



Minutes

**YPSILANTI COMMUNITY UTILITIES AUTHORITY
BOARD OF COMMISSIONERS MEETING
Wednesday, December 20, 2023 – 3:00 p.m.
YCUA Administration Building
2777 State Road
Ypsilanti, MI 48198-9112**

Members Present: Michael Bodary, Jon R. Ichesco, Larry J. Doe, Gloria C. Peterson, and David Ostrowski.

Members Absent: None.

1. **CALL TO ORDER:** Mr. Bodary called the meeting to order at 3:03 p.m.
2. **MINUTES OF THE PREVIOUS MEETING:** Motion by Doe to receive and file the minutes of the November 15, 2023, meeting as presented. Support by Ichesco. In favor: Doe, Ichesco, Peterson, Ostrowski, and Bodary. Opposed: None. (Motion carried.)
3. **NEW BUSINESS:**
 - A. **Request to Approve - Authorization to Purchase Equipment re: WESP Repairs in the amount of \$318,000.00 – Scott Westover and Ryan Stetler**

Motion by Ostrowski to approve Authorization to Purchase Equipment re: WESP Repairs. Support by Doe.

Mr. Westover advised in the packet there was a proposal to repair damaged components in the WESP. Mr. Westover reported damaged components were found a couple of months ago. Mr. Westover advised that similar to the primary clarifier repair last year, the replacement equipment would be ordered in advance to minimize downtime when the work is performed.

Mr. Bodary inquired why the lead time is 17-20 weeks. Mr. Westover advised he was unaware of the specific reason, but the process of equipment manufacturing now has a new normal of 4-6 months for ordering. Mr. Stetler advised the stainless steel manufacturing takes time

as this is not a standard shelf-stocked item. Mr. Bodary also inquired about PCC as a sole source vendor. Mr. Stetler advised the original equipment was manufactured and purchased from AirPol and two years ago, PCC purchased AirPol. Mr. Stetler stated sole source documentation is included with the procurement documentation.

Mr. Bodary inquired for further questions and there were none.

In favor: Doe, Ichesco, Peterson, Ostrowski, and Bodary. Opposed: None. (Motion carried.)

B. Request to Approve – Change Order #1 re: 2023 Road Repairs Phase 1 in the amount of \$30,159.04 (O & M Expense Account No. 550-815) – Scott Westover

Motion by Doe to approve Change Order #1 re: 2023 Road Repairs Phase 1 in the amount of \$30,159.00. Support by Ichesco.

Mr. Westover advised in the packet there was a memo dated December 5th along with a change order dated November 30th for overage to the contract. Mr. Westover stated the overage was driven by three additional locations added to the contract along with several locations with thicker pavement than YCUA had on record, along with the replacement of a culvert.

Mr. Bodary inquired as to the total cost of the contract. Mr. Westover advised the original bid was just over \$391,000. Mr. Bodary inquired for further questions and there were none.

In favor: Doe, Ichesco, Peterson, Ostrowski, and Bodary. Opposed: None. (Motion carried.)

C. Request to Approve – Final Acceptance as Public re: Sauter Private Road – Scott Westover

Motion by Ichesco to approve Final Acceptance as Public re: Sauter Private Road. Support by Doe.

Mr. Westover advised in the packet there was a memo dated November 29th along with a letter from OHM recommending acceptance of this project. Mr. Westover advised that YCUA will accept responsibility for 600 feet of 8” diameter water main as the developer has satisfied all requirements. Mr. Westover stated that we recommend acceptance.

Mr. Bodary inquired if there would be sewer work involved with the road. Mr. Westover advised he does not anticipate any sewer work and he expects onsite systems for each residential site. Mr. Bodary inquired for further questions and there were none.

In favor: Doe, Ichesco, Peterson, Ostrowski, and Bodary. Opposed: None.
(Motion carried.)

D. Request to Approve – Award of Bids re: Wastewater Treatment Plant Bulk Chemicals (NaOH-NaOCl) Purchase in the approximate amount of \$125,000 (O & M Expense Account No. 592-550-736-000) for January 1, 2024, thru August 31, 2024 – Sreedhar Mullapudi

Motion by Peterson to approve Award of Bids re: Wastewater Treatment Plant Bulk Chemicals (NaOH-NaOCl) Purchase in the approximate amount of \$125,000. Support by Ostrowski.

Mr. Mullapudi requested the approval of the contract award for the bulk chemicals to the lowest bidders. Mr. Mullapudi recommended the Sodium Hydroxide agreement be awarded to Chemical Services, Inc. for January 1, 2024-April 30, 2024 and to JCI Jones Chemicals, Inc. for May 1, 2024-August 31, 2024. Mr. Mullapudi stated that we have never worked with Chemical Services, Inc. but all of their references have checked out. Mr. Mullapudi recommended the Sodium Hypochlorite agreement be awarded to JCI Jones Chemical, Inc. for January 1, 2024, - August 31, 2024.

Mr. Bodary inquired for further questions and there were none.

In favor: Doe, Ichesco, Peterson, Ostrowski, and Bodary. Opposed: None.
(Motion carried.)

E. Fund Balance Report – Dwayne Harrigan

Informational only; no motion from the Board required.

F. Financial Report – Authority Net Assets – Dwayne Harrigan

Informational only; no motion from the Board required.

G. Usage Report – Consumption Report – Luther Blackburn

Mr. Blackburn advised the Board that the November month-to-month comparison shows water sales are down 0.3% and sewer sales are up 10.7%. Mr. Blackburn stated the year-to-date comparison shows water sales are down 3.8% and sewer sales are up 11.3%.

