

AGENDA

Red Run Intercounty Drain Drainage Board Macomb and Oakland Counties

December 20, 2023 – 10:30 a.m.

Office of the Macomb County Public Works Commissioner
21777 Dunham Road, Clinton Township, Michigan, and Microsoft Teams

1. Call meeting to order

Board Members:

Michael Gregg, Chair, Michigan Department of Agriculture and Rural Development
Candice Miller, Macomb County Public Works Commissioner
Jim Nash, Oakland County Water Resources Commissioner

2. Approval of the meeting agenda for December 20, 2023
3. Approval of Drainage District Board Meeting Minutes from October 18, 2023
4. Public Comment
5. Red Run Freedom Hill
 - a. Account of Project Standing
6. Present Memorandum from HRC regarding the South Bank EGLE Permit Application Fee
7. Present Memorandum from George Nichols, P.E., Civil Engineer, regarding the Freedom Hill South Bank Restoration Project – U.S. Army Corps. Funding
8. Present Memorandum from Jeff Bednar, P.E., Environmental Resources Manager, regarding Barrier Quotes for Maintenance Pathway at Metro Parkway
9. Present trial balance
10. Present for approval payment of invoices in the amount of \$40,794.22
11. Other business
12. Adjourn

Agenda Item No. 3

Board Meeting Minutes from
October 18, 2023

Minutes of the Meeting
of the Intercounty Drainage Board for the
Red Run Drain

October 18, 2023

Minutes of the regular meeting of the Drainage Board of the Red Run Drain Drainage District held at the Office of the Macomb County Public Works Commissioner, 21777 Dunham Road, Clinton Township Michigan on the 18th day of October at 10:30 a.m. Eastern Standard Time and via Microsoft Teams.

Present: Michael Gregg, Chairperson and Deputy for Dr. Tim Boring, Director of the Michigan Department of Agriculture and Rural Development; Candice Miller, Member and Macomb County Public Works Commissioner; and Anne Vaara for Jim Nash, Secretary and Oakland County Water Resources Commissioner.

Also Present: Representing the office of the Macomb County Public Works Commissioner; Brian Baker, Jeff Bednar, Norb Franz, Tom Stockel, and Danielle Devlin. Representing the office of the Oakland County Water Resources Commissioner: Steve Korth, Brian Coburn, Gary Nigro, Lesli Maes, Evans Bantios, George Nichols, Sara Rubino, Meg Koss, and Stephanie Lajdziak. Others in attendance: Jamie Burton and Nancy Kolinski (Hubbell, Roth & Clark)

1. Call meeting to order.

Chairperson Gregg called the meeting to order at 10:45 a.m.

2. Agenda.

Motion by Miller, supported by Vaara, to approve the October 18, 2023, agenda as presented.

Adopted: YEAS – 3
NAYS – 0

3. Minutes.

Motion by Miller, supported by Vaara, to approve the minutes of the July 19, 2023, meeting.

Adopted: YEAS – 3
NAYS – 0

4. Public Comment.

Resident Gutman inquired about the trees to be removed from the bank along Ryan Rd. to address flow in the drain. Steve Korth advised that there are funds available to perform this maintenance project and that the issue is being discussed internally. Mr. Gutmann also voiced his concern for any future construction projects near Dequindre and Ryan Rd. It was noted that the neighboring homes would be notified before any construction begins as a courtesy.

5. Freedom Hill.

Nancy Kolinski gave a brief update on the various projects pertaining to the Freedom Hill restoration. Ms. Kolinski advised that additional plantings are expected to occur in November, but not much progress has been made for the bank stabilization.

The issue of off-road vehicles and motorists on the pathway of Metro Parkway was discussed. Ms. Kolinski advised that the damage to the trail and the safety of motorists were the main concerns at this point. Prices for different fencing materials to act as deterrents were discussed, with a solution to be brought to the Board at a future date.

Jeff Bednar gave an update on the Spill Response Work Plan Agreement and advised that they are waiting on the U.S. Army Corps of Engineer's legal counsel to proceed with the work plan agreement. He noted that mucking out the lake and asset management were requested to be expedited.

