Muskegon County Board of Commissioners
Hall of Justice, 990 Terrace, 4th Floor
Muskegon, MI 49442

Susie Hughes, Chairman
Gary Foster, Vice Chair
Marcia Hovey-Wright
Robert Scolnik
Zach Lahring
I. John Snider II
Kenneth Mahoney
Rillastine R. Wilkins
Charles Nash

Board Minutes may be found on the web at http://co.muskegon.mi.us/clerk

Full Board Meeting
Tuesday, March 12, 2019
3:30 p.m.

Chairman Susie Hughes, Presiding

The Full Board Meeting of the Board of Commissioners was called to order by Chairman Susie Hughes. The Invocation was given by Commissioner Wilkins. The Pledge of Allegiance was led by Commissioner Mahoney and recited in unison.

Roll Call
Present: Gary Foster, Marcia Hovey-Wright, Susie Hughes, Zach Lahring, Kenneth Mahoney, Charles Nash, Robert Scolnik, I. John Snider II, Rillastine R. Wilkins

Also Present: Mark E. Eisenbarth, Administrator
Nancy A. Waters, County Clerk
Jeanne Pezet, Interim Elections Coordinator
Enrika L.F. McGahan, Corporate Counsel

2019-100 APPROVAL OF THE AGENDA

Moved by Commissioner Wilkins, seconded by Commissioner Mahoney, to approve the agenda.

Voice vote Motion Carried

2019-101 APPROVE THE BOARD MINUTES OF FEBRUARY 12, 2019 AND FEBRUARY 26, 2019

Moved by Vice Chair Foster, seconded by Commissioner Hovey-Wright, to approve the Board Minutes of February 12, 2019 and February 26, 2019.

Voice vote Motion Carried

PUBLIC COMMENT (on an agenda item)

The following citizens addressed the Board opposed to changes to the MATS (Muskegon Area Transit System) bus routes: Bonnie Vokits, Chris Poniatowski, LaToya Jemison, Mary Goryl, Doris Jones, Darma Canter, Jackie Knight, Al Nichols, Julie Aaron, Fay Redmond, Larry Fife, Eric Hood, Patsy Petty, and Eleanor Canter.
COMMUNICATIONS

The following Communication item was provided to the Board for informational purposes:

- Alger County Resolution: Support of Revising the Medicare Prescription Drug Bill of 2003

2019-102 PREPARE A RESOLUTION IN SUPPORT OF REVISING THE MEDICARE PRESCRIPTION DRUG BILL OF 2003 AND FORWARD THE RESOLUTION TO FEDERAL AND STATE LEGISLATORS, THE NATIONAL ASSOCIATION OF COUNTIES (NACO), MICHIGAN ASSOCIATION OF COUNTIES (MAC), AND OTHER MICHIGAN COUNTIES

Moved by Commissioner Hovey-Wright, seconded by Commissioner Nash, to prepare a resolution in support of revising the Medicare Prescription Drug Bill of 2003 and forward the resolution to Federal and State Legislators, the National Association of Counties (NACo), Michigan Association of Counties (MAC), and other Michigan Counties.

Voice vote

Motion Carried

PRESENTATIONS

A. HAZMAT Introductions (Rich Warner, Emergency Services Manager)

Rich Warner, Emergency Services Manager, introduced new HAZMAT Chief Tony Gutierrez. Chief Gutierrez presented a report to County Commissioners. (See attached)

B. Muskegon County Drain Commission Annual Report & Project Update

Brenda Moore presented information from the attached report and then reviewed a PowerPoint presentation. (See attached)
COMMITTEE/BOARD REPORTS

2019-103  AUTHORIZE THE BOARD CHAIR TO APPROVE THE SOLE RFP BID SUBMITTED FOR THE JTC KITCHEN UPGRADE FROM NORTHSIDE HEATING AND COOLING IN THE AMOUNT OF $73,337.25, TO BE PAID FROM THE REMAINING JAIL/JTC PROJECT FUNDS. THE UPGRADES SPECIFICALLY INCLUDE A COMMERCIAL STOVE/OVEN COMBO, VENT HOOD, AND NECESSARY MECHANICAL WORK, AT THE MUSKEGON COUNTY FAMILY COURT-JUVENILE TRANSITION CENTER

