

Muskegon County
Water System Policy Board
May 9, 2017
2:00 p.m.
Michael E. Kobza Hall of Justice
990 Terrace Street
Board of Commissioners Room, 4th Floor

Kim Arter, Chair

David Kieft, Vice Chair

MINUTES

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
Gary Foster, Muskegon County Commissioner (Alternate)
Marcia Jeske, Fruitland Township Supervisor
Susie Hughes, Muskegon County Commissioner
David Kieft, Muskegon Charter Township Supervisor
I. John Snider II, Muskegon County Commissioner

Excused: Kenneth Mahoney, Muskegon County Commissioner

Staff

Present: Matt Farrar, Public Works Director
Mark Eisenbarth, County Administrator
Tina Nash, DPW Departmental Clerk
Carly Hines, DPW Administrative Analyst
David Bossenbroek, Attorney
Doug Hughes, Corporate Counsel for Muskegon County

WSPB-17-027 APPROVAL OF AGENDA

Moved by Marcia Jeske, seconded by Commissioner Hughes, to approve the agenda as presented.

Voice Vote: **Motion Carried**

WSPB-17-028 APPROVAL OF MINUTES

Moved by Commissioner Hughes, seconded by Tony Barnes, to approve the minutes of the Muskegon County Regional Water Policy Board meeting held on April 24, 2017.

Voice Vote: **Motion Carried**

PUBLIC COMMENT (on an agenda item)

None

PRESENTATION

Fiscal Year 2018 Proposed Budget

Carly Hines presented the Fiscal Year 2018 and the Revised 2017 budget. Carly Hines listed some of the projects that were budgeted and stated there wasn't much change from last year's budget. Carly Hines answered questions concerning wages & benefits and the projected deficit. Commissioner Hughes asked about the funds that could be used for the channel crossing. Carly Hines explained the channel crossing project would come from remaining bond proceeds. Commissioner Hughes requested to see all funds related to the water system. Carly Hines will prepare a Balance Sheet report and send it to the Board members.

WSPB-17-029 Fiscal Year 2018 Proposed Budget

Moved by Commissioner Hughes, seconded by Commissioner Snider to table the budget recommendation until June.

Voice Vote: **Motion Carried**

ITEMS FOR CONSIDERATION

WSPB-17-030 Request for Qualification for Independent Counsel to Water Policy Board

Moved by Commissioner Hughes, seconded by Commissioner Snider, to direct staff to issue a Request for Qualifications for independent legal counsel for the Muskegon County Regional Water System Policy Board.

Roll call:

Yes – Barnes, Hughes, Jeske, Foster, Snider, Kieft, Arter

No –

Excused - Mahoney

Motion carried

WSPB-17-031 Water Cost of Service & Rate Study Recommendation/RFP 17-2257

Moved by Commissioner Snider, seconded by Commissioner Hughes, to recommend the Board of Public Works award the Water Rate Study, as specified in County RFP 17-2257, to Municipal Analytics for a not-to-exceed cost of \$36,900.

Roll call:

Yes – Jeske, Foster, Snider, Kieft, Barnes, Hughes, Arter

No –

Excused - Mahoney

Motion carried

WSPB-17-032 INFORMATIONAL ITEMS

Moved by David Kieft, seconded by Tony Barnes, that the following information items be received and placed on file:

1. Local Fund Balance Sheet for April 2017
2. New Meter Set for April 2017

Voice Vote: **Motion Carried**

REPORTS

Water System Update

The Water System Update was accepted as written and distributed in a memo for information.

Reliability Study Update

Matthew Farrar informed the Board it was submitted to the MDEQ for their review and a report will be available at the next meeting.

Asset Management Plan Update

Matthew Farrar informed the Board a recommendation will be brought to the Board at the next meeting.

Commissioner Snider asked what the Asset Management Plan will look at and if Municipal Analytics will use it when preparing the Water Rate Study. Matthew Farrar stated the Asset Management Plan will look at what the water system assets are. The plan will contain the value, priority and costs of the assets. Matthew Farrar stated Municipal Analytics will be given a copy of the Asset Management Plan and the Reliability Study.

David Kieft asked Matthew Farrar if staff would be attending the Muskegon Source Water Protection Committee presentation on Tuesday, May 23, 2017 and if staff could provide a summary to the Board. Matthew Farrar stated they would.

OLD BUSINESS

WSPB-17-033 Consider Reimburse Pooled Account for Attorney Fees

Chair Arter handed out the following motion.

Move to recommend Dalton, Fruitland and Laketon Townships reimburse the WPS Account \$83,366.33 for paid (\$54,870.96) and outstanding (\$28,795.37) attorney invoices paid by the account relative to MCC#15-04995-CK and MCA Docket #335743 and to reimburse to Dalton, Fruitland and Laketon \$60,800, \$6,800 and \$101,100 respectively for hydrant fees paid in 2013, 2014 and 2015.

Moved by Commissioner Hughes, seconded by Tony Barnes to have discussion.

Voice Vote: **Motion Carried**

Discussion ensued regarding the dollar allocation, difference in amount presented for legal work, legal fees invoiced, the resolution presented at the last meeting and the lawsuit.

Moved by Commissioner Snider, seconded by Marcia Jeske, to table the motion as presented.

Roll call:

Yes – Jeske, Snider, Arter

No – Kieft, Barnes, Hughes, Foster

Motion Failed

Discussion continued regarding the legal fees and maintenance fees. It was recommended Laketon Township, Fruitland Township and Dalton Township discuss the matter with their boards and attorneys.

WSPB-17-034 Attorney Invoices

Moved by David Kieft, seconded by Tony Barnes, not to pay \$28,495.37 at this time.

Discussion ensued regarding what was paid and what was still outstanding to Rose & Rose, P.L.C.

Roll call:

Yes – Barnes, Hughes, Jeske, Kieft

No – Foster, Snider, Arter

Excused - Mahoney

Motion carried

NEW BUSINESS

David Kieft requested the legal research completed by Dave Bossenbroek on 2/16/17 be emailed.

Matthew Farrar asked the Board what they would like staff to do. Marcia Jeske stated she would need to speak to the Fruitland Township Board and also would like to meet with both Chair Arter and Tony Barnes. Commissioner Hughes asked Matthew Farrar if he would be willing to meet with the townships. Matthew Farrar stated he would.

AUDIENCE PARTICIPATION

None

ADJOURN

There being no further business to come before the Water System Policy Board, the meeting adjourned at 3:14 p.m.

Kim Arter, Chair