Motion by Miller, supported by Vaara, to receive and file the Freedom Hill update as presented.

Adopted: YEAS – 3
NAYS – 0

6. SSO Discussion

Commissioner Miller inquired about the recent sanitary sewer overflows (SSOs) into the Drainage District and expressed her concern on the frequency of discharges. Gary Nigro offered insight into the issue and provided a thorough history of how the plumbing is connected to the system to relieve basement backups and how it affects the Red Run and its connecting systems.

It was noted that prior to 2021, SSOs were not believed to be an issue. Mr. Nigro furthered that Oakland County is currently looking into what has changed within the system and what may have created the most recent overflows. At this time, GLWA advised that a combined study can be conducted to see if/where the issue lies and how to rectify the problem. Information is being gathered and a more conclusive understanding is expected to be provided in the future.

8. Trial Balance.

Mr. Nichols presented the Trial Balance report dated October 11, 2023, indicating a cash available balance of \$1,101,676.01. Motion by Miller, supported by Vaara, to receive and file the updated Trial Balance as provided.

Adopted: YEAS – 3
NAYS – 0

9. Invoices and/or Reimbursement of the Drain Revolving Fund.

A request for approval of payment of invoices and/or reimbursement of the Drain Revolving Fund in the amount of \$15,849.07 was presented. Motion by Vaara, supported by Miller, to approve the payment of invoices and/or reimbursement of the Drain Revolving Fund as presented.

Adopted: YEAS – 3
NAYS – 0

10. Other Business.

The meeting dates for 2024 (as attached) were presented. Motion by Miller, supported by Vaara, to approve the 2024 meeting dates as presented.

Adopted: YEAS – 3
NAYS – 0

11. Adjourn.

Motion by Vaara, supported by Miller, to adjourn the October 18, 2023, meeting at 11:59 a.m.

Adopted: YEAS – 3
NAYS – 0

Next Regular Meeting: *Office of the Macomb County Public Works Commissioner, 21777 Dunham Road, Clinton Township, Michigan* and electronically at 1:30 p.m., Eastern Standard Time on November 13, 2023.



Anne Vaara, Acting Secretary
Red Run Intercounty Drain Drainage Board

STATE OF MICHIGAN)
)SS.
COUNTY OF OAKLAND)

I hereby certify that the foregoing is a true and complete copy of the minutes of the Red Run Intercounty Drain Drainage Board, at a meeting held on the 18th day of October 2023, and that the meeting was conducted and public notice was given in compliance with the Open Meetings Act being Act 267, Public Acts of Michigan, 1976, as may be amended from time to time and that the minutes were kept and will be or have been made available to the public as required by the Act.

IN WITNESS WHEREOF, I have hereunto affixed my official signature on this 18th day of October 2023.



Anne Vaara, Acting Secretary
Red Run Intercounty Drain Drainage Board

Agenda Item No. 4

Public Comment

Agenda Item No. 5

Red Run Freedom Hill

Account of Project Standing

APS #: 35

Time Period: November 01, 2023 thru November 30, 2023

Prepared By: Nancy Kolinski

Date Issued: December 08, 2023

Project Task Summary:

Construction Update:

- Remaining shrubs and bare root trees installed
- Seeding complete

Focus of Efforts in Next Period:

- Contractor to return in the Spring to inspect the condition of the plantings, and inventory failed B&B trees for replacement.
- Unused Lo Prairie seed mix delivery to be coordinated with MCPWO.
- Prepare pay application for a January submittal.
- Macomb Planning will be preparing the final report for the National Fish and Wildlife Foundation Grant

Critical Decisions Made:

- N/A

Outstanding Critical Questions:

- N/A

Client Assistance Needed:

- Fencing along Metro Parkway - Macomb County Public Works staff are obtaining estimates.

Schedule Concerns

- None at this time

Scope and/or Budget Concerns:

- None at this time

Account of Project Standing

Red Run Drain Supplemental Services

Project Task Summary:

Task 1 – Permitting- In Progress

- Submitted USACE Section 408 Certification – Full approval unknown.