CPS19/03-10
The Courts and Public Safety Committee recommends, moved by Commissioner Wilkins, seconded by Commissioner Snider, to authorize the Board Chair to approve the sole RFP bid submitted for the JTC kitchen upgrade from Northside Heating and Cooling in the amount of $73,337.25, to be paid from the remaining Jail/JTC project funds. The upgrades specifically include a commercial stove/oven combo, vent hood, and necessary mechanical work, at the Muskegon County Family Court-Juvenile Transition Center.

Roll Call:

Yes: Gary Foster, Marcia Hovey-Wright, Zach Lahring, Kenneth Mahoney, Charles Nash, Bob Scolnik, I. John Snider, II, Rillastine Wilkins, Susie Hughes

No: None  Motion Carried

2019-104  AUTHORIZE THE PROSECUTOR TO ACCEPT THE BYRNE JUSTICE ASSISTANCE GRANT FROM THE MICHIGAN STATE POLICE IN THE AMOUNT OF $14,000.00 AND AMEND THE BUDGET ACCORDINGLY

CPS19/03-11
The Courts and Public Safety Committee recommends, moved by Commissioner Wilkins, seconded by Commissioner Snider, to authorize the Prosecutor to accept the Byrne Justice Assistance Grant from the Michigan State Police in the amount of $14,000.00 and amend the budget accordingly.

Roll Call:

Yes: Gary Foster, Marcia Hovey-Wright, Zach Lahring, Kenneth Mahoney, Charles Nash, Bob Scolnik, I. John Snider, II, Rillastine Wilkins, Susie Hughes

No: None  Motion Carried
2019-105  **ACCEPT THE FY2019 OFF-ROAD VEHICLE (ORV) LAW ENFORCEMENT GRANT IN THE AMOUNT OF $10,000.00 FROM THE MICHIGAN DEPARTMENT OF NATURAL RESOURCES AND TO AUTHORIZE THE SHERIFF SIGN THE AGREEMENT**

CPS19/03-12
The Courts and Public Safety Committee recommends, moved by Commissioner Wilkins, seconded by Commissioner Snider, to accept the FY2019 Off-Road Vehicle (ORV) Law Enforcement Grant in the amount of $10,000.00 from the Michigan Department of Natural Resources and to authorize the Sheriff sign the agreement.

Roll Call:

Yes: Gary Foster, Marcia Hovey-Wright, Zach Lahring, Kenneth Mahoney, Charles Nash, Bob Scolnik, I. John Snider, II, Rillastine Wilkins, Susie Hughes

No: None

Motion Carried

2019-106  **APPROVE THE FUNDING INCREASE IN THE AMOUNT OF $31,800.00 FROM THE OFFICE OF HIGHWAY SAFETY PLANNING FOR THE SECONDARY ROAD PATROL PROGRAM; AND TO ADJUST THE BUDGET ACCORDINGLY**

CPS19/03-13
The Courts and Public Safety Committee recommends, moved by Commissioner Wilkins, seconded by Commissioner Snider, to approve the funding increase in the amount of $31,800.00 from the Office of Highway Safety Planning for the Secondary Road Patrol Program; and to adjust the budget accordingly.

Roll Call:

Yes: Gary Foster, Marcia Hovey-Wright, Zach Lahring, Kenneth Mahoney, Charles Nash, Bob Scolnik, I. John Snider, II, Rillastine Wilkins, Susie Hughes

No: None

Motion Carried

2019-107  **ACCEPT AND SIGN THE FY19 BYRNE JAG – WEMET GRANT (MSP #JAG 70834-7-WEMET-19) IN THE AMOUNT OF $14,000.00 AND AMEND THE BUDGET ACCORDINGLY**

CPS19/03-14
The Courts and Public Safety Committee recommends, moved by Commissioner Wilkins, seconded by Commissioner Snider, to accept and sign the FY19 Byrne JAG – WEMET grant (MSP #JAG 70834-7-WEMET-19) in the amount of $14,000.00 and amend the budget accordingly.

