

Muskegon County  
Water System Policy Board  
April 7, 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  
Kim Cyr, Muskegon County Commissioner – Twin Lake  
Jennifer Hodges, Muskegon Charter Township Supervisor – Muskegon Township  
Susie Hughes, Muskegon County Commissioner – Muskegon Township  
Jeffrey Marcinkowski, Fruitland Township Supervisor – Fruitland Township  
Jeffrey Martin, Dalton Township Supervisor – Dalton Township

Excused: Doug Brown, 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-21-013 APPROVAL OF AGENDA**

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

Yes –Cyr, Hughes, Marcinkowski, Martin, Arter, Hodges

No –

Excused - Brown

**Motion carried**

**WSPB-21-014 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 March 3, 2021.

Yes – Hughes, Marcinkowski, Martin, Arter, Cyr, Hodges

No –

Excused - Brown

**Motion carried**

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

None

**ITEMS FOR CONSIDERATION**

**WSPB-21-015 Recommend Bid for Contract III of the Channel Crossing Project**

Moved by Commissioner Hughes, seconded by Kim Arter, to recommend to the Board of Public Works that it award the bid from McCormick Sand Inc. for Contract III of the Channel Crossing Project for the amount of \$1,350,500.00.

Yes – Marcinkowski, Martin, Arter, Cyr, Hughes, Hodges

No –

Excused - Brown

**Motion carried**

**WSPB-21-016 State Park Easement Agreement**

Moved by Commissioner Hughes, seconded by Jeffrey Martin, to recommend to the Board of Public Works to accept the easement agreement.

Matthew Farrar spoke to the terms and conditions of the agreement. Steve Fink stated they received emails confirming the State would waive the fees if the terms of the easement agreement are met.

Steve Fink stated all parties who have a stake in the project will be listed as additional insured. Steve Fink stated the potential MDNR fees listed were provided by the DNR.

Yes – Martin, Arter, Cyr, Hughes, Marcinkowski, Hodges

No –

Excused - Brown

**Motion carried**

#### **WSPB-21-017 INFORMATIONAL ITEMS**

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

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

Yes – Hughes, Marcinkowski, Martin, Arter, Cyr, Hodges

No –

Excused - Brown

**Motion carried**

#### **UNFINISHED BUSINESS**

*Water Rates –*

Matthew Farrar explained the Water System Policy Board (WSPB) has gradually increased rates over the last few years in order to prepare for when bonds are sold for the Channel Crossing Project. Gradual rate increases have also increased the fund balance and improved its net position. Matthew Farrar stated he recently received the audited financial statements and the change in net position increased by \$700,000.00.

Matthew Farrar stated his recommendation would be to raise rates in October 2021 when they will have more information on bond sizing and what the payment will be. Matthew Farrar stated it's preferred to raise rates in the fall as it is a less of a shock to the users. Kim Arter stated this would also allow Michigan's Adventure to budget for the increase.

Matthew Farrar stated staff will continue to provide the board with updates.

Discussion ensued. It was decided to continue with discussion and bring back a motion in a couple of months.

Matthew Farrar stated they are anticipating a bond sale the first week of August. Matthew Farrar stated they are working with the finance department and also the Treasurer on cash management and how to move forward with this.

*Mandatory Connections –*

Matthew Farrar stated staff looked at what other communities are doing and concluded there is no central tendency of the data. Matthew Farrar stated he believes there's also a disconnect in what is written in their ordinance vs. what is practiced.

Robert Ribbens stated the previous ordinance had a little less language and tied back to the 200 ft. rule. Robert Ribbens stated when the ordinance was updated it added some confusion and clarification is needed.

Crystal Morgan stated any changes to mandatory connections would require an ordinance amendment which would need to be adopted by each township board.

Discussion ensued on clarifying the language, charging a connection fee and having it reserved for the property, health department requirements, etc.

Kim Arter suggested the supervisors speak to their boards for input. Crystal Morgan recommended if the supervisors speak to their boards they consider the 200 ft. rule and things such as 200 ft. from the property line or 200 ft. from the structure as basis of measurement.

Jeffrey Martin asked if someone could write a brief on the different options and pitfalls. Chair Hodges asked Crystal Morgan if she could provide something the supervisors could take to their boards. Crystal Morgan stated she would.

*Expansions –*

Matthew Farrar stated it is staff's goal to follow the contract as written. Matthew Farrar stated in the past the only time expansions were brought to the WSPB was when system money was used; however counsel has pointed out all expansions need to be approved by the WSPB. Matthew Farrar stated he spoke to Crystal Morgan about the terms expansion, improvement and extensions and the meaning.

Crystal Morgan stated staff expressed concern with every new water service requiring WSPB approval and the potential for numerous meetings to review and approve requests causing delays. Crystal Morgan stated the WSPB has the ability through a resolution to delegate the approval authority for certain actions to staff.

Discussion ensued.

It was decided to keep it status quo for now and make changes to the contract.

### **NEW BUSINESS**

Kim Arter stated Chair Hodges and herself are members of the Management Contract sub-committee and suggested having Commissioner Cyr sit on this sub-committee giving each municipality representation.

Chair Hodges stated she would informally put Commissioner Cyr on the sub-committee giving each municipality representation and if it becomes a problem for Commissioner Cyr's schedule they will reconsider. Commissioner Cyr agreed.

Commissioner Cyr asked Matthew Farrar about the Beach Street parking expansion motion in the Board of Public Works agenda packet. Matthew Farrar explained the first phase of Channel Crossing Project required the County to install a 30" water main and the City of Muskegon needed a new road and also a new water main. The County of Muskegon and the City of Muskegon entered into a cost sharing agreement and completed the work as one project. Matthew Farrar stated the City of Muskegon commission recently voted to approve a change order to add parking spaces. Matthew Farrar explained this is a County of Muskegon contract with the contractor and a change order will need to be approved by the Board of Public Works. Matthew Farrar stated the City of Muskegon will move forward with the parking expansion even without the County's approval of the change order. Matthew Farrar stated it would be staff's recommendation that the change order be approved because of the cost sharing agreement in place and change orders can occur with projects. Matthew Farrar expressed the importance of being able to work with others on projects to save on costs.

Steve Fink stated in January the Board of Public Works did approve a change order for the City of Muskegon to have DLZ design the parking lot. Steve Fink stated DLZ has completed the design and now comes the construction component. Matthew Farrar stated this will have no impact on costs to the County or the regional water system.

### **AUDIENCE PARTICIPATION**

Matthew Farrar informed the board he will be meeting with the chair and vice-chair to go over the items proposed on the WSPB agenda and requested members reach out to the chair and vice-chair with questions.

Steve Fink spoke to the Channel Crossing Project – Contract I and informed the board the contractor will start work next week on the concrete driveway ends of private driveways to prepare for the top course of asphalt. Steve Fink stated this will conclude the County's portion of contract I.

Steve Fink stated if the Channel Crossing Project – Contract III is awarded to McCormick Sand tomorrow, McCormick Sand has requested to start work in a couple of weeks after award and complete the job by the 4<sup>th</sup> of July. Steve Fink stated he has checked with Laketon Township, the Road Commission, Reeths-Puffer schools and no one had any issues with proposed start date. Steve Fink stated this is good because we will for certain have water for the directional drilling which will take place after Labor Day.

**ADJOURN**

There being no further business to come before the Water System Policy Board, the meeting adjourned at 11:04 a.m.

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Jennifer Hodges, Chair

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