Task 2 – Drainage District Assistance- In Progress

Task 3 – Monitoring Assistance- In Progress

Task 4– Grant Reporting- In Progress

- No work for this period

Task 5 – Meetings- No work requested under this task

Task 6 – USACE Phase 2 Coordination- Red Run South bank (AEI): Design ongoing. 65% plans submitted. Sediment samples have been taken. Submittal to EGLE for environmental permits will occur upon receipt of sample results. The Drainage Board will need to designate HRC as an authorized representative to submit for EGLE permits. Application fee will need to be submitted to EGLE. USACE is requesting additional monies (\$35,000) for design fees due to added scope of work.

Task 7 – Project Signage- No work requested under this task

Miscellaneous:

- GWK Outfall project (KZF): Final documents submitted to USACE. USACE has refunded unused monies from design and construction dollars already paid by the GWK Drainage District due to changes in the USACE procurement process.
- Invasive species – Coordination continues. Treatment for 2023 is complete. The contract was previously extended by the Board through December 31, 2024.
- Red Run Spill Response USACE Work Plan Agreement –USACE sent the agreement to their Office of Legal Counsel. Waiting for review / execution.
- Red Run Resilience Study - Staff are working with the Office of Local Defense Community (OLDCC) and University of Michigan. Grant application to be submitted by Macomb County at the request of OLDCC. The Drainage Board needs to designate Macomb County as authorized representative to allow Macomb County to submit the application on behalf of the drainage board.

Critical Decisions Made:

- N/A

Outstanding Critical Questions:

- None at this time.

Client Assistance Needed:

- Drainage Board will need to designate HRC as an authorized representative and OCWRC to pay EGLE application fee.
- Drainage Board needs to designate Macomb County as authorized representative to allow Macomb County to submit the Red Run Resilience Study application on behalf of the Drainage Board.

Schedule Concerns

- N/A

Scope and/or Budget Concerns:

- N/A

Agenda Item No. 6

EGLE Permit Application Fee



Memorandum

To: Red Run Intercounty Drain Drainage Board

From: Nancy Kolinski, P.E.

Date: December 08, 2023

Subject: Red Run South Bank EGLE Permit Application Fee HRC Job No. 20220436

HRC is working with American Engineers Inc. (AEI) on the Red Run South Bank Restoration project. The plans will need to be submitted to EGLE Part 301 Inland Lakes and Streams, Part 303 Wetlands and Part 31 Floodplain permit(s),

We anticipate the submittal to occur in January 2024. We believe this project will be a major project requiring an Individual Permit which has a fee of \$2,000.00. Should EGLE require a hydraulic review, an additional fee of \$1,500 maybe required. If the Drainage Board is the applicant, the project is Part 303 and Part 31 exempt per the Drain Code.

To avoid delay, we are requesting the Drainage Board authorize OCWRC, as secretary, to submit the required permit fee, not to exceed \$3,500, for this project.

DRAFT

Agenda Item No. 7

Freedom Hill South Bank Restoration Project

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

TO: Michael Gregg, Chairman of the Drainage Board for the Red Run Drain

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

SUBJECT: Freedom Hill South Bank Restoration Project – US Army Corps Funding

DATE: December 20, 2023

The U.S. Army Corp of Engineers has contacted our office with regards to a budget amendment to the Freedom Hill South Bank Restoration Project. As you are aware, design services with American Engineers Inc. (AEI) have been ongoing over the past 19 months. The original design budget allocation from the Red Run Drain Drainage District was \$166,666, which was assessed to the communities on December 16, 2020. This money was paid to the USACE in January 2021. An additional \$483,334 was assessed on December 15, 2021, for the construction portion of the project (25% local match), and this money remains within the Red Run Drainage fund.

The original scope of services did not have borings or sediment testing. Based on conversations with USACE, the contract was modified because it was determined that material had to be removed from the drain and therefore environmental soil sampling had to be taken. Testing is a requirement to determine if the material is contaminated and where it could be disposed of. The material quantity was not known prior to design and therefore the depths of disturbance was determined during the actual design. Since this is a non-drain commissioned project, EGLE requires both items to be performed before permitting. This also required additional survey work to establish the easements and property boundary limits onsite.

