



SAGINAW AREA STORM WATER AUTHORITY

February 19, 2003 MEETING MINUTES Bridgeport Charter Township Governmental Center

Present: *John Malzahn*, Bridgeport Charter Township; *Vic Killingbeck*, Buena Vista Charter Township; *Debby Lopez*, Carrollton Township; *John Premo*, City of Saginaw; *Len Ballosh*, James Township; *Sharon Carroll*, Kochville Township; *Rob Grose*, *Sonny Grunwell*, Saginaw Charter Township; *Dan Sika*, *Chris Snyder*, Thomas Township; *Tom Waters*, *Warren Davis*, City of Zilwaukee; *James Koski*, Saginaw County Board of Commissioners; *Matt Rappley*, Saginaw County; *Dan Armentrout*, Saginaw County Road Commission; *Art Clough*, Bridgeport-Spaulding Community Schools; *Tim Applebee*, Saginaw Intermediate School District; *Jim Stone*, Saginaw Township Community Schools; *Robert Tutsock*, Saginaw Valley State University; *Jim Doyle*, Swan Valley Schools.

Absent: Birch Run Township; Spaulding Township; Tittabawassee Township; Saginaw Correctional Facility

I. Call to Order: Mr. Koski welcomed attendees and called the meeting to order at 2:03 p.m.

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

III. Review of January 15, 2003 Minutes:

Mr. Ballosh moved, Mr. Malzahn supported, to approve the minutes of January 15, 2003, with no revisions noted. MOTION CARRIED.

IV. Treasurer's Report: Mr. Malzahn presented the Treasurer's Report. He indicated that \$715.00 was paid to Saginaw County for GIS services. The authority's accountant provided a written report on account deposits, cash flow, and accounts receivable, in addition to a copy of the Saginaw County GIS' invoice. Bridgeport Spaulding School District has not paid, but Art Clough indicated that the check was written and found on a staff member's desk in the midst of bureaucracy.

A federal tax identification number has been issued to SASWA and paperwork for an account was filed with Merrill Lynch. Although bills will normally be sent to members quarterly for 25% of their total membership fee, the authority was unable to bill in January and will invoice members for 50% of their total membership fees. Checks are payable to Merrill Lynch and are to be sent to Merrill Lynch with the coupon from the invoice received from Heritage Accounting for direct deposit into the account.

Current bills outstanding include two invoices from Spicer Group (\$9,135.00 and \$11,516.00), in addition to the bill for publication of the Articles of Incorporation and attorney fees for which invoices have not yet been received. Mr. Malzahn requested that Spicer Group correct its records to show the SASWA, not Bridgeport Charter Township, as the SASWA billing entity.

Moved by Mr. Premo, supported by Mr. Ballosh, to accept the Treasurer's Report as presented. MOTION CARRIED.

V. New Business

A. In-Kind Services Committee Formation:

Sonny Grunwell will head this committee, which also includes Debby Lopez, Dale Klein, John Premo, and Matt Rappley. Russ Beaubien will consult. The committee will provide recommendations to the executive committee regarding procedures for the provision of in-kind services. The committee will meet February 20th at 9:30 a.m. at Spicer Group.

B. Yeo and Yeo: The Executive Committee met with Yeo and Yeo to discuss auditing services and recommended that Yeo and Yeo be hired as SASWA's auditor. Yeo and Yeo quoted fees of between \$2,200 and \$2,800, stating anticipation of fees being on the low end of that range. Mr. Malzahn will obtain a written proposal from Yeo and Yeo.

Len Ballosh moved, John Premo supported, that the accounting firm of Yeo and Yeo be hired as the authority's auditor at a cost of between \$2,200 and \$2,800 for 2003. MOTION CARRIED.

VI. Old Business

- A. Articles of Incorporation: Mr. Meyer provided amended Bylaws, in addition to redlined and final Articles of Incorporation for membership review. Mr. Koski gave a verbal report of the changes. In order to avoid confusion regarding the reason for and process of adopting the amended Bylaws and Articles of Incorporation, David Meyer will be asked to provide a cover letter to be sent to each entity, along with the amended Articles of Incorporation and the minutes of today's meeting.

Len Ballosh moved, John Premo supported, to recommend adoption of the Articles of Incorporation as presented. MOTION CARRIED.

- B. Bylaws: Based on previous discussions, Mr. Meyer changed Article 10, Committee Structure, to provide for the majority present to constitute a quorum and the deletion of wording regarding action authorized in writing having the same effect as a unanimous vote called in a meeting. A roll call vote was taken for the following resolution:

Resolution Approving Amendment to Article X of the Bylaws:

At a general meeting of the Saginaw Area Storm Water Authority, held in the Bridgeport Charter Township Governmental Center, 6206 Dixie Highway, Bridgeport, Michigan 48722 on the 19th day of February, 2003, at 2:30 o'clock p.m., Michigan Time.

