

Muskegon County
Board of Public Works
October 12, 2017
4:00p.m.
Michael E. Kobza Hall of Justice
990 Terrace Street
Muskegon, MI 49442

Susie Hughes, Chair

Gary Foster, Vice Chair

MINUTES

CALL TO ORDER

The meeting was called to order by Chair Hughes at 4:00p.m.

ROLL

Present: Marvin Engle, Muskegon County Commissioner
Gary Foster, Muskegon County Commissioner
Susie Hughes, Muskegon County Commissioner
Ken Mahoney, Muskegon County Commissioner
Brenda Moore, Drain Commissioner
Charles Nash, Muskegon County Commissioner
I. John Snider II, Muskegon County Commissioner
Rillastine Wilkins, Muskegon County Commissioner
Kim Arter, Ex-officio Member

Excused: Robert Scolnik, Muskegon County Commissioner
Jerry Bartoszek, Ex-officio Member

Staff
Present: Dave Johnson, Wastewater Director
Matthew Farrar, Public Works Director
Steve Fink, Public Works Project Manager
Tina Nash, DPW Departmental Clerk
Doug Hughes, Corporate Counsel
Mark Eisenbarth, County Administrator
Beth Dick, Assistant Administrator & Finance Director
Benjamin E. Cross, Board of Commissioners Chairman
Jonathan Wilson, Economic Development Coordinator
Kristen Wade, Human Resources Director

BPW-17-109 APPROVAL OF THE AGENDA

Chair Hughes stated F.2 and F.3 would be removed from the agenda and the Brown's Pond Dam Public Hearing would take place at next month's meeting after proper notification is published. The Board will still hold a discussion and hear comments from citizens. Commissioner Nash questioned if F.1 should remain on the agenda. Discussion ensued. Doug Hughes stated they had the option to table F.1.

Moved by Commissioner Engle, seconded by Commissioner Mahoney, to approve the agenda as amended.

VOICE VOTE: **Motion carried**

BPW-17-110 APPROVAL OF MINUTES

Moved by Commissioner Engle, seconded by Commissioner Nash, to approve the minutes of the Board of Public Works meeting held on September 14, 2017.

VOICE VOTE: **Motion carried**

PUBLIC COMMENT ON AN AGENDA ITEM

None

BROWN'S POND DAM DISCUSSION & COMMENTS

Chair Hughes opened the floor for comments.

Gregory A. Vitkus stated Blue Lake Township should be obligated to pay their share. He stated there is public access to the dam and also hydrants.

Melonie Arbogast, Blue Lake Township Supervisor, stated the Blue Lake Township Board voted to not be a part of the levy based on the lack of ability for the public to reach it. Supervisor Arbogast stated it is private property all around. There isn't any public park or anything. Supervisor Arbogast stated in order to use the dry hydrants the fire department has to use pumper trucks which is a benefit to the people in that area. Supervisor Arbogast stated early on there was discussion to remove the dam due to the liability to Blue Lake Township; however it is an asset and benefit to the people who live around the pond and wanted water front. Supervisor Arbogast stated the request by Blue Lake Township's board is based on actual benefit to those living around the pond versus the benefit to the general public and the availability to use it. Supervisor Arbogast also stated Blue Lake Township would like catastrophic insurance to be levied against the special assessment.

Mike Hansen stated at the October 2nd meeting they met with counsel and it was communicated Blue Lake Township is required to participate in this assessment. Mike Hansen stated there would be future maintenance. He would like the County's corporate counsel to confirm what they were advised on October 2nd. Mike Hansen stated there is public traffic on the pond. There is a large campground nearby that benefits and the campground mentions the pond in their pamphlet. The two dry hydrants are two of three in the township which are significant to not just the properties around the pond. He questioned the catastrophic insurance and requested the County's corporate counsel look into it.

Donna Hansen stated the dam has always been an asset not only for the homeowners and campground. She stated she went and talked to people fishing on the dam and they come from surrounding areas. She stated there are "no parking" signs but the area is not patrolled. She stated the hydrants are pipes that come out of the ground and there is nothing stating they are hydrants. She stated she should not have to pay insurance on something she doesn't own. She stated she believes when they had a hearing earlier the Judge was going to make the recommendation the percentage be based on who benefited the most and the Judge agreed the campground benefited the most. She stated the County should have those records. She would like to see a deadline to the costs being assessed.

Debra Bowlin stated she has lived there 27 years and there is public use of that area. She stated several years ago they went through this and Blue Lake Township decided to take the dam over and there was an assessment at that time. She would like to know how legally they can be forced to pay these assessments. She stated she doesn't feel they should pay the township's catastrophic insurance.

(Submitted letters attached)

ITEMS FOR CONSIDERATION:

BPW-17-111 Approval to pay for Costs Related to the Brown's Pond Dam Improvements & Issue Special Assessment Bond

Discussion ensued regarding the public hearing, cost of the project and funding.