As noted in the attached letter from USACE, an additional \$140,002 is required to complete the design portion of the project. The Red Run Inter-County Drainage District's share is 25% or \$35,000.50. At this time it is suggested that money allocated for the construction phase of this project be used, which can then be replenished from a future community assessment.

Requested Action

Approve payment to the Detroit District USACE in the amount of \$35,000.50 for additional design services related to the Freedom Hill South Bank Restoration Project, as outlined in their November 2, 2023, letter.



**DEPARTMENT OF THE ARMY
DETROIT DISTRICT, CORPS OF ENGINEERS
477 MICHIGAN AVENUE
DETROIT MI 48226-2550**

REPLY TO
ATTENTION OF

Programs and Project Management Branch

02 Nov 2023

Mr. George Nichols
Civil Engineer III
Oakland County Water Resources Commissioner
One Public Works Drive
Waterford, MI 48328-1907

Dear Mr. Nichols,

Reference is made to the Project Partnership Agreement between the U.S. Army Corps of Engineers Detroit District (Detroit District USACE) and the Red Run Inter County Drainage District, signed March 26, 2021, for design and construction assistance for the Red Run Rehabilitation project. This letter is to formally notify you that the Detroit District USACE estimates that an additional \$140,002 is required to complete the design portion of the Project. The Red Run Inter County Drainage District's share of this estimate is \$35,000.50. Please initiate an EFT/ACH of \$35,000.50 to the Detroit District USACE at your earliest convenience.

Thank you for your participation in this project. If you have any questions, please feel free to contact Ms. Katie Bates, Project Manager, at (313) 226-1320.

Sincerely,

BATES.KATHRYN. Digitally signed by
BATES.KATHRYN.G.1384381851
Date: 2023.11.02 16:39:34 -04'00'
G.1384381851

Katie Bates
Project Manager

Agenda Item No. 8

Metro Parkway Maintenance Pathway Barrier



Candice S. Miller

Public Works Commissioner
Macomb County

To: Red Run Intercounty Drain Drainage District Board Members

CC: File

From: Jeff Bednar, P.E., Environmental Resources Manager

Date: December 7, 2023

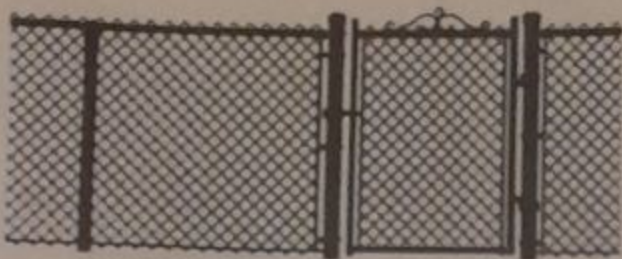
Subject: Fence/Barrier Quotes for Maintenance Pathway at Metro Parkway

Attached, please find quotes for four different barrier options to limit unauthorized access to the maintenance pathway on the north side of the Red Run at Metro Parkway. The quotes were as follows:

- Red Cedar 2 Rail Split Rail \$ 1,975
- Black 4-ft Aluminum Commercial \$ 5,180
- Guard Rail \$ 8,750
- 4-5 ft Boulder Wall Barrier \$20,100

Based on the quotes provided, we would recommend installation of the black 4-ft Aluminum Commercial grade fence as this matches the fencing at Schoenherr Road on the Sterling Relief portion of the maintenance pathway and will provide greater durability than the split rail fence option.

Attachment: Taylor Made Fence quote 11/14/23
Robert Clancy quote 11/15/23



Taylor Made Fence Co.

Commercial • Residential

9700 E. 14 Mile Rd. Warren, MI 48090

(800) 281-0404 (586) 446-1000 Fax (586) 446-0007

taylormadefence@yahoo.com

Date: 11/14/23

No 5506

VISA



Customer MACOMB COUNTY PUBLIC WORKS

Address 21777 DUNHAM RD.

