

**Muskegon County
Board of Public Works**

April 8, 2021

4:00p.m.

Electronic/Zoom

*Malinda Pego, Chair
Rillastine R. Wilkins, Vice Chair
Brenda M. Moore, Secretary*

MINUTES

CALL TO ORDER

The meeting was called to order by Chair Pego at 4:00p.m.

ROLL / Location

Present: Doug Brown, Muskegon County Commissioner – [entered meeting at 4:55p.m.]
Kim Cyr, Muskegon County Commissioner – Twin Lake, Michigan
Susie Hughes, Muskegon County Commissioner – Muskegon Township
Zach Lahring, Muskegon County Commissioner – Muskegon County Hall of Justice
Brenda Moore, Water Resources Commissioner – [entered meeting at 4:10p.m.]
Charles Nash, Muskegon County Commissioner – City of Muskegon
Malinda Pego, Muskegon County Commissioner – Muskegon County Hall of Justice
Robert Scolnik, Muskegon County Commissioner – City of Muskegon, Hall of Justice
Rillastine Wilkins, Muskegon County Commissioner – Muskegon County Hall of Justice
Jennifer Hodges, Ex-officio Member – Muskegon Township

Excused: Leo Evans, Ex-officio Member

Staff

Present: Matthew Farrar, Public Works Director
Tina Nash, Public Works Coordinator
Dave Johnson, Resource Recovery Center Director
Christine Morris, Resource Recovery Center Administrative Analyst
Beth Dick, Assistant Administrator & Finance Director
Laura Genovich, Corporate Counsel
Mark Hansen, Information Technology Manager

APPROVAL OF THE AGENDA

Moved by Commissioner Wilkins, seconded by Commissioner Lahring, to approve the agenda as presented.

Move by Commissioner Nash, seconded by Commissioner Wilkins, to amend the agenda by removing item BPW21/04-44 from the agenda.

Commissioner Nash stated he was informed by City of Muskegon Commissioner Ken Johnson of some major issues with BPW21/04-44 and potential fines.

Discussion ensued. It was decided to leave the item on the agenda to hear public comments and to discuss further.

Commissioner Nash withdrew his amendment.

Roll call to approve the agenda as presented:

Yes – Cyr, Hughes, Lahring, Nash, Scolnik, Wilkins, Pego

No –

Excused – Brown, Moore

Motion carried

APPROVAL OF MINUTES

Moved by Commissioner Hughes, seconded by Commissioner Lahring, to approve the minutes of the Board of Public Works meeting held on March 4, 2021.

Roll call:

Yes – Nash, Scolnik, Wilkins, Cyr, Hughes, Lahring, Pego

No –

Excused – Brown, Moore

Motion carried

PUBLIC COMMENT ON AN AGENDA ITEM

Ken Johnson, Commissioner Hovey-Wright, Darlene Dehudy, Ann Derouin, and Valerie Berry all spoke in opposition to approving item BPW21/04-44.

Sheila Justice, Melissa DeHaan, Angela DeCormier, Lynn Vronko, Margot Slater, and Nancy Smith all spoke in favor of item BPW21/04-55.

ITEMS FOR CONSIDERATION:

BPW21/04-42 Moved by Commissioner Hughes, seconded by Commissioner Nash, to award the bid from McCormick Sand Inc. for Contract III of the Channel Crossing Project for the amount of \$1,350,500.

Roll call:

Yes – Cyr, Hughes, Lahring, Moore, Nash, Scolnik, Wilkins, Pego

No –

Excused – Brown

Motion carried

BPW21/04-43 Moved by Commissioner Hughes, seconded by Commissioner Nash, to award Landfill Gas Pipeline Operation and MPSC Compliance Services to Utility Safety and Design, Inc. for the three year proposal price of \$29,000, \$30,500, and \$32,000 for 2021, 2022, and 2023 respectively and authorize the Chair to sign the Agreement.

