer to lease property and authorize the Chairperson to execute the lease on behalf of the Board
 18. Present request for Board approval of payment of invoices and/or reimbursement of the Drain Revolving Fund in the amount of \$868,536.73
 19. Other business.
 20. Adjourn.

DRAINAGE BOARD FOR THE
CLINTON RIVER WATER RESOURCE RECOVERY FACILITY
FIRST MEETING FOR NEW DRAIN PROJECT

April 25, 2023

The first meeting of the Drainage Board for the hereinafter mentioned Oakland County, Michigan drain project was held at the office of the Oakland County Water Resources Commissioner, Waterford, Michigan, on April 25, 2023.

PRESENT: Jim Nash, Oakland County Water Resources Commissioner

David Woodward, Chairperson of the Oakland County Board of Commissioners

ABSENT: Gwen Markham, Chairperson of the Finance Committee, Oakland County Board of Commissioners

The meeting was called to order by the Chairperson.

Minutes of the meeting held March 28, 2023, were presented for consideration. It was moved by Woodward, supported by Nash, that the minutes be approved.

ADOPTED: Yeas - 2

Nays - 0

Chairperson Nash asked if there were any public comments. There were none.

The Chairperson presented to the Drainage Board the petitions referred to in the following resolution, attached to which petitions was a certified copy of each resolution of the respective governing body of the public corporation signing the same, authorizing the execution of the respective petition. The Chairperson stated that the petitions with the attached resolutions were filed in his office on April 6, 2023, by the City of Auburn Hills and on April 12, 2023, by the Charter Township of Orion. After examination and consideration of the petitions, by unanimous consent, they were ordered filed with the Chairperson.

The following resolution was offered by Woodward and seconded by Nash:

BE IT RESOLVED BY THE DRAINAGE BOARD FOR THE HEREINAFTER
MENTIONED OAKLAND COUNTY, MICHIGAN DRAIN PROJECT, as follows:

1. That this Drainage Board has considered the petitions and attached resolutions filed with the Oakland County Water Resources Commissioner on April 6, 2023, by the City of Auburn Hills and on April 12, 2023 by the Charter Township of Orion, which petitions are as follows:

[Remainder of page intentionally left blank]

2. That this Drainage Board determines that the sanitary wastewater to be carried by the proposed drain project originates in the County of Oakland only; and that the drain project is necessary for the public health.

3. That this Drainage Board tentatively determines that the petitions are sufficient; that the drain project proposed therein is practical; and that the following public corporations be assessed to pay the cost of the project to wit:

City of Auburn Hills
Charter Township of Independence
City of Lake Angelus
Village of Lake Orion
Charter Township of Oakland
Charter Township of Orion
Charter Township of Oxford
Village of Oxford
City of Pontiac
City of Rochester
City of Rochester Hills
Charter Township of Waterford
Charter Township of West Bloomfield

4. That the name “CLINTON RIVER WATER RESOURCE RECOVERY FACILITY DRAIN OPTIMIZATION PROJECT” is hereby given to the drain project and the name “CLINTON RIVER WATER RESOURCE RECOVERY FACILITY DRAINAGE DISTRICT” is confirmed as the drainage district therefor.

5. That this Drainage District shall meet on the 23rd day of May, 2023, at 2:00 p.m., prevailing Eastern Time at the Office of the Oakland County Water Resources Commissioner, Waterford, Michigan, for the purpose of hearing any objections to the aforementioned drain project, to the petitions therefor, and to the matter of assessing the cost of the drain project to the public corporations above named; that following said hearing this Drainage Board may issue a Final Order of Determination with respect to the practicability of the aforementioned drain project,

the petitions therefor and the matter of assessing the cost of the drain project to the public corporations above named, and that, pursuant to Act 40, Public Acts of Michigan, 1956, as amended (the "Drain Code"), once a Final Order of Determination is issued, no public corporation may be eliminated from or added to those tentatively determined to be assessed, without a rehearing after notice.

6. That a notice of said meeting shall be prepared which notice shall contain the information required by the Drain Code and shall be published twice in The Oakland Press, a newspaper published in the County of Oakland, State of Michigan, the first publication to be not less than twenty (20) days prior to the time of the hearing.

7. That the notice shall be sent by registered or certified mail to the Clerk of each of the City of Auburn Hills, Charter Township of Independence, City of Lake Angelus, Village of Lake Orion, Charter Township of Oakland, Charter Township of Orion, Charter Township of Oxford, Village of Oxford, City of Pontiac, City of Rochester, City of Rochester Hills, Charter Township of Waterford and Charter Township of West Bloomfield, which mailing shall be made not less than twenty (20) days prior to the time of the hearing.

ADOPTED: Yeas - 2

Nays - 0

It was moved by Woodward and supported by Nash that the following be appointed to act in the following capacities in connection with the proposed drain project:

Municipal Financial Consultants, Inc., as registered municipal advisor.
Dickinson Wright PLLC, Troy, Michigan, as bond counsel.

ADOPTED: Yeas - 2

Nays - 0

A request for approval of payment of invoices and/or reimbursement of the Drain Revolving Fund from the Maintenance Fund in the amount of \$843,253.00 (as attached) was presented. It was moved by Woodward, supported by Nash, to approve the payment of invoice and/or reimbursement of the Drain Revolving Fund from the Maintenance Fund in the amount of \$843,253.00.

ADOPTED: Yeas - 2

Nays - 0

It was moved by Nash, supported by Woodward, to certify attendance and authorize pro rata payment of \$25 per day to Mr. Woodward.

ADOPTED: Yeas - 2

Nays - 0

Upon motion by Woodward, seconded by Nash, and unanimously adopted, the meeting was adjourned.



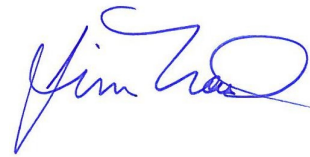
Chairperson

April 25, 2023

STATE OF MICHIGAN)
)SS
COUNTY OF OAKLAND)

I hereby certify that the foregoing is a true and complete copy of the minutes of a meeting of the Drainage Board for the Clinton River Water Resource Recovery Facility Drain Optimization Project, Oakland County, Michigan, held on April 25, 2023, and that the minutes are on file in the offices of the Oakland County Water Resources Commissioner and are available to the public.

I further certify that notice of the meeting was given in accordance with the Open Meetings Act.

A handwritten signature in blue ink, appearing to read "Jim Zou", is written above a horizontal line.

Chairperson of the Drainage Board

Dated: April 25, 2023

4881-6126-8299 v3 [9007-447]

AFFIDAVIT OF MAILING NOTICE OF HEARING

**RE: PETITIONS TO LOCATE, ESTABLISH AND CONSTRUCT AN INTRA-COUNTY
DRAIN PROJECT IN THE CITY OF AUBURN HILLS, CHARTER TOWNSHIP OF
INDEPENDENCE, CITY OF LAKE ANGELUS, VILLAGE OF LAKE ORION,
CHARTER TOWNSHIP OF OAKLAND, CHARTER TOWNSHIP OF ORION,
CHARTER TOWNSHIP OF OXFORD, VILLAGE OF OXFORD, CITY OF PONTIAC,
CITY OF ROCHESTER, CITY OF ROCHESTER HILLS, CHARTER TOWNSHIP OF
WATERFORD AND CHARTER TOWNSHIP OF WEST BLOOMFIELD**

STATE OF MICHIGAN)
)ss
COUNTY OF OAKLAND)

Stephanie Lajdziak, of the office of the Oakland County Water Resources Commissioner, of the County and State aforesaid, being duly sworn, deposes and says that on April 26, 2023, by United States certified mail, return receipt requested, she mailed (at least 20 days before the hearing described) a copy of the attached Notice of Hearing Re: Petitions to locate, establish and construct an intra-county drain project in the above-described communities with respect to the hearing to be held on May 23, 2023 to the following persons:

- SEE ATTACHED SERVICE LIST

Stephanie Lajdziak

Stephanie Lajdziak, Staff Assistant

Subscribed and sworn to before me on
this 26th day of April 2023

Bette J. Twyman
NOTARY PUBLIC, Oakland County, Michigan

BETTE J. TWYMAN
NOTARY PUBLIC, STATE OF MI
COUNTY OF OAKLAND
MY COMMISSION EXPIRES May 30, 2024
ACTING IN COUNTY OF

Oakland

1. City of Auburn Hills
Attn: Laura Pierce
1827 N. Squirrel Rd.
Auburn Hills, MI 48326
Article No.: 7018 2290 0002 1421 2629
2. Charter Township of Independence
Attn: Cari Neubeck
6483 Waldon Center Dr.
Clarkston, MI 48346
Article No.: 7018 2290 0002 1421 2636
3. City of Lake Angelus
Attn: Sarah Razzaque
45 Gallogly Rd.
Lake Angelus, MI 48326
Article no.: 7018 2290 0002 1421 2643
4. Village of Lake Orion
Attn: Susan Galeczka
21 E. Church St.
Lake Orion, MI 48362
Article No.: 7018 2290 0002 1421 2650
5. Charter Township of Oakland
Attn: Dave Mabry
4393 Collins Rd.
Oakland Charter Twp., MI 48306
Article No. 7018 2290 0002 1421 2667
6. Charter Township of Orion
Attn: Penny Shults
2323 Joslyn Rd.
Lake Orion, MI 48360
Article No. 7018 2290 0002 1421 2674
7. Charter Township of Oxford
Attn: Curtis Wright
300 Dunlap Rd.
Oxford, MI 48371
Article No. 7018 2290 0002 1421 2681
8. Village of Oxford
Attn: Tere Onica
22 W. Burdick
P.O. Box 94

Oxford, MI 48371
Article No. 7018 2290 0002 1421 2698

9. City of Pontiac
Attn: Garland Doyle
47450 Woodward Ave.
Pontiac, MI 48342
Article No. 7018 2290 0002 1421 2704

10. City of Rochester
Attn: Lee Ann O'Connor
400 Sixth St.
Rochester, MI 48307
Article No. 7018 2290 0002 1421 2711

11. City of Rochester Hills
Attn: Leanne Scott
1000 Rochester Hills Dr.
Rochester Hills, MI 48309
Article No. 7018 2290 0002 1421 2728

12. Charter Township of Waterford
Attn: Kim Markee
5200 Civic Center Dr.
Waterford Twp., MI 48329
Article No. 7018 2290 0002 1421 2742

13. Charter Township of West Bloomfield
Attn: Debbie Binder
4550 Walnut Lake Rd.
West Bloomfield, MI 48323
Article No. 7018 2290 0002 1421 2735

CITY OF AUBURN HILLS, CHARTER TOWNSHIP OF INDEPENDENCE, CITY OF LAKE ANGELUS, VILLAGE OF LAKE ORION, CHARTER TOWNSHIP OF OAKLAND, CHARTER TOWNSHIP OF ORION, CHARTER TOWNSHIP OF OXFORD, VILLAGE OF OXFORD, CITY OF PONTIAC, CITY OF ROCHESTER, CITY OF ROCHESTER HILLS, CHARTER TOWNSHIP OF WATERFORD AND CHARTER TOWNSHIP OF WEST BLOOMFIELD

COUNTY OF OAKLAND NOTICE OF HEARING

RE: PETITIONS TO LOCATE, ESTABLISH AND CONSTRUCT AN INTRA-COUNTY DRAIN PROJECT IN THE CITY OF AUBURN HILLS, CHARTER TOWNSHIP OF INDEPENDENCE, CITY OF LAKE ANGELUS, VILLAGE OF LAKE ORION, CHARTER TOWNSHIP OF OAKLAND, CHARTER TOWNSHIP OF ORION, CHARTER TOWNSHIP OF OXFORD, VILLAGE OF OXFORD, CITY OF PONTIAC, CITY OF ROCHESTER, CITY OF ROCHESTER HILLS, CHARTER TOWNSHIP OF WATERFORD AND CHARTER TOWNSHIP OF WEST BLOOMFIELD

NOTICE IS HEREBY GIVEN, that pursuant to the provisions of Chapter 20 of Act No. 40 of the Public Acts of 1956, as amended, petitions were filed with the Water Resources Commissioner of Oakland County, Michigan, petitioning for the location, establishment and construction of an intra-county drain project consisting of improving the Clinton River Water Resource Recovery Facility, an intra-county drain for the treatment of sanitary sewage located in the City of Pontiac, that serves property located within the City of Auburn Hills, the Charter Township of Independence, the City of Lake Angelus, the Village of Lake Orion, the Charter Township of Oakland, the Charter Township of Orion, the Charter Township of Oxford, the Village of Oxford, the City of Pontiac, the City of Rochester, the City of Rochester Hills, the Charter Township of Waterford and the Charter Township of West Bloomfield.


NOTICE IS FURTHER GIVEN, that the Drainage Board for the drain project has considered the petitions and has made a tentative determination that the petitions are sufficient and that the drain project is practical; has given the name "CLINTON RIVER WATER RESOURCE RECOVERY FACILITY DRAIN OPTIMIZATION PROJECT" as the name of the drain project and confirming the name "CLINTON RIVER RESOURCE RECOVERY FACILITY DRAINAGE DISTRICT" as the name of the drainage district therefor; and has made a tentative determination that the following public corporations should be assessed for the cost of the drain project, to wit:

City of Auburn Hills
Charter Township of Independence
City of Lake Angelus
Village of Lake Orion
Charter Township of Oakland
Charter Township of Orion
Charter Township of Oxford
Village of Oxford
City of Pontiac
City of Rochester
City of Rochester Hills
Charter Township of Waterford
Charter Township of West Bloomfield

NOTICE IS FURTHER GIVEN, that the Drainage Board will meet on the 23rd May, 2023, at 2:00 p.m., prevailing Eastern Time, at the Office of the Oakland County Water Resources Commissioner, One Public Works Drive, Waterford, Michigan, for the purpose of hearing any objections to the drain project, to the petitions therefor, and to the matter of assessing the cost thereof to the public corporations above named. This notice is given to and for the benefit of the said public corporations and all taxpayers thereof. At the hearing any of said public corporations or any taxpayer thereof will be entitled to be heard.

NOTICE IS FURTHER GIVEN, that after such hearing the Drainage Board shall make a determination as to the sufficiency of the petitions, the practicability of the drain project, whether the drain project should be constructed, and if so, the public corporations to be assessed and shall issue an order known as the Final Order of Determination. Section 483 of Act No. 40 of the Public Acts of 1956, as amended, provides that the Final Order of Determination shall not be subject to attack in any court, except by proceedings in certiorari brought within 20 days after the order is filed in the Office of the Oakland County Water Resources Commissioner, the Chairperson of the Drainage Board for the Clinton River Water Resource Recovery Facility Drain Optimization Project, and that if no such proceeding shall be brought within said 20 day period the drain project shall not thereafter be questioned in any suit at law or in equity, either on jurisdictional or non-jurisdictional grounds.

This notice is given by order of the Drainage Board for the Clinton River Water Resource Recovery Facility Drain Optimization Project.



Jim Nash
Chairperson of the Drainage Board, Clinton River
Water Resource Recovery Facility
Drain Optimization Project
Oakland County Water Resources Commissioner

Dated: April 25, 2023

4877-3928-1995 v2 [9007-447]

MINUTES OF THE MEETING OF THE DRAINAGE BOARD
CLINTON RIVER WATER RESOURCE RECOVERY FACILITY
DRAIN OPTIMIZATION PROJECT

May 23, 2023

A meeting of the Drainage Board for the Clinton River Water Resource Recovery Facility Drain Optimization Project was held in Waterford, Michigan, on May 23, 2023.

PRESENT:

ABSENT:

The meeting was called to order by the Chairperson. The minutes of the April 25, 2023 meeting of this Board were presented. It was moved by _____ and seconded by _____ and unanimously adopted that the said minutes be approved as presented.

The Chairperson presented proofs of the publication and mailing of the notice of hearing. By [unanimous consent] the proofs of publication and mailing were placed on file with the Chairperson.

The Chairperson announced that this was the time and place for the meeting of this Board to hear any objections to the proposed drain project, to the petition therefor, and to the matter of assessing the cost of the project to the public corporation heretofore designated by this Board.

There were the following questions and objections:

There were the following written objections:

The Chairperson declared the hearing closed.

The following resolution was offered by _____ and seconded by _____:

WHEREAS, petitions were filed with the Oakland County Water Resources Commissioner under the provisions of Chapter 20 of Act 40, Public Acts of Michigan, 1956, as amended, on April 6, 2023, by the City of Auburn Hills, Oakland County, Michigan, and on April 12, 2023, by the Charter Township of Orion, Oakland County, Michigan, petitioning for the

location, establishment and construction of an intra-county drain project, as set forth in the petitions, which proposed drain project is necessary for the public health; and

WHEREAS, the necessary proceedings have been taken in respect to the petition including the holding of a hearing for the purpose of receiving any objections to the proposed drain project, to the petition therefor and to the matter of assessing the cost to the public corporation named in the notice of said hearing.

THEREFORE, BE IT RESOLVED BY THE DRAINAGE BOARD FOR THE CLINTON RIVER WATER RESOURCE RECOVERY FACILITY DRAIN OPTIMIZATION PROJECT, as follows:

1. That the petition is sufficient in all respects; that the drain project is practicable and should be constructed; that it has become necessary for the public health to construct the drain project; and that the following public corporations should be assessed for the cost thereof, to-wit:

City of Auburn Hills
Charter Township of Independence
City of Lake Angelus
Village of Lake Orion
Charter Township of Oakland
Charter Township of Orion
Charter Township of Oxford
Village of Oxford
City of Pontiac
City of Rochester
City of Rochester Hills
Charter Township of Waterford
Charter Township of West Bloomfield

2. That the Chairperson of this Board is hereby authorized and directed to issue on behalf of the Board its final order of determination in accordance with the determinations made in this resolution.

ADOPTED: Yeas –

Nays -

The Chairperson of the Drainage Board proceeded to execute the Final Order of Determination and after doing so, presented the same to the Drainage Board. The order was executed and dated on _____, 2023.

It was moved by _____ and seconded by _____ that the Final Order of Determination, In Re Clinton River Water Resource Recovery Facility Drain Optimization Project, as this date executed and presented to this Drainage Board by the Chairperson, be and it hereby is confirmed, ratified and approved and ordered filed with the Chairperson on this date.

ADOPTED: Yeas -

Nays -

The Chairperson presented plans and specifications for the Clinton River Water Resource Recovery Facility Drain Optimization Project previously prepared by registered professional engineers and on file with the Oakland County Water Resources Commissioner. After examination of said plans and specifications it was, on motion by _____, seconded by _____:

RESOLVED, that said plans and specifications be and they hereby are received, adopted and approved and ordered filed with the Chairperson of this Board.

ADOPTED: Yeas -

Nays -

The Chairperson presented a route and course of the Clinton River Water Resource Recovery Facility Drain Optimization Project.

The following resolution was offered by _____ and seconded by _____:

RESOLVED, that the following be approved and adopted as the route and course of the Clinton River Water Resource Recovery Facility Drain Optimization Project:

(See Attached Exhibit A)

ADOPTED: Yeas –

Nays –

The Chairperson presented a description of the area to be served by the drain project.

The following resolution was offered by _____ and seconded by _____:

RESOLVED, that the following be designated as the area to be served by the drain project:

(See Attached Exhibit B)

ADOPTED: Yeas –

Nays –

The following resolution was offered by _____ and seconded by _____:

The Chairperson presented an estimate of the cost of the drain project, which estimate is in the aggregate amount of \$75,000,000.

Upon motion by _____, seconded by _____, it was:

RESOLVED, that the estimate of cost of the drain project, in the amount of \$75,000,000, be and the same hereby is adopted, approved and accepted.

ADOPTED: Yeas -

Nays -

The following resolution was offered by _____ and seconded by _____:

A tentative apportionment of costs was presented to the Board and ordered filed with the Chairperson.

The following resolution was offered by _____ and seconded by _____:

RESOLVED, as follows:

1. That this Board hereby tentatively establishes that the cost of the Clinton River Water Resource Recovery Facility Drain Optimization Project shall be apportioned against public corporations, as follows:

<u>Public Corporation</u>	<u>Tentative Percentage of Cost</u>
City of Auburn Hills	5.257%
Charter Township of Independence	4.090%
City of Lake Angelus	0.000%
Village of Lake Orion	0.570%
Charter Township of Oakland	1.315%
Charter Township of Orion	4.487%
Charter Township of Oxford	1.841%
Village of Oxford	0.572%
City of Pontiac	54.800%
City of Rochester	2.486%
City of Rochester Hills	10.242%
Charter Township of Waterford	11.198%
Charter Township of West Bloomfield	3.142%

2. That this Drainage Board shall meet on the _____ day of _____, 2023, at __:__.m., prevailing Eastern Time, at the Office of the Oakland County Water Resources Commissioner, One Public Works Drive, Waterford, Michigan, for the purpose of hearing any objections to said apportionment.