City CLINTON TWP

Phone MIKE TOM STOCKEL

Price _____

Down Payment _____

Balance _____

Terms: _____

Construction: PVC ☐ Wood ☐ Steel ☐ Chain Link ☐ Aluminum ☐ Other ☐

Style or Fabric _____ Height _____

Type of Posts _____ Corner Post _____

Line Posts _____ Top Rail _____

Spacing Between Posts (Approx.) _____ Service Gate _____

Drive Gate _____ Dirt Removal _____

Type of (Wood) _____ Tops _____

Posts Set In _____ Depth _____

Remarks:

16 MILE
MICHIGAN LOTTERY AMP

APPROX 120'

PROPERTY AND FENCE PLAN

RED CEDAR 2 RAIL	SPLIT RAIL	\$19.75
BLACK 4' ALUMINUM	COMMERCIAL	\$51.80
GUARD RAIL		\$8.750

Taylor Made Fence will:

- ☐ Call Miss Dig
- ☐ Pull Permit
- ☐ Spread dirt along fence line
- ☐ Remove dirt from job site (extra charge)

AGREEMENT

The Taylor Made Fence Co. agrees to do all the above work in a good workmanlike manner.

It is further agreed that time shall be the essence of this agreement, and that in the event any default be made in the payments hereinbefore required to be made, the total amount then due hereunder shall become due and payable forthwith without notice.

This agreement shall not be binding upon the contractor until signed by him in writing. All unused materials shall, under any conditions, remain the title and property of the contractor.

It is further agreed that the contractor shall not be liable for delays caused by weather conditions, obtaining materials or any other causes beyond his control.

INSTALLATION PRACTICE

Fence will be built to average general grade in disregard to unevenness of ground. Fence will be erected on lot line when stakes can be found. If no stakes can be located it will be the responsibility of the property owner to determine his property lines. If survey is necessary, the property owner is required to pay for that service.

ACCEPTION OF PROPOSAL

The customer, hereby agree to stake the fence line. I, customer, hereby agree to clear fence lines of all debris, bush, obstacles, etc.

The above prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified. Payments will be made as outlined above.

Salesperson: MT

Accepted:

Taylor Made Fence Co.

Michael Taylor

Date 11/14/23

Signature _____

Date _____

Signature _____

Taylor Made Fence Co., holds no responsibility for damaged sprinkler lines, gas BBQ lines, or other such line(s). It is the responsibility of the customer to mark where such lines



ROBERT CLANCY CONTRACTING, INC.

Proposal

PROPOSAL SUBMITTED TO:	PHONE: 586-615-4198	DATE: 11/15/2023
NAME: Macomb County DPW	FAX:	DWG DATE:
STREET: 21777 Dunham Rd.	JOB NAME: Freedom Hill	PROPOSAL #: 23170
CITY/STATE: Clinton Twp., MI. 48036	STREET: 14900 Metropolitan Parkway	
ATTN: Mr. Tom Stockel	CITY/STATE: Sterling Hgts, MI. 48312	

We hereby submit specifications and estimates for:

110' BOULDER WALL

- 1.) MOBILIZATION
- 2.) EXCAVATOR AND OPERATOR (8 HRS)
- 3.) 4' - 5' BOULDERS (3.5 TON)
- 4.) TRUCKING
- 5.) RESTORATION

Proposal Total: \$ 20,100.00

Exclusions

Permits, bonds and/or inspection fees
Layout and engineering services
Stone bedding (unless otherwise stated)
Soil erosion devices (unless otherwise stated)
Imported backfill material (unless otherwise stated)
Excavation for building foundations

Removal of contaminated spoils
Tree, stump or brush removal or replacement
Curb grade (unless otherwise stated)
Landscape restoration/Irrigation repair
Traffic Control (unless otherwise stated)
Pavement Restoration
TV testing of sanitary sewer

De-watering
Compaction testing
Foundation & MEP spoils
handling & removal (unless
otherwise stated)
Removal of spoils created
by others

* This proposal is based on the assumption that all soils are non-contaminated. Owner/Developer will be required to furnish RCC with analytical documentation verifying non-contamination of soils.

