

Muskegon County
Water System Policy Board
October 10, 2017
1:30 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 1:30 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
Tina Nash, DPW Departmental Clerk
Carly Hines, DPW Administrative Analyst
Steve Fink, Public Works Project Manager

WSPB-17-050 APPROVAL OF AGENDA

Moved by David Kieft, seconded by Tony Barnes, to approve the amended agenda by adding item F. 5.

Roll call:

Yes – Mahoney, Kieft, Barnes, Hughes, Jeske

No –Snider, Arter

Motion Carried

WSPB-17-051 APPROVAL OF MINUTES

Moved by Commissioner Hughes, seconded by Commissioner Snider, to approve the minutes of the Muskegon County Regional Water Policy Board meeting held on August 8, 2017.

Voice Vote: **Motion Carried**

PUBLIC COMMENT (on an agenda item)

Melissa Beegle, Fruitland Township Treasurer and alternate to the Water System Policy Board, read the following statement from Fruitland Township’s Board regarding items F. 3 and F. 4.

“The attempt to pay Muskegon Township’s attorney’s fees is unprecedented and an unauthorized act. Any action to approve those fees would be a violation of the agreement between the members and will likely result in continued litigation. There is no basis in law or in fact to justify the payment of Muskegon Township’s attorney’s fees. It appears as though this is being presented not based upon reason or policy but based upon some other motives.”

ITEMS FOR CONSIDERATION

WSPB-17-052 Meeting Schedule Change

Moved by Marcia Jeske, seconded by Commissioner Snider, to adopt the change to the 2017 meeting schedule for the months of November and December for Wednesdays at 10 a.m. unless canceled for lack of agenda items.

Roll call:

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

No –

Motion carried

WSPB-17-053 Laketon, Dalton, and Fruitland Township's Appeal Invoices

Moved by Tony Barnes, seconded by David Kieft, to recommend to the Board of Public Works that it not pay the attorney fees on behalf of Laketon, Dalton, and Fruitland Townships related to the appeal of the lower Court's decision.

Roll call:

Yes –Hughes, Kieft, Barnes

No – Jeske, Mahoney, Snider, Arter

Motion failed

WSPB-17-054 Muskegon Charter Township's Attorney Fees

Moved by David Kieft, seconded by Tony Barnes, to recommend to the Board of Public Works that it pay the attorney fees for Muskegon Township related to the original lawsuit and its reconsideration.

Roll call:

Yes – Kieft, Barnes, Hughes,

No – Snider, Jeske, Mahoney, Arter

Motion failed

WSPB-17-055 Muskegon Charter Township's Appeal Invoices

Moved by David Kieft, seconded by Tony Barnes, to recommend to the Board of Public Works that it pay the attorney fees for Muskegon Township related to the appeal of the original lawsuit and its reconsideration.

Roll call:

Yes – Hughes, Kieft, Barnes

No – Jeske, Mahoney, Snider, Arter

Motion failed

WSPB-17-056 Establish a Trust and Agency Fund

Moved by David Kieft, seconded by Commissioner Hughes, to establish a trust and agency fund and transfer the hydrant fees paid by Laketon, Dalton and Fruitland Township into the trust and agency fund; and to journalize the attorney fees paid by Laketon, Dalton, and Fruitland Townships out of this fund and credit the same in the Water Pooled Account.

A friendly amendment was made by Tony Barnes, seconded by Commissioner Hughes, to add to the motion - *proportionate to the number of hydrants.*

Discussion ensued.

Moved by David Kieft, seconded by Commissioner Hughes, to establish a trust and agency fund and transfer the hydrant fees paid by Laketon, Dalton and Fruitland Township into the trust and agency fund; and to journalize the attorney fees proportionate to the number hydrants, paid by Laketon, Dalton, and Fruitland Townships out of this fund and credit the same in the Water Pooled Account.

Roll call:

Yes – Barnes, Hughes, Kieft,

No – Jeske, Mahoney, Snider, Arter

Motion failed

WSPB-17-057 Establish a Trust and Agency Fund

Moved by David Kieft, seconded by Tony Barnes, to establish a trust and agency fund and transfer the hydrant fees paid by Laketon, Dalton and Fruitland Township into the trust and agency fund; and to journalize the attorney fees paid by Laketon, Dalton, and Fruitland Townships out of this fund and credit the same in the Water Pooled Account.

Roll call:

Yes – Kieft, Barnes, Hughes,

No – Jeske, Mahoney, Snider, Arter

Motion failed

WSPB-17-058 INFORMATIONAL ITEMS

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

1. Local Fund Balance Sheet for July 2017
2. Meter Set List for September 2017

Voice Vote: **Motion Carried**

REPORTS

Water System Update

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

Matthew Farrar updated the Board on the timeline for the Route Study for the channel crossing, Asset Management Plan and the Rate Study.

OLD BUSINESS

None

NEW BUSINESS

None

AUDIENCE PARTICIPATION

Joe Kemp representing the VFW #8846 Don Rea Post addressed the Board regarding the high sewer bills received quarterly. Joe Kemp stated in the REU schedule there is not a category that fits his organization. Joe Kemp gave examples of what the VFW is paying compared to other businesses. Joe Kemp requested the Board amend the REU schedule to reflect non-profit organizations or have the sewer bill be based on metered water.

Discussion ensued regarding the REU schedule.

Chair Arter requested staff and the WSPB attorney look into this and report back to the Board at next month's meeting.

ADJOURN

There being no further business to come before the Water System Policy Board, the meeting adjourned at 2:32 p.m.

Kim Arter, Chair