BPW-17-112 Moved by Commissioner Mahoney, seconded by Commissioner Engle, to table BPW-17-111.

Roll call:

Yes - Nash, Snider, Wilkins, Foster, Engle, Mahoney

No – Moore, Hughes

Excused – Scolnik

Motion carried

BPW-17-113 Approval to Submit Application to the MDEQ for 2017/18 Scrap Tire Cleanup Grant

Moved by Commissioner Mahoney, seconded by Commissioner Nash, to authorize the Department of Public Works to submit an application to the Michigan Department of Environmental Quality 2017/18 Scrap Tire Cleanup Grant Program and authorize the use of Solid Waste funds to pay for scheduled tire collection events in 2018.

Roll call:

Yes - Engle, Mahoney, Moore, Nash, Snider, Wilkins, Foster, Hughes

No – None

Excused – Scolnik

Motion carried

BPW-17-114 Award Landfill Gas Expansion Project (RFB 17-2276)

Moved by Commissioner Nash, seconded by Commissioner Engle, to award the 2017 landfill gas expansion project to Landfill Drilling and Piping Specialists for the low bid amount of \$119,853.00.

Roll call:

Yes - Mahoney, Moore, Nash, Snider, Wilkins, Foster, Engle, Hughes

No – None

Excused – Scolnik

Motion carried

BPW-17-115 Landfill Gas Agreement Notices

Moved by Commissioner Mahoney, seconded by Commissioner Engle, to authorize staff to provide the required notice to the landfill gas users to prevent the automatic renewal of the Agreements and to authorize the continued sale of the landfill gas month by month.

Matthew Farrar informed the Board that staff has met and discussed possible uses for the landfill gas. Matthew Farrar stated staff met with both Eagle Alloy and Sun Chemical regarding the Agreements.

Roll call:

Yes - Wilkins, Foster, Engle, Mahoney, Moore, Nash, Snider, Hughes

No – None

Excused – Scolnik,

Motion carried

BPW-17-116 Position Changes

Moved by Commissioner Snider, seconded by Commissioner Engle, to delete the Sustainability Coordinator position, make a salary range adjustment to the: Public Works Technician position to Pay grade NO-00190 (\$16.675 – \$20.664/hour), Facilities Coordinator (N32801) – Pay grade NO-00120 (\$13.768-\$17.28/hour) to Pay grade NO-00164 (\$14.743-\$18.682/hour), Solid Waste Operator (W32601) Pay grade WW-00080 (\$16.70-\$20.22/hour) to Pay grade WW-00090 (\$17.31-\$20.94/hour), and approve the reclassification of: Grounds Maintenance Supervisor (N37001) – Pay grade NO-00190 (\$16.675-\$20.664/hour) to Grounds Maintenance Coordinator – Pay grade NO-00200 (\$16.501-\$21.763/hour), Public Works Project Manager (X78701) – Pay grade NX-00410 (\$34.798-\$44.257/hour) to Public Works Engineer & Projects Manager Pay grade NX-00421 (\$35.512-\$45.172/hour), Departmental Clerk (G34005) – Pay grade GU-00138 (\$11.81-\$16.56/hour) to Public Works Coordinator Pay grade GU-00200 (\$14.47-\$20.51/hour), Administrative Analyst (X04008) Pay grade NX-00220 (\$21.763-\$27.425/hour) to Public Works Finance and Sustainability Administrator Pay grade NX-00300 (\$26.169-\$33.083/hour), Water System Supervisor (X93301) Pay grade NX-00290 (\$25.005-\$31.55/hour) to Environmental Manager Pay grade NX-00325 (\$28.862-\$36.524/hour), WW/SW Account Clerk II (W37501) Pay grade WW-00050 (\$13.58-\$17.10/hour) to Solid Waste Accounting Specialist Pay grade WW-00080 (\$16.70-\$20.22), Account Clerk II (G02013) Pay grade GU00138 (\$11.81-\$16.56) to Regional Water System Specialist Pay grade GU-00200 (\$14.47-\$20.51/hour) effective October 1, 2017.

Roll call:

Yes - Moore, Nash, Snider, Wilkins, Foster, Engle, Mahoney, Hughes

No – None

Excused – Scolnik,

Motion carried

BPW-17-117 Bid Flow Meter Calibration and Maintenance Service

Moved by Commissioner Snider, seconded by Commissioner Engle, to authorize the Purchasing Department to advertise for bids for flow meter calibration and maintenance service for calendar year 2018, with the option to extend the contract an additional two years.

VOICE VOTE: **Motion carried**

BPW-17-118 Bid RI System Upgrade Project

Moved by Commissioner Snider, seconded by Commissioner Engle, to authorize the Purchasing Department to advertise for bids for the Wastewater's RI System Upgrade project.