Roll Call:

Yes: Gary Foster, Marcia Hovey-Wright, Zach Lahring, Kenneth Mahoney, Charles Nash, Bob Scolnik, I. John Snider, II, Rillastine Wilkins, Susie Hughes

No: None

Motion Carried
2019-108  APPROVE THE INCREASE TO THE SHERIFF’S PURCHASE ORDER WITH CONCIERGE CORRECTIONS TO A TOTAL AMOUNT OF $150,000 (ONE HUNDRED FIFTY THOUSAND DOLLARS) TO COVER REIMBURSEMENT COSTS FOR INMATE MEDICAL BILLS

CPS19/03-15
The Courts and Public Safety Committee recommends, moved by Commissioner Wilkins, seconded by Commissioner Snider, to approves the increase to the Sheriff’s purchase order with Concierge Corrections to a total amount of $150,000 (one hundred fifty thousand dollars) to cover reimbursement costs for inmate medical bills.

Roll Call:
Yes: Gary Foster, Marcia Hovey-Wright, Zach Lahring, Kenneth Mahoney, Charles Nash, Bob Scolnik, I. John Snider, II, Rillastine Wilkins, Susie Hughes
No: None

Motion Carried

2019-109  AUTHORIZE THE SHERIFF’S OFFICE TO APPLY FOR THE 2019 CALENDAR YEAR MARINE SAFETY GRANT IN THE AMOUNT OF $193,969.00 FOR PERSONNEL AND OPERATING COSTS WITH A 25% MATCH REQUIREMENT

CPS19/03-16
The Courts and Public Safety Committee recommends, moved by Commissioner Wilkins, seconded by Commissioner Snider, to authorize the Sheriff’s Office to apply for the 2019 calendar year Marine Safety grant in the amount of $193,969.00 for personnel and operating costs with a 25% match requirement.

Roll Call:
Yes: Gary Foster, Marcia Hovey-Wright, Zach Lahring, Kenneth Mahoney, Charles Nash, Bob Scolnik, I. John Snider, II, Rillastine Wilkins, Susie Hughes
No: None

Motion Carried
AUTHORIZE THE COUNTY OF MUSKEGON DEPARTMENT OF VETERANS AFFAIRS STAFF TO PROVIDE THE MUSKEGON COUNTY CLERK WITH THE FOLLOWING VETERANS MILLAGE RENEWAL LANGUAGE TO BE INCLUDED ON THE AUGUST, 2019 PRIMARY ELECTION BALLOT: “SHALL THE MILLAGE APPROVED BY MUSKEGON COUNTY VOTERS IN 1994 AND RENEWED IN 1998 AND 2008 FOR THE PURPOSE OF PROVIDING FUNDS TO EQUIP, OPERATE, MAINTAIN AND DEFRAY DEBT SERVICE AND PROVIDE SUPPORT AND ASSISTANCE TO VETERANS THROUGH A COUNTY DEPARTMENT OF VETERAN AFFAIRS BE RENEWED AND CONTINUED (AND THE LIMITATION CONTINUE BE MAINTAINED) BY AN AMOUNT NOT TO EXCEED 1/13TH MILL ($0.077 PER $1,000) ON TAXABLE VALUE ON ALL PROPERTY IN THE COUNTY OF MUSKEGON, FOR AN ADDITIONAL PERIOD OF TEN (10) YEARS, BEING 2019 THROUGH 2028, INCLUSIVE, RESULTING IN AN ANNUAL ESTIMATED REVENUE OF $330,534 FOR 2019?”

