

Muskegon County  
Water System Policy Board  
March 3, 2021  
10:00 a.m.  
Electronic/Zoom

*Jennifer Hodges, Chair*

*Kim Arter, Vice Chair*

**MINUTES**

**CALL TO ORDER**

The meeting was called to order by Chair Hodges at 10:00 a.m.

**ROLL**

Present: Kim Arter, Laketon Township Supervisor - Laketon Township  
Jeffrey Martin, Dalton Township Supervisor – Dalton Township  
Jennifer Hodges, Muskegon Charter Township Supervisor – Muskegon Township  
Susie Hughes, Muskegon County Commissioner – Muskegon Township  
Jeffrey Marcinkowski, Fruitland Township Supervisor – Fruitland Township

Excused: Doug Brown, Muskegon County Commissioner  
Kim Cyr, Muskegon County Commissioner

Staff

Present: Matt Farrar, Public Works Director  
Tina Nash, Public Works Coordinator  
Steve Fink, Public Works Engineer & Projects Manager  
Carly Hysell, Public Works Finance and Sustainability Administrator  
Robert Ribbens, Environmental Manager  
Crystal Morgan, WSPB Attorney

**WSPB-21-010 APPROVAL OF AGENDA**

Moved by Commissioner Hughes, seconded by Kim Arter, to approve the agenda as presented.

Yes – Hughes, Marcinkowski, Martin, Arter, Hodges

No –

Excused - Brown, Cyr

**Motion carried**

**WSPB-21-011 APPROVAL OF MINUTES**

Moved by Commissioner Hughes, seconded by Kim Arter, to approve the minutes of the Muskegon County Regional Water Policy Board meeting held on February 3, 2021.

Yes – Marcinkowski, Martin, Arter, Hughes, Hodges

No –

Excused - Brown, Cyr

**Motion carried**

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

None

**DISCUSSION**

***Water Rates –***

Matthew Farrar stated the water rate study was updated and complete. Matthew Farrar presented the Board with two (2) scenarios regarding the 13.5 million bond issue. Matthew Farrar requested the Board review the scenarios and contact himself or Carly Hysell with any questions.

Chair Hodges asked Matthew Farrar about one large increase in April. Matthew Farrar stated they normally do not like to do that because of the increase in water use in the summer months; however staff will run that model and send it to the Board for review. Matthew Farrar stated this could be discussed further at the next meeting and a motion would be brought to the Board.

***Eastside Water System Capital Improvements -***

Matthew Farrar stated they are looking at selling bonds around June. Matthew Farrar stated they are waiting to see where the bids come in at for Contracts 2 and 3 of the Channel Crossing Project.

***Mandatory Connections -***

Matthew Farrar stated there is a possible new construction in Muskegon Township; however the home would be located about 700 ft from the right-of-way line. Matthew Farrar stated it was pointed out to him there is no maximum distance set for new construction to connect in the ordinance.

Crystal Morgan referred to section 5 of the Uniform Water Rate Ordinance. Crystal Morgan stated the ordinance speaks to existing premises within 200ft from the public water supply but does not give a distance for new construction.

Discussion ensued regarding the potential cost burden to the homeowner.

Chair Hodges explained Muskegon Township's issue to the Board and wanted to be sure the townships were all following the same procedures moving forward.

Crystal Morgan suggested the township supervisors also look at their sewer ordinances.

Discussion continued regarding setting a distance for new construction that would provide fresh water to the premise and the process to change to the ordinance.

Chair Hodges asked to see what other communities do.

Crystal Morgan stated it would be a good first step to allow staff to gather the information and present the findings to the Board to determine what may be reasonable.

It was stated that all townships would need to pass the ordinance.

Discussion ensued on ways to help a homeowner fund a connection. Crystal Morgan stated this would have to be at the local unit level, such as a special assessment. Chair Hodges stated Muskegon Township does special assessments and she would share that information with the other townships.

Matthew Farrar clarified the system owns the water service up to the property line and from there to the home it is private.

Staff will contact other communities and report those findings to the Board.