Informational only; no motion from the Board required.

H. Attorney's Report – Matthew T. Jane

Mr. Blackburn stated he requested Mr. Jane to provide a presentation to the Board regarding the class action lawsuit with PFAS against 3M and Dupont by public water systems.

Mr. Jane advised a consolidated lawsuit has been filed in South Carolina to handle the many cases claiming public water supplies have been contaminated by PFAS or “Forever Chemicals.” Mr. Jane stated the courts have reached proposed settlements with both 3M and Dupont with class members of nearly 12,000 water suppliers. Mr. Jane explained the claimants are divided into two groups with YCUA belonging to the phase 2 group which will be required to test water supplies.

Mr. Jane advised that YCUA as a phase 2 claimant has chosen to remain in the lawsuit along with other local water suppliers like the City of Ann Arbor and Great Lakes Water Authority. Mr. Jane advised that YCUA has not detected any PFAS in the water supply and remaining in the lawsuit allows YCUA to potentially recoup testing costs as part of the settlement.

Mr. Jane stated Great Lakes Water Authority has released a statement advising GLWA members might be prevented from asserting PFAS legal claims as a member of a regional water authority.

Mr. Jane explained that if the settlements are approved, YCUA will have to submit the appropriate claim forms and test results to move forward in the lawsuit.

Mr. Blackburn advised the impacts vary across different water supplies with GLWA having a larger water body for intake with their testing for PFAS being at “non detect” since 2009 for these contaminants. Mr. Blackburn stated there are likely new standards for drinking water coming, possibly as early as next year, with the limits for PFAS being “non detect.” Mr. Jane stated that remaining a part of the lawsuit is important if a water supplier moves from a phase 2 claimant (monitoring) to a phase 1 claimant (PFAS detected in water supply) as it will affect the size of the potential claim.

Mr. Doe inquired if GLWA was responsible for the testing. Mr. Knapp advised that UCMR5 will require YCUA to test for PFAS in August of 2024 for the first time. Mr. Knapp confirmed YCUA could submit for expenses involved with the UCMR5 rule including sample taking at multiple entry points and testing costs with the lab.

Mr. Blackburn stated drinking water testing is completely separate from the WWTP. Mr. Blackburn stated that YCUA’s WWTP effluent has detectable concentrations of PFAS compounds and that YCUA has known point source discharges of PFAS (landfills, metal finishers). Mr. Blackburn advised that YCUA is already incurring costs and managing PFAS in the effluent.

Mr. Bodary inquired about PFAS detection in firefighter foams in relation to Willow Run Airport and with our local fire departments. Mr. Knapp advised the City of Ypsilanti built concrete pads to contain the foam discharge into the stormwater drains. Mr. Mullapudi stated YCUA has coordinated with all local fire departments and some are using the foam with PFAS. Mr. Mullapudi stated that all fire departments have agreed to contact YCUA when the foam is used.

Informational only; no motion from the Board required.

H. Executive Director's Report – Luther Blackburn

Mr. Blackburn advised the Board that the dispute between the Great Lakes Water Authority and the City of Highland Park has reached a resolution. Mr. Blackburn stated the City of Highland Park has now agreed to begin making payments for water and sewer charges to GLWA. Mr. Blackburn advised there was about \$12,000,000 of bad debt of which approximately \$5,000,000 has been covered by member partners including YCUA. Mr. Blackburn stated initially GWLA was intending to use the funds for capital improvements, but now GLWA intends to issue credit to the member partners as these costs are recouped. Mr. Blackburn stated YCUA is a water only member partner with GLWA and can expect about two percent of any monies refunded to member partners.

Mr. Blackburn advised in January YCUA will be putting together a request for bids on Bidnet for a managed service provider for IT services as the current vendor's contract has expired. Mr. Blackburn advised that YCUA had received board approval for vehicles last year and has just placed requests for bid for several vehicles onto Bidnet.

4. OLD BUSINESS: There was no Old Business for the month.

5. OTHER BUSINESS:

Mr. Ostrowski explained some residents in the Rawsonville Road and Martz Road area approached him regarding the very strong sewer odor for over a week at the waste pump station. Mr. Ostrowski requested an explanation for the cause of the odor that he could provide to the residents. Mr. Blackburn requested Mr. Ostrowski always send those customers immediately to YCUA customer service to have the complaints logged as YCUA follows up individually with each complainant. Mr. Blackburn also advised that having staff document the odor complaint noting exactly where the odor is at which allows staff to look at different characteristics of the odors to ensure YCUA knows where the odor is coming from.

Mr. Stetler stated YCUA became aware of these complaints several weeks ago. Mr. Stetler stated the Martz Road pump station has an onsite odor control unit. Mr. Stetler advised his staff located condensation in the unit which was drained and then determined the carbon needed to be replaced. Mr. Stetler advised the carbon has been replaced and the odor scrubber is currently functioning properly. Mr. Stetler explained that the Snow Road pump station also has an odor scrubber.

6. **STATEMENTS AND CHECKS:** Motion by Ichesco to pay the current month's bills in the amount of \$4,788,190.96. Support by Ostrowski. In favor: Doe, Ichesco, Peterson, Ostrowski, and Bodary. Opposed: None. (Motion carried.)
7. **PUBLIC COMMENTS:** There were no Public Comments for the month.
8. **ADJOURNMENT:** Motion by Doe to adjourn the meeting at 3:42 p.m. Support by Ichesco. In favor: Doe, Ichesco, Peterson, Ostrowski, and Bodary. Opposed: None. (Motion carried.)

Respectfully submitted,

MICHAEL BODARY, Chair