

## M I N U T E S

Board of Public Works  
Michael E. Kobza Hall of Justice  
Muskegon, Michigan  
September 11, 2008

### CALL TO ORDER

The meeting was called to order by Vice Chairman Marvin Engle at 3:36 p.m.

### ROLL

Present: Don Aley; Charles Buzzell; Lewis Collins; Marvin Engle; Martin Hulka; Kenneth Mahoney; I. John Snider; Roger Wade; Louis McMurray.

### Staff

Present: Dave Kendrick, Director of Public Works; John Warner, Deputy Director of Public Works; Mark Eisenbarth, Deputy Director of Public Works for Wastewater; Ted Williams, Corporate Counsel; Karen Fisher, Secretary.

### Others

Present: Tony Tague, County Prosecutor; Tony Moulatsiotis, County Treasurer; Charles Nash, Commissioner-elect; News Media.

### BPW-08-186 - APPROVAL OF AGENDA

Moved by Mr. Wade, seconded by Mr. Collins, to approve the agenda with the removal of Item #11, Uncollectible Bad Debt, and the addendum.

Motion carried

### BPW-08-187 - APPROVAL OF MINUTES

Moved by Mr. Wade, seconded by Mr. Mahoney, to approve the minutes of the regular meeting held August 14, 2008 and the closed session held August 14, 2008.

Motion carried

BPW-08-188 - ACCOUNTS PAYABLE

Moved by Mr. Aley, seconded by Mr. Snider, to approve the Accounts Payable in the total amount of \$671,547.45, as follows:

1. Parks Fund 2080 - \$16,313.38
2. Water System Improvement Bond Fund 4150 - \$3,000.00
3. Muskegon Charter, Egelston, Dalton Townships Sewer Fund 6441 - 135,659.28
4. Solid Waste Fund 5710 - \$254.36
5. Regional Water System Fund 5910 - \$484,979.43
6. Laketon Township Sewer Fund 8834 - \$31,341.00

Roll call: Ayes - Mahoney; Snider; Wade; Aley; Buzzell; Collins; Engle; Hulka; McMurray.

Nays - None.

Motion carried

BPW-08-189 - MUSKEGON COUNTY BUSINESS PARK - NORTH - CONTRACT CHANGE ORDER #5

Moved by Mr. Snider, seconded by Mr. Collins, to approve Contract Change Order #5 (revised) to the Muskegon County Business Park - North construction project (RFB-07-1551) in the amount of an increase to the contract of \$902.23 bringing the total contract cost to \$1,665,168.16 with costs being paid partially from the Northside Water construction fund, 4150-4151 and partially from an EDA grant.

Roll call: Ayes - Snider; Wade; Aley; Buzzell; Collins; Engle; Hulka; Mahoney; McMurray.

Nays - None.

Motion carried

Board of Public Works  
September 11, 2008  
Page Three

BPW-08-190 - MUSKEGON COUNTY BUSINESS PARK - NORTH - CONTRACT  
CHANGE ORDER #6

Moved by Mr. Aley, seconded by Mr. Wade, to approve Contract Change Order #6 (revised), the balancing change order to the Muskegon County Business Park - North construction project (RFB-07-1551) for a contract reduction of \$38,993.22 bringing the total contract amount to \$1,626,174.94 with costs being paid in part by the Northside Water construction fund, 4150-4151 and in part by an EDA grant.

Roll call: Ayes - Wade; Aley; Buzzell; Collins; Engle; Hulka;  
Mahoney; Snider; McMurray.

Nays - None.

Motion carried

BPW-08-191 - QUARTERLINE ROAD WATERMAIN RELINING PROJECT -  
CONTRACT CHANGE ORDER #2

Moved by Mr. Collins, seconded by Mr. Mahoney, to approve Contract Change Order #2 for the Quarterline Road Watermain Relining project (RFB-08-1589) in the amount of a decrease of \$272.51 bringing the total contract price to \$742,349.34 which is to be paid from the water system bond fund 5910-0555.

Roll call: Ayes - Aley; Buzzell; Collins; Engle; Hulka; Mahoney;  
Snider; Wade; McMurray.

Nays - None.

Motion carried

BPW-08-192 - SOLID WASTE TIPPING FEE - LIVESTOCK/LIVESTOCK PARTS

Moved by Mr. Aley, seconded by Mr. Wade, to increase the tipping fees at the Solid Waste Management System to \$42.00 per ton for livestock and livestock parts with a \$25.00 per load minimum with the new rate to be effective as of December 1, 2008.