Roll call:

Yes – Lahring, Moore, Nash, Scolnik, Wilkins, Cyr, Hughes, Pego

No –

Excused - Brown

Motion carried

BPW21/04-44 Moved by Commissioner Hughes, seconded by Commissioner Lahring, to approve Change Order #1 of Contract No. 1 – Beach Street with Hallack Construction for \$798,070.71 with all costs paid by the City of Muskegon, and authorize the Chair to sign the attached change order as long as all required permits and regulations have been fulfilled by the City of Muskegon.

Laura Genovich stated it is her understanding the county will not allow the City of Muskegon to take on any improvements unless all necessary permits and other approvals are granted. Lara Genovich stated the project manager is a professional engineer who is aware of the requirements and would not allow the construction in violation of any state laws or requirements. Matthew Farrar concurred with corporate counsel.

Discussion ensued.

Laura Genovich stated if the city violates something the city could be subject to a fine if it does not get the necessary permits. Laura Genovich stated she is not aware of anything that would put the county on the hook. Laura Genovich stated this is City of Muskegon property and not the county's.

Roll call:

Yes –Scolnik, Wilkins, Cyr, Hughes, Lahring, Nash

No – Moore, Pego

Excused - Brown

Motion carried

BPW21/04-45 Moved by Commissioner Hughes, seconded by Commissioner Wilkins, to authorize the Resource Recovery Center to issue a Request for Proposals for the selection of a commodity futures brokerage to hedge corn and soybeans for market protection.

Roll call:

Yes – Nash, Scolnik, Wilkins, Cyr, Hughes, Lahring, Moore, Pego

No –

Excused - Brown

Motion carried

BPW21/04-46 Moved by Commissioner Hughes, seconded by Commissioner Nash, to approve the solicitation of bids for discounted pricing on irrigation rig parts for the Resource Recovery Center farm.

Roll call:

Yes – Wilkins, Cyr, Hughes, Lahring, Moore, Nash, Scolnik, Pego

No –

Excused - Brown

Motion carried

BPW21/04-47 Moved by Commissioner Hughes, seconded by Commissioner Nash, to approve the sale of the three used Resource Recovery Center assets described in the Summary of Request below.

Roll call:

Yes – Cyr, Hughes, Lahring, Moore, Nash, Scolnik, Wilkins, Pego

No –

Excused - Brown

Motion carried

BPW21/04-48 Moved by Commissioner Hughes, seconded by Commissioner Wilkins, to approve the proposed duathlon at the Mosquito Creek Trails and also grant blanket permission for future Michigan's Edge Mountain Biking Association (MEMBA) events that are in keeping with the terms of the previously approved Agreement between the County of Muskegon Board of Public Works and MEMBA.

Dave Johnson stated the board would be informed of future events.

Roll call:

Yes – Lahring, Moore, Nash, Scolnik, Wilkins, Brown, Cyr, Hughes, Pego

No –

Motion carried

BPW21/04-49 Moved by Commissioner Hughes, seconded by Commissioner Wilkins, to approve the Discharge of Easement Agreement, by which the Resource Recovery Center relinquishes to Verplank Dock Co. the 50' easement associated with the abandoned 66" force main on Verplank's Getty Street property and also relinquishes all liability resulting from the use of the easement, and to authorize the Board Chair to sign the document so that it can be recorded with the Register of Deeds.

Roll call:

Yes – Brown, Cyr, Hughes, Lahring, Moore, Nash, Scolnik, Wilkins, Pego

No –

Motion carried

BPW21/04-50 Moved by Commissioner Nash, seconded by Commissioner Lahring, to authorize Prein & Newhof to provide engineering services for restoring a portion of the Resource Recovery Center lagoon interception ditch bordering Muskegon County Solid Waste to the specifications of the original design at a cost not to exceed \$44,500.00, and authorize the County Procurement Office to solicit bids for a contractor to perform the construction.

Roll call:

Yes – Cyr, Hughes, Lahring, Moore, Nash, Scolnik, Wilkins, Brown, Pego

No –

Motion carried

BPW21/04-51 Moved by Commissioner Nash, seconded by Commissioner Wilkins, to accept the bid from Crystal Flash for RFB 21-2416, Vehicle Lubricants, (as given in the Summary of Request below) for one year with the option of two one-year renewals if agreed to by the vendor and approved by the Board.