3. That the notice of such hearing shall be in substantially the following form,
to wit:

CITY OF AUBURN HILLS, CHARTER TOWNSHIP OF INDEPENDENCE, CITY OF
LAKE ANGELUS, VILLAGE OF LAKE ORION, CHARTER TOWNSHIP OF
OAKLAND, CHARTER TOWNSHIP OF ORION, CHARTER TOWNSHIP OF
OXFORD, VILLAGE OF OXFORD, CITY OF PONTIAC, CITY OF ROCHESTER,
CITY OF ROCHESTER HILLS, CHARTER TOWNSHIP OF WATERFORD AND
CHARTER TOWNSHIP OF WEST BLOOMFIELD
COUNTY OF OAKLAND

CLINTON RIVER WATER RESOURCE RECOVERY FACILITY
DRAIN OPTIMIZATION PROJECT

NOTICE OF MEETING TO HEAR OBJECTIONS
TO APPORTIONMENT OF COST OF ABOVE
INTRA-COUNTY DRAIN PROJECT

NOTICE IS HEREBY GIVEN, that the cost of the Clinton River Water Resource Recovery Facility Drain Optimization Project which consists of locating, establishing, studying, designing and constructing an intra-county drain project consisting of improving the Clinton River Water Resource Recovery Facility, an intra-county drain for the treatment of sanitary sewage located in the City of Pontiac, and all improvements necessary to bring the Clinton River Water Resource Recovery Facility into compliance with the Consent Judgment ordered by the Ingham County Circuit Court on July 24, 2009, between the City of Pontiac and the Michigan Department of Environmental Quality (subsequently renamed as the Michigan Department of Environment, Great Lakes, and Energy) with respect to the Clinton River Water Resource Recovery Facility, in accordance with the provisions of Chapter 20 of Act 40, Public Acts of Michigan, 1956, as amended, all as more fully set forth in the petition filed by the Charter Township of Orion and the City of Auburn Hills with respect to the drain project, has been tentatively apportioned as follows, to wit:

<u>Public Corporation</u>	<u>Tentative Percentage of Cost</u>
City of Auburn Hills	5.257%
Charter Township of Independence	4.090%
City of Lake Angelus	0.000%
Village of Lake Orion	0.570%
Charter Township of Oakland	1.315%
Charter Township of Orion	4.487%
Charter Township of Oxford	1.841%
Village of Oxford	0.572%
City of Pontiac	54.800%
City of Rochester	2.486%
City of Rochester Hills	10.242%
Charter Township of Waterford	11.198%
Charter Township of West Bloomfield	3.142%

NOTICE IS FURTHER GIVEN, that the Drainage Board for the Clinton River Water Resource Recovery Facility Drain Optimization Project, will meet at __:__ p.m., prevailing Eastern

Time, on the ____ day of _____, 2023, in the Office of the Oakland County Water Resources Commissioner, One Public Works Drive, Waterford, Michigan, for the purpose of hearing any objections to said apportionment.

NOTICE IS FURTHER GIVEN, that the plans, specifications, route and course and estimate of cost of the Clinton River Water Resource Recovery Facility Drain Optimization Project and also a description of the area to be served thereby are on file in the office of the Oakland County Water Resources Commissioner, One Public Works Drive, Waterford, Michigan. The estimated cost of the drain project is \$75,000,000, but the apportionment percentages as finally established by the Drainage Board shall apply to the actual cost of the aforementioned portions of the drain project when finally completed.

NOTICE IS FURTHER GIVEN, that at said hearing the public corporations to be assessed, or any taxpayer thereof, will be entitled to be heard.

NOTICE IS FURTHER GIVEN, that after consideration of all objections to the apportionment the Drainage Board shall determine whether the apportionment fairly reflects the benefits to accrue to each public corporation and the extent to which each public corporation contributes to the conditions which make the drain project necessary. If the Drainage Board determines that the apportionment is equitable it will enter a Final Order of Apportionment confirming the apportionment. Section 483 of Act 40, Public Acts of Michigan, 1956, as amended, provides that the Final Order of Apportionment shall not be subject to attack in any court, except by proceedings in certiorari brought within 20 days after the order is filed in the office of the Oakland County Water Resources Commissioner, with the Chairperson of the Drainage Board for the Clinton River Water Resource Recovery Facility Drain Optimization Project, and that if no such proceedings shall be brought within said 20 day period the legality of the assessments for the drain shall not thereafter be questioned in any suit at law or in equity, either on jurisdictional or nonjurisdictional grounds.

NOTICE IS FURTHER GIVEN, that if the Drainage Board enters the Final Order of Apportionment a special assessment roll assessing the estimated cost of the drain project against said public corporations in accordance with the confirmed apportionment will be prepared and presented to the Drainage Board for approval.

This notice is given to and for the benefit of the aforesaid mentioned public corporations and all taxpayers thereof by order of the Drainage Board for the Clinton River Water Resource Recovery Facility Drain Optimization Project.

Jim Nash
Chairperson of the Drainage Board for the
Clinton River Water Resource Recovery
Facility Drain Optimization Project;
Oakland County Water Resources Commissioner

4. That said notice shall be published twice in The Oakland Press, a newspaper published in the County of Oakland, the first publication to be not less than twenty (20) days prior to the time of said hearing.

5. That said notice shall be sent by registered or certified mail to the Clerk of each of the City of Auburn Hills, the Charter Township of Independence, the City of Lake Angelus, the Village of Lake Orion, the Charter Township of Oakland, the Charter Township of Orion, the Charter Township of Oxford, the Village of Oxford, the City of Pontiac, the City of Rochester, the City of Rochester Hills, the Charter Township of Waterford, the Charter Township of West Bloomfield, the County Clerk of the County of Oakland and the County Road Commission of the County of Oakland, which mailing shall be not less than twenty (20) days prior to the time of said hearing.

6. That all resolutions or parts of resolutions in conflict herewith are hereby rescinded.

ADOPTED: Yeas -

Nays -

There being no further business to come before the meeting, upon motion by _____, seconded by _____, and unanimously adopted, the meeting was adjourned.

Chairperson

Dated: May 23, 2023

STATE OF MICHIGAN)
) SS:
COUNTY OF OAKLAND)

I hereby certify that the foregoing is a true and complete copy of the minutes of a meeting of the Drainage Board for the Clinton River Water Resource Recovery Facility Drain Optimization Project, Oakland County, Michigan, held on May 23, 2023, and that the minutes are on file in the offices of the Oakland County Water Resources Commissioner and are available to the public.

I further certify that notice of the meeting was given in accordance with the Open Meetings Act.

Chairperson of the Drainage Board

FINAL ORDER OF DETERMINATION

IN RE

CLINTON RIVER WATER RESOURCE RECOVERY FACILITY DRAIN OPTIMIZATION PROJECT

WHEREAS, pursuant to the provisions of Chapter 20 of Act No. 40, Public Acts of Michigan, 1956, as amended, petitions were filed with the Oakland County Water Resources Commissioner by the City of Auburn Hills, Oakland County, Michigan, on April 6, 2023, and by the Charter Township of Orion, Oakland County, Michigan, on April 12, 2023, petitioning for the following drain project as necessary for the public health, to-wit:

The location, establishment, study, design and construction of an intra-county drain project consisting of improving the Clinton River Water Resource Recovery Facility, an intra-county drain for the treatment of sanitary sewage located in the City of Pontiac, and all improvements necessary to bring the Clinton River Water Resource Recovery Facility into compliance with the Consent Judgment ordered by the Ingham County Circuit Court on July 24, 2009, between the City of Pontiac and the Michigan Department of Environmental Quality (subsequently renamed as the Michigan Department of Environment, Great Lakes, and Energy) with respect to the Clinton River Water Resource Recovery Facility, which improvements shall include, without limitation, one or more of the following:

1. At the Auburn Resource Recovery Facility:
 - a. Additions to and/or refurbishments of the facility's peak flow storage capacity along with additions and modifications to the secondary clarifier processes that satisfactorily meet the requirements of the State of Michigan Department of Environmental, Great Lakes and Energy, as well as all work, rights of way, easements, sitework, equipment and appurtenances necessary or incidental thereto;
 - b. Improvements to pump stations and appurtenances related to the sewage treatment process, and the addition of new secondary clarifiers including all sludge conveyance related channels and pipes;
 - c. Installation of new piping, electrical, controls and modifications to the existing blower system including building modifications;
 - d. Improvements to electrical system, backup generators and cogeneration units to centralize the power supply; and installation of new switchgear, primary and secondary power lines, low & medium voltage, related electrical gear; and the removal and replacement of obsolete generators, electrical wiring, conduit, poles and equipment to optimize the plant power supply from DTE Energy to all buildings and components of the facilities along with related control work;
 - e. Biogas cleaning and scrubbing equipment and related infrastructure additions and improvements to maximize and optimize plant operations and efficiencies relating

to the sludge digestion processes including digester modifications and the thermal and microbial hydrolysis treatment trains;

- f. All work, rights of way, easements, sitework, electrical and mechanical improvements, equipment and appurtenances necessary or incidental thereto.

2. At the East Boulevard Recovery Facility: installation of new switchgear, primary and secondary power lines and gear; and removal and replacement of obsolete generators, electrical wiring, conduit, poles and equipment to optimize the plant power supply from DTE Energy to all buildings and components of the facilities along with relate control work.

WHEREAS, the necessary proceedings have been taken in respect to the petition, including the holding of a hearing for the purpose of receiving any objections to the proposed drain project, to the petition therefor and to the matter of assessing the cost to the public corporations designated by this Board;

THEREFORE, the Drainage Board for the Clinton River Water Resource Recovery Facility Drain Improvements issues this order making the following determinations in accordance with a resolution adopted by it on May 23, 2023, to-wit:

That the said petitions are sufficient in all respects; that the drain project is practicable and should be constructed; that it has become necessary for the public health to construct the drain project; and that the following public corporations should be assessed for the cost thereof, to-wit:

City of Auburn Hills
Charter Township of Independence
City of Lake Angelus
Village of Lake Orion
Charter Township of Oakland
Charter Township of Orion
Charter Township of Oxford
Village of Oxford
City of Pontiac
City of Rochester
City of Rochester Hills
Charter Township of Waterford
Charter Township of West Bloomfield

DRAINAGE BOARD FOR THE CLINTON
RIVER WATER RESOURCE RECOVERY
FACILITY DRAIN OPTIMIZATION
PROJECT

By: _____
Chairperson

Dated: May 23, 2023
Filed: May 23, 2023
4873-2332-5003 v1 [9007-447]

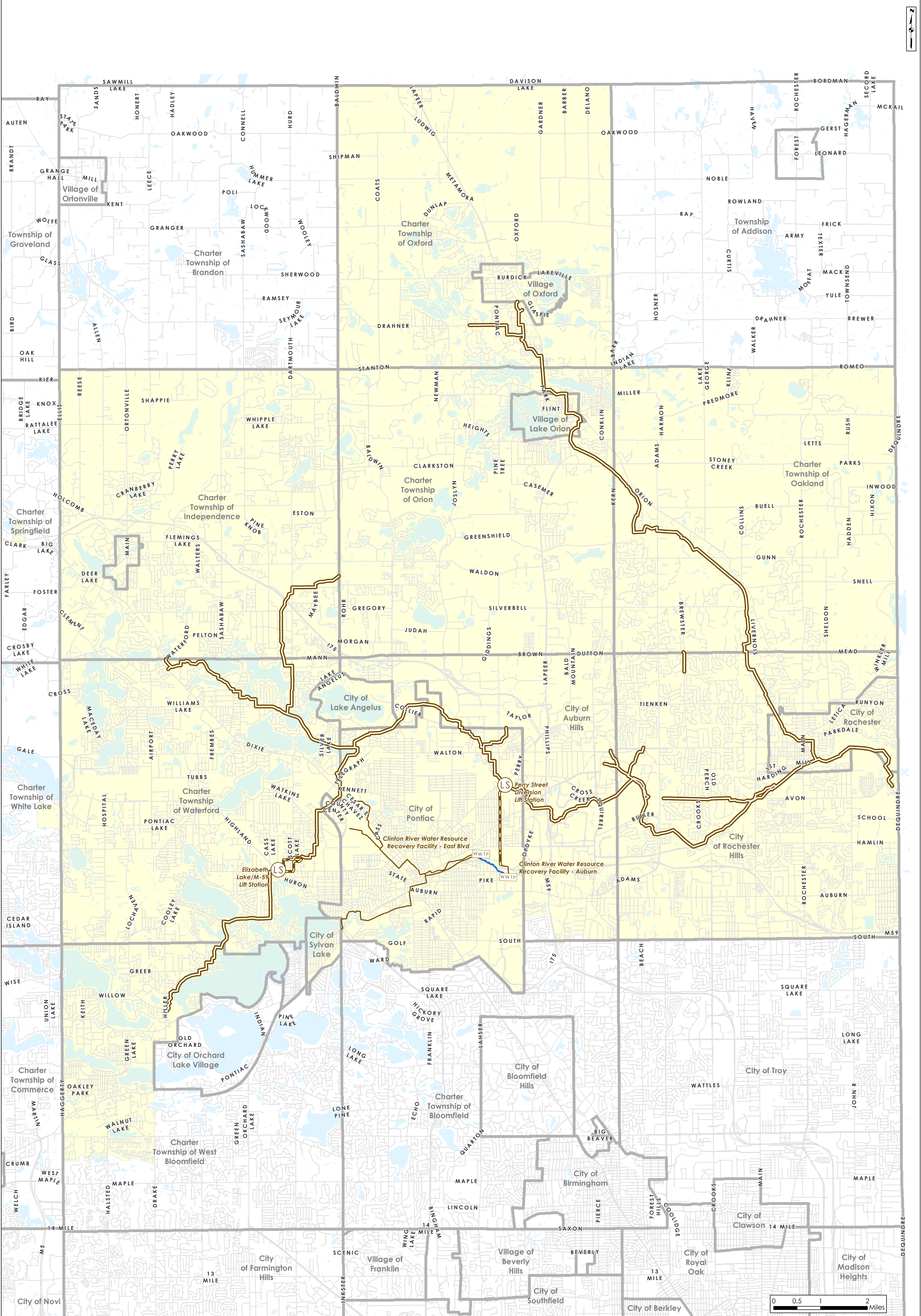
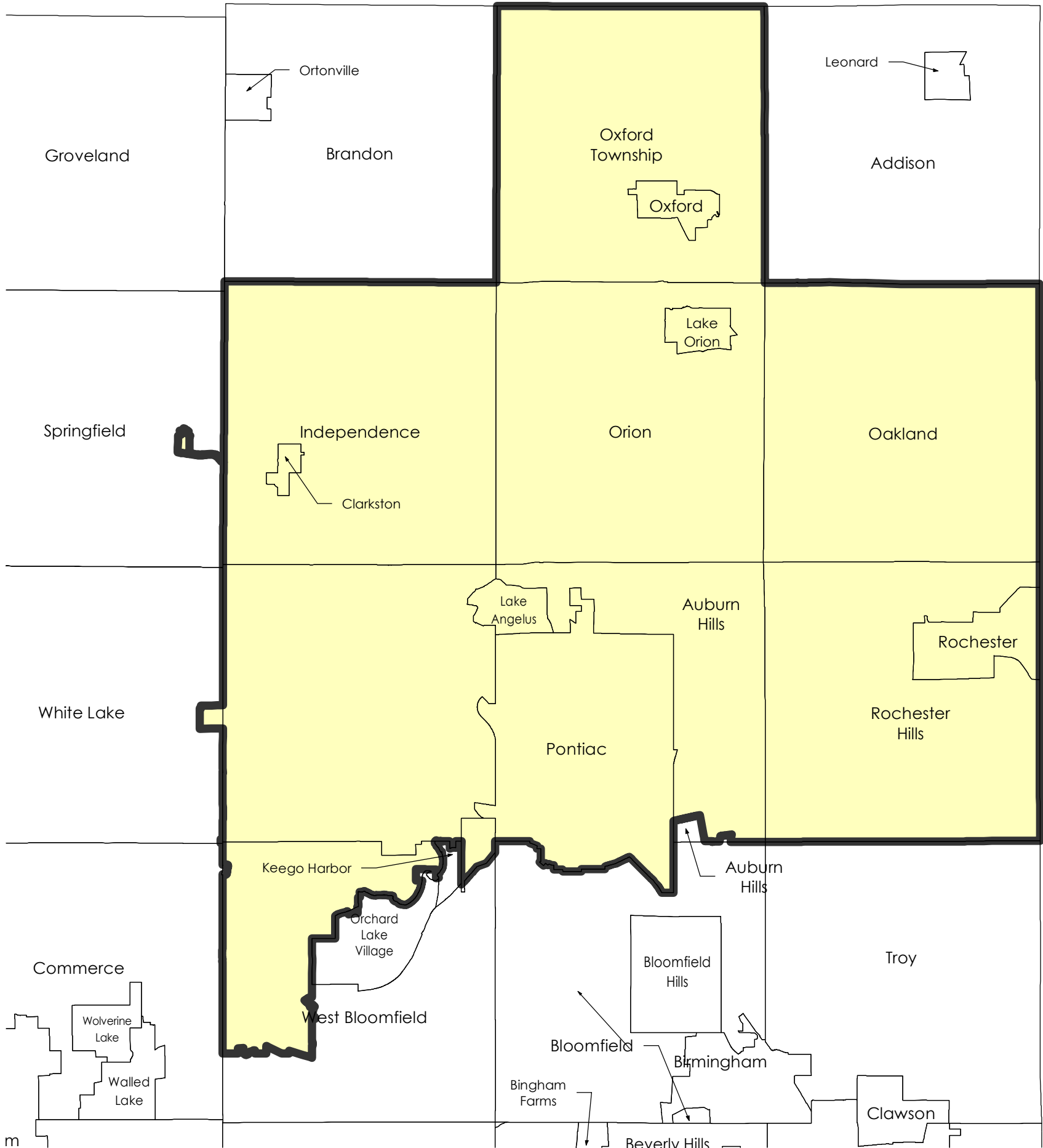


Exhibit A

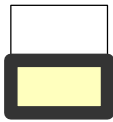
Clinton River Water Resource Recovery Facility

Route and Course

EXHIBIT B



LEGEND



MUNICIPAL DISTRICT
CRWRRF Benefitting Area

CLINTON RIVER WATER
RESOURCE RECOVERY FACILITY
BENEFITTING AREA



Disclaimer: The information provided in this system has been compiled from recorded deeds, plats, tax maps, surveys and other public records and data. It is not a legally recorded map or survey and is not intended to be used as one. Users of this data are hereby notified that the information sources mentioned above should be consulted for verification of the information.

**OAKLAND COUNTY
WATER RESOURCES COMMISSIONER****MEMORANDUM**

TO: Jim Nash, Chairperson
Clinton River Water Resource Recovery Facility

FROM: Lesli Maes, Operations Engineer

SUBJECT: Lease Area 'F' Proposed Vapor Mitigation and Building Improvements

DATE: May 23, 2023

As approved at the June 28, 2022 CRWWF Drain Board, the WRC engaged PM Environmental, an environmental consulting and engineering services company, to perform a Phase II Environmental Site Assessment for the Lease F parcel of the East Boulevard Wastewater Treatment Plant property located at 274 Marin Luther King Jr. Boulevard in Pontiac, Michigan. The purpose of this assessment was to complete a subsurface investigation in the area under and around the slab on grade building located on this parcel prior to making the property available for a new lease.

The completed site investigation detected concentrations of chlorinated volatile organic compounds in the soil and soil gas beneath the building that exceed the screening levels and represent a vapor intrusion concern. These findings indicate that if the building is to be occupied, vapor mitigation is required. PM Environmental has provided a proposal (attached) for a constructability assessment, pilot test, design, and specifications for a sub-slab depressurization system at a cost of \$32,700. Once design is complete, it is anticipated that the installation of the vapor mitigation system will range between \$20,000 and \$40,000 depending on the findings of the pilot test.

In addition to addressing the vapor mitigation concern, WRC staff recommends additional building improvements be made to modify the garage floor drains and to improve the septic tank access. In total, staff recommends a budget of \$100,000 to address both the vapor mitigation concern and building updates in preparation for a potential new tenant.

After consultation with Paul Zachos, Oakland County's Property Management Specialist, along with discussions with an interested potential tenant, it has been determined the existence of this building makes this property significantly more valuable/desirable to be leased than without. Return on this investment will be realized in a proposed new lease of the property. WRC staff recommends making the necessary improvements to the building to prepare the building to be occupied by a new lease tenant.

Recommended Action: Approve a not to exceed budget of \$100,000 to address Lease F building improvements and authorize PM Environmental to proceed with the Sub-Slab Depressurization System Package as proposed in the attached document.

PROPOSAL FOR A SUB-SLAB DEPRESSURIZATION SYSTEM CONSTRUCTABILITY ASSESSMENT, PILOT TEST, AND SSD SYSTEM DESIGN & SPECIFICATIONS PACKAGE

**For WWTP and Associated Leased Areas Located at 274 Martin Luther King Jr.
Boulevard North in Pontiac, Michigan**

PM Environmental Proposal No. 01022493

PM Environmental (PM) respectfully presents this proposal to complete a constructability assessment and sub-slab depressurization (SSD) system pilot test and design and to prepare a SSD system design and specifications package for the above referenced subject building and property. This proposal includes a scope of work, costs, schedule for completion of work, and the terms and conditions of the agreement.

After reviewing the Scope of Work and Terms and Conditions, please initial each page in the boxes provided, complete the information in the Acceptance of Proposal section, and return it to our attention. PM requires written authorization to proceed prior to commencing a project.