Board of Public Works  
September 11, 2008  
Page Four

BPW-08-192 - SOLID WASTE TIPPING FEE - LIVESTOCK/LIVESTOCK PARTS  
CONT'D

Roll call: Ayes - Buzzell; Collins; Engle; Hulka; Mahoney;  
Snider; Wade; Aley; McMurray.

Nays - None.

Motion carried

BPW-08-193 - 2009 SOLID WASTE/FLY ASH BUDGET

Moved by Mr. Wade, seconded by Mr. Mahoney, to approve the Solid Waste budget for FY 2009 as presented (with Solid Waste, fund 5710 revenues of \$3,649,241 and expenditures of \$4,095,014; Fly Ash, fund 5711 with revenues of \$53,000 and expenditures of \$126,003) and recommend same to the Board of Commissioners.

Roll call: Ayes - Collins; Engle; Hulka; Mahoney; Snider; Wade;  
Aley; Buzzell; McMurray.

Nays - None.

Motion carried

BPW-08-194 - 2009 REGIONAL WATER SYSTEM BUDGET

Moved by Mr. Aley, seconded by Mr. Collins, to approve the budget for FY 2009 for the Muskegon County Regional Water System as presented (operating fund 5910 revenues of \$1,713,675 and expenditures of \$2,781,147 construction fund 4150 revenues of \$324,872 and expenditures of \$672,134) and recommend same to the Board of Commissioners.

Roll call: Ayes - Engle; Hulka; Mahoney; Snider; Wade; Aley;  
Buzzell; Collins; McMurray.

Nays - None.

Motion carried

BPW-08-195 - 2009 WASTEWATER CAPITAL BUDGETS, O&M BUDGETS &  
LABORATORY FEE TABLE

Moved by Mr. Wade, seconded by Mr. Aley, to recommend adoption of the proposed FY2009 Wastewater Operations and Maintenance budget (Fund 5920 with expenditures and revenues of \$12,748,360) to leave the gallonage rate unchanged at \$1,096.26 per million gallons; recommend setting the debt retirement rate at \$216.20 per million gallons for the \$17M bond issue, \$140.56 per million gallons for the \$17.5M bond issue (Phase I), and \$196.98 per million gallons as a bond pre-payment for the Phase II and 66-inch replacement bonds; and to recommend the Wastewater capital budgets (Funds 4911, 5938, and 5941) and the recommended Laboratory Fee Table, all for FY2009.

Roll call: Ayes - Hulka; Mahoney; Snider; Wade; Aley; Buzzell;  
Collins; Engle; McMurray.

Nays - None.

Motion carried

BPW-08-196 - PERMISSION TO BID - SEGMENT 2 - 66 INCH FORCE MAIN  
REPLACEMENT

Moved by Mr. Mahoney, seconded by Mr. Snider, to authorize Wastewater staff to advertise for bids the construction of Segment 2 of the 66-inch force main replacement, seek an MDEQ State Revolving Fund loan to finance same, and authorize the Public Works Board Chairman to sign the associated SRF paperwork.

Motion carried

BPW-08-197 - BOND COUNSEL - SEGMENT 2 - 66 INCH FORCE MAIN  
REPLACEMENT

Moved by Mr. Wade, seconded by Mr. Aley, to award the Bond Counsel work for Segment 2 of the Wastewater System 66-inch pipe replacement to Miller Canfield for \$50,000, per the conditions in their August 27, 2008, letter.

Board of Public Works  
September 11, 2008  
Page Six

BPW-08-197 - BOND COUNSEL - SEGMENT 2 - 66 INCH FORCE MAIN  
REPLACEMENT CONT'D

Roll call: Ayes - Snider; Wade; Aley; Buzzell; Collins; Engle;  
Hulka; Mahoney; McMurray.

Nays - None.

Motion carried

BPW-08-198 - ADVERTISE FOR BIDS - CLEANING & FILLING OF CRACKS IN  
ROADS SURROUNDING TREATMENT CELLS

Moved by Mr. Collins, seconded by Mr. Buzzell, to authorize  
Wastewater staff to advertise for bids the cleaning and filling  
of cracks in the 2.2 miles of road surrounding the Wastewater  
Plant treatment cells.

Motion carried

BPW-08-199 - CONCEPTUAL USE OF OLD TANNERY SLUDGE TREATMENT AREA  
BY MUSKEGON AREA ROCKETRY CLUB

Moved by Mr. Wade, seconded by Mr. Snider, to conceptually  
approve the use of a portion of the old tannery sludge treatment  
area on the Wastewater System for use by the Muskegon Area  
Rocketry Club and authorize County Corporate Counsel and Public  
Works Director to draft an applicable Agreement for future Board  
approval.

