

Gregg  
Miller  
Nash  
Suma  
Wiley

CLINTON RIVER SPILLWAY  
INTER-COUNTY DRAINAGE BOARD  
MAY 21, 2019  
10:00 A.M.  
AGENDA

	Page
1. Call of meeting to order and roll call	
2. Approval of Agenda	
3. Approval of Minutes of meeting of April 23, 2019	3
4. Public Participation	
5. Project Update – Jeff Bednar	
6. Insurance Policy Renewal – Bruce Manning/Stephen Saph	6
Motion: To approve the general liability insurance coverage renewal with Argonaut Insurance Company in the amount of \$72,760 (Clinton River share \$23,871)	
7. Consideration for approval of invoices (see attached)	9
8. Financial Update – Bruce Manning	10
9. Old Business	
10. New Business	
11. Adjourn	



# CLINTON RIVER SPILLWAY

## LAPEER, MACOMB, OAKLAND, & ST CLAIR COUNTIES



Drain Length (Feet/Miles):  
11,281.34 / 2.14

**Legend**

Open Channel

- Ditch
- Pond



A meeting of the Inter-County Drainage Board for the **CLINTON RIVER SPILLWAY DRAIN** was held in the Office of the Macomb County Public Works Commissioner, 21777 Dunham Road, Clinton Township, Michigan on April 23, 2019.

PRESENT: Michael Gregg, Chairman  
Michigan Department of Agriculture & Rural Development

Anne Vaara, Member  
Office of Oakland County Water Resources Commissioner

Candice S. Miller, Secretary  
Macomb County Public Works Commissioner

Joe Suma, Member  
Lapeer County Drain Commissioner

ABSENT: Robert Wiley, Member, St. Clair County Drain Commissioner

ALSO PRESENT: Steve Korth, Manager, Megan Koss, Staff Assistant, George Nichols, Civil Engineer III, Office of Oakland County Water Resources; Brian Baker, Chief Deputy, Jeff Bednar P.E., Environmental Resources Manager, Kellie Kource, Drain Account Specialist, Karen Czernel, Deputy, Dan Heaton, Communications Manager, Macomb County Public Works; James Burton, Hubbell, Roth & Clark; Dana Dugger, Clinton Township Resident

The Chairman called the meeting to order at 10:11 a.m.

A motion was made by Mr. Suma, supported by Ms. Miller to approve the agenda as presented.

Adopted: YEAS: 4  
NAYS: 0

The minutes of the meeting of February 26, 2019 were presented. A motion was made by Ms. Vaara, supported by Ms. Miller to approve the minutes as presented.

Adopted: YEAS: 4  
NAYS: 0

The meeting was open to the public participation, Dana Dugger, resident of Clinton Township, presented photos and updates on the state of the Spillway to the board. Photos shown: only half the planting of the evergreens by Harper has survived; dirt bike damage on the Spillway; the need to re-seed East of Harper; a shell of a boat was dumped at the end of Union Lake; fence in the staging area that is damaged due to the unloading of trees; access point by the bridge could use a post to make it less accessible to motor vehicles; parking area with damage from a 4x4 vehicle; illegal dumping near north end (Harper) of the parking area; more dumping on south side of Union Lake by the bike path; storm water drain erosion that appears to be coming from the nursing home; north side still has dumping left from last year. Dana contacted Clinton Township to see if some Eagle Scouts would be interested in refurbishing the rest area benches on the south side by the bike trail. Dana talked to State Representatives regarding funding to purchase the 6 acre parcel, the bill has cleared the House and he hopes that some of the funds could go towards maintenance of the Spillway such as mowing.

Mr. Baker stated that we did go out and tag the boat and will have Tammy follow up. Mr. Gregg stated that the motorbike and 4x4 vehicle issues are enforcement issues and it is tough to block off pedestrian access.

A motion was made by Ms. Miller, supported by Ms. Vaara to receive and file the public participation documents.