ALL MATERIAL IS GUARANTEED TO BE AS SPECIFIED. ALL WORK TO BE COMPLETED IN A WORKMANLIKE MANNER ACCORDING TO STANDARD PRACTICE. ANY ALTERATION OR DEVIATION FROM ABOVE SPECIFICATIONS INVOLVING EXTRA COSTS, WILL BE EXECUTED ONLY UPON WRITTEN ORDER, AND WILL BECOME AN EXTRA CHARGE OVER AND ABOVE THE ESTIMATE. ALL AGREEMENTS CONTINGENT UPON STRIKES, ACCIDENTS, OR DELAYS BEYOND OUR CONTROL. OWNER TO CARRY FIRE, TORNADO AND OTHER NECESSARY INSURANCE. OUR WORKERS ARE FULLY COVERED BY WORKERS COMPENSATION INSURANCE.

Authorized Signature: _____

NOTE: THIS PROPOSAL MAY BE WITHDRAWN BY US IF NOT ACCEPTED WITHIN 30 DAYS.

Robert G. Clancy, President

THE ABOVE PRICES, SPECIFICATIONS AND CONDITIONS ARE SATISFACTORY AND ARE HEREBY ACCEPTED. YOU ARE AUTHORIZED TO DO THE WORK AS SPECIFIED. PAYMENT WILL BE MADE AS OUTLINED BELOW.

Payment to be made as follows: Progress Payments

Accepted: _____

*A monthly service charge of 1.5% (18% per annum) will be charged to past due balances

Date _____

Authorized Signature _____

Please Sign, Date and Return Original to Robert Clancy Contracting, Inc. - Retain a Copy for Your Records

Agenda Item No. 9

Trial Balance



Trial Balance

11:01 AM

12/15/2023

Page 1 of 1

Organization Oakland County
Periods FY2024 : Dec
Ledger Actuals
Accounting Worktag FND82902 Red Run Federal Drain Ch21
Book Operating
Company Currency USD
Translation Currency USD
Run 12/15/2023 11:01 AM

Consolidation Data

Ledger Account	Beginning Balance	Debit Amount	Credit Amount	Ending Balance
100100:Cash - Operating	1,126,998.61	1,674.91	34.05	1,128,639.47
104100:Accrued Interest on Investment	4,196.30	0.00	0.00	4,196.30
126100:Due from Municipalities	0.00	0.00	0.00	0.00
201210:Vouchers Payable AP Cont	(39,496.39)	0.00	0.00	(39,496.39)
211100:Due to Primary Government	0.00	0.00	0.00	0.00
228100:Deposits Liability	(28,244.40)	0.00	0.00	(28,244.40)
230852:Accounts Payable	0.00	0.00	0.00	0.00
381350:FB Restricted Programs	(1,065,002.77)	0.00	0.00	(1,065,002.77)
450100:Cash Sweep	0.00	0.00	0.00	0.00
655000:Investment Income	(1,936.60)	34.05	1,674.91	(3,577.46)
730000:Contractual Services	0.00	0.00	0.00	0.00
770000:Internal Support Expenditures	3,485.25	0.00	0.00	3,485.25
Total	0.00	1,708.96	1,708.96	0.00

Cash	\$1,128,639.47
Permit Held	\$(28,244.00)
Voucher Payables	\$(39,496.39)
Available Cash	\$1,060,899.08

Agenda Item No. 10

Invoices

MEMO TO: Mr. Jim Nash, Chairman
of the Intercounty Drainage Board for the RED RUN FEDERAL DRAIN

FROM: Shawn Phelps, Chief of Fiscal Services
OCWRC Accounting

DATE: December 20, 2023

SUBJECT: Request for Approval of Invoices

Request for Board approval of payment of the following invoices:

Date	Ref No.	Paid To	For	Amount
12/11/2023	V # SINV00227571	Six Rivers Land Conservancy	Invoice # 1515 - Contracted Services	\$ 39,496.39
			Total	39,496.39
	TBP	Hubbell, Roth, & Clark Inc	Inv # 0211619 - Contracted Services - 10/14/23 - Proj# 1-7494	\$ 510.48
	TBP	Hubbell, Roth, & Clark Inc	Inv # 0212397 - Contracted Services - 11/11/23 - Proj# 1-7494	\$ 787.35
			Project # 1-7494 Total	\$ 1,297.83
			Grand Total	\$ 40,794.22

Agenda Item No. 11

Other Business

Agenda Item No. 12

Adjourn