WHEREAS, a resolution to adopt an amendment to the language of Article X of the Bylaws was offered by Len Ballosh and seconded by John Premo as follows:

The Board, by resolution, adopted by a majority of the entire Board, may from time to time designate from among its members an executive committee and such other committees, and alternate members thereof, as they deem desirable, each consisting of three (3) or more members, with such powers and authority (to the extent permitted by law and the Articles of the Authority) as may be provided by such resolution. Each such committee shall serve at the pleasure of the Board. At all the meetings of a committee, the presence of a majority of the members of the committee shall be necessary to constitute a quorum for the transaction of business, except as otherwise provided in said resolution or by these Bylaws.

NOW, THEREFORE, BE IT RESOLVED by the Saginaw Area Storm Water Authority to adopt as Article X of the Bylaws the language in the foregoing paragraph.

ADOPTED:

YEAS: 12
NAYS: 0
ABSTENTIONS: 0

Resolution declared adopted.

CERTIFICATION

**STATE OF MICHIGAN)
COUNTY OF SAGINAW)SS**

I, the undersigned, the duly qualified and acting Secretary of the Saginaw Area Storm Water Authority, Saginaw County, Michigan, do hereby certify that the foregoing is a true and complete copy of the proceedings taken at a general meeting of the Saginaw Area Storm Water Authority, held on the 19th day of February, 2003, the original of which is on file at my office.

Dan Sika, Secretary

- C. Oath of Office: Per the Articles of Incorporation, two copies of the Oath of Office form drafted by Mr. Meyer were distributed to all present entities for signature by both the member and the alternate, who are each to be sworn in by their respective municipality clerks. Hand delivered copies will be distributed to those members who were not present by Spicer Group. Mr. Koski emphasized that these must be completed and returned.

- D. NPDES Permit Application: Submittal packages were distributed, along with forms that are to be filled out and returned to Mr. Beaubien as soon as possible.
- E. Contracts: Contracts were distributed to the school districts and SVSU. Saginaw Correctional Facilities will be hand delivered by Spicer Group, and Mr. Koski will handle Birch Run's contract.
- F. Presentation: Mr. Beaubien provided a PowerPoint presentation, along with materials which included Standard Industrial Codes, Notice of Coverage and Termination, and Permits by Rule. He covered construction site responsibilities and contracts, industrial and SIC codes and advised reading the SIC codes handout to see what applies to their area. He discussed land use applications and industrial construction. Waste water treatment plans that use more than a million gallons of water per day or more should already have an NPDES permit. Bus garages who do not have combined sewer systems also need a permit. Municipalities who have revenue generating transportation systems must also comply. Municipalities are also directed to attempt to find other uses for closed landfills, if possible, i.e. parks, etc. Power plants are already permitted under Phase I. Airports within regulated areas must also have a permit. Once the Notice of Intent is submitted, a storm water operator must be on construction sites and have a storm water pollution prevention plan, map, and certificate showing there are no illicit connections at the facility. An annual fee of \$200 is charged.

Storm water permits are required when more than one acre of land is disturbed at a construction site. This storm water permit piggybacks on the SESC permit for 1-5 acre sites. When a soil erosion and sedimentation control permit is applied for, MDEQ will be notified that you are disturbing soil and you must apply for a notice of coverage with the state. This includes schools and everybody else. A notice of termination is required for disturbances of five acres or more. The Permit by Rule handout contains the rules and forms necessary, along with website addresses.

A municipality is responsible for ensuring that a certified storm water operator is on any construction site on which it owns a utility. Spicer Group will be hosting a storm water operator training on April 10th from 10:00 to 12:00 noon. Interested parties may contact Mr. Beaubien. Mr. Koski noted that the Bay City MDEQ office also provides a class for which Keith Noble is the contact person. Mr. Beaubien added that the MDEQ website also has manuals with a sample test in that packet.

Construction sites must use soil erosion control procedures and minimally complete an inspection log once per week documenting site activity. The log must be up to date and on site, or at least accessible at a predetermined location. Assure any necessary corrective action is taken and log that action. Logs must be available for three years. Municipalities were advised to keep a copy of the log and to contact Jim Koski upon the second day of non-adherence, as municipalities will be fined for non-compliance. An inspection is required within 24 hours of a significant rain event, which includes any rain significant enough to move water off site – even a few drops out of a pipe.

Contractor's contracts should reflect who is responsible for sediment and soil erosion procedures. Make sure the contractor is responsible and accountable until the site is stabilized and vegetation is established. Any soil erosion and sediment control procedures shown on plans must be adhered to. Enforcement and penalties are increasing. Contractors should disturb as little soil as possible, preserve vegetation, keep sites clean, mulch, encourage grass growth, cover stock piles, use silt fences, provide inlet protection and check dams, and use sediment traps and water flow diversion techniques.

Mr. Koski added that the county will ratify a soil erosion and sediment control ordinance next week requiring his office to deal with enforcement. Although it is impossible to keep a site clean constantly, he stated that contractors should be sure roads are cleaned up to minimize mud. Staff training was recommended, as was review of the engineer's plans to be sure that silt fences and other controls on the plans are necessary as anything specified on the plans must be followed.

VII. Executive Committee Meeting Change - Next meeting, March 12th, 9:30 a.m., at Spicer Group.

VIII. Adjournment

*Moved by Len Ballosh, seconded by John Premo to adjourn this meeting of the SASWA at 3:15 p.m.
MOTION CARRIED.*

Respectfully submitted,

Dan Sika, Secretary