Adopted: YEAS: 4  
NAYS: 0

Mr. Bednar updated the board that there is not a warranty on the trees, however the contract is still open and we will hold the contractor accountable to replace them. Mr. Burton then updated the board that they will be checking over the property now that trees and plants are blooming to see what is alive and dead before the closure of the contract. They expect to have an updated report next month with timing for replacement and clean up. Expected close out is October.

A motion was made by Ms. Vaara, supported by Mr. Suma to receive and file the project update by Mr. Bednar and Mr. Burton.

Adopted: YEAS: 4  
NAYS: 0

The Chairman presented the invoice totaling \$29,517.01 as provided to the Board for review and approval.

A motion was made by Ms. Miller, supported by Mr. Suma to approve the invoice as presented.

Adopted: YEAS: 4  
NAYS: 0

A motion was made by Mr. Suma, supported by Ms. Miller to receive and file the financial report presented by Mr. Baker.

Adopted: YEAS: 4  
NAYS: 0

There being no further business, it was moved by Mr. Miller supported by Mr. Suma that the meeting of the Clinton River Spillway Inter-County Drainage Board be adjourned.

Adopted: YEAS: 4  
NAYS: 0

The meeting was adjourned at approximately 10:32 a.m.

  
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Candice S. Miller, Secretary  
Clinton River Spillway Inter-County Drainage Board

STATE OF MICHIGAN  
COUNTY OF MACOMB

I certify that the foregoing is a true and correct copy of proceedings taken by the Inter-County Drainage Board for the Drainage District shown on the attached set of Minutes, on April 23, 2019. The original of which is on file in the Public Works Commissioner's Office. Public notice of the meeting was given pursuant to Act No. 267, Public Acts of Michigan, 1975, including, in the case of a special or rescheduled meeting or a meeting secured for more than 36 hours, notice by posting at least 18 hours prior to the time set for the meeting.

  
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Candice S. Miller, Secretary  
Clinton River Spillway Inter-County Drainage Board

DATED: 4/23/19



# NICKEL & SAPH, INC.

INSURANCE SINCE 1929

MAILING ADDRESS:

P.O. BOX 46907  
MT. CLEMENS, MI 48046-6907

OFFICE ADDRESS:

44 MACOMB PLACE  
MT. CLEMENS, MI 48043  
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May 6, 2019

Mr. Brian Baker  
Macomb County Public Works  
21777 Dunham Road  
Clinton Twp., MI 48036

Re: Macomb County Inter-Drains Drainage Districts

Dear Mr. Baker:

Enclosed, please find our renewal offering for the casualty insurance coverages for the independent inter-county drainage districts that have been formed through the years for the construction, operation, and maintenance of some storm and sanitary drains within Macomb County and beyond county boundaries. These districts are acknowledged as distinct, independent entities. As distinct entities, the districts are not part of any budgeted Macomb County unit of government and therefore not insured under insurance policies secured by the County.

Of the various insurance coverages discussed, this correspondence will address General Liability and Public Officials' Liability coverages. This correspondence contains:

I. Responding Insurance Carrier Renewal Proposal

Please review this information and contact our offices with any questions or concerns. Thank you.

Sincerely,

Stephen R. Saph Jr.  
Agent

cc: John P. Anderson, Esq.

Enclosure



## I. Responding Insurance Carrier Proposal

### Trident Public Risk Solutions Presenting Argonaut Insurance Company

Rating – A XIV Stable, Admitted

General Liability, Non-Owned Automobile Liability, and Public Officials' Liability – all afforded on an Occurrence basis excess of a retained limit.

The retained limit is applicable to both defense costs and the payment of third-party damages.

Defense expenses are outside of the limits of liability afforded by the carrier (payment of defense expenses will not reduce the available limits of liability).

An aggregate does not apply to the Automobile Liability coverage.

Excludes Employment Practices Liability.

Separate limits are afforded for each line of coverage (general liability, public officials', and automobile liability). Payment of damages for one line of coverage will not impact or reduce the limits available and dedicated to the remaining lines of coverage.

Each Occurrence Limit –	11,000,000
Aggregate Limit –	12,000,000
Retained Limit -	250,000
Annual Premium (excluding Terrorism) -	70,886
Additional Premium for Terrorism -	1,874
<b>Total Annual Premium -</b>	<b>72,760</b>

Expiring Annual premium - \$70,180. Renewal premium has increased \$2,580 or 3.68%. Current policy expiration date – June 28, 2019.