VOICE VOTE: **Motion carried**

BPW-17-119 Bid RI Pump Station Bar Screen and Flume Bar Screen

Moved by Commissioner Nash, seconded by Commissioner Wilkins, to authorize the Purchasing Department to advertise for bids for the RI pump station bar screen and the flume bar screen.

VOICE VOTE: **Motion carried**

BPW-17-120 Bid Cell 3 Improvements Project

Moved by Commissioner Engle, seconded by Commissioner Mahoney, to authorize the Purchasing Department to advertise for bids for the Wastewater's Cell 3 Improvements project.

VOICE VOTE: **Motion carried**

BPW-17-121 Bid Chemicals

Moved by Commissioner Nash, seconded by Commissioner Snider, to authorize the Purchasing Department to advertise for bids for the purchase of chemicals needed by the Wastewater in FY2018.

VOICE VOTE: **Motion carried**

BPW-17-122 Waive the Bidding Process for Purchase of Alfalfa, Corn, and Soybean Seed

Moved by Commissioner Nash, seconded by Commissioner Mahoney, to waive the County bidding process for the Wastewater's FY2018 purchase of alfalfa, corn, and soybean seed.

VOICE VOTE: **Motion carried**

BPW-17-123 Approve Change Order No. 1 to the Pump Station D Improvements Contract

Moved by Commissioner Engle, seconded by Commissioner Mahoney, to authorize Change Order No. 1 to the Pump Station D Improvements contract, which increases the project cost by \$5,150.00 from \$549,000.00 to \$554,150.00, and I authorize the Board Chair to sign same.

VOICE VOTE: **Motion carried**

BPW-17-124 Approve Vendor and Contractor Relationships for FY2018

Moved by Commissioner Nash, seconded by Commissioner Engle, to recognize that the vendor and contractor relationships outlined on the attached list be approved and allowed to continue through FY2018 for purchases less than \$25,000.00.

VOICE VOTE: **Motion carried**

BPW-17-125 Demand Response Program Agreement with Consumers Energy

Moved by Commissioner Mahoney, seconded by Commissioner Foster, to authorize the Board Chair to sign the agreement with Consumers Energy so that the Wastewater can participate in the 2018 Demand Response Program.

Dave Johnson explained the program to the Board.

VOICE VOTE: **Motion carried**

BPW-17-126 Authorize Repairs of Three Irrigation Pumps

Moved by Commissioner Snider, seconded by Commissioner Nash, to authorize Kennedy Industries to perform the repairs of three irrigation pumps for a total of \$59,910.00.

Dave Johnson explained that the vendor had given him a quote for purchasing new pumps so that the Department could compare the cost of repairing the old pumps with the cost of purchasing new ones. The quoted price appeared in the motion. After the agenda had been promulgated, the vendor said that the quoted price was in error and that the true cost of one new pump is \$130,000.00.

Roll call:

Yes - Engle, Mahoney, Moore, Nash, Snider, Wilkins, Foster, Hughes

No – None

Excused – Scolnik

Motion carried

BPW-17-127 Informational Items:

The following informational items were received and placed on file:

1. Public Works Monthly Operations Report, September 2017.
2. Wastewater Monthly Operating Report, September 2017.
3. Muskegon Municipal Wastewater Management Committee Minutes, September 2017(draft)

OLD BUSINESS

None

NEW BUSINESS

Commissioner Snider requested further background on Brown's Pond Dam. Matthew Farrar explained the State of Michigan inspects dams and requires certain things be done to the dam. The residents signed a petition and it went in front of the Judge and the Judge set the lake level and the special assessment properties. Matthew Farrar stated he believes the issue is Blue Lake Township wants to pay a flat fee of \$5,000 and the residents want the township to pay the same as them. Melonie Arbogast, Blue Lake Township Supervisor, stated it is their understanding the Public Works Board establishes the formula. Commissioner Snider asked about the properties in the special assessment. Matthew Farrar stated there was a map with the Judge's order. Discussion continued regarding the cost of the project, parcels included in the assessment, how the township acquired the dam, and the catastrophic insurance.

Mark Eisenbarth stated they had a public meeting at Blue Lake Township on Monday, October 2nd. Mark Eisenbarth stated Matthew Farrar, Steve Fink, Susan Franklin and the engineer who designed the dam were present. At the meeting they discussed the bidding results. They provided those present with examples of the costs if they did a 5 year, 15 year or a 20 year and interest rates. Mark Eisenbarth stated the all agreed and supported the \$8,000 plus for the project. Commissioner Engle questioned the catastrophic insurance. Doug Hughes stated he asked Kristen Wade to look into it. Mark Eisenbarth stated they also discussed future maintenance at the meeting.

PUBLIC COMMENT ON A NEW ITEM

Drain Commissioner Moore thanked everyone for the work they did between the Drain Office and the Road Commission Board.

ADJOURN

There being no further business to come before the Board of Public Works the meeting was adjourned at 5:00 p.m.

Susie Hughes, Chair