

Muskegon County  
Water System Policy Board  
March 21, 2017  
2:00 p.m.  
Michael E. Kobza Hall of Justice  
990 Terrace Street  
Board of Commissioners Room, 4<sup>th</sup> Floor

*Kim Arter, Chair*

*David Kieft, Vice Chair*

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MINUTES

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**CALL TO ORDER**

The meeting was called to order by Chair Arter at 2:00 p.m.

**ROLL**

Present: Kim Arter, Laketon Township Supervisor  
Tony Barnes, Dalton Township Supervisor  
Marcia Jeske, Fruitland Township Supervisor  
Susie Hughes, Muskegon County Commissioner  
David Kieft, Muskegon Charter Township Supervisor  
Kenneth Mahoney, Muskegon County Commissioner  
I. John Snider II, Muskegon County Commissioner

Excused:

Staff

Present: Matt Farrar, Public Works Director  
Steve Fink, Public Works Project Manager  
Robert Ribbens, Water System Supervisor  
Tina Nash, DPW Departmental Clerk  
Carly Hines, DPW Administrative Analyst  
David Bossenbroek, Attorney  
Mark Eisenbarth, Muskegon County Administrator  
Doug Hughes, Corporate Counsel for Muskegon County

### **APPROVAL OF AGENDA**

WSPB-17-018 Moved by Tony Barnes, seconded by Commissioner Mahoney, to approve the agenda as presented.

Voice Vote: **Motion Carried**

### **APPROVAL OF MINUTES**

WSPB-17-019 Moved by Commissioner Hughes, seconded by Tony Barnes, to approve the minutes of the Muskegon County Regional Water Policy Board meeting held on February 15, 2017.

Voice Vote: **Motion Carried**

### **PUBLIC COMMENT (on an agenda item)**

None

### **INFORMATION ITEMS**

WSPB-17-020 Moved by David Kieft, seconded by Commissioner Snider, that the following information items be received and placed on file:

1. Local Fund Balance Sheet for February 2017

Voice Vote: **Motion Carried**

### **REPORTS**

#### **Water System Update**

The Water System Update, Regional Water Fund Statements, Annual Pumpage/Usage Reports for Community Water Supply and the 2016 Water Supply Cross Connection Reports were accepted as written and distributed for information.

Marcia Jeske asked about the check to William Hughes Law Offices and what that bill was for. Matt Farrar stated he would get the information to the Board.

### **OLD BUSINESS**

Moved by Tony Barnes, seconded by David Kieft, to approve the reimbursement of all legal fees Muskegon Township incurred in relation to the lawsuit brought against them by Fruitland, Laketon and Dalton Townships; the reimbursement of any hydrant fees/system maintenance fees paid by each municipality between 2014-2016; the payment in full of the outstanding legal invoices for Jim Rose; and that no additional water system funds shall be expended for legal expenses incurred by any of the parties in relation to the Fruitland/Laketon/Dalton Townships vs Muskegon Township lawsuit/appeal if such fee was incurred after March 21, 2017.

Discussion ensued on whether the motion was properly made. No action was taken.

### **NEW BUSINESS**

Schedule Work Session to Discuss Future

WSPB-17-021 Moved by Commissioner Mahoney, seconded by Commissioner Snider, to hold a Work Session in the Board of Commissioners Room on Monday, April 17, 2017 at 2:00 p.m.

Voice Vote: **Motion Carried**

WSPB-17-022 Moved by Tony Barnes, seconded by David Kieft, to approve the reimbursement of all legal fees Muskegon Township incurred in relation to the lawsuit brought against them by Fruitland, Laketon and Dalton Townships; the reimbursement of any hydrant fees/system maintenance fees paid by each municipality between 2014-2016; the payment in full of the outstanding legal invoices for Jim Rose; and that no additional water system funds shall be expended for legal expenses incurred by any of the parties in relation to the Fruitland/Laketon/Dalton Townships vs Muskegon Township lawsuit/appeal if such fee was incurred after March 21, 2017.

There was further discussion on whether the motion was a proper motion or not. Chair Arter requested action items be submitted to her to be included on the agendas.

WSPB-17-023 Moved by Commissioner Snider, seconded by Marcia Jeske, to table the motion.

Voice Vote: **Motion Carried**

Moved by Tony Barnes, to immediately remove Dave Bossenbroek as the legal consultant to the Water Policy Board; to instruct staff to seek a RFQ for legal consultation only from attorneys that do not represent nor have any other relationship with any of the parties involved in the Muskegon County Regional Water System.

Chair Arter reiterated that action items be submitted to her to be included on the agendas.

**AUDIENCE PARTICIPATION**

None

**ADJOURN**

There being no further business to come before the Water System Policy Board, the meeting adjourned at 2:16 p.m.

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Kim Arter, Chair