BACKGROUND

Site investigation activities completed in 2014 and September 2023 detected concentrations of chlorinated volatile organic compounds (VOCs) in soil and/or soil gas beneath the approximately 4,325-square foot building ("subject building") at the subject property above the Michigan Department of Environment, Great Lakes, and Energy (EGLE) Residential and Nonresidential Volatilization to Indoor Air Pathway (VIAP) screening levels. These exceedances represent a vapor intrusion (VI) concern that requires mitigation to comply with owner/operator's Due Care requirements under Michigan Rule Part 201.

RECOMMENDATIONS

As part of the Due Care obligations regarding the known onsite contamination, PM recommends the completion of a SSD Pilot Test and Constructability Assessment to determine feasibility and informed design decisions on the presumptive mitigation approach. The objective of the SSD pilot study is to assess the feasibility of SSD technology to provide effective VI mitigation at the subject building and to determine design parameters for the full-scale SSD system. The Constructability Assessment will help to identify site specific building conditions, which will be used to strategically locate the pilot test locations and subsequently, specific design approaches for the full scale system.

If SSD is determined to be a feasible remedy at the conclusion of the pilot test, PM will proceed with developing a design and specifications package for installation of a full-scale SSD system for the subject building. The purpose of the system is to depressurize the atmosphere beneath the concrete slab of the subject building and create a negative pressure in the sub-slab atmosphere compared to the indoor atmosphere of the buildings, which is expected to prevent soil gas from entering the indoor atmosphere of the building. The extracted soil gas from the sub-slab atmosphere of the building will be properly vented outside of the building.

SCOPE OF WORK

TASK 1 – CONSTRUCTABILITY ASSESSMENT & PILOT TEST DESIGN

PM will complete the following activities under this task:

- Gather and review available and relevant building/foundation plans and/or as-built diagrams, utility installation diagrams, and available previous site assessment data to aid in planning and design of the SSD pilot testing.
- Prepare a field scope of work with a site specific health and safety plan to carry out the field activities under this task.
- Conduct an on-site inspection to further document construction features and confirm current layout, building access, and potential obstacles/challenges associated with designing an effective pilot test and to aid in proper interpretation of the data gathered during the testing. A properly designed and executed pilot test will lead to design and installation of an effective SSD system. During the site walk, PM will inspect and collect relevant information on building conditions, slab conditions, slab penetrations, air moving appliances, existing systems (if any), building grounds including surface cover and grading for drainage, and accessibility. Additionally, PM will gather any other available relevant information from the client's site contact during the Constructability Assessment site-walk that may help in appropriately designing the pilot test. PM will fill out a constructability assessment checklist to facilitate and document information collection under this task.
- Conduct a limited Ground Penetrating Radar (GPR) survey of the sub-slab environment of the building to determine potential presence of utility corridors, void spaces, equipment foundations, and any abrupt changes in the sub-slab soil medium to account for in the pilot test design and subsequent full scale system design.
- Identify placement of extraction and monitoring points at strategic and appropriate locations in the building and mark the test locations using a spray paint.
- Develop a pilot test scope of work based on the results of constructability assessment.

It is to be noted that based on the constructability assessment, if a significant amount of damaged or cracked concrete, or presence of significant preferential flow paths in the concrete slab within the anticipated radius of vacuum influence from the extraction points are present, PM will recommend temporary sealing of the damaged/cracked before conducting pilot testing, for which costs are not included in this proposal.

PM anticipates up to one (1) 10-hour business day will be needed onsite to complete the constructability assessment and GPR/site inspection.

TASK 2 – SSD PILOT TESTING, DATA EVALUATION, & CONCEPTUAL DESIGN

PM will complete the following activities under this task:

- The SSD pilot test will include installation of up to three (3) test locations with up to 12 temporary vacuum monitoring test ports per test location at specific intervals from the test location in all directions. The pilot test data will be used to determine the approximate radius-of-influence (ROI) as well as the vacuum/ air flow relationship for the sub-slab medium, the necessary design parameters needed for optimal design of a full scale system. The extraction points will be installed by coring a four (4) inch diameter hole through the concrete slab at each test location, creating an extraction sump by removing approximately one cubic feet of soil from underneath the slab at the test location, and installing vacuum monitoring test ports (vapor pins) by drilling 5/8 inch holes through the concrete slab at increasing distances from each test point. An appropriately selected temporary vacuum fan with associated piping, valves, fittings will be utilized to conduct the pilot tests by depressurizing the sub-slab soils beneath the concrete floor slab of the subject building at each test location. For each test, the extraction fan will be activated at the test location and vacuum readings at the monitoring test ports will be collected with a digital micromanometer. Any operating HVAC unit, furnaces, and air moving appliances will be turned on during the test to create the worst-case negative pressure scenario within the

building during the test. Smoke testing with a smoke pen will be conducted to check any potential backdraft at appliances caused by the applied vacuum as well as at any significant cracks or suspected preferential airflow pathways that may be present in the slab. A step-test with at least three applied vacuum levels will be completed at each test location and pressure and air flow readings will be collected. The exhaust air from the vacuum fan will be either emitted to outside of the building, or to a room with an exhaust fan.

- At the end of the test, all equipment will be removed from the subject property and all test ports will be properly abandoned and restored following the pilot tests.
- PM will evaluate the data collected the pilot test to determine feasibility of SSD technology for VI mitigation in the subject building. PM will specifically develop the system curve (airflow versus vacuum) and determine the vacuum versus ROI relationship for the building sub-slab medium.
- PM will prepare a conceptual design using the design vacuum, ROI, airflow determined from evaluation of the pilot test data. Negative pressure (vacuum) readings of 0.02-inches of water column (5 pascals) is the threshold vacuum level required by EGLE to demonstrate sufficient depressurization is occurring. The design ROI for the full scale system will be based on this required threshold vacuum level corresponding to the optimal applied vacuum level on the vacuum-ROI-airflow relationship curve developed from the pilot test data.
- PM will prepare a letter report summarizing the pilot test data evaluation and inferences along with recommendations. The letter report will include the materials and methods used in the test, procedure followed during the test, and an evaluation of the data collected from the test. The report will also include a conceptual design layout showing the number of suction points and fans needed with a piping schematic.

PM estimates that up to one (1) 12-hour business day with two field personnel will be needed onsite to complete the pilot test.

TASK 3 – SSD SYSTEM DESIGN AND SPECIFICATIONS PACKAGE

PM will complete this task in three steps: 1) preliminary design, 2) review of preliminary design, 3) final design.

Preliminary Design:

- Review available building and site plans, utility diagrams, and historical environmental site assessment (ESA) data for the subject property.
- Based on the SSD pilot test results, and conceptual design developed under Task 2, develop a preliminary design of the SSD system consisting of the following:
 - Layout of SSD suction pits and risers on the building plan.
 - Layout of system piping routes/schematic.
 - Layout of SSD fans on the roof plan.
 - Layout of the performance monitoring test ports along with any remote access locations for monitoring if needed.
 - Locations of concrete/wall/foundation wall penetrations.
 - Location of audiovisual alarms.
 - Detail showing locations of valves and monitoring ports on the suction risers.

Review of Preliminary Design:

- Coordinate and conduct an on-line pre-design review with the client or client's architect/GC.
- Revise the preliminary SSD design as needed based on client comments to accommodate changes in the building design/construction plans after receiving comments from the client team.
- Conduct up to one on-site design review with the client team, if needed.

Final Design and Specifications Package:

Following finalization of the preliminary design, PM will prepare detailed design plans and specifications for installation of the full-scale SSD systems for the proposed building. The design and specification package will be prepared following the VI Guidance document provided by EGLE, and EGLE expectations for an approvable design, and industry practices. The final design and specification package will include:

- Final design layout for the SSD system component parts listed under the preliminary design deliverable.
- Design specifications for suction pits and construction details
- Design specifications for extraction fans (type and size) and construction details
- Design specifications for vertical and horizontal piping, manifolds, fittings, and valves and construction details
- Design specifications for the exhaust stack and construction details
- Design specifications for the alarm system
- Design specifications for the monitoring system including measurement ports and gauges.
- Construction notes and procedures including the VI related preparatory construction work that must be completed prior to the SSD system installation
- Startup/commissioning plan
- An Operations, Maintenance & Monitoring (OM&M) plan

The deliverable under this task is a design report including the design and specification plan sheets and other elements as listed above.

ANTICIPATED FUTURE TASKS

Upon completion of the proposed tasks, the following tasks, not included in this proposal, are to be anticipated as a next step in the VI mitigation process for the proposed building:

- Preparation of installation cost estimates
- Oversight and start-up assistance with the full-scale SSD system installation
- As-built plans and Operation, Maintenance, and Monitoring (OMM) assistance for the SSD system.

A proposal for the above tasks will be submitted upon completion of the tasks proposed under this proposal at client's request.

COST TABLE

SSD System Constructability Assessment, Pilot Test and Conceptual Design, and SSD Design Specification Package Services	
Task 1 - Constructability Assessment and Pilot Test Design	\$6,650
Task 2 - SSD Pilot Testing, Data Evaluation, and Conceptual Design	\$14,600
Task 3 - SSD System Design and Specifications Package	\$11,450
TOTAL LUMP SUM COSTS	\$32,700

SCHEDULE

Activity	Turnaround Time*
Constructability Assessment, GPR Survey, and Pilot Test Design	20 business days
Pilot Test	15 business days after fieldwork is completed
Data Evaluation and Conceptual Design	15 business days after Pilot Test is completed
Final SSD Design & Specifications Package Report	Dependent on turnaround of SSD Design edits between PM and client

***The turnaround times and costs included above are contingent on engagement within 7 business days of the proposal date. Turnaround times and costs can change and if not engaged within 7 business days, it may be necessary for PM to provide a new proposal with updated turnaround times and costs.**

ASSUMPTIONS AND CLIENT RESPONSIBILITY

- PM will include an electronic copy of the report within the lump sum fee. PM can provide one hard copy of the report within the lump sum fee, at the request of the client. Additional hard copies of the report can be provided for an additional \$100 per copy at the request of the client.
- The scope herein includes up to two hours of consultation after the final report has been submitted to the client. Additional time for consultation services will be billed on a time and materials basis.
- The current owner will be cooperative in providing site access and allow pilot test system components to be installed at the subject property within the subject building. The current owner will mark the locations of all privately-owned subsurface utilities (i.e., electrical control lines, etc.) on or beneath the subject property prior to any site investigation activities. If necessary, the current owner will contract a utility marking service to mark all privately-owned subsurface utilities.
- Restoration of interior finish materials (i.e., floor tile, carpet, drywall, painted, polished, or epoxied surfaces, or similar) is not included and is the responsibility of the client.
- The cost to characterize and dispose of excavated/containerized soils and liquids is not included in this proposal. At the request of the client, PM can complete waste characterization and arrange pickup and proper disposal of the soils and liquids on a change order basis.
- Any bonds required by a permitting or local authority in association with the proposed work are the responsibility of the client.
- Project Bidding and proposal evaluation services are not included in this proposal.
- PM assumes that the pilot test data will adequately describe the expected behavior of sub slab gasses in a scaled-up SSD system. PM cannot be responsible for sub-surface conditions, anomalies, and structures unknown to us and outside of our control which may affect SSD system performance.
- Accommodation for permit approvals are not included in the schedule. Permitting assumptions include simple application submittals and fees by the client with immediate approvals by local permitting authorities.
- This scope of work does not include installation, oversight, third party testing or inspection, or procurement of the vapor mitigation systems, as designed.
- Assumes sub-slab ventilation system piping may pass through building roof and/or sidewalls.
- Design and construction of supplemental architectural/aesthetic piping enclosures, if desired, are not included within this proposal.
- Assumes EGLE approval of the SSD design and specifications package will not be needed.

- The generic volatilization to indoor air inhalation criteria in Michigan are based upon several default assumptions (homogenous soils, depth of groundwater, building construction, etc.), which may not be representative of subject property conditions. For locations where generic volatilization to indoor air inhalation criteria do not apply, a request to EGLE to develop site-specific volatilization to indoor air criteria (VIAC) must be made, or site-specific criteria can be developed independently and submitted to EGLE for approval prior to use.

Timelines/schedules for EGLE VIAC development requests and/or approvals of plans, reports, or site-specific criteria submitted to EGLE cannot be guaranteed by PM.

Services Not Included

Any document review outside of the records review noted above, meetings and consultations or report revisions by third parties will be billed when requested on a time and materials basis at PM's current billing rates. Overnight Delivery Costs will be billed at cost plus 15%.

TERMS AND CONDITIONS

This proposal and the scope of work contained within will be governed in accordance with PM's October 2020 Qualification Information and Proposal, signed January 14, 2021.

ACCEPTANCE OF PROPOSAL

PM has presented this proposal for your acceptance. Your acceptance of this proposal indicates that the terms, conditions, and provisions of this proposal are understood, including payment to PM upon receipt of the invoice, unless specifically arranged or otherwise in writing. The terms, conditions, and provisions of this proposal are for the client that the proposal is addressed to in the header. If a different client executes the proposal, PM retains the right to update the terms, conditions, and provisions of the proposal and request re-authorization. Of course, should you wish to discuss the terms and conditions of this proposal, we would be pleased to do so at your earliest convenience. Please initial each page in the boxes provided, complete the acknowledgement section below, and return it to our attention. PM requires written authorization to proceed prior to commencing a project.

TOTAL ESTIMATED PROJECT COST BASED ON SCOPE OF WORK	
	\$32,700

Should a project change status at any time during the billing stage then the following conditions apply:

- If the project is canceled/placed on hold prior to the completion of field work, time and material (T&M) will be billed to the client.
- If the project is canceled/placed on hold after the completion of field work but prior to samples being submitted to the laboratory, then 100% of the field work cost is owed and T&M of the project management/reporting cost is owed.
- If the project is canceled/placed on hold after the completion of field work and after the samples have been submitted to the laboratory, then 100% of the field work cost and 100% of the laboratory analytical cost is owed and T&M of the project management/reporting cost is owed.
- If the project is canceled/placed on hold prior to finalizing the report, then 100% of the total project fee is owed.

ACKNOWLEDGEMENT AND AUTHORIZATION TO PROCEED			
Company Name			
Authorized Person Name		Federal Tax I.D. Number	
Title		Phone Number	
Signature		Date	
Mailing Address			
Billing Contact (if different than above; Name, Phone, Email and Address)			

PM looks forward to assisting you with this project. Please contact us at 800-313-2966 or email at Tonia.Hack@pmenv.com or Panda@pmenv.com with any questions related to the project or this proposal.

Sincerely,

PM ENVIRONMENTAL



Tonia Hack
Project Geologist



Jogesh Panda, P.E.
Senior Engineer

**OAKLAND COUNTY
WATER RESOURCES COMMISSIONER****MEMORANDUM**

TO: Jim Nash, Chairperson,
Clinton River Water Resource Recovery Facility Drainage District

FROM: Jeffrey Parrott, Supervisor Right of Way

SUBJECT: Proposed Lease of Areas F and G

DATE: May 23, 2023

Motor City Electric Co. is currently leasing property for construction staging within the Clinton River Water Resource Recovery Facility site formerly known as the Auburn Wastewater Treatment Plant. The current lease is scheduled to expire on June 30, 2024. However, the district is terminating the current lease early per the terms of the lease to allow this area to be used for staging to construct the CRWRRF Optimization project.

Mr. Darrin Ferguson, Vice President of Motor City Electric Co., has expressed interest in leasing the property identified on the attached map as Lease Areas F and G to move their operations from their current lease area being terminated early for the CRWRRF Optimization project. These are two of the three lease areas vacated by Bedrock Express, Ltd. on July 1, 2022

After careful consideration and consultation with Paul Zachos, Oakland County's Property Management Specialist, it is staff's recommendation that Lease Areas F and G are leased to Motor City Electric Co. Mr. Zachos, who has years of leasing experience dealing with a wide variety of county-owned property from long-term leases of district court buildings to large parking lots leased to car dealerships, believes a reasonable rental rate for this heavy industrial-zoned property would be an initial lease rate of \$125,000.00 for the first year with a 4% increase annually thereafter for a four-year term. Per the attached commercial lease term sheet, Motor City Electric Co. agrees to the proposed lease rate of \$125,000.00 for the first year and a yearly 4% increase annually thereafter.

Recommended Action: 1.) Accept Motor City Electric Co. offer to lease property. 2.) Authorize chairperson to execute new lease on behalf of the board.



May 16, 2023

Mr. Darrin Ferguson, Vice President
Motor City Electric Company
9440 Grinnell Street
Detroit, MI 48213

Re: Early Lease Termination

Dear Mr. Ferguson:

Please consider this letter your formal notice of termination of the lease between Motor City Electric Company and the Clinton River Water Resource Recovery Facility Drainage District.

Per the terms of the lease, either party may, upon 90 days written notice, terminate the lease without cause. The annual rent will be prorated to a monthly rent and any remaining amounts will be returned to you for the months following the termination.

The 36-month lease term initially was scheduled to end on June 30, 2024. The early termination date will be August 30, 2023 which is 106 days from the date of this letter. If you have any questions or need additional details about the logistics of this matter, please contact Jeff Parrott, the supervisor of the Right of Way department. You can reach Jeff via email at parrottj@oakgov.com or by phone at 248-897-2963.

Sincerely,

John A. Basch
Senior Attorney



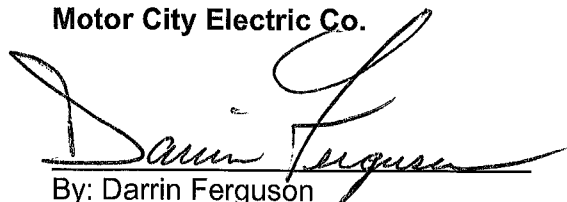
Motor City Electric Co. – Commercial Lease Term Sheet

The following terms have been generally agreed upon between the Proposed Tenant and the Property Owner (Landlord) for purposes of drafting a commercial lease agreement.

Date	May 15, 2023
Proposed Tenant	Motor City Electric Co.
Property Owner	City of Pontiac Wastewater Treatment Facility Drainage District
Property Address	274 Martin Luther King Jr. Blvd., Pontiac, MI 48342
Use of the Premises	Storage of Materials and Equipment. Use of building is restricted to storage of materials and equipment only until vapor mitigation system installation and building improvements are completed.
Term	4 Years
Possession	Upon Execution of Lease
Base Rental Rate	\$125,000.00
Rent Escalations and Basis	4% annually
Responsibility for Taxes	Tenant
Responsibility for Utilities including Gas, Electric, Water, Sewer, Rubbish, Other	Tenant
Disclosure of Hazardous Materials	Tenant will be provided with environmental study as requested and accepts the property as is.
Special Landlord Provisions	Installation of vapor mitigation system and building improvements.
Special Tenant Provisions	Tenant must maintain access road.
Sublet and Assignment	No
Landlord Access	24/7 without notice
Financial Information (attachment)	
Security Deposit	Not required
Other:	

Signatures:

Motor City Electric Co.



By: Darrin Ferguson
Its: Vice President

**Clinton River Water Resource
Recovery Facility Drainage District**

By: Jim Nash
Its: Chairperson



DISCLAIMER:
The information displayed in this map is compiled from recorded deeds, plats, tax maps, surveys and other public records. Although this information is intended to accurately reflect public information, it is not a legally recorded map or survey and is not intended to be used as one. Users should consult primary/original information sources where appropriate.