The Human Services Committee recommends, moved by Commissioner Nash, seconded by Vice Chair Foster, to authorize the County of Muskegon Department of Veterans Affairs staff to provide the Muskegon County Clerk with the following Veterans Millage Renewal language to be included on the August, 2019 primary election ballot:

Shall the millage approved by Muskegon County voters in 1994 and renewed in 1998 and 2008 for the purpose of providing funds to equip, operate, maintain and defray debt service and provide support and assistance to Veterans through a County Department of Veteran Affairs be renewed and continued (and the limitation continue be maintained) by an amount not to exceed 1/13th mill ($0.077 per $1,000) on taxable value on all property in the County of Muskegon, for an additional period of ten (10) years, being 2019 through 2028, inclusive, resulting in an annual estimated revenue of $330,534 for 2019?

Roll Call:

Yes: Gary Foster, Marcia Hovey-Wright, Zach Lahring, Kenneth Mahoney, Charles Nash, Bob Scolnik, I. John Snider, II, Rillastine Wilkins, Susie Hughes

No: None

Motion Carried
2019-111 AUTHORIZE PUBLIC HEALTH TO PARTICIPATE IN THE WIC PROJECT FRESH PROGRAM AS THE STATE AUTHORIZED WIC MARKET MASTER, AND TO ENTER INTO AGREEMENTS WITH THE PARTICIPATING FARMERS; FURTHER AUTHORIZE THE PUBLIC HEALTH DIRECTOR TO SIGN MARKET MASTER AND RELATED PROJECT FRESH AGREEMENTS, WITH NO CHANGE IN THE GENERAL FUND APPROPRIATION

HS19/03-06
The Human Services Committee recommends, moved by Commissioner Nash, seconded by Vice Chair Foster, to authorize Public Health to participate in the WIC Project FRESH Program as the state authorized WIC Market Master, and to enter into agreements with the participating farmers; further authorize the Public Health Director to sign Market Master and related Project Fresh agreements, with no change in the general fund appropriation.

Roll Call:

Yes: Gary Foster, Marcia Hovey-Wright, Zach Lahring, Kenneth Mahoney, Charles Nash, Bob Scolnik, I. John Snider, II, Rillastine Wilkins, Susie Hughes

No: None

Motion Carried


WM19/03-22
The Ways and Means Committee recommends, moved by Commissioner Scolnik, seconded by Vice Chair Foster, to approve payment of the accounts payable of $13,745,881.93, covering the period of February 8, 2019 through February 21, 2019 for checks and January 1, 2019 through January 31, 2019 for P-Card and EFT payments, as presented by the County Clerk.

Roll Call:

Yes: Gary Foster, Marcia Hovey-Wright, Zach Lahring, Kenneth Mahoney, Charles Nash, Bob Scolnik, I. John Snider, II, Rillastine Wilkins, Susie Hughes

No: None

Motion Carried
2019-113  APPROVE ENTERING INTO A 5 YEAR PURCHASE OF SERVICE AGREEMENT (APRIL 1, 2019 THROUGH MARCH 31, 2024) WITH COBBLESTONE SOFTWARE WITH HEALTHWEST AND THE COUNTY OF MUSKEGON TO ASSIST IN CONTRACT MANAGEMENT PROCESS AND AUTHORIZE THE BOARD CHAIR TO SIGN THE AGREEMENT; THE COUNTY’S PORTION OF THE COST RANGES FROM $8,735.24 IN YEAR 1 TO $7,377.85 IN YEAR 5; AND TO AMEND THE BUDGET ACCORDINGLY FOR YEAR 1

WM19/03-23
The Ways and Means Committee recommends, moved by Commissioner Scolnik, seconded by Vice Chair Foster, to approve entering into a 5 year purchase of service agreement (April 1, 2019 through March 31, 2024) with Cobblestone Software with HealthWest and the County of Muskegon to assist in contract management process and authorize the Board Chair to sign the agreement; the County’s portion of the cost ranges from $8,735.24 in year 1 to $7,377.85 in year 5; and to amend the budget accordingly for year 1.