Motion carried

BPW-08-201 - INSTALLATION & PROGRAMMING TELEMETRY WORK -  
WHITEHALL PLANT PURGE WELLS

Moved by Mr. Aley, seconded by Mr. Mahoney, to approve the quote  
for Sidock Systems to perform the installation and programming  
telemetry work set forth in their quote for the Wastewater System  
to monitor and maintain the Whitehall Plant Purge Wells for  
\$27,215.

Board of Public Works  
September 11, 2008  
Page Seven

BPW-08-201 - INSTALLATION & PROGRAMMING TELEMETRY WORK -  
WHITEHALL PLANT PURGE WELLS CONT'D

Roll call: Ayes - Collins; Engle; Hulka; Mahoney; Snider; Wade;  
Aley; Buzzell; McMurray.

Nays - None.

Motion carried

BPW-08-202 - FUND TRANSFER - DALTON TOWNSHIP SEWER REU CASE

Moved by Mr. Wade, seconded by Mr. Mahoney, to authorize Public Works staff to transfer \$21,704.90 in legal expenses from the Wastewater System to the Regional Water System for Corporate Counsel's work in the Dalton Township sewer REU case.

Roll call: Ayes - Engle; Hulka; Mahoney; Snider; Wade; Aley;  
Buzzell; Collins; McMurray.

Nays - None.

Motion carried

BPW-08-203 - CONTINUING DISCLOSURE STATEMENT - LAKETON TOWNSHIP  
BONDS

Moved by Mr. Wade, seconded by Mr. Aley, to approve the Continuing Disclosure Statement requirements for the \$6,000,000 bond issued by Muskegon County and known officially as the Muskegon County Wastewater Management System (Township of Laketon), Series 2008 (General Obligation Limited Tax) for the Laketon Township sewer extension.

Motion carried

Board of Public Works  
September 11, 2008  
Page Eight

BPW-08-204 - LAKETON TOWNSHIP SANITARY SEWER, WATERMAIN AND  
ROADWAY IMPROVEMENTS PROJECT CONTRACT NO. 2 - CONTRACT CHANGE  
ORDER #1

Moved by Mr. Aley, seconded by Mr. Wade, to approve Contract Change Order #1 to the Laketon Township Sanitary Sewer, Watermain and Roadway Improvements Project Contract No. 2 (RFB-08-1575) in the amount of an increase to the contract of \$14,216.25 bringing the total contract price to \$6,793,222.68 of which \$2,672,604.75 is the cost of water installation with costs for the water being paid from MDEQ funding and Regional Water System funds, 4150-4155.

Roll call: Ayes - Mahoney; Snider; Wade; Aley; Buzzell; Collins; Engle; Hulka; McMurray.

Nays - None.

Motion carried

BPW-08-205 - EGELSTON TOWNSHIP FIRE DEPARTMENT USE OF HOUSE FOR  
TRAINING EXERCISES AND LIVE BURN

Moved by Mr. Wade, seconded by Mr. Aley, to approve the request by the Egelston Township Fire Department to use the house located at 8719 E. Apple Avenue for training exercises and a live burn, contingent upon receipt by Muskegon County of appropriate insurance certificate naming Muskegon County as additional insured and receipt of executed Live Burn Participant Waivers from all firefighters who will be involved in the exercise and that Egelston Township meet all DEQ requirements for the controlled burn of the house.

Motion carried

BPW-08-206 - INFORMATION ITEMS

Moved by Mr. Aley, seconded by Mr. Collins, that the following information items be received and placed on file:

1. Public Works Monthly Operating Report - August 2008.

BPW-08-206 - INFORMATION ITEMS CONT'D

2. Muskegon Municipal Wastewater Management Committee Minutes - July 17, 2008.
3. Muskegon County Regional Water System Policy Board Minutes - August 12, 2008 (draft).

Motion carried

BPW-08-207 - OLD BUSINESS

Commissioner Buzzell asked if the County will still be responsible for the purge wells on the Whitehall Site if and when the site is sold or if that responsibility will transfer to the new owner.

Mr. Kendrick stated that it will continue to be the responsibility of the County.

BPW-08-208 - NEW BUSINESS

There was no new business.

BPW-08-209 - AUDIENCE PARTICIPATION

There was no audience participation.

BPW-08-210 - ADJOURN

Moved by Mr. Aley, seconded by Mr. Wade, to adjourn the meeting at 4:13 p.m.

Motion carried

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Marvin Engle, Vice Chairman

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Martin L. Hulka, Secretary