Argonaut requires the continued involvement of a third-party administrator. The ASU Group currently affords these services by way of a separate agreement.

Stephen R. Saph Jr.

**Nickel & Saph, Inc, Insurance Agency**

586-463-4573

586-747-9315

586-463-3135

[stephenjr@nickelsaph.com](mailto:stephenjr@nickelsaph.com)

May 6, 2019

Macomb County Public Works  
 Liability Insurance - Renewal 6/28/2019  
 Chapter 21

DRAIN	2018 Premium (Based on 2018 O&M Expenses)	2019 Premium (Based on 2018 & 2019 O&M Expenses)	Dollar Change
Bear Creek <sup>1</sup>	43.93% \$ 30,829	59.67% \$ 43,416	\$ 12,587
Clinton River Spillway <sup>2</sup>	51.46% \$ 36,116	32.81% \$ 23,871	\$ (12,246)
McCoy Relief	3.86% \$ 2,709	1.51% \$ 1,097	\$ (1,612)
Red Run (all)	0.05% \$ 35	0.02% \$ 14	\$ (21)
Sharkey Relief <sup>3</sup>	0.17% \$ 120	5.78% \$ 4,203	\$ 4,083
Richmond-Columbus	0.53% \$ 371	0.21% \$ 150	\$ (221)
Crapeau Creek	0.00% \$ -	0.01% \$ 9	\$ 9
Totals	100.00% \$ 70,180	100.00% \$ 72,760	\$ 2,580
<b>Insurance Premiums</b>	<b>\$ 70,180</b>	<b>\$ 72,760</b>	

DRAIN	AVAILABLE FUNDS
Bear Creek <sup>4</sup>	\$ 445,630
Clinton River Spillway	\$ 187,020
McCoy Relief	\$ 270,362
Red Run (all)	\$ 359,473
Sharkey Relief	\$ 534,682
Richmond-Columbus	\$ 50,927
Crapeau Creek	\$ 12,781

<sup>1</sup>Bear Creek expenses are significant higher than previous year due to Sinkhole, Sewer Inspection, Liability Insurance

<sup>2</sup>Clinton River expenses higher than previous year due to Liability Insurance, however percentage lower because of the significant increase in Bear Creek

<sup>3</sup>Sharkey expenses higher because of CCTV Investigation and Set up. The expenses represent our 10% of the SAW Grant

<sup>4</sup>\$700,000 of Bear Creek money is in reserve for future operation and maintenance per November 1998 Board Meeting



CLINTON RIVER SPILLWAY INVOICE 5/07/19

<u>Funding Source</u>	<u>Apportionment</u>	<u>Manager</u>	<u>Vendor</u>	<u>Amount</u>	<u>Invoice Detail</u>	<u>Project Summary</u>	<u>Project Balance</u>
Clinton River	Chapter 21 NOAA Grant (Closing Date 06.30.19)	Bednar	Hubbell, Roth & Clark, Inc.	\$ 4,975.60	Invoice #167493 - 01.28.19	Professional Services through 12.29.18	\$ 244,598.95
<b>Total</b>				\$ 4,975.60			

**YTD Trial Balance**

**Fund: Clinton River Spillway**

**As of Fiscal Period: Oct 1, 2018-Apr 30, 2019**

	<b>O&amp;M Balance 9/30/2018</b>	<b>O&amp;M</b>	<b>TOTAL 4/30/2019</b>
<b>Cash - Operating</b>	195,411	(2,940)	192,471
<b>Accounts Receivable</b>			0
<b>Assets</b>			0
<b>Liabilities</b>			0
<b>Revenues</b>		852	852
<b>Expenditures</b>		3,792	3,792
<b>Equity</b>	195,411		192,471

**NOTES**

Remaining balance-NOAA Grant 216,728  
 Remaining balance-EPA Grant(Total) 499,433 Total shows amount remaining for  
 Both grants require no match Partridge Creek, McBride and Spillway projects