***Channel Crossing Project Update –***

Steve Fink stated Contract 3 is out for bid and is due March 19<sup>th</sup> and will be award in April. Steve Fink stated the project can't start until after Memorial Day. Steve Fink stated the start date for Contact 3 is approximately June 7<sup>th</sup>. The goal is to have water main installed and usable by August 30.

Steve Fink stated they are in the process of finalizing the bid document for Contract 2. Contract 2 will be put out to bid in 2 to 3 weeks. Contract 2 will be awarded in May due to the specialized work involved. Steve Fink stated this work for Contract 2 can't start until after Labor Day.

Steve Fink stated they are in the process of wrapping up details with permitting.

Matthew Farrar stated we have to have an easement through the State Park and will be required to get a use permit. Matthew Farrar stated we also will be required to pay for loss of revenue resulting from our project. Matthew Farrar stated the cost will be approximately \$104,000.00.

Matthew Farrar stated it was proposed we pay to hook up the State Park and not charge connection fees. If we do this, the State Park would work to waive the fees we would be required to pay (easement, use permit, and loss of revenue). The cost to connect the State Park is estimated at approximately \$85,000.00. Steve Fink spoke about the connection locations for the State Park and the areas it would serve. Steve Fink stated the Muskegon State Park is in favor of this; however they will need to get the required approvals from the MDNR Real Estate Division. Steve Fink stated on a similar project in Van Buren State Park twenty years ago the MDNR required an easement fee of \$200,000 and construction of a new beach bath house (~\$300,000 to \$400,000) as a condition of granting an easement.

Discussion ensued regarding number of fire hydrants that will be added to the area, timeline of projects and road closures.

There was a general consensus by the Board to move forward with an easement that does not include the County or State paying any fees which would result in a net savings for the Regional Water System. Matthew Farrar stated he would work with Crystal Morgan on this issue..

Steve Fink stated the top course layer of pavement and the concrete driveway ends will be placed on Beach Street for residents by May 1<sup>st</sup>. Steve Fink stated the contract end date will be extended to allow the City of Muskegon to construct approximately 200 additional parking spots utilizing our contractor. Steve Fink stated the City of Muskegon will be paying 100% of the cost for the parking spots.

#### **WSPB-21-012 INFORMATIONAL ITEMS**

Moved by Commissioner Hughes, seconded by Jeffrey Martin, that the following information items be received and placed on file:

1. Meter Set List for February 2021
2. Local Fund Balance Sheet for February 2021
3. Check Disbursement Report
4. Water System Monthly Report for February 2021

Kim Arter questioned fees paid to the County's corporate counsel. Matthew Farrar stated he would look into it and send the information to the Board.

Yes – Hughes, Marcinkowski, Martin, Arter, Hodges

No –

Excused - Brown, Cyr

**Motion carried**

**UNFINISHED BUSINESS**

*Crystal Morgan – Opinion on Extensions*

Crystal Morgan referred to the attorney – client privileged confidential memos.

Matthew Farrar stated per the contract, anything that is built and becomes an asset to the system would require the Water System Policy Board’s (WSPB) approval. Matthew Farrar stated per the contract, the WSPB would need to approve the engineer and approve the plans and specifications.

Chair Hodges asked about projects already completed. Crystal Morgan stated there would be no good way to revoke an approval and this would be for those projects moving forward.

Crystal Morgan stated some of these items regarding extensions would get addressed in the renewal of the contract.

Matthew Farrar asked the municipalities to contact him right away with any requested projects.

Discussion continued regarding the selection of an engineer, inspections, testing, and EGLE requirements for permitting.

**NEW BUSINESS**

None

**AUDIENCE PARTICIPATION**

Brian Werschem, Planning and Zoning Administrator for Muskegon Township, spoke to mandatory connections.

**ADJOURN**

There being no further business to come before the Water System Policy Board, the meeting adjourned at 11:16 a.m.

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Jennifer Hodges, Chair

*Preliminary Minutes  
To be approved at the next Water System Policy Board Meeting*