

**SCWA GENERAL MEETING
MINUTES OF
DECEMBER 18, 2002**

Present: John Malzahn, *Bridgeport Charter Township*; Art Clough, *Bridgeport-Spaulling School District*; Vic Killingbeck, *Buena Vista Charter Township*; Dale Klein, Debby Lopez, *Carrollton Township*; Sharon Carroll, Mike Comstock, *Kochville Township*; Rob Grose, Sonny Grunwell, *Saginaw Charter Township*; Jim Koski, Michael O'Hare, *Saginaw County*; Matt Rappley, *Office of Saginaw County Public Works Commissioner*; Dan Armentrout, *Saginaw County Road Commission*; John Premo, *City of Saginaw*; Bob Tutsock, *Saginaw Valley State University*; Jim Doyle, *Swan Valley School District*; Chris Snyder, *Thomas Township*; Warren Davis, *City of Zilwaukee*; Russ Beaubien, Tammy Shivley, *Spicer Group*

Absent: *Birch Run Township, James Township, Spaulding Township, Saginaw Intermediate School District, Saginaw Township Community Schools, Saginaw Correctional Facility*

Guests: Jack Tessman, *Carrollton Public Schools*; Dennis Anklam, *Carrollton Township*

I. Call to Order: Mr. Koski called the final meeting of SCWA to order at 2:02 pm.

II. Roll Call: Roll call was taken by Mr. Malzahn.

III. Review of Previous Minutes: The minutes of November 20, 2002 were reviewed.

Rob Grose moved, Matt Rappley supported, to approve the minutes of November 20, 2002, as presented. MOTION CARRIED.

IV. Authority Foundation - Finalizing:

Mr. Killingbeck will attempt to locate and forward the documents that Buena Vista Charter Township received from David Meyer and signed. If he cannot find them, he will request another copy and have them signed by December 19, 2002.

Ms. Carroll will take care of submission of Kochville's completed paperwork.

Entities who have not signed by the end of the business day on December 19, 2002 will not be charter members of SASWA.

Mr. Koski reported that the Articles of Incorporation have been reviewed by entities and their attorneys, and amendments will be completed within 90 days of the SASWA formation.

V. Treasurer's Report:

Mr. Malzahn reminded members that discussion has been held previously regarding the purchase of insurance for the authority. The price quoted of \$2,828 per year is good only until the end of 2002. He suggested contacting the SCWA attorney regarding the filing of paperwork, publishing of the Articles of Incorporation, ordering of a corporate seal, and filing for a tax identification number. The completion of these items will enable him to contact the insurance company to purchase liability insurance. Mr. Koski will contact Mr. Meyer today. Mr. Malzahn will follow up by contacting the insurance agent.

Mr. Premo moved and Mr. Grose supported a motion to direct the board to contact its attorney to complete the necessary paperwork to incorporate and establish the Saginaw Area Storm Water Authority within the state of Michigan. MOTION CARRIED.

Rob Grose moved with Dan Sika supporting to authorize Bamberger Insurance to contact David Meyer regarding the date of liability insurance inception and to authorize payment of SCWA funds in the amount of \$2,828.00 to Bamberger Insurance. MOTION CARRIED.

Currently, \$19,118.18 is available in the SCWA trust account. A substantial amount of funds will be necessary to publish the Articles of Incorporation. Payment of \$1,000.00 is outstanding from Spaulding Township, and Bridgeport-Spaulling Schools has not paid its bill. Ms. Herzog is rebilling.

VI. Old Business:

A. MWEA Conference: Mr. Koski reported that the main reason he attending the MWEA Conference on behalf of SCWA was to obtain information regarding funding issues. He learned at the conference that SCWA is much further ahead than many other areas of the state. This has ensued for several reasons, including early formation of the SCWA (last January), close work with the MDEQ, and the willingness of all joining entities to do what is in the best interest of this watershed. He congratulated everybody for the spirit of cooperation exhibited and willingness to go through the process necessary to get to this point.

Funding availability remains an important issue throughout the state. A few communities have assessed property and continue to do so. He cautioned that this practice is questionable, as he knows of no lawful way to allow this.

Mr. Beaubien added that Ann Arbor has had a storm water utility since Phase I conception and has yet to be challenged. Ann Arbor's key to success was the public education provided prior to instituting the utility. Mr. Koski added that Ann Arbor uses the schools as a primary education source. Currently, they are re-writing the ordinance and will send Mr. Beaubien a copy of the final document. Marquette has also had a storm water utility since 1995 and continues to institute a fee (determined by a formula) despite challenges. Neither Muskegon nor Holland has an ordinance for storm water utility fees as sources had indicated.

Rob Grose indicated that a per parcel flat fee has been investigated by SCWA, and the fee would amount to between \$5.00 and \$6.00 per parcel. However, SCWA will continue to work through the system until legislation is adopted. Members must continue to use general funds.

Mr. Koski reported that Saginaw will host an illicit discharge elimination training seminar which will provide information on what to look for, how to find it, and what to do about it. Wayne County will be funded through a MDEQ grant to provide the seminar. He suggested that all members send a participant, since it will help them recognize and deal with problems.

Mr. Koski offered to share his MWEA Conference information with anyone interested.

- B. **MDEQ Information:** Mr. Koski indicated that the law provided a statement that SCWA must comply "to the maximum extent practicable"; however, the executive committee feels that the work the authority is doing is good for the community. If there are not enough dollars, some tasks will be put on hold as necessary. Mr. Koski indicated that communities must meet the deadline. If an application is not available from the MDEQ on time, then a letter of intent must be submitted until it is. Mr. Koski concluded that the authority will continue to move forward, but not as fast as previously.

Mr. Beaubien indicated that Section 319 grants provide for development and implementation of storm water management plans. Mr. Noble added that the EPA decides what's in the pool, but storm water is eligible. Mr. Koski stated that Saginaw should be eligible for a pilot program to move us along and assist other storm water entities. Mr. Grunwell added that budget guidelines will be adhered to and bills will be sent quarterly with adjustments made as necessary. Mr. Beaubien was instructed to aggressively investigate Section 319 funding.

The permit application form has been finalized. Mr. Noble reported that the application has been reviewed, some changes made, and it will be available shortly. It is several pages in length and there is no application fee. A data sheet must be submitted for each area. The permit fee remains \$200 and will be billed by the MDEQ to the permittee until a new fee package is approved. In response to information that Birch Run is joining SASWA, but remains part of Genesee County's urbanized area, Mr. Noble responded that this will be dealt with when we come to it.

VII. New Business

- A. **In-Kind Services:** A "menu of services" is under development, as guidelines for in-kind services are needed. Specifications (scope of work) must be determined. As an example, in-kind services for mapping outfalls would include the necessity of mapping and looking at all outfalls, whether they are the specific entity's or someone else's. A determination as to the cost for the authority to complete the in-kind service must be determined and then the entity completing the work will receive a credit of that amount on their next bill. Any entity desiring to complete in-kind services must approach the authority to discuss the scope and cost and obtain approval.
- B. **Strategy for 2003:** completion of SASWA formation, dissolution of SCWA, completion of application, continuation of ongoing tasks, amendment to Articles of Incorporation, continued budget monitoring, and focus on completion of the PEP and actual public education.

VIII. Adjournment

Rob Grose moved, Sunny Grunwell supported, to adjourn the meeting. MOTION CARRIED.

Meeting adjourned at 2:55 p.m.

Respectfully submitted,

John Malzahn, Treasurer