Roll Call:
Yes: Gary Foster, Marcia Hovey-Wright, Zach Lahring, Kenneth Mahoney, Charles Nash, Bob Scolnik, I. John Snider, II, Rillastine Wilkins, Susie Hughes
No: None

Motion Carried

2019-114  APPROVE SUBMITTAL OF A GRANT APPLICATION TO THE MICHIGAN DEPARTMENT OF TRANSPORTATION FOR THE PURCHASE OF AN E-ONE ECOLOGIC FIREFIGHTING FOAM TESTING SYSTEM IN THE AMOUNT OF $31,662

WM19/03-24
The Ways and Means Committee recommends, moved by Commissioner Scolnik, seconded by Vice Chair Foster, to approve submittal of a grant application to the Michigan Department of Transportation for the purchase of an E-One ECOLOGIC firefighting foam testing system in the amount of $31,662.

Roll Call:
Yes: Gary Foster, Marcia Hovey-Wright, Zach Lahring, Kenneth Mahoney, Charles Nash, Bob Scolnik, I. John Snider, II, Rillastine Wilkins, Susie Hughes
No: None

Motion Carried
2019-115  **APPROVE THE REQUEST FROM THE COUNTY CLERK TO PURCHASE A WEB BASED SOFTWARE UPGRADE FOR THE JURY SYSTEM, INC., SOFTWARE AT A COST OF $22,325 TO BE UTILIZED BY THE 14TH CIRCUIT COURT AND THE 60TH DISTRICT COURT AND AMEND THE BUDGET ACCORDINGLY**

WM19/03-25
The Ways and Means Committee recommends, moved by Commissioner Scolnik, seconded by Vice Chair Foster, to approve the request from the County Clerk to purchase a web based software upgrade for the Jury System, Inc., software at a cost of $22,325 to be utilized by the 14th Circuit Court and the 60th District Court and amend the budget accordingly.

Roll Call:

Yes:  Gary Foster, Marcia Hovey-Wright, Zach Lahring, Kenneth Mahoney, Charles Nash, Bob Scolnik, I. John Snider, II, Rillastine Wilkins, Susie Hughes

No:  None  

Motion Carried

2019-115  **APPROVE THE EASEMENT AGREEMENT WITH THE MICHIGAN STATE POLICE AND KENT COUNTY TO GRANT THEM THE RIGHT TO CONSTRUCT AND MAINTAIN A TOWER AT MOORE PARK AND AUTHORIZE THE BOARD CHAIR TO SIGN SAME**

WM19/03-26
The Ways and Means Committee recommends, moved by Commissioner Scolnik, seconded by Vice Chair Foster, to approve the easement agreement with the Michigan State Police and Kent County to grant them the right to construct and maintain a tower at Moore Park and authorize the Board Chair to sign same.

Roll Call:

Yes:  Gary Foster, Marcia Hovey-Wright, Zach Lahring, Kenneth Mahoney, Charles Nash, Bob Scolnik, I. John Snider, II, Rillastine Wilkins, Susie Hughes

No:  None  

Motion Carried

2019-116  **AWARD THE MATS SOLICITATION FOR 120 CONCRETE BENCHES TO PETERSEN MANUFACTURING IN THE AMOUNT OF $54,996.00, PENDING MDOT CONCURRENCE**

WM19/03-27
The Ways and Means Committee recommends, moved by Commissioner Scolnik, seconded by Vice Chair Foster, to award the MATS solicitation for 120 concrete benches to Petersen Manufacturing in the amount of $54,996.00, pending MDOT concurrence.

Roll Call:

Yes:  Gary Foster, Marcia Hovey-Wright, Zach Lahring, Kenneth Mahoney, Charles Nash, Bob Scolnik, I. John Snider, II, Rillastine Wilkins, Susie Hughes

No:  None  

Motion Carried
CHAIRMAN’S REPORT/