Roll call:

Yes – Hughes, Lahring, Moore, Nash, Scolnik, Wilkins, Brown, Cyr, Pego

No –

Motion carried

BPW21/04-52 Moved by Commissioner Nash, seconded by Commissioner Hughes, to award the bid for RFB 21-2417, Agricultural Chemicals and Fertilizers, as given in detail in the Summary of Request below.

Roll call:

Yes – Scolnik, Wilkins, Brown, Cyr, Hughes, Lahring, Moore, Nash, Pego

No –

Motion carried

BPW21/04-53 Moved by Commissioner Nash, seconded by Commissioner Hughes, to accept the low bid from Kamminga & Roodvoets, Inc., for IFB 21-2399, Pump Station J Force Main Replacement, for a total of \$1,430,002.00.

Roll call:

Yes – Moore, Nash, Scolnik, Wilkins, Brown, Cyr, Hughes, Lahring, Pego

No –

Motion carried

BPW21/04-54 Moved by Commissioner Hughes, seconded by Commissioner Wilkins, to authorize the elimination of the Wastewater Maintenance Supervisor position X94502 (Class Code XF945, Pay Grade NX-00365, \$30.968/hr - \$42.385/hr) and the creation of two new positions, namely, the Resource Recovery Center Ops Maintenance Supervisor (Pay Grade NX-00362, \$32.855/hr - \$41.404/hr) and the Resource Recovery Center Fleet Maintenance Supervisor (Pay Grade NX-00320, \$30.968 - \$39.166), effective April 18, 2021.

Roll call:

Yes – Brown, Cyr, Hughes, Lahring, Moore, Nash, Scolnik, Wilkins, Pego

No –

Motion carried

BPW21/04-55 Moved by Commissioner Brown, seconded by Commissioner Nash, to approve the agreement between the Board of Public Works and Muskegon County Trail Riders Association, which allows that club to put in equestrian riding trails on a designated portion of Resource Recovery Center Property, and authorize the Board Chair to sign the agreement, all pending the review and recommendation of Corporate Counsel.

Discussion ensued.

Many commissioners expressed concern with the safety of the all the various groups using the Resource Recovery Center and the importance to be able to accommodate everyone using the site.

Dave Johnson clarified there are no Resource Recovery Center funds used to put in trails or other needs for the various clubs. Dave Johnson stated it is up to the clubs to use their own association monies.

Roll call:

Yes – Cyr, Lahring, Moore, Scolnik, Wilkins, Brown, Pego

No – Nash, Hughes

Motion carried

Informational Items:

Recommended to place the informational items on file:

1. Public Works Monthly Operations Report, March 2021.
2. Resource Recovery Center Monthly Operating Report, March 2021.
3. Muskegon County Regional Water Policy Board Minutes, March 2021 (draft)

UNFINISHED BUSINESS

None

NEW BUSINESS

None

PUBLIC COMMENT ON A NEW ITEM

Tony Barnes addressed item BPW21/04-55 and requested the county and Resource Recovery Center Director to keep an eye on this situation. Tony Barnes stated the Dalton Equestrian Township Park trails has cops called there because people are hunting and there are others riding horses.

Ann Derouin addressed the minutes of the April 6th Full Board meeting and the local emergency order and requested Commissioner Scolnik address her questions.

Margot Slater addressed item BPW21/04-55 and referenced some of the comments made with equines and firearm season. Margot Slater stated during firearm season the riders and horses are dressed in hunter orange and they try to avoid the early morning hours and also the beginning of the afternoon around 3:30/4p.m .

FINAL BOARD COMMENT

Commissioner Cyr stated hunters don't shoot horses.

Commissioner Scolnik stated he received a message from the City of Muskegon Manager. The City of Muskegon Manager stated the City was not going to move forward without the permits. EGLE just informed the City of Muskegon of the required permits this week.

ADJOURN

There being no further business to come before the Board of Public Works the meeting was adjourned at 5:37p.m.

Malinda Pego, Chair