**EAST BOULEVARD WWTW PROPOSED LEASE AREAS
CITY OF PONTIAC**

One Public Works Drive
Building 95 West
Waterford, Michigan
48328-1907

WRC
WATER RESOURCES COMMISSIONER
Jim Nash

MEMO TO: Mr. Jim Nash, Chairman
of the Drainage Board for the CLINTON RIVER WATER RESOURCE RECOVERY FACILITY DRAIN - (Maintenance)

FROM: Shawn Phelps, Chief of Fiscal Services- *Shawn Phelps*
OCWRC Accounting

DATE: May 23, 2023

SUBJECT: Request for Approval of Invoices

The following is a detail of charges paid from the Drain Revolving Fund and Invoices

Payable To	Ref No.	For	Amount
ALYKO Enterprises LLC	V # SIN00181448	Invoice # 129141 - Uniforms	\$ 2,410.90
Andritz Separation Inc	V # SIN00178632	Invoice # 8480118761 / 03/31/2023 - Equipment Maintenance	66,729.70
Bedrock Express Ltd	V # SIN00178633	Invoice # 129141 - Material and Supplies	1,271.20
Cambi Inc	V # SIN00176797	Invoice # 609810-SP-025 - Material and Supplies	2,040.00
CleanNet of Greater Michigan, Inc	V # SIN00179688	Invoice # DET0105173 - Contracted Services - May 2023	1,601.38
CleanNet of Greater Michigan, Inc	V # SIN00181182	Invoice # DET0104997 - Contracted Services - 4/11/23 to 4/14/23	6,047.08
CSM Mechanical LLC	V # SIN00178635	Invoice # 23-242.1 - Contracted Services	4,204.39
CSM Mechanical LLC	V # SIN00178634	Invoice # 23-242.2 - Contracted Services	1,621.00
D3W Industries	V # SIN00178638	Invoice # 3821 - Material and Supplies	5,720.00
D3W Industries	TBP	Invoice # 3842 - Material and Supplies	5,720.00
D'Angelo Brothers Inc	TBP	Invoice # 8798-VWWTP - Contracted Services	7,353.96
Hach Company	V # SIN00181183	Invoice # 13562162 - Contracted Services	1,309.28
Hamlett Environmental Technologies	V # SIN00178647	Invoice # 2023167 - Material and Supplies	2,814.00
HOH Water Technology	V # SIN00176800	Invoice # 650117 - Contracted Services	1,814.61
Jones Chemicals Inc	V # SIN00176801	Invoice # 911198 - Chemical Treatment	6,858.13
Jones Chemicals Inc	V # SIN00181218	Invoice # 912433 - Chemical Treatment	6,965.45
Kennedy Industries	TBP	Invoice # 636527 - Material and Supplies	3,104.00
LaSalle Agri Inc	TBP	Invoice # 1439 - Contracted Services	45,499.65
MacAllister / Michigan CAT	V # SIN00181219	Invoice # R86493062701 - Equipment Rental	1,770.00
MAP/Michigan Air Products	TBP	Invoice # 1230304 - Equipment Maintenance	7,882.00
MAP/Michigan Air Products	TBP	Invoice # 1231583 - Contracted Services	3,380.00
Polydyne Inc	V # SIN00181220	Invoice # 1735806 - Chemical Treatment	49,599.00
Polydyne Inc	TBP	Invoice # 1737177 - Chemical Treatment	48,543.00
PVS Technologies Inc	V # SIN00178653	Invoice # 331922 - Chemical Treatment	5,282.40
PVS Technologies Inc	V # SIN00179281	Invoice # 332291 - Chemical Treatment	2,697.00
PVS Technologies Inc	V # SIN00181221	Invoice # 332965 - Chemical Treatment	5,128.64
PVS Technologies Inc	TBP	Invoice # 333252 - Chemical Treatment	3,579.88
Tetra Tech, Inc	TBP	Invoice # 52064869 - Contracted Services	1,057.50
United States Geological Survey	V # SIN00177953	Invoice # 91062033 - Stream Gauge Program	3,096.50
Waste Management	V # SIN00181223	Invoice # 8678237-1714-7 Garbage & Rubbish Disposal	1,673.82
Waste Management	V # SIN00181222	Invoice # 8678216-1714-1 Garbage & Rubbish Disposal	3,211.51
Subtotal			\$ 309,985.98
Jacobs Consultants, Inc	V # SIN00181217	Invoice # C6A21700-04 - Engineering Survey - Proj # 1-7239	\$ 310,567.90
JMK Engineering Inc	V # SIN00176375	Invoice # 1477 - Professional Services - 03/31/23 - Proj # 1-7239	14,118.50
JMK Engineering Inc	V # SIN00181919	Invoice # 1495 - Professional Services - 04/28/23 - Proj # 1-7239	6,077.50
Dickinson Wright PLLC	TBP	Invoice # 1798179 - Legal Services - 03/31/23 - Proj # 1-7239	5,708.63
Dickinson Wright PLLC	TBP	Invoice # 1805206 - Legal Services - 04/30/23 - Proj # 1-7239	1,817.00
Walsh Construction Company LLC	TBP	Invoice # #1- Contracted Services- Proj -1-7239 - 3/6/23 - 04/29/23	191,004.00
Mersino Dewatering LLC	V # SIN00179706	Invoice # 102381 - Equipmental Rental - Proj # 1-7239	1,210.00
Mersino Dewatering LLC	TBP	Invoice # 104038 - Equipmental Rental - Proj # 1-7239	11,328.00
Subtotal - Project 1-7239			\$ 541,831.53
Fishbeck	V # SIN00177616	Invoice # 422482 - Engineering Services - 04/14/23 - Proj # 1-3492	\$ 162.00
Subtotal - Project 1-3492			\$ 162.00
Mark 1 Restoration Services	V # SIN00179705	Invoice # 2308-1 - Contracted Services - Proj # 1-3451	\$ 9,835.00
Subtotal - Project 1-3451			\$ 9,835.00

Fishbeck	V # SINV00177617	Invoice # 422479 - Engineering Services - 04/14/23 - Proj # 1-3042	\$	557.00
			Subtotal - Project 1-3042	\$ 557.00
Tetra Tech, Inc	V # SINV00178661	Invoice # 52061702 - Project Construction	\$	2,990.00
			Subtotal - Project 1-3304	\$ 2,990.00
CDW Government	V # SINV00181181	Invoice # HJ37061 - Material and Supplies - Proj #1-3485	\$	3,175.22
			Subtotal - Project 1-3485	\$ 3,175.22
			Total	\$ 868,536.73

3. Acacia Park CSO

AGENDA

DRAINAGE BOARD FOR THE ACACIA PARK CSO DRAIN

May 23, 2023

1. Call meeting to order
2. Approve minutes of meeting of April 25, 2023
3. Public Comments
4. Present Memorandum from George Nichols, P.E., Civil Engineer III, dated May 23, 2023, requesting the Board approve the closed-circuit television (CCTV) program project in the amount of \$25,000 from the Major Maintenance reserves fund
5. Present Maintenance Assessment Recommendation and Special Assessment Roll in the amount of \$1,153,770
6. Present request for Board approval of payment of invoices and/or reimbursement of the Drain Revolving Fund in the amount of \$8,512.61
7. Other business
8. Approve pro rata payment to Drainage Board members
9. Adjourn

**MINUTES OF THE MEETING OF THE DRAINAGE BOARD
FOR THE ACACIA PARK CSO DRAIN**

April 25, 2023

A meeting of the Drainage Board for the Acacia Park CSO Drain was held in the office of the Oakland County Water Resources Commissioner, Public Works Building, One Public Works Drive, Waterford, Michigan at 2:00 p.m. on the 25th day of April 2023.

The meeting was called to order by the Chairperson.

PRESENT: Jim Nash, Oakland County Water Resources Commissioner

David Woodward, Chairperson of the Oakland County Board of Commissioners

ABSENT: Gwen Markham, Chairperson of the Finance Committee, Oakland County Board of Commissioners

Minutes of the meeting held March 28, 2023, were presented for consideration. It was moved by Woodward, supported by Nash, that the minutes be approved.

ADOPTED: Yeas - 2
Nays - 0

Chairperson Nash asked if there were any public comments. There were none.

A memorandum from Lesli Maes, Operations Engineer, dated April 25, 2023, requesting the Board approve the Drainage District projects listed using funds from the Major Maintenance and Capital Improvement reserves was presented. It was moved by Woodward, supported by Nash, to approve the Drainage District projects listed using funds from the Major Maintenance and Capital Improvement reserves as presented.

ADOPTED: Yeas - 2
Nays - 0

A memorandum from Lesli Maes, Operations Engineer, dated April 25, 2023, requesting the Board approve the Drainage District capital improvement reserves project for dewatering valves and actuators replacement for the budgeted amount of \$250,000 and approve issuance of notice to proceed to Weiss Construction for the not-to-exceed amount of \$211,650 was presented. It was moved by Woodward, supported by Nash, to approve the Drainage District capital improvement reserves project for dewatering valves and actuators replacement for the budgeted amount of \$250,000 and approve issuance of notice to proceed to Weiss Construction for the not-to-exceed amount of \$211,650 as presented.

ADOPTED: Yeas - 2
Nays - 0

A request for approval of reimbursement of the Evergreen Farmington Fund in the amount of \$103,963.74 (as attached) was presented. It was moved by Woodward, supported

by Nash, to approve the reimbursement of the Evergreen Farmington Fund in the amount of \$103,963.74.

ADOPTED: Yeas - 2
Nays - 0

A request for approval of payment of invoices and/or reimbursement of the Drain Revolving Fund in the amount of \$1,832.00 (as attached) was presented. It was moved by Woodward, supported by Nash, to approve the payment of invoices and/or reimbursement of the Drain Revolving Fund in the amount of \$1,832.00.

ADOPTED: Yeas - 2
Nays - 0

It was moved by Nash, supported by Woodward, to certify attendance and authorize pro rata payment of \$25 per day to Mr. Woodward.

ADOPTED: Yeas - 2
Nays - 0

There being no further business, the meeting was adjourned.



Jim Nash, Chairperson

STATE OF MICHIGAN)
)SS.
COUNTY OF OAKLAND)

I, the undersigned, do hereby certify that the foregoing is a true and complete copy of the minutes of the Drainage Board for the Acacia Park CSO Drain, Oakland County, Michigan, held on the 25th day of April 2023, and that the minutes are on file in the office of the Oakland County Water Resources Commissioner and are available to the public.

I further certify that the notice of the meeting was posted at least 18 hours in advance of the meeting at the office of the Oakland County Water Resources Commissioner which is the principal office of the Drainage Board for the Acacia Park CSO Drain Drainage District.



Jim Nash, Chairperson

Dated: April 25, 2023

**OAKLAND COUNTY
WATER RESOURCES COMMISSIONER****MEMORANDUM**

TO: Jim Nash, Chairman
Acacia Park CSO Drainage Board

FROM: George P. Nichols, P.E., Civil Engineer III *GPN*

SUBJECT: Acacia Park CSO Drainage District
Major Maintenance Project Approval

DATE: May 23, 2023

Recommendations for cleaning and televising (CCTV) the sewers and major maintenance repairs within the Acacia Park CSO Drainage District are continually being identified, evaluated, and planned for by WRC staff including the asset management group, staff engineers and our consulting engineers.

Below is a major maintenance project for the Acacia Park CSO Drainage District that is being proposed to be initiated at this time:

Major Maintenance Project	Project Budget
Acacia Park CSO CCTV Program	\$25,000
<i>Major Maintenance Total</i>	<i>\$25,000</i>

In order for our office to begin this work, an authorization of \$25,000 is needed from the Drainage Board. The amount has already been included and budgeted within the Major Maintenance Budget for FY 2023 that was previously approved.

Requested Action:

Approve the Acacia Park CSO project listed in the amount of \$25,000 from the Major Maintenance reserves fund.

OAKLAND COUNTY WATER RESOURCES COMMISSIONER

MAINTENANCE ASSESSMENT RECOMMENDATION FOR THE

Acacia Park CSO Drain

Assessment for the following year of expenses: July 1, 2023 through June 30, 2024

Last Assessment (\$): \$ 1,042,300.00
Date last assessment approved: 4/26/22

Unreserved and Undesignated Fund Balance as of 3/31/23	\$ 235,642.84
Capital Improvement Reserves as of 3/31/23	837,879.99
Major Maintenance Reserves as of 3/31/23	233,145.84
CSO Equipment Reserves (MDEQ) as of 3/31/23	350,000.00
Reserves for Encumbrances as of 3/31/23	0.00
Total Fund Balance at 3/31/2023	<u>\$ 1,656,668.67</u>

OPERATIONS, MAINTENANCE & REPLACEMENT BUDGET for July 1, 2023 through June 30, 2024

Operating Expenses

Sewage Treatment	\$ 422,540.00
Sewer System Maintenance	\$ 29,720.00
Sewer System Engineering	\$ 36,500.00
Pump Maintenance Unit	\$ 273,070.00
Systems Control Unit	\$ 13,910.00
Laboratory	\$ 2,770.00
Mapping Unit	\$ 1,100.00
General and Administrative	\$ 30,460.00
Total Operating Expenses	\$ 810,070.00

Revenue Requirements

Operating Expense	\$ 810,070.00
Major Maintenance	\$ 150,000.00
Capital	\$ 200,000.00
Total Revenue Requirements	\$ 1,160,070.00
Non-Rate Revenue	\$ (6,300.00)
Rate Required Revenue	\$ 1,153,770.00

Recommended July 1, 2023 through June 30, 2024 assessment:

Total Anticipated Expenses for July 1, 2023 - June 30, 2024	\$ 1,153,770.00
Total Anticipated Funds Needed	<u>\$ 1,153,770.00</u>

TOTAL RECOMMENDED ASSESSMENT

\$ 1,153,770.00

Billings are to be at the end of the calendar quarters.

Prepared by: Leo Lease Date: 5/12/2023
Leo Lease - Senior Financial Analyst

Approved by: Steven Korth Date: May 17, 2023
Steve Korth, P.E. - Chief Manager, Water Resources Commissioner

SPECIAL ASSESSMENT ROLL FOR THE MAINTENANCE OF THE ACACIA PARK CSO DRAIN

Public Corporation	Percentage of Apportionment	Total Amount of Assessment
Village of Beverly Hills	68.16%	\$ 786,409.63
City of Birmingham	28.83%	\$ 332,631.89
County of Oakland	3.01%	\$ 34,728.48
Total	100.00%	\$ 1,153,770.00

Assessment Due Date: To be collected on the following quarters: 9/30/2023, 12/31/2023, 3/31/2024 and 6/30/2024.

I hereby certify that I have prepared the Special Assessment Roll for the Maintenance of the Acacia Park CSO Drain for the period July 1, 2023 through June 30, 2024 in accordance with the direction of the Drainage Board and the statutory provisions applicable thereto.

Jim Nash
Chairman of the Drainage Board for the Acacia Park CSO Drain

The foregoing Special Assessment Roll for the maintenance of the Acacia Park CSO Drain was approved by the Drainage Board on _____.

Jim Nash
Chairman of the Drainage Board for the Acacia Park CSO Drain

MEMO TO: Mr. Jim Nash, Chairman
of the Drainage Board for the ACACIA PARK CSO DRAIN

FROM: Shawn Phelps, Chief of Fiscal Services
OCWRC Accounting

OK FOR SHAWN PHELPS

DATE: May 23, 2023

SUBJECT: Request for Approval of Invoices

The following is a detail of Maintenance charges paid from the Drain Revolving Fund and Invoices
for the period ending May 15, 2023

G/L Date	Ref No.	Paid To	For	Amount
4/20/2023	V # SINV00176410	ICS Integration Services LLC	Invoice # 2647 - Contracted Services	\$ 2,760.94
5/3/2023	V # SINV00178648	ICS Integration Services LLC	Invoice # 2686- Contracted Services	3,213.00
5/8/023	V # SINV00179708	Great Lakes Pump & Supply Company	Invoice #72179 - Material and Supplies	2,538.67
			Total	<u>\$ 8,512.61</u>

4. Birmingham CSO

AGENDA

DRAINAGE BOARD FOR THE BIRMINGHAM CSO DRAIN

May 23, 2023

1. Call meeting to order
2. Approve minutes of meeting of April 25, 2023
3. Public Comments
4. Present Memorandum from George Nichols, P.E., Civil Engineer III, dated May 23, 2023, requesting the Board approve the closed-circuit television (CCTV) program project in the amount of \$30,000 from the Major Maintenance reserves fund
5. Present Maintenance Assessment Recommendation and Special Assessment Roll in the amount of \$1,090,020
6. Present request for Board approval of payment of invoices and/or reimbursement of the Drain Revolving Fund in the amount of \$53,525.93
7. Other business
8. Approve pro rata payment to Drainage Board members
9. Adjourn

**MINUTES OF THE MEETING OF THE DRAINAGE BOARD
FOR THE BIRMINGHAM CSO DRAIN**

April 25, 2023

A meeting of the Drainage Board for the Birmingham CSO Drain was held in the office of the Oakland County Water Resources Commissioner, Public Works Building, One Public Works Drive, Waterford, Michigan at 2:00 p.m. on the 25th day of April 2023.

The meeting was called to order by the Chairperson.

PRESENT: Jim Nash, Oakland County Water Resources Commissioner

David Woodward, Chairperson of the Oakland County Board of Commissioners

ABSENT: Gwen Markham, Chairperson of the Finance Committee, Oakland County Board of Commissioners

Minutes of the meeting held March 28, 2023, were presented for consideration. It was moved by Woodward, supported by Nash, that the minutes be approved.

ADOPTED: Yeas - 2
Nays - 0

Chairperson Nash asked if there were any public comments. There were none.

A memorandum from Lesli Maes, Operations Engineer, dated April 25, 2023, requesting the Board approve the Drainage District projects listed using funds from the Major Maintenance and Capital Improvement reserves was presented. It was moved by Woodward, supported by Nash, to approve the Drainage District projects listed using funds from the Major Maintenance and Capital Improvement reserves as presented.

ADOPTED: Yeas - 2
Nays - 0

A request for approval of reimbursement of the Evergreen Farmington Fund in the amount of \$107,113.50 (as attached) was presented. It was moved by Woodward, supported by Nash, to approve the reimbursement of the Evergreen Farmington Fund in the amount of \$107,113.50.

ADOPTED: Yeas - 2
Nays - 0

A request for approval of payment of invoices and/or reimbursement of the Drain Revolving Fund in the amount of \$16,573.95 (as attached) was presented. It was moved by Woodward, supported by Nash, to approve the payment of invoices and/or reimbursement of the Drain Revolving Fund in the amount of \$16,573.95.

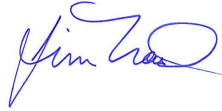
ADOPTED: Yeas - 2

Nays - 0

It was moved by Nash, supported by Woodward, to certify attendance and authorize pro rata payment of \$25 per day to Mr. Woodward.

ADOPTED: Yeas - 2
Nays - 0

There being no further business, the meeting was adjourned.



Jim Nash, Chairperson

STATE OF MICHIGAN)
)SS.
COUNTY OF OAKLAND)

I, the undersigned, do hereby certify that the foregoing is a true and complete copy of the minutes of the Drainage Board for the Birmingham CSO Drain, Oakland County, Michigan, held on the 25th day of April 2023, and that the minutes are on file in the office of the Oakland County Water Resources Commissioner and are available to the public.

I further certify that the notice of the meeting was posted at least 18 hours in advance of the meeting at the office of the Oakland County Water Resources Commissioner which is the principal office of the Drainage Board for Birmingham CSO Drain Drainage District.



Jim Nash, Chairperson

Dated: April 25, 2023

**OAKLAND COUNTY
WATER RESOURCES COMMISSIONER****MEMORANDUM**

TO: Jim Nash, Chairman
Birmingham CSO Drainage Board

FROM: George P. Nichols, P.E., Civil Engineer III *GPN*

SUBJECT: Birmingham CSO Drainage District
Major Maintenance Project Approval

DATE: May 23, 2023

Recommendations for cleaning and televising (CCTV) the sewers and major maintenance repairs within the Birmingham CSO Drainage District are continually being identified, evaluated, and planned for by WRC staff including the asset management group, staff engineers and our consulting engineers.

Below is a major maintenance project for the Birmingham CSO Drainage District that is being proposed to be initiated at this time:

Major Maintenance Project	Project Budget
Birmingham CSO CCTV Program	\$30,000
<i>Major Maintenance Total</i>	<i>\$30,000</i>

In order for our office to begin this work, an authorization of \$30,000 is needed from the Drainage Board. The amount has already been included and budgeted within the Major Maintenance Budget for FY 2023 that was previously approved.

Requested Action:

Approve the Birmingham CSO project listed in the amount of \$30,000 from the Major Maintenance reserves fund.

OAKLAND COUNTY WATER RESOURCES COMMISSIONER

MAINTENANCE ASSESSMENT RECOMMENDATION FOR THE

Birmingham CSO Drain

Assessment for the following year of expenses: July 1, 2023 through June 30, 2024

Last Assessment (\$): \$ 1,018,020.00
Date last assessment approved: 4/26/22

Unreserved and Undesignated Fund Balance as of 3/31/23	\$ (73,547.51)
Capital Improvement Reserves as of 3/31/23	281,960.21
Major Maintenance Reserves as of 3/31/23	343,307.21
CSO Equipment Reserves (MDEQ) as of 3/31/23	480,000.00
Reserves for Encumbrances as of 3/31/23	0.00
Total Fund Balance at 3/31/2023	<u>\$ 1,031,719.91</u>

OPERATIONS, MAINTENANCE & REPLACEMENT BUDGET for July 1, 2023 through June 30, 2024

Operating Expenses

Sewage Treatment	\$ 449,620.00
Sewer System Maintenance	\$ 36,780.00
Sewer System Engineering	\$ 16,300.00
Pump Maintenance Unit	\$ 369,200.00
System Control Unit	\$ 8,210.00
Laboratory	\$ 2,240.00
Mapping Unit	\$ 810.00
General and Administrative	\$ 31,710.00
Total Operating Expenses	\$ 914,870.00

Revenue Requirements

Operating Expense	\$ 914,870.00
Major Maintenance	\$ 66,000.00
Capital	\$ 115,500.00
Total Reserves	\$ 1,096,370.00
Non-Rate Revenue	\$ (6,350.00)
Grand Total	\$ 1,090,020.00

Recommended July 1, 2023 through June 30, 2024 assessment:

Total Anticipated Expenses for July 1, 2023 - June 30, 2024	\$ 1,090,020.00
Total Anticipated Funds Needed	<u>\$ 1,090,020.00</u>

TOTAL RECOMMENDED ASSESSMENT

\$ 1,090,020.00

Billings are to be at the end of the calendar quarters.

Prepared by: Leo Lease
Leo Lease - Senior Financial Analyst

Date: 5/12/2023

Approved by: Steven Korth Date: May 17, 2023
Steve Korth, P.E. - Chief Manager, Water Resources Commissioner

SPECIAL ASSESSMENT ROLL FOR THE MAINTENANCE OF THE BIRMINGHAM CSO DRAIN

Public Corporation	Percentage of Apportionment	Total Amount of Assessment
City of Birmingham	96.86%	\$ 1,055,793.37
County of Oakland	0.29%	\$ 3,161.06
State of Michigan	2.85%	\$ 31,065.57
Total	100.00%	\$ 1,090,020.00

Assessment Due Date: To be collected on the following quarters: 9/30/2023, 12/31/2023, 3/31/2024 and 6/30/2024.

I hereby certify that I have prepared the Special Assessment Roll for the Maintenance of the Birmingham CSO Drain for the period July 1, 2023 through June 30, 2024 in accordance with the direction of the Drainage Board and the statutory provisions applicable thereto.

Jim Nash
Chairman of the Drainage Board for the Birmingham CSO Drain

The foregoing Special Assessment Roll for the maintenance of the Birmingham CSO Drain was approved by the Drainage Board on _____.

Jim Nash
Chairman of the Drainage Board for the Birmingham CSO Drain

MEMO TO: Mr. Jim Nash, Chairman
of the Drainage Board for the BIRMINGHAM CSO DRAIN

FROM: Shawn Phelps, Chief of Fiscal Services
OCWRC Accounting

For Shawn Phelps

DATE: May 23, 2023

SUBJECT: Request for Approval of Invoices

The following is a detail of Maintenance charges paid from the Drain Revolving Fund and Invoices
for the period ending May 15, 2023

G/L Date	Ref No.	Paid To	For	Amount
4/21/2023	V # SINV00176662	ICS Integration Services LLC	Invoice # 2648 - Contracted Services	\$ 6,188.00
5/2/2023	V # SINV00176649	ICS Integration Services LLC	Invoice # 2689 - Contracted Services	1,190.00
5/8/2023	V # SINV00179712	JCI Jones Chemicals Inc	Invoice # 911400 - Chlorination Supplies	10,206.73
5/8/023	V # SINV00179708	Great Lakes Pump & Supply Company	Invoice #72179 - Material and Supplies	2,538.67
			Subtotal	\$ 20,123.40
	TBP	GWF USA Inc	Invoice # INV-0020 - Contracted Services	\$ 21,963.25
	V # 1570156	Hubbell, Roth, & Clark, Inc	Invoice # 0191266 - Contracted Services - Proj # 1-3495	-
			Subtotal Project # 1-3196	\$ 21,963.25
	TBP	Sigma Associates Inc	Invoice #653.000 -0010012 - Contracted Services 2/26/23-03/25/23	\$ 11,439.28
			Subtotal Project # 1-7272	\$ 11,439.28
			Total	\$ 53,525.93

5. Bloomfield Village CSO

AGENDA

DRAINAGE BOARD FOR THE BLOOMFIELD VILLAGE CSO DRAIN

May 23, 2023

1. Call meeting to order
2. Approve minutes of meeting of April 25, 2023
3. Public Comments
4. Present Memorandum from George Nichols, P.E., Civil Engineer III, dated May 23, 2023, requesting the Board approve the closed-circuit television (CCTV) program, spot repairs, and pipe grouting projects in the amount of \$110,000 from the Major Maintenance reserves fund
5. Present Maintenance Assessment Recommendation and Special Assessment Roll in the amount of \$1,943,690
6. Present request for Board approval of payment of invoices and/or reimbursement of the Drain Revolving Fund in the amount of \$19,997.34
7. Other business
8. Approve pro rata payment to Drainage Board members
9. Adjourn

**MINUTES OF THE MEETING OF THE DRAINAGE BOARD
FOR THE BLOOMFIELD VILLAGE CSO DRAIN**

April 25, 2023

A meeting of the Drainage Board for the Bloomfield Village CSO Drain was held in the office of the Oakland County Water Resources Commissioner, Public Works Building, One Public Works Drive, Waterford, Michigan at 2:00 p.m. on the 25th day of April 2023.

The meeting was called to order by the Chairperson.

PRESENT: Jim Nash, Oakland County Water Resources Commissioner

David Woodward, Chairperson of the Oakland County Board of Commissioners

ABSENT: Gwen Markham, Chairperson of the Finance Committee, Oakland County Board of Commissioners

Minutes of the meeting held March 28, 2023, were presented for consideration. It was moved by Woodward, supported by Nash, that the minutes be approved.

ADOPTED: Yeas - 2
Nays - 0

Chairperson Nash asked if there were any public comments. There were none.

A memorandum from Lesli Maes, Operations Engineer, dated April 25, 2023, requesting the Board approve the Drainage District projects listed using funds from the Major Maintenance and Capital Improvement reserves was presented. It was moved by Woodward, supported by Nash, to approve the Drainage District projects listed using funds from the Major Maintenance and Capital Improvement reserves as presented.

ADOPTED: Yeas - 2
Nays - 0

A request for approval of reimbursement of the Evergreen Farmington Fund in the amount of \$139,625.73 (as attached) was presented. It was moved by Woodward, supported by Nash, to approve the reimbursement of the Evergreen Farmington Fund in the amount of \$139,625.73.

ADOPTED: Yeas - 2
Nays - 0

A request for approval of payment of invoices and/or reimbursement of the Drain Revolving Fund in the amount of \$20,052.61 (as attached) was presented. It was moved by Woodward, supported by Nash, to approve the payment of invoices and/or reimbursement of the Drain Revolving Fund in the amount of \$20,052.61.

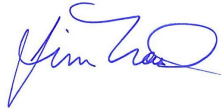
ADOPTED: Yeas - 2

Nays - 0

It was moved by Nash, supported by Woodward, to certify attendance and authorize pro rata payment of \$25 per day to Mr. Woodward.

ADOPTED: Yeas - 2
Nays - 0

There being no further business, the meeting was adjourned.

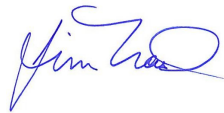


Jim Nash, Chairperson

STATE OF MICHIGAN)
)SS.
COUNTY OF OAKLAND)

I, the undersigned, do hereby certify that the foregoing is a true and complete copy of the minutes of the Drainage Board for the Bloomfield Village CSO Drain, Oakland County, Michigan, held on the 25th day of April 2023, and that the minutes are on file in the office of the Oakland County Water Resources Commissioner and are available to the public.

I further certify that the notice of the meeting was posted at least 18 hours in advance of the meeting at the office of the Oakland County Water Resources Commissioner which is the principal office of the Drainage Board for Bloomfield Village CSO Drain Drainage District.



Jim Nash, Chairperson

Dated: April 25, 2023

**OAKLAND COUNTY
WATER RESOURCES COMMISSIONER****MEMORANDUM**

TO: Jim Nash, Chairman
Bloomfield Village Drainage Board

FROM: George P. Nichols, P.E., Civil Engineer III *GPN*

SUBJECT: Bloomfield Village CSO Drain
Major Maintenance and Capital Improvement Projects for Approval

DATE: May 23, 2023

Recommendations for cleaning and televising (CCTV) the sewers, spot repairs, pipe grouting and major maintenance repairs within the Bloomfield Village CSO Drainage District are continually being identified, evaluated, and planned for by WRC staff including the asset management group, staff engineers and our consulting engineers.

Below are major maintenance projects for the Bloomfield Village Drainage District that are being proposed to be initiated at this time:

Major Maintenance Projects	Project Budget
Bloomfield Village CCTV Program	\$50,000
Bloomfield Village Spot Repairs	\$50,000
Bloomfield Village Pipe Grouting	\$10,000
<i>Major Maintenance Total</i>	<i>\$110,000</i>

In order for our office to begin this work, an authorization of \$110,000 is needed from the Drainage Board. The amount has already been included and budgeted within the Major Maintenance Budget for FY 2023 that was previously approved.

Requested Action:

Approve the Bloomfield Village CSO projects listed in the amount of \$110,000 from the Major Maintenance reserves fund.

OAKLAND COUNTY WATER RESOURCES COMMISSIONER

MAINTENANCE ASSESSMENT RECOMMENDATION FOR THE

Bloomfield Village CSO Drain

Assessment for the following year of expenses: July 1, 2023 through June 30, 2024

Last Assessment (\$): \$ 1,428,490.00
Date last assessment approved: 4/26/22

Unreserved and Undesignated Fund Balance as of 3/31/23	\$ (207,751.74)
Capital Improvement Reserves as of 3/31/23	(117,943.35)
Major Maintenance Reserves as of 3/31/23	209,247.34
CSO Equipment Reserves (MDEQ) as of 3/31/23	480,000.00
Reserves for Encumbrances as of 3/31/23	0.00
Total Fund Balance at 3/31/2023	<u>\$ 363,552.25</u>

OPERATIONS, MAINTENANCE & REPLACEMENT BUDGET for July 1, 2023 through June 30, 2024

Operating Expenses

Sewage Treatment	\$ 595,040.00
Sewer System Maintenance	\$ 57,070.00
Sewer System Engineering	\$ 32,140.00
Pump Maintenance Unit	\$ 318,090.00
Systems Control Unit	\$ 10,600.00
Laboratory	\$ 3,020.00
Mapping Unit	\$ 1,450.00
General and Administrative	\$ 37,560.00
Total Operating Expenses	\$ 1,054,970.00

Revenue Requirements

Operating Expense	\$ 1,054,970.00
Major Maintenance	\$ 300,000.00
Capital	\$ 600,000.00
Total Revenue Requirements	\$ 1,954,970.00
Non-Rate Revenue	\$ (11,280.00)
Rate Required Revenue	\$ 1,943,690.00

Recommended July 1, 2023 through June 30, 2024 assessment:

Total Anticipated Expenses for July 1, 2023 - June 30, 2024	\$ 1,943,690.00
Total Anticipated Funds Needed	<u>\$ 1,943,690.00</u>

TOTAL RECOMMENDED ASSESSMENT

\$ 1,943,690.00

Billings are to be at the end of the calendar quarters.

Prepared by: Leo Lease Date: 5/12/2023
Leo Lease - Senior Financial Analyst

Approved by: Steven Korth Date: May 17, 2023
Steve Korth, P.E. - Chief Manager, Water Resources Commissioner

SPECIAL ASSESSMENT ROLL FOR THE MAINTENANCE OF THE BLOOMFIELD VILLAGE CSO DRAIN

Public Corporation	Percentage of Apportionment	Total Amount of Assessment
City of Birmingham	22.095%	\$ 429,458.30
Charter Township of Bloomfield	54.830%	\$ 1,065,725.23
City of Bloomfield Hills	6.784%	\$ 131,859.93
County of Oakland	16.291%	\$ 316,646.54
Total	100.000%	\$ 1,943,690.00

Assessment Due Date: To be collected on the following quarters: 9/30/2023, 12/31/2023, 3/31/2024 and 6/30/2024.

I hereby certify that I have prepared the Special Assessment Roll for the Maintenance of the Bloomfield Village CSO Drain for the period July 1, 2023 through June 30, 2024 in accordance with the direction of the Drainage Board and the statutory provisions applicable thereto.

Jim Nash
Chairman of the Drainage Board for the Bloomfield Village CSO Drain

The foregoing Special Assessment Roll for the maintenance of the Bloomfield Village CSO Drain was approved by the Drainage Board on _____.

Jim Nash
Chairman of the Drainage Board for the Bloomfield Village CSO Drain

MEMO TO: Mr. Jim Nash, Chairman
of the Drainage Board for the BLOOMFIELD VILLAGE CSO DRAIN

FROM: Shawn Phelps, Chief of Fiscal Services
OCWRC Accounting

SL for Shawn Phelps

DATE: May 23, 2023

SUBJECT: Request for Approval of Invoices

The following is a detail of Maintenance charges paid from the Drain Revolving Fund and Invoices
for the period ending May 15, 2023

G/L Date	Ref No.	Paid To	For	Amount
5/2/2023	V # SIN00178651	ICS Integration Services LLC	Invoice # 2690 - Contracted Services	\$ 2,618.00
5/8/023	V # SIN00179708	Great Lakes Pump & Supply Company	Invoice #72179 - Material and Supplies	2,538.66
			Total	<u>\$ 5,156.66</u>
5/2/2023	V # SIN00178659	Shaw Service & Maintenance	Invoice # 910008474 - Contracted Services - 04/21/23	\$ 14,722.18
			Project # 1-3501 Subtotal	<u>\$ 14,722.18</u>
	TBP	Dickinson Wright PLLC	Invoice # 1798159 - Legal Services - 1-7077	\$ 118.50
			Subtotal Project # 1-7077	<u>118.50</u>
			Total	<u>\$ 19,997.34</u>

6. George W. Kuhn Drain

AGENDA

DRAINAGE BOARD FOR THE GEORGE W. KUHN DRAIN

May 23, 2023

1. Call meeting to order
2. Approve minutes of meeting of April 25, 2023
3. Public Comments
4. Present request for Board approval of payment of invoices and/or reimbursement of the Drain Revolving Fund in the amount of \$58,334.04
5. Other business
6. Approve pro rata payment to Drainage Board members
7. Adjourn

**MINUTES OF THE MEETING OF THE DRAINAGE BOARD
FOR THE GEORGE W. KUHN DRAIN**

April 25, 2023

A meeting of the Drainage Board for the George W. Kuhn Drain was held in the office of the Oakland County Water Resources Commissioner, Public Works Building, One Public Works Drive, Waterford, Michigan at 2:00 p.m. on the 25th day of April 2023.

The meeting was called to order by the Chairperson.

PRESENT: Jim Nash, Oakland County Water Resources Commissioner

David Woodward, Chairperson of the Oakland County Board of Commissioners

ABSENT: Gwen Markham, Chairperson of the Finance Committee, Oakland County Board of Commissioners

Minutes of the meeting held March 28, 2023, were presented for consideration. It was moved by Woodward, supported by Nash, that the minutes be approved.

ADOPTED: Yeas - 2
Nays - 0

Chairperson Nash asked if there were any public comments. There were none.

A memorandum from Gary Nigro, P.E., Manager, dated April 25, 2023, requesting the Board approve the rates and charges for the rate year beginning July 1, 2023, was presented. It was moved by Woodward, supported by Nash, to approve the rates and charges for the rate year beginning July 1, 2023, as presented.

ADOPTED: Yeas - 2
Nays - 0

A memorandum from Lesli Maes, Operations Engineer, dated April 25, 2023, requesting the Board approve the Drainage District projects listed using funds from the Major Maintenance and Capital Improvement reserves was presented. It was moved by Woodward, supported by Nash, to approve the Drainage District projects listed using funds from the Major Maintenance and Capital Improvement reserves as presented.

ADOPTED: Yeas - 2
Nays - 0

A memorandum from Stephanie Petriello, Environmental Planner, dated April 25, 2023, requesting the Board authorize the Chairman to accept and administer the Southeast Michigan Council of Governments (SEMCOG) grant funding on behalf of the Drainage District for \$95,000 for green infrastructure was presented. It was moved by Woodward, supported by Nash, to authorize the Chairman to accept and administer the Southeast

Michigan Council of Governments (SEMCOG) grant funding on behalf of the Drainage District for \$95,000 for green infrastructure as presented.

ADOPTED: Yeas - 2
Nays - 0

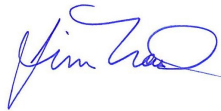
A request for approval of payment of invoices and/or reimbursement of the Drain Revolving Fund in the amount of \$19,525.71 (as attached) was presented. It was moved by Woodward, supported by Nash, to approve the payment of invoices and/or reimbursement of the Drain Revolving Fund in the amount of \$19,525.71.

ADOPTED: Yeas - 2
Nays - 0

It was moved by Nash, supported by Woodward, to certify attendance and authorize pro rata payment of \$25 per day to Mr. Woodward.

ADOPTED: Yeas - 2
Nays - 0

There being no further business, the meeting was adjourned.



Jim Nash, Chairperson

STATE OF MICHIGAN)
)SS.
COUNTY OF OAKLAND)

I, the undersigned, do hereby certify that the foregoing is a true and complete copy of the minutes of the Drainage Board for the George W. Kuhn Drain, Oakland County, Michigan, held on the 25th day of April 2023, and that the minutes are on file in the office of the Oakland County Water Resources Commissioner and are available to the public.

I further certify that the notice of the meeting was posted at least 18 hours in advance of the meeting at the office of the Oakland County Water Resources Commissioner which is the principal office of the Drainage Board for George W. Kuhn Drain Drainage District.



Jim Nash, Chairperson

Dated: April 25, 2023

MEMO TO: Mr. Jim Nash, Chairman
of the Drainage Board for the GEORGE W. KUHN DRAIN

FROM: Shawn Phelps, Chief of Fiscal Services
OCWRC Accounting

A For Shawn Phelps

DATE: May 23, 2023

SUBJECT: Request for Board approval of payment of the following invoices:

<u>Payable To</u>	<u>Ref No.</u>	<u>For</u>	<u>Amount</u>
Dickinson Wright PLLC	TBP	Invoice # 1805205 - Legal Services - 04/30/23	\$ 7,523.27
Dickinson Wright PLLC	TBP	Invoice # 1798162 - Legal Services - 03/31/23	47,200.77
Orchard Hiltz & McCliment Inc	TBP	Invoice # 62590 - Professional Services - 04/22/23	3,610.00
		Total	\$ 58,334.04

7. Evergreen-Farmington Sanitary Drain

AGENDA

DRAINAGE BOARD FOR THE EVERGREEN-FARMINGTON SANITARY DRAIN

May 23, 2023

1. Call meeting to order
2. Approve minutes of meeting of April 25, 2023
3. Public Comments
4. Present Memorandum from Evans Bantios, P.E., Assistant Chief Engineer, dated May 23, 2023, requesting the Board approve the budget request for the design phase of the Walnut 1 Corrective Action Plan for \$450,000
5. Present Construction Estimate No. 14 for Walsh Construction Company II, LLC for the 8 Mile Road Pump Station & SSO Chamber Improvements – Phase 1 in the amount of \$902,043.62 with a transfer to the Oakland County Treasurer in the amount of \$100,227.07
6. Other business
7. Approve pro rata payment to Drainage Board members
8. Adjourn

**MINUTES OF THE MEETING OF THE DRAINAGE BOARD
FOR THE EVERGREEN -FARMINGTON SANITARY DRAIN**

April 25, 2023

A meeting of the Drainage Board for the Evergreen-Farmington Sanitary Drain was held in the office of the Oakland County Water Resources Commissioner, Public Works Building, One Public Works Drive, Waterford, Michigan at 2:00 p.m. on the 25th day of April 2023.

The meeting was called to order by the Chairperson.

PRESENT: Jim Nash, Oakland County Water Resources Commissioner

David Woodward, Chairperson of the Oakland County Board of Commissioners

ABSENT: Gwen Markham, Chairperson of the Finance Committee, Oakland County Board of Commissioners

Minutes of the meeting held March 28, 2023, were presented for consideration. It was moved by Woodward, supported by Nash, that the minutes be approved.

ADOPTED: Yeas - 2
Nays - 0

Chairperson Nash asked if there were any public comments. There were none.

Meadowbrook Insurance Agency provided a proposal for the renewal of drainage district insurance policies. It was moved by Woodward, supported by Nash, to approve the insurance policy recommendation as presented and authorize the Chairperson to execute requisite coverage documents and authorize payment of the premium and related invoices.

ADOPTED: Yeas - 2
Nays - 0

A memorandum from Gary Nigro, P.E., Manager, dated April 25, 2023, requesting the Board approve the proposed operating budget and sewer charges (Exhibit A), cost allocation (Exhibit B), and the Capital Improvement Program (Exhibit C) for the rate year beginning July 1, 2023, was presented. It was moved by Woodward, supported by Nash, to approve the proposed operating budget and sewer charges (Exhibit A), cost allocation (Exhibit B), and the Capital Improvement Program (Exhibit C) for the rate year beginning July 1, 2023, as presented.

ADOPTED: Yeas - 2
Nays - 0

A memorandum from Lesli Maes, Operations Engineer, dated April 25, 2023, requesting the Board approve the Drainage District projects listed using funds from Major Maintenance and Capital Improvement reserves was presented. It was moved by Woodward,

supported by Nash to approve the Drainage District projects listed using funds from Major Maintenance and Capital Improvement reserves as presented.

ADOPTED: Yeas - 2
Nays - 0

Change Order No. 2 for Pipeline Management Company, LLC for Construction of the S. Evergreen Interceptor Rehabilitation for a net increase in the amount of \$114,720.50 was presented. It was moved by Woodward, supported by Nash, to approve Change Order No. 2 for Pipeline Management Company, LLC for Construction of the S. Evergreen Interceptor Rehabilitation for a net increase in the amount of \$114,720.50 as presented.

ADOPTED: Yeas - 2
Nays - 0

Change Order No. 1 for Lawrence M. Clarke, Inc. for Construction of the Walnut Lake No. 3 Pump Station Rehabilitation for a net increase in the amount of \$57,260.27 was presented. It was moved by Woodward, supported by Nash, to approve Change Order No. 1 for Lawrence M. Clarke, Inc. for Construction of the Walnut Lake No. 3 Pump Station Rehabilitation for a net increase in the amount of \$57,260.27 as presented.

ADOPTED: Yeas - 2
Nays - 0

Construction Estimate No. 6 for Pipeline Management Company, LLC for the S. Evergreen Interceptor Rehabilitation in the amount of \$118,984.47 with a transfer to the Oakland County Treasurer in the amount of \$5,736.03 was presented. It was moved by Woodward, supported by Nash, to approve Construction Estimate No. 6 for Pipeline Management Company, LLC for the S. Evergreen Interceptor Rehabilitation in the amount of \$118,984.47 with a transfer to the Oakland County Treasurer in the amount of \$5,736.03 as presented.

ADOPTED: Yeas - 2
Nays - 0

Construction Estimate No. 3 for Lawrence M. Clarke, Inc. for Construction of the Walnut Lake No. 3 Pump Station Rehabilitation in the amount of \$54,397.26 with a transfer to the Oakland County Treasurer in the amount of \$2,863.01 was presented. It was moved by Woodward, supported by Nash to approve Construction Estimate No. 3 for Lawrence M. Clarke, Inc. for Construction of the Walnut Lake No. 3 Pump Station Rehabilitation in the amount of \$54,397.26 with a transfer to the Oakland County Treasurer in the amount of \$2,863.01 as presented.

ADOPTED: Yeas - 2
Nays - 0

Construction Estimate No. 13 for Walsh Construction Company II, LLC for the 8 Mile Road Pump Station & SSO Chamber Improvements – Phase 1 in the amount of \$616,168.19 with a transfer to the Oakland County Treasurer in the amount of \$68,463.13 was presented.

It was moved by Woodward, supported by Nash to approve Construction Estimate No. 13 for Walsh Construction Company II, LLC for the 8 Mile Road Pump Station & SSO Chamber Improvements – Phase 1 in the amount of \$616,168.19 with a transfer to the Oakland County Treasurer in the amount of \$68,463.13 as presented.

ADOPTED: Yeas - 2
Nays - 0

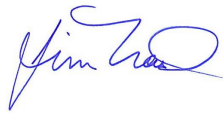
A request for approval of payment of invoices and/or reimbursement of the Drain Revolving Fund in the amount of \$2,736.68 (as attached) was presented. It was moved by Woodward, supported by Nash, to approve the payment of invoices and/or reimbursement of the Drain Revolving Fund in the amount of \$2,736.68.

ADOPTED: Yeas - 2
Nays - 0

It was moved by Nash, supported by Woodward, to certify attendance and authorize pro rata payment of \$25 per day to Mr. Woodward.

ADOPTED: Yeas - 2
Nays - 0

There being no further business, the meeting was adjourned.

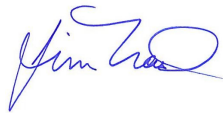


Jim Nash, Chairperson

STATE OF MICHIGAN)
)SS.
COUNTY OF OAKLAND)

I, the undersigned, do hereby certify that the foregoing is a true and complete copy of the minutes of the Drainage Board for the Evergreen-Farmington Sanitary Drain, Oakland County, Michigan, held on the 25th day of April 2023, and that the minutes are on file in the office of the Oakland County Water Resources Commissioner and are available to the public.

I further certify that the notice of the meeting was posted at least 18 hours in advance of the meeting at the office of the Oakland County Water Resources Commissioner which is the principal office of the Drainage Board for the Evergreen-Farmington Sanitary Drain Drainage District.



Jim Nash, Chairperson

Dated: April 25, 2023

**OAKLAND COUNTY
WATER RESOURCES COMMISSIONER**

MEMORANDUM

TO: Jim Nash, Chairperson of the Evergreen Farmington Sanitary Drain Drainage Board

FROM: Evans Bantios, P.E., Assistant Chief Engineer

SUBJECT: Walnut 1 CAP – Design Phase Summary Cost

DATE: May 23, 2023

The attached design phase cost summary is for the Walnut 1 CAP project. The final overall project cost will be presented once the project is designed and we obtain bids from contractors. This cost only includes the design phase of the project. The estimated design phase cost is \$450,000. The project cost will be paid using non-designated funds from the Evergreen Farmington Drain and those cost will be reimbursed when the project goes out for funding via SRF or the open market.

Requested Action: Approve the budget request for the design phase of the project for \$450,000.

Walnut Lake Pump Station No. 1 Corrective Action Plan
BUDGETARY ESTIMATE OF PROJECT COSTS
REVISED: February 27, 2023

	Project Costs
1) Contracted Services: Construction Cost	
a Engineers Estimate	\$ -
b Add More if Multiple Phases/ Contracts	
Subtotal Construction Cost	\$ -
2) Engineering Consultants	
a Design Phase - HRC	\$ 210,000
Modeling - ASI	\$ 50,000
Flow Metering - ADS	\$ 50,000
b Construction Administration	\$ -
c Scheduling Consultant for Large Projects	
d Any Special Serv. - Geo-Tech - Dewatering - Bypass Pumping Design	
e	
f	
Subtotal Engineering Consultants	\$ 310,000
3) Legal & Financial (Examples)	
a Easements (TBD Project Basis)	\$ -
b Legal Costs (2% to 20%) Depends if 342 is needed & ROW use higher rang	\$ -
c Financial Consultant (For Bond Sale Only) TBD	\$ -
d Bond Counsel (Bond Issue Only) TBD	
e OCIP Insurance (If needed quoted to Meadowbrook)	\$ -
f Official Statement (Bond Issues only) Roughly \$40,000	
g Wetland Mitigation (If needed)	
Subtotal Legal & Financial	\$ -
4) County Services: (Examples)	
a Administration & General (ADM)	\$ -
b Engineering (ENG)	\$ 68,500
c Right-Of-Way (ROW)	\$ 17,500
d Construction Inspection (INS)	\$ -
e GIS Mapping (ADM)	\$ -
f Operation Staff (STD) (Shutdowns, Training New Facilities, etc.)	\$ 13,000
g Survey (SUR)	\$ -
Subtotal County Services	\$ 99,000
Project Subtotal	\$ 409,000
5) 10% Project Contingency	\$ 41,000
6) Less Anticipated Grant Funds	
7) Total Project Cost as of	\$ 450,000
I hereby certify that the useful life of these facilities is 30 years or greater. <u>Evagelos Bantios</u> (Engineer)	
Send completed estimate to Fiscal Services to be loaded in CIP People Soft Budget Report	

Jim Nash, Oakland County Water Resources Commissioner
Evergreen Farmington Sanitary Drain Drainage District
8 Mile Road CAP 8 Mile Road Pump Station & SSO Chamber Improvements - Phase 1
Southfield
Oakland County, Michigan

Construction Estimate No. 14

April 1, 2023 to April 30, 2023

Department No. : 6010101

Fund No. : 58410

Project No. : 1-3181



Account No. : 730352

Program No. : 149667

Activity : FAC

Vendor No. : 23191

Contract No. : 6628

Date of Contract : 2/2/2022

Completion Date : 8/13/2027

Contractor :

Walsh Construction Company II, LLC

3031 W Grand Blvd, Suite 640

Detroit, MI 48202

Original Contract Amount:

\$0.00

Previous Change Order Numbers: CO Nos. 1, 2, 3, 4, 5, 6, and 7.

\$50,177,000.25

Change Orders This Estimate Number:

Total Net Change Orders:

\$50,177,000.25

Adjusted Contract Amount:

\$50,177,000.25

Subtotal To Date: (Sheet 2 of 3 Column 7)

\$2,940,015.43

Less Deductions to Date: (Sheet 2 of 3 Column 7)

\$0.00

Gross Estimate: (Work in Place)

5.86%

\$2,940,015.43

Less Amount Reserved: (10% of Gross Estimate)

\$294,001.54



Total Amount Allowed To Date:

\$2,646,013.89

Less Previous Estimates:

\$1,743,970.27

Net Payment Request To Be Paid To Contractor:

\$902,043.62

Reserve Payment to Contractor

\$0.00

Balance of Contract To Date



\$47,236,984.82

Accounting Auditor: *BER* 5/1/2023

Less Previous Transfers To Reserve:



\$193,774.47

Amount of Current Transfer:

\$100,227.07

Prepared by:

Charles J. Roarty, Jr., P.E. - NTH Consultants

Date: 2023 05 04

Recommended by:

Joe Siwek, P.E. - Consulting Engineer (Fishbeck)

Date: 5/1/2023

Recommended by:

Evangelos Bantios, P.E. - Project Engineer

Date: 5/4/2023

Approved by:

Joel Brown, P.E. - Chief Engineer

Date: 5/16/2023

Approved by:

Sid Lockhart, P.E. - Special Project Manager

Date:

JIM NASH

Approved by Board on:

OAKLAND COUNTY WATER RESOURCES COMMISSIONER

8. Caddell Drain

AGENDA

DRAINAGE BOARD FOR THE CADDELL DRAIN

May 23, 2023

1. Call meeting to order
2. Approve minutes of meeting of March 28, 2023
3. Public Comments
4. Present Memorandum from Joel Kohn, Environmental Planner, dated May 23, 2023, requesting the Board approve the Engineering Services Proposal with Hubbell, Roth, and Clark, Inc. as presented and authorize execution of the Six Rivers Land Conservancy Agreement by the Chairperson
5. Other business
6. Approve pro rata payment to Drainage Board members
7. Adjourn

**MINUTES OF THE MEETING OF THE DRAINAGE BOARD
FOR THE CADDELL DRAIN**

March 28, 2023

A meeting of the Drainage Board for the Caddell Drain was held in the office of the Oakland County Water Resources Commissioner, Public Works Building, One Public Works Drive, Waterford, Michigan at 2:00 p.m. on the 28th day of March 2023.

The meeting was called to order by the Chairperson.

PRESENT: Anne Vaara, Chairperson, Chief Deputy Oakland County Water Resources Commissioner

Gwen Markham, Chairperson of the Finance Committee, Oakland County Board of Commissioners

ABSENT: Jim Nash, Oakland County Water Resources Commissioner

David Woodward, Chairperson of the Oakland County Board of Commissioners

Minutes of the meeting held October 25, 2022, were presented for consideration. It was moved by Markham, supported by Vaara, that the minutes be approved.

ADOPTED: Yeas - 2
Nays - 0

Chairperson Vaara asked if there were any public comments. There were none.

A request for approval of payment of invoices and/or reimbursement of the Drain Revolving Fund in the amount of \$17,857.47 (as attached) was presented. It was moved by Markham, supported by Vaara, to approve the payment of invoices and/or reimbursement of the Drain Revolving Fund in the amount of \$17,857.47.

ADOPTED: Yeas - 2
Nays - 0

It was moved by Vaara, supported by Markham to certify attendance and authorize pro rata payment of \$25 per day to Ms. Markham.

ADOPTED: Yeas - 2
Nays - 0

There being no further business, the meeting was adjourned.



Anne Vaara, Chairperson

STATE OF MICHIGAN)
)SS.
COUNTY OF OAKLAND)

I, the undersigned, do hereby certify that the foregoing is a true and complete copy of the minutes of the Drainage Board for the Caddell Drain, Oakland County, Michigan, held on the 28th day of March 2023, and that the minutes are on file in the office of the Oakland County Water Resources Commissioner and are available to the public.

I further certify that the notice of the meeting was posted at least 18 hours in advance of the meeting at the office of the Oakland County Water Resources Commissioner which is the principal office of the Drainage Board for the Caddell Drain Drainage District.



Anne Vaara, Chairperson

Dated: March 28, 2023

**OAKLAND COUNTY
WATER RESOURCES COMMISSIONER****MEMORANDUM**

TO: Jim Nash, Chairperson
Caddell Drain Drainage Board

FROM: Joel Kohn, Environmental Planner

SUBJECT: Property Access Agreement for Treatment of Invasive Species

DATE: May 23, 2023

WRC received and is recommending approval of a County Drains - Invasive Vegetation Treatment Project Proposal (the "Proposal") with Hubbell, Roth, & Clark, Inc. (HRC), and their subcontractor, Six Rivers Land Conservancy, for continued treatment of invasive plant species to help restore capacity and improve wildlife habitat on identified County Drains. The Proposal for administrative assistance and treatment of potentially multiple drains will be provided at a not to exceed cost of \$50,000.

WRC staff have identified Phragmites located near the Caddell Basin (Grand River and Halstead) and is recommending this site be included in the 2023 program. As the property owner, permission for Six Rivers Land Conservancy to access the site to perform an invasive treatment assessment to develop costs, identify the invasive species present, quantify the treatment area, and apply for appropriate permits is required pursuant to the attached Property Access Agreement for Treatment of Invasive Species (the "Agreement").

The administrative costs as outlined in the Proposal would be shared equally between the Drain locations. The treatment costs will be developed per Drain once Six Rivers Land Conservancy assesses each Drain and provides a recommendation for treatment. The Caddell Drain treatment costs will be presented to the Drainage Board for consideration and approval prior to treatment commencing.

Pursuant to the Agreement, Six Rivers Land Conservancy has agreed to maintain appropriate insurance connected with providing the treatment, in addition to providing indemnity for any claims, demands, suits, losses, or costs related to providing the treatment.

Requested Action:

Approve the Engineering Services Proposal with Hubbell, Roth & Clark, Inc. as presented and authorize execution of the Six Rivers Land Conservancy Agreement by the Chairperson of the Board.

May 2, 2023

Oakland County Water Resources Commissioner
One Public Works Drive
Building 95 West
Waterford, Michigan 48328

Attn: Mr. Joel Kohn
Environmental Planner

Re: County Drains – 2023 Invasive Vegetation Treatment Pilot Project
Proposal for Professional Services

HRC Job No. 20210720.22

Dear Mr. Kohn,

Hubbell, Roth & Clark, Inc. (HRC) is pleased to submit this scope of services related to the 2023 County Drains Invasive Vegetation Treatment Pilot Project. It is our understanding that the Oakland County Water Resources Commissioner (OCWRC) wishes to continue the pilot project to evaluate, locate, treat, and monitor invasive vegetation, particularly *Phragmites australis*, along County Drains in a systematic and streamlined manner. The pilot project began in 2021 and appears to be effective so that OCWRC desires to continue the treatment of invasive vegetation.

At the conclusion of the invasive species treatment program, a memo and recommended workflow process will be developed for future and continuous Drain treatments. HRC will partner with Six Rivers Land Conservancy (SRLC) for the bulk of the required field work and invasive treatment. Outlined below are the projected tasks necessary to complete the pilot project. In 2022, SRLC transferred the Oakland County county wide permit to the Oakland County Park Aquatic Nuisance Control (ANC) permit. This year's projects will be included in the Oakland County Park ANC permit.

Tasks:

- ≡ Data Collection and Permits
 - Obtain a list of priority OCWRC Drains
 - Add all priority OCWRC Drains to the existing Michigan Department of Environment, Great Lakes, and Energy (EGLE) permit(s) for invasive vegetation treatment. SRLC will handle communications with Oakland County Parks for permit submittals.
 - Produce treatment notice documents.
- ≡ Field Assessment, Treatment, Survey
 - Visit sites to determine areas of treatment, target species and best management practices (BMPs).
 - Send out landowner agreement forms with other notices required to develop areas outside of the Drain rights of way that can be added in subsequent treatment cycles (due to EGLE permitting limitations, these cannot be done with the initial treatment).
 - Map the location of invasive species while onsite for treatments.
 - Identify where private landowner outreach is needed.
 - Identify areas for winter mowing.
 - Spot treatments on select priority species like *Phragmites australis* and other invasive plants with similar BMPs:
 - Treatment services include: backpack sprayers, hand-wiping, cut and dab, injection, and cut to drown. The amount of priority species chemically treated in 2023 will vary depending on the time of the project and EGLE permit approval

Delhi Township
2101 Aurelius Rd.
Suite 2A
Holt, MI 48842
517-694-7760

Detroit
535 Griswold St.
Buhl Building, Ste 1650
Detroit, MI 48226
313-965-3330

Grand Rapids
535 Broadway NW
Suite 215
Grand Rapids, MI 49504
616-454-4286

Howell
105 W. Grand River
Howell, MI 48843
517-552-9199

Jackson
401 S. Mechanic St.
Suite B
Jackson, MI 49201
517-292-1295

Kalamazoo
834 King Highway
Suite 107
Kalamazoo, MI 49001
269-665-2005

Lansing
215 S. Washington SQ
Suite D
Lansing, MI 48933
517-292-1488

- Any contacts with residents will be documented and landowner agreement forms provided if the property owner would like adjacent treatments in subsequent cycles.

≡ Summary Memo and Review

- Provide a memo summarizing the work completed, challenges faced, and areas for improvement.
- Develop a process for continued, systematic Drain invasive vegetation treatment.
- Review findings with OCWRC.

Estimated Budget

Below is our estimate of the costs for the scope above.

≡ Data Collection and Permits.....	\$3,000
≡ Field Assessment, Treatment, Survey	\$40,000
≡ Summary Memo and Review	\$7,000
TOTALS	\$50,000

HRC will invoice in accordance with our current Engineering Services Agreement, not to exceed \$50,000 without prior authorization from OCWRC. Please note that the 2021 and 2022 work was completed under budget. However, some of those funds will be needed to revisit the previous sites and close out that phase of the pilot program. Six Rivers Land Conservancy will be a subcontractor to HRC. SRLC invoices will be submitted to HRC for payment which will be included in HRC invoices as a subcontractor expense.

OCWRC Assistance Needed

- ≡ Should the work need to be tracked in OCWRC's work order and asset management program, HRC will need access to this, or OCWRC staff will have to assist.

Schedule

June 2023:	OCWRC staff intend to complete site visits the week of June 7 th weather permitting
June 2023:	Add OCWRC Drains to SRLC's EGLE permit(s)
July 2023:	Homeowner notifications
Sept – Nov 2023:	Herbicide treatment
December 2023:	Produce summary report
January 2024:	Winter mowing

A list of drains for evaluation has been provided by OCWRC and is included in Exhibit A. The following drains had previous treatments and will be assessed for the need for additional treatment: Bunny Drain, Dutton Drain, Arthur Drain, Caddell Drain, Minnow Pond, Maceday Drain, and Drahner Drain. Additional drains listed in Exhibit A will be assessed for the need for treatment.

The summary memo will be developed in the fall with OCWRC review anticipated in early 2024. Any remaining funds will be used for a second round of invasive vegetation treatment in the spring of 2024.

Staffing

In coordination with SRLC, this project will be overseen by Mr. James Burton, Principle in Charge and Nancy J. Kolinski, P.E., Manager. HRC's Environmental Engineering, GIS and Survey Departments will provide staffing support, as needed.

Should you concur with this proposal, please sign below to serve as our authorization to proceed. If you have any questions or require any additional information, please contact the undersigned.

Very truly yours,

HUBBELL, ROTH & CLARK, INC.



James F. Burton, P.E.
Vice President

JFB/nk
pc: SRLC; C. Bunch, I. Abelson
HRC; File

Accepted By:

Signature: _____

Written Name: _____

Title: _____

Dated: _____

Exhibit A
2023 List of Drains for Investigation and Treatment

Drain Name	Drain Type	Community	Proximity	Comments
Bunny	LL	Orion Twp	In Stream	Needs 2023 Follow up
Dutton	18	West Bloomfield	In Stream	Needs 2023 Follow up
Arthur	4	Milford	In Stream	Needs 2023 Follow up
Caddell	20	Farmington Hills	Basin(s)	Needs 2023 Follow up
Caddell	20	Farmington Hills	In Stream	Needs 2023 Follow up
Minnow Pond	20	Farmington Hills	Basin(s)	Needs 2023 Follow up
Maceday	LL	Waterford	In Stream	Needs 2023 Follow up
Drahner	4	Oxford	In Stream	Follow up from 2022
Twin Lakes Detention Basin 5	18	Oakland Twp	Basin	Needs 2023 investigation
Bishop Drain John R Road Municipal Basin	20	Rochester Hills	Basin	Needs 2023 investigation
Bloomfield Pines Basin 7	18	West Bloomfield Twp	Basin	Needs 2023 investigation
Country Creek Sub 3 Basin A	18	Oakland Twp	Basin	Needs 2023 investigation
Fairfield Estates Basin B	18	West Bloomfield Twp	Basin	Needs 2023 investigation
Hidden Creek Basin	18	West Bloomfield Twp	Basin	Needs 2023 investigation
Maple Creek Basin A	18	West Bloomfield Twp	Basin	Needs 2023 investigation
Meadowridge Estates Detention Basin	18	West Bloomfield Twp	Basin	Needs 2023 investigation
Orchard Ridge Condos Pond No. 1	18	Oakland Twp	Basin	Needs 2023 investigation
Tribute Drain North Stormwater Basin	20	Wixom	Basin	Needs 2023 investigation
Tribute Drain Southeast Stormwater Basin	20	Wixom	Basin	Needs 2023 investigation
Tribute Drain Southwest Stormwater Basin	20	Wixom	Basin	Needs 2023 investigation
West Bloomfield Pines Condos Detention Basin	18	West Bloomfield Twp	Basin	Needs 2023 investigation
Wyndgate Detention Pond #2	18	Oakland Twp	Basin	Needs 2023 investigation
Barnard East Retention Basin	20	Troy	Basin	Needs 2023 investigation
Barnard West Retention Basin	20	Troy	Basin	Needs 2023 investigation
Oakbrooke Condos Retention Pond	18	West Bloomfield Twp	Basin	Needs 2023 investigation

*Provided by Joel Kohn of OCWRC

9. City of Pontiac Wastewater Treatment Facility

AGENDA
DRAINAGE BOARD FOR
THE CITY OF PONTIAC WASTEWATER TREATMENT FACILITY

May 23, 2023

1. Call meeting to order
2. Approve minutes of meeting of November 26, 2019
3. Public Comments
4. Present Memorandum from John Basch, Senior Attorney, dated May 23, 2023, requesting the Board receive and file the Historical Overview memorandum of the Drainage District
5. Other business
6. Approve pro rate payment to Drainage Board members
7. Adjourn

**MINUTES OF THE MEETING OF THE DRAINAGE BOARD
FOR THE CITY OF PONTIAC WASTEWATER TREATMENT FACILITY**

November 26, 2019

A meeting of the Drainage Board for the City of Pontiac Wastewater Treatment Facility was held in the office of the Oakland County Water Resources Commissioner, Public Works Building, One Public Works Drive, Waterford, Michigan at 2:00 p.m. on the 26th day of November, 2019.

The meeting was called to order by the Chairperson.

PRESENT: Jim Nash, Oakland County Water Resources Commissioner

David Woodward, Chairperson of the Oakland County Board of Commissioners

ABSENT: Helaine Zack, Chairperson of the Finance Committee, Oakland County Board of Commissioners

Minutes of the meeting held August 27, 2019 were presented for consideration. It was moved by Woodward, supported by Nash, that the minutes be approved.

ADOPTED: Yeas - 2
Nays - 0

It was moved by Woodward, supported by Nash to adopt staff's recommendation to authorize appropriate legal steps to terminate the lease and remove Bedrock Express LTD. from the premises and retain the services of a collection agency, currently under contract with the county, to recoup all past due amounts owing along with any past due rents, interest, and penalties in addition to the penalty associated with the failure to remove debris and reduce the premises to a level grade. Attorney John Basch advised the Board that since the time the recommendation was drafted and placed on the Board's agenda, Bedrock Express, LTD. had paid the past due rent through the end of the year. He also advised the Board that the remaining interest and services charges of \$5,151.56 of the rent along with the \$16,934 penalty for failure to restore the premises had not been paid. He indicated further that two previous extensions of six months each had been granted and, on both occasions, the penalty had been waived. He recommended that the penalty not be waived a third time. Eric Wilson, the attorney who represents Bedrock Express, LTD. addressed the Board. He asked that the \$16,934 penalty be waived, and another six-month extension be granted. After discussion, Woodward amended his initial motion to include the following provisions:

1. Grant another six-month extension
2. Reduce the penalty by half from \$16,934 to \$8,467
3. Require that the \$8467 penalty and the past due interest of \$5,151.56 be paid by December 31, 2019

4. Double the \$16,934 penalty to \$33,868 if the cleanup is not completed by July 1, 2020
5. If the penalty is imposed, Bedrock would receive a credit of \$8,467
6. Monthly rent for lease area "A" will continue through 2020 at the current \$2,352 rate.

Nash supported the motion as amended.

ADOPTED: Yeas - 2
Nays - 0

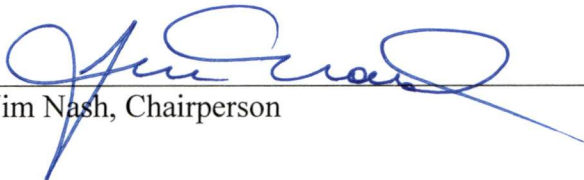
Chairperson Nash asked if there were any public comments. There were none.

ADOPTED: Yeas - 2
Nays - 0

It was moved by Nash, supported by Woodward, to certify attendance and authorize pro rata payment of \$25 per day to Mr. Woodward.

ADOPTED: Yeas - 2
Nays - 0

There being no further business, the meeting was adjourned.

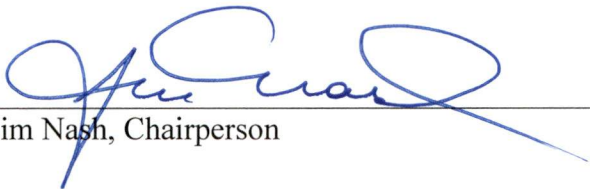


Jim Nash, Chairperson

STATE OF MICHIGAN)
)SS.
COUNTY OF OAKLAND)

I, the undersigned, do hereby certify that the foregoing is a true and complete copy of the minutes of the Drainage Board of the City of Pontiac Wastewater Treatment Facility, Oakland County, Michigan, held on the 26th day of November, 2019, and that the minutes are on file in the office of the Oakland County Water Resources Commissioner and are available to the public.

I further certify that the notice of the meeting was posted at least 18 hours in advance of the meeting at the office of the Oakland County Water Resources Commissioner which is the principal office of the Drainage Board of the City of Pontiac Wastewater Treatment Facility Drainage District.



Jim Nash, Chairperson

Dated: December 4th, 2019

**OAKLAND COUNTY
WATER RESOURCES COMMISSIONER****MEMORANDUM**

TO: Jim Nash, Chairperson, City of Pontiac Wastewater Treatment Facility Drainage District

FROM: John Basch, Senior Attorney

SUBJECT: Historical Overview of the Drainage District

DATE: May 23, 2023

This memorandum is intended to provide a historical overview of the City of Pontiac's Wastewater Treatment Facility and provide important context for our insurance providers. It is being shared with this Board to give members a more complete picture of how the facility, once owned by the City of Pontiac, became the property of the Pontiac Clinton River No. 2 Drain Drainage District and shortly thereafter, became an asset of the City of Pontiac Wastewater Treatment Facility Drainage District.

It is important to remember the context surrounding the initial transfer of the facility. At the time, the City of Pontiac was operating under an Emergency Manager pursuant to Public Act 4 of 2011. With the start of the new millennium, the City of Pontiac's population was declining and coupled with the loss of its major automotive manufacturing revenue sources, the city's already troubled economic health continued to deteriorate. City services were drastically reduced and its wastewater treatment plant, which once served a thriving community, had fallen into disrepair. Lacking the necessary funds to rehabilitate, or even adequately maintain the facility, was one of the most significant challenges faced by city officials. It was against that backdrop that city administrators met with Oakland County representatives in an attempt to find a lasting solution. It was recognized that the plant, despite its condition at that time, had the potential to be effectively utilized. Unfortunately, the city was on the precipice of bankruptcy and its depressed economic status meant it also lacked a sufficiently strong bond rating to attract investors for much-needed improvements.

On the other hand, both sides soon realized that Oakland County, with its Triple-A bond rating, had the means and expertise to not only rehabilitate the plant, but to operate it as well. The plant was under-utilized and could become cost-effective if there were sufficient flow available for treatment. In addition, there were regulatory and permitting issues raised by the Michigan Department of Environmental Quality, now the Department of Environment, Great Lakes, and Energy. Investing in the plant to treat its full capacity would have been inefficient to serve Pontiac's reduced population. However, both parties soon considered the possibility of contracting with neighboring communities to take advantage of the plant's fully restored capacity. It quickly became evident that increasing the amount of flow treated by the facility could be a win-win for both the city and its regional neighbors.

At the same time, the Oakland County Water Resources Commissioner's office led a comprehensive water and sewer master plan to analyze, among other things, the water and sewer infrastructure needs of all 61 municipalities in Oakland County, including the City of Pontiac. It was after that ambitious endeavor that the WRC successfully collaborated with Pontiac in a study that evaluated the feasibility of "regionalizing" Pontiac's Wastewater Treatment Plant. Given certain operational issues and regulatory mandates facing communities in the Clinton-Oakland Sewage Disposal District,

utilizing the Pontiac Wastewater Treatment Plant to serve other communities in addition to the City of Pontiac appeared to be a reasonable solution. Additionally, there was a cost-saving component because treatment was cheaper at the Pontiac facility than transporting flow via the Oakland-Macomb Interceptor Drain to the Detroit Water and Sewerage Department's treatment facility.

Working toward that end, both the county and the city conducted independent studies to determine the value of the facility and both studies supported the \$55 million figure. Subsequently, in 2012, the county used its full faith and credit, backed by its Triple-A bond rating, to issue \$55 million in bonds to purchase Pontiac's wastewater treatment plant which translated into an immediate cash infusion to the city. Coupled with that cash infusion, the restructuring agreement allowed for substantial savings for the city extending well into the future. Not only would the extra cash help Pontiac retire a significant amount of its existing debt, but expert analysis at that time also suggested that the agreement could result in savings to Pontiac residents of approximately \$52 million over 30 years. That's in addition to the \$55 million which meant Pontiac residents would see a cash benefit of approximately \$107 million.

Formalizing the acquisition occurred on May 15, 2012, when a drainage district, established by petition pursuant to Chapter 20 of the Michigan Drain Code, was created "to acquire the wastewater treatment facilities for treatment of sanitary sewage collected within the corporate limits of the City of Pontiac." The new district was entitled, the City of Pontiac Wastewater Treatment Facility Drainage District. Because the city was operating under an emergency manager appointed by then-Governor Rick Snyder during this period and the transfer of assets required approval by the State of Michigan, for a short period of time the ownership of that asset initially was transferred on April 17, 2012, to an existing Chapter 20 drainage district, the Pontiac-Clinton River Drain No. 2. In the resolution authorizing the transfer, there was the caveat that the asset would be assigned to a newly created drainage district. Two days later, on April 19, 2012, a warranty deed was executed giving title to the treatment plant to the City of Pontiac Wastewater Treatment Facility Drainage District. Today, legal title to the plant remains with this district.

It is important to note that the petition on behalf of the city was executed by Emergency Manager Louis H. Schimmel. During Schimmel's nearly two-year tenure as Pontiac's emergency manager, he contracted out nearly all of the basic services provided by the city including police, fire and the entire department of public works. Restructuring the city's wastewater treatment plant for \$55 million was instrumental in reducing the city's overall debt from \$105 million to \$28 million and cutting the city's general fund expenses from approximately \$57 million to about \$30 million.

Over the next few years following the signing of the agreement to transfer ownership, the Oakland County Water Resources Commissioner's office, which had taken the lead in the plant's rehabilitation, developed a plan to sell capacity to neighboring communities. Once that plan was in place, the cost of operating the plant was essentially shared with the surrounding municipalities. In other words, Pontiac would no longer be shouldering the entire operational cost burden on its own. As an added benefit, offering the plant's available capacity proved to be an attractive proposition for the city because the increased revenue could be used to reduce or stabilize rates while covering the costs of upgrades for the plant.

On January 24, 2017 the first meeting of the Clinton River Water Resource Recovery Facility Drainage District was held to consider petitions from the City of Auburn Hills and Village of Oxford to create the new district. In addition to Auburn Hills and Oxford Village, the new district was intended to also serve the cities of Lake Angelus, Pontiac, Rochester and Rochester Hills, the townships of

Independence, Oakland, Orion, Oxford, Waterford and West Bloomfield along with the Village of Lake Orion.

The following month, the operation and maintenance of the major assets of the plant were formally transferred from the City of Pontiac Wastewater Treatment Facility Drainage District to the newly created Clinton River Water Resource Recovery Facility Drainage District.

As we look to the future, we are reminded of the significance of the plant's cost-effective operations. The WRC has been focused on energy recovery which offers a two-fold benefit of both economic gains as well as the advantages associated with green infrastructure. Last year, for example, the plant made important upgrades to enable it to use steam generated by the plant's boilers to ventilate and heat the biosolids building. That's in addition to improvements to the biosolids process itself that reduces solids created by the plant.

At the same time, when the drainage district assumed ownership of the plant, Oakland County assumed ownership of the city's sewage collection system and water system under a separate agreement. This agreement included a 40-year contract term and recognized that Oakland County was in the best position to provide necessary improvements to the water and sewer systems. In addition, it also had the resources and expertise to operate the systems pursuant to Public Act 342. Other terms of the agreement made it clear that as long as any financial debt obligation remained outstanding, Oakland County would continue to own the systems. After the expiration or termination of the contract and once those obligations, along with any subsequent debt, are paid in full, the sewer collection system and water system would then revert to the City of Pontiac. There is no similar reversionary clause or provision with respect to the wastewater treatment plant. Because the \$55 million to purchase the plant from the City of Pontiac was paid by Oakland County and not the drainage district, the district must repay the county. The District is repaying the loan through annual assessments of approximately \$3.4 million which will end in Fiscal Year 2034.

Requested Action: Receive and file.

10. Franklin Subwatershed Drain

AGENDA

DRAINAGE BOARD FOR THE FRANKLIN SUBWATERSHED DRAIN

May 23, 2023

1. Call meeting to order
2. Approve minutes of meeting of November 15, 2016
3. Public Comments
4. Present Special Assessment Roll No. 2 in the amount of \$34,346.83
5. Other business
6. Approve pro rata payment to Drainage Board members
7. Adjourn

**MINUTES OF THE MEETING OF THE DRAINAGE BOARD
FOR THE FRANKLIN SUBWATERSHED DRAIN**

November 15, 2016

A meeting of the Drainage Board for the Franklin Subwatershed Drain was held in the office of the Oakland County Water Resources Commissioner, Public Works Building, One Public Works Drive, Waterford, Michigan at 2:00 p.m. on the 15th day of November, 2016.

The meeting was called to order by the Chairperson.

PRESENT: Jim Nash, Chairperson and Oakland County Water Resources Commissioner

Thomas F. Middleton, Chairperson of the Finance Committee,
Oakland County Board of Commissioners

ABSENT: Michael Gingell, Chairperson of the Oakland County Board of Commissioners

Minutes of the meeting held December 16, 2014 were presented for consideration.
It was moved by Middleton, supported by Nash, that the minutes be approved.

ADOPTED: Yeas - 2
Nays - 0

Chairperson Nash asked if there were any public comments. There were none.

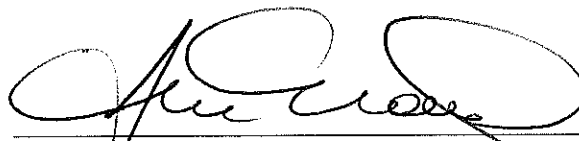
A request for payment of invoices in the amount of \$34.76 (as attached) was presented. It was moved by Middleton, supported by Nash, that the invoices in the amount of \$34.76 be paid as presented.

ADOPTED: Yeas - 2
Nays - 0

It was moved by Nash, supported by Middleton, to certify attendance and authorize pro rata payment of \$25 per day to Mr. Middleton.

ADOPTED: Yeas - 2
Nays - 0

There being no further business, the meeting was adjourned.

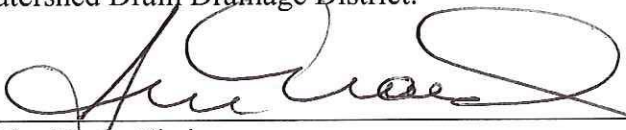


Jim Nash, Chairperson

STATE OF MICHIGAN)
)SS.
COUNTY OF OAKLAND)

I, the undersigned, do hereby certify that the foregoing is a true and complete copy of the minutes of the Franklin Subwatershed Drain, Oakland County, Michigan, held on the 15th day of November, 2016, and that the minutes are on file in the office of the Oakland County Water Resources Commissioner and are available to the public.

I further certify that the notice of the meeting was posted at least 18 hours in advance of the meeting at the office of the Oakland County Water Resources Commissioner which is the principal office of the Franklin Subwatershed Drain Drainage District.



Jim Nash, Chairperson

Dated: December 14th, 2016

SPECIAL ASSESSMENT ROLL NO. 2
FOR
FRANKLIN SUBWATERSHED DRAIN
HOLLYHOCK DRIVE AT SPRINGWATER LANE PROJECT
(An Intra-County Drain in Oakland County, MI)

PROJECT: Hollyhock Drive at Springwater Lane Project

CURRENT FUND BALANCE: (\$24,766.44)

AMOUNT TO BE ASSESSED: \$34,346.83

Public Corporation	*Percentage of Apportionment	Total Amount of Assessment
Charter Township of West Bloomfield	80.880%	\$ 27,779.72
County of Oakland	19.120%	\$ 6,567.11
<hr/>		
Total	100.000%	\$ 34,346.83

*Apportionment based on Final Order of Apportionment dated 06/20/2006.

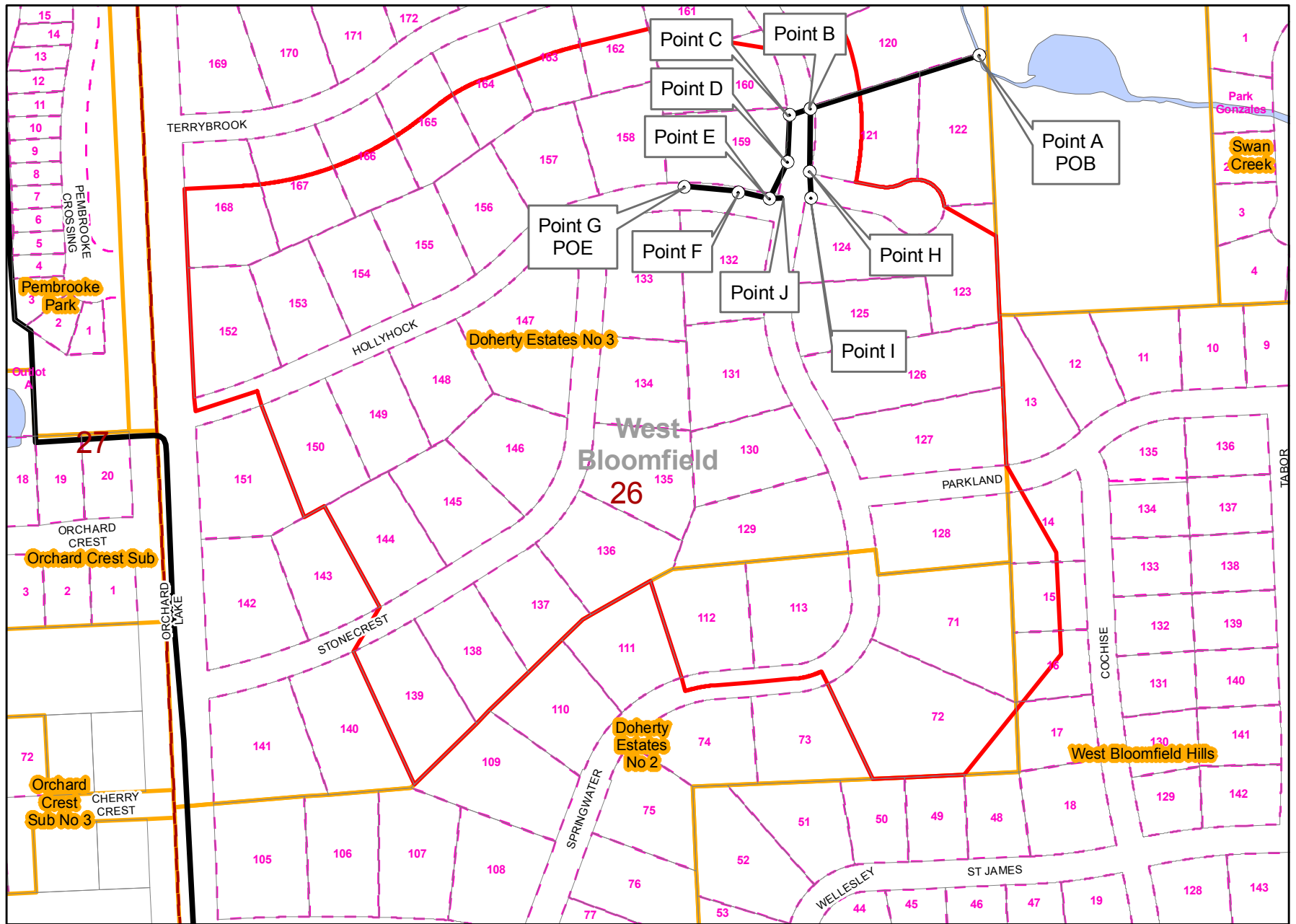
Assessment Payment Due Date: 06/30/2023

I hereby certify that the forgoing Special Assessment Roll was prepared in accordance with the directions of the Drainage Board for the Franklin Subwatershed Drain and the statutory provisions applicable thereto.

Jim Nash
Chairman of the Drainage Board for the Franklin Subwatershed Drain

The foregoing Special Assessment Roll was approved for the Franklin Subwatershed Drain on _____

Jim Nash
Chairman of the Drainage Board for the Franklin Subwatershed Drain



Legend

- Drain District
- Subdivision Boundary
- Tax Parcel
- Section Lines
- Lot Unit
- OODC Drains

SPRINGWATER - HOLLYHOCK DRAIN ROUTE MAP

300 150 0 300 Feet



Disclaimer: The information provided in this system has been compiled from various sources, including aerial photography, ground surveys, and other public records. It is not intended to be used for legal purposes. Use of this data is hereby notified that the information sources mentioned above should be consulted for verification of the information.

J:\DrainMapping\Units\OCDC\Springwater-Hollyhock\SpringwaterHollyhockDrainRoute.mxd

11. Joslyn Drain

AGENDA

DRAINAGE BOARD FOR THE JOSLYN DRAIN

May 23, 2023

1. Call meeting to order
2. Approve minutes of meeting of September 27, 2022
3. Public Comments
4. Present Memorandum from Jeffrey Parrott, Supervisor Right of Way, requesting the Board authorize the Chairperson to sign the Easement Use Agreement to accommodate General Motors' proposed construction across the Drainage District's easement
5. Other business
6. Approve pro rata payment to Drainage Board members
7. Adjourn

**MINUTES OF THE MEETING OF THE DRAINAGE BOARD
FOR THE JOSLYN DRAIN**

September 27, 2022

A meeting of the Drainage Board for the Joslyn Drain was held in the office of the Oakland County Water Resources Commissioner, Public Works Building, One Public Works Drive, Waterford, Michigan at 2:00 p.m. on the 27th day of September 2022.

The meeting was called to order by the Chairperson.

PRESENT: Jim Nash, Oakland County Water Resources Commissioner

Gwen Markham, Chairperson of the Finance Committee, Oakland County Board of Commissioners

David Woodward, Chairperson of the Oakland County Board of Commissioners

ABSENT: None.

Minutes of the meeting held October 23, 2018, were presented for consideration. It was moved by Markham, supported by Woodward, that the minutes be approved.

ADOPTED: Yeas - 3
Nays - 0

Chairperson Nash asked if there were any public comments. There were none.

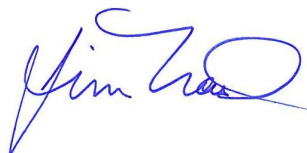
A Maintenance Assessment Recommendation and Special Assessment Roll in the amount of \$32,900 for the Joslyn Drain (as attached) were presented. It was moved by Woodward, supported by Markham, to adopt the Maintenance Assessment Recommendation and Special Assessment Roll in the amount of \$32,900 as presented.

ADOPTED: Yeas - 3
Nays - 0

It was moved by Nash, supported by Markham, to certify attendance and authorize pro rata payment of \$25 per day to Ms. Markham and Mr. Woodward

ADOPTED: Yeas - 3
Nays - 0

There being no further business, the meeting was adjourned.




Jim Nash, Chairperson

STATE OF MICHIGAN)
)SS.
COUNTY OF OAKLAND)

I, the undersigned, do hereby certify that the foregoing is a true and complete copy of the minutes of the Drainage Board for the Joslyn Drain, Oakland County, Michigan, held on the 27th day of September 2022, and that the minutes are on file in the office of the Oakland County Water Resources Commissioner and are available to the public.

I further certify that the notice of the meeting was posted at least 18 hours in advance of the meeting at the office of the Oakland County Water Resources Commissioner which is the principal office of the Drainage Board for the Joslyn Drain Drainage District.



Jim Nash, Chairperson

Dated: September 27, 2022

**OAKLAND COUNTY
WATER RESOURCES COMMISSIONER**

MEMORANDUM

TO: Jim Nash, Chairperson
Joslyn Drain Drainage District

FROM: Jeffrey Parrott, Supervisor Right of Way

SUBJECT: General Motors / One H2, Pontiac, MI – Easement Use Agreement

DATE: May 23, 2023

General Motors and One H2 are proposing to construct a trestle system that will carry hydrogen gas, electric lines, and communication lines over and across an existing easement for the Joslyn Drain. Staff has no objection to the construction of these improvements provided an Easement Use Agreement is executed between General Motors and the Drainage District.

Attached is an Easement Use Agreement executed by General Motors including the construction plans as exhibits for your review.

Requested Action: Board authorize the chairperson to sign the Easement Use Agreement to accommodate General Motors' proposed construction across the Joslyn Drain easement.

EASEMENT USE AGREEMENT

JOSLYN DRAIN DRAINAGE DISTRICT, a Michigan Statutory Corporation, acting through the Drainage Board for the JOSLYN DRAIN (“**Drain**”) pursuant to Chapter 20 of Act No. 40 of the Public Acts of 1956, as amended (Michigan Drain Code), (the “**District**”), whose address is the Office of the Oakland County Water Resources Commissioner (“**WRC**”), One Public Works Drive, Waterford, Michigan, 48328-1907, and who holds certain easement rights granted to the City of Pontiac in the instrument dated November 12, 1964, recorded as Liber 4656, Page 390 with the Oakland County Register of Deeds and as assigned to the District via an Assignment of Easement Rights, dated January 22, 1972 (hereinafter “**Easement**”), in consideration for the faithful performance of the below described conditions, does not object to the construction of an overhead trestle consisting of a galvanized HSS24X12X3/8 including a piping system, two (2) two- inch diameter stainless steel pipes carrying hydrogen, two (2) One-inch diameter galvanized steel rigid metal electrical conduit containing low voltage communication cables and five (5) three-inch diameter galvanized steel rigid metal electrical conduit containing 3-phase power lines, and related appurtenances (hereinafter referred to as “**Improvements**”) as approved at its Board Meeting on May 23, 2023, in a location and per the site plans approved by the District and prepared by Waber Consultants, Job No. 21056, dated May 8, 2023, and MacMillan Associates Consulting Engineers, dated April 25, 2023, as attached as **Exhibit B** hereto and installed on land owned in fee by GENERAL MOTORS LLC, a Delaware limited liability company, c/o Real Estate, 300 Renaissance Center, MC 482-C19-GRE, Detroit, Michigan 48265 (“**Landowner**”) in the City of Pontiac, State of Michigan and described on **Exhibit A** attached hereto.

In consideration for the District’s agreement above, Landowner agrees to the following:

- 1) Landowner shall not change the grade within the Easement, without the District’s prior written consent. Additionally, Landowner will not construct any additional improvements, including, but not limited to, footings or other surface or subsurface improvements, within the Easement, unless in accordance with the current terms and conditions of the Easement and the District’s rights under the Michigan Drain Code.
- 2) Landowner shall have the limits of the Easement staked by a qualified surveyor prior to construction of the Improvements.
- 3) If applicable in the installation of the Improvements, Landowner shall comply with MCL 460.721, et seq., Public Act 174 of 2013 and any future amendments (Miss Dig).
- 4) Landowner shall immediately cease work and notify the District if the District’s facilities within the Easement are struck by any means of earth disturbing equipment or otherwise so the District can inspect its facilities, and if required, make all necessary repairs. Landowner shall be solely responsible for all costs associated with District’s Drain repairs due to damages caused by its activities related to the Improvements.
- 5) Landowner agrees to comply with all local, state, and federal laws, ordinances, rules, regulations, and orders in performing the activities contemplated by this Easement Use Agreement.
- 6) All costs and expenses for constructing, operating, maintaining and removing the Improvements shall be borne solely by Landowner.
- 7) In the event it becomes necessary for the District, its agents or assigns to maintain, operate, repair, clean, replace, enlarge, relocate, or otherwise improve the drainage system, and in doing so it requires the

removal, disassembly, disturbance or destruction of the Improvements located within the Easement, Landowner shall be solely responsible for any increased costs to the District and all costs associated with the restoration of said Improvements.

The Easement shall remain unchanged and in full force and effect in all other respects.

The invalidity or unenforceability of any provision of this instrument shall not affect or impair any other provisions or the validity and enforceability of the remainder of this instrument.

The terms and conditions of this Easement Use Agreement shall be deemed to run with the land and shall inure to the benefit of and be binding upon the parties hereto, and their respective heirs, executors, administrators, personal representatives, successors and assigns. Accordingly, all references to "Landowner" and "District" herein shall, where applicable, be deemed to mean or to include the respective heirs, executors, administrators, personal representatives, successors and assigns of the herein named Landowner and District.

This Easement Use Agreement may be executed simultaneously in two or more counterparts, each of which shall be deemed an original and all of which together shall constitute one and the same instrument. It is not necessary that all parties execute any single counterpart if each party executes at least one counterpart.

[SIGNATURE PAGE TO FOLLOW]

IN WITNESS WHEREOF, District and Landowner have executed this instrument on this 18th day of May, 2023.

LANDOWNER

GENERAL MOTORS LLC,
a Delaware limited liability company

Execution Recommended
GM Real Estate
By: Joseph Blanchard
J. S. Esq., G.M. Legal

By: Debra Homic Hoge
Name: Debra Homic Hoge
Title: Global Director, Real Estate

ACKNOWLEDGEMENT

STATE OF MICHIGAN)
)ss.
COUNTY OF)

On _____, 2023, before me, the undersigned, personally appeared Debra Homic Hoge, Global Director Real Estate for General Motors LLC, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument and acknowledged to me that she executed the same in her authorized capacity, and that by her signature on the instrument the person or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal this ____ day of _____, 2023.

SEAL

Notary Public
Acting in the County of _____, Michigan
My Commission Expires: _____

[Signature Page Continued]

IN WITNESS WHEREOF, the District has hereunto affixed its signature this ____ day of _____
2023.

JOSLYN DRAIN DRAINAGE DISTRICT,
a Michigan Statutory Corporation, acting through the Joslyn
Drain Drainage Board

By: _____
Jim Nash, Oakland County Water Resources
Commissioner
Its: Chairperson

ACKNOWLEDGEMENT

STATE OF MICHIGAN)

)SS:

COUNTY OF OAKLAND)

On this _____ day of _____, 2023, before me a Notary Public, personally appeared
Jim Nash, Chairperson of the JOSLYN DRAIN DRAINAGE BOARD, known to me to be the person who
executed the within instrument and who acknowledged the same to be their free act and deed.

_____, Notary Public

_____ County, _____
My Commission Expires: _____
Acting in County of: _____

This instrument drafted by:

Ingrid Szura
General Motors LLC
300 Renaissance Center
Mail Code: 482-C25-A68
Detroit, MI 48265

Exhibit A

Property Legal Description

LEGAL DESCRIPTION (AS SURVEYED)

PART OF THE SOUTHWEST 1/4 OF SECTION 16, AND NORTHWEST 1/4 OF SECTION 21, TOWN 3 NORTH, RANGE 10 EAST, CITY OF PONTIAC, OAKLAND COUNTY, MICHIGAN:

PART OF LOTS 15, 105, 202, 253, 323, 374, AND 444 THROUGH 469, ALL INCLUSIVE, ALL OF LOTS 16 THROUGH 104, 203 THROUGH 252, 324 THROUGH 373, ALL INCLUSIVE, AND ALL THAT PART OF VACATED IVY AVENUE (60 FEET WIDE), TENNYSON AVENUE (60 FEET WIDE), MANSFIELD (60 FEET WIDE, FORMERLY CASS AVENUE), MADISON AVENUE (60 FEET WIDE), 20 FOOT WIDE PUBLIC ALLEYS ADJACENT TO THE SAME, ALL BEING PART OF 'LE BARON FARM SUBDIVISION' AS RECORDED IN LIBER 45 PAGE 15, OAKLAND COUNTY RECORDS AND PART OF LOTS 27 THROUGH 30 OF BLOCK ONE, AND ALL OF LOTS 31 THROUGH 57 OF BLOCK ONE, ALL OF LOTS 1 THROUGH 15 OF BLOCK TWO, AND ALL THAT PART OF VACATED IVY STREET (60 FEET WIDE) AND KENNETT ROAD, (80 FEET WIDE) ADJACENT TO THE SAME, ALL BEING PART OF 'MODERN HOUSING CORPORATION'S OAKLAND PARK'; A SUBDIVISION RECORDED IN LIBER 46 PAGE 2, OAKLAND COUNTY RECORDS, AND PART OF LOTS 480, 497 THROUGH 499, 501, 502, 503, 523, 524, 525, 549 THROUGH 552, 655 AND 662, ALL OF LOTS 481 THROUGH 496, 504 THROUGH 520, 526 THROUGH 548, 553 THROUGH 569, 576 THROUGH 590, 656, 657, 658, 659, 663 AND 664, ALL INCLUSIVE, AND ALL OF VACATED IVY STREET (60 FEET WIDE) AND LOWELL STREET (50 FEET WIDE) ADJACENT TO THE SAME, ALL BEING PART OF 'MODERN HOUSING CORPORATION ADDITION'; A SUBDIVISION RECORDED IN LIBER 20 PAGE 22, OAKLAND COUNTY RECORDS, ALL BEING MORE PARTICULARLY DESCRIBED AS: COMMENCING AT THE WEST 1/4 CORNER OF SAID SECTION 16; THENCE ALONG THE WEST LINE OF SAID SECTION 16 S.03°00'15"E., 60.01 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY OF COLUMBIA ROAD (WIDTH VARIES); THENCE ALONG SAID SOUTH RIGHT-OF-WAY N.85°54'01"E., 20.99 FEET TO THE SOUTHWEST RIGHT-OF-WAY INTERSECTION OF SAID COLUMBIA ROAD AND HIGHWOOD BOULEVARD (WIDTH VARIES); THENCE ALONG THE WEST RIGHT-OF-WAY LINE OF SAID HIGHWOOD AVENUE S.03°13'40"E., 1628.12 FEET TO THE SOUTHWEST RIGHT-OF-WAY INTERSECTION OF SAID HIGHWOOD BOULEVARD AND BEVERLY AVENUE (100 FEET WIDE); THENCE ALONG THE SOUTH RIGHT-OF-WAY OF SAID BEVERLY AVENUE AND ITS EXTENSION TO THE EAST N.87°01'32"E., 1335.81 TO THE SOUTHEAST RIGHT-OF-WAY INTERSECTION OF SAID BEVERLY AVENUE AND GLENWOOD AVENUE (WIDTH VARIES), SAID INTERSECTION ALSO BEING THE POINT OF BEGINNING; THENCE CONTINUING ALONG SAID SOUTH RIGHT-OF-WAY N.87°01'32"E., 1226.98 FEET TO THE SOUTHWEST RIGHT-OF-WAY INTERSECTION OF SAID BEVERLY AVENUE AND JOSLYN ROAD (120 FEET WIDE); THENCE ALONG THE WEST RIGHT-OF-WAY LINE OF SAID JOSLYN ROAD THE FOLLOWING FOUR (4) COURSES: 1) S.02°40'18"E., 928.67 FEET, 2) S.02°48'58"E., 1876.93 FEET, 3) N.86°56'51"E., 4.75 FEET AND 4) S.02°48'41"E., 497.00 FEET TO THE NORTHWEST RIGHT-OF-WAY INTERSECTION OF SAID JOSLYN ROAD AND MONTCALM STREET (WIDTH VARIES); THENCE ALONG THE NORTH RIGHT-OF-WAY LINE OF SAID MONTCALM STREET THE FOLLOWING FOUR (4) COURSES: 1) S.86°56'52"W., 275.00 FEET; 2) S.02°48'58"E., 11.00 FEET, 3) S.86°56'50"W., 375.16 FEET AND 4) S.86°52'43"W., 878.66 FEET TO THE NORTHEAST RIGHT-OF-WAY INTERSECTION OF SAID MONTCALM STREET AND SAID GLENWOOD AVENUE; THENCE ALONG THE EAST RIGHT-OF-WAY OF SAID GLENWOOD AVENUE THE FOLLOWING SIX (6) COURSES: 1) N.02°54'55"W., 55.32 FEET, 2) 180.64 FEET ALONG THE ARC OF A CURVE TO THE RIGHT (RADIUS=281.50 FEET, CENTRAL ANGLE=36°46'04", CHORD=N.15°28'05"E., 177.56 FEET), 3) 141.46 FEET ALONG THE ARC OF A CURVE TO THE LEFT (RADIUS=882.50 FEET, CENTRAL ANGLE=09°11'04", CHORD=N.29°15'34"E., 141.31 FEET, 4) N.24°40'02"E., 216.91 FEET, 5) 302.04 FEET ALONG THE ARC OF CURVE TO THE LEFT (RADIUS=628.50 FEET, CENTRAL ANGLE=27°32'04", CHORD=N.10°54'00"E., 299.14 FEET) AND 6) N.02°52'02"W., 2490.86 FEET TO THE POINT OF BEGINNING.

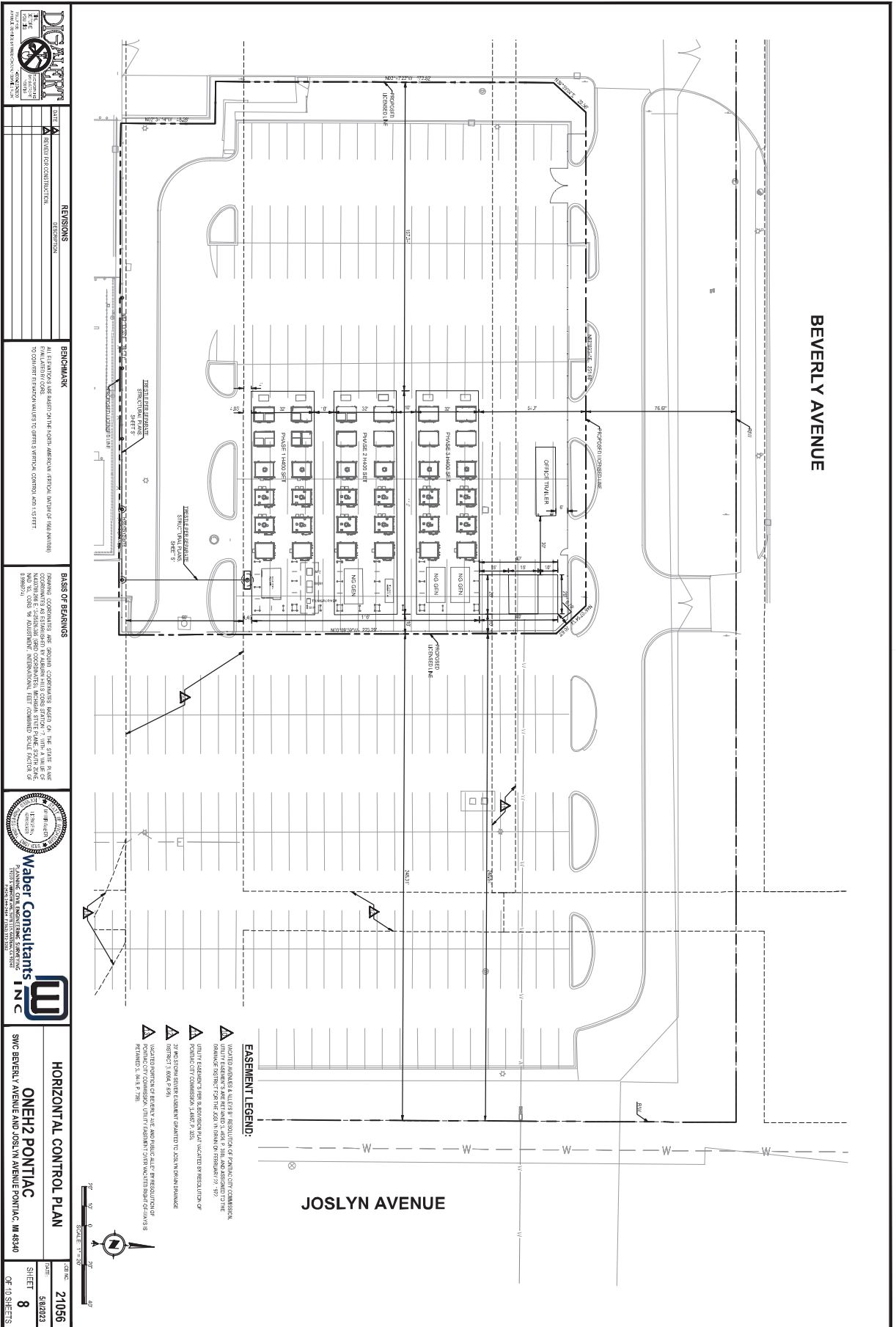
CONTAINING 4,174,035 SQUARE FEET OR 95.823 ACRES.

ALL SURVEYED BEARINGS ARE IN RELATION TO STATE PLANE COORDINATES AS ESTABLISHED BY AUBURN HILLS CORS STATION 17, WITH A VALUE OF N.433769.266 E.13425526.385 (GRID COORDINATES) MICHIGAN STATE PLANE, SOUTH ZONE, NAD '83, CORS '96 ADJUSTMENT, INTERNATIONAL FEET, NAVD '88, WITH A COMBINED SCALE FACTOR OF 0.9998724 FIELD & DRAWING COORDINATES ARE GROUND COORDINATES AS OBTAINED BY NFE FIELD CREWS BETWEEN 12/14/2009 AND 12/22/2009.

Exhibit B

Improvement Site Plans

[see attached]





OneH2- Easement Right-of-way

Owner: Zachary Petrea

Rev: 1

Date: 5/9/23

Last Updated: 5/9/23

Gm, Pontiac

500 E Beverly Ave

Pontiac, MI 48340

Overview

OneH2 has partnered with General Motors at its Global Propulsion Systems Facility in Pontiac, Michigan to install its hydrogen generation equipment, in the licensed area, to produce and provide gaseous hydrogen for General Motors' laboratory. OneH2 is requesting a right-of-way permit, for the Joslyn Drain - Easement in vacated Tennyson Street, Pontiac, to construct a trestle bridge to run overhead the easement area.

OneH2

OneH2 develops end-to-end solutions for the delivery and production of hydrogen fuel from the extraction of hydrogen, utilizing steam-methane reformation, to the highly purified hydrogen standard for fueling.

Proposal

OneH2 is requesting a right-of-way permit to build a trestle bridge overhead the Permanent Easement for the Joslyn Drain, on General Motors property. The proposed structure is necessary for housing OneH2's hydrogen piping, communications cables, and electrical conduit across the easement area. The Trestle's foundation/posts will not be located inside the easement area.

Specifications

OneH2's trestle specifications: Length: 64', Height: 14'-18'.

Clearance: 12.42' minimum – 16.34' Maximum

Slope: 1/16"/ FT

Conclusion

OneH2 has prepared its structural designs and a profile view of the trestle bridge for reference (Refer to Attachments). The estimated duration for constructing the trestle bridge is one month. OneH2 understands the assignment of easement rights to Oakland County's Drain Commission by designing the structure with enough clearance, and access for any maintenance that may be required for the Joslyn Drain. OneH2 is seeking from Oakland County's Drain Commission the opportunity to provide the engineering designs, specifications, and scope of work for review/consideration to be granted a right-of-way permit to construct its trestle bridge overhead the Joslyn Drain easement area for its operations in Pontiac, Michigan.

Trestle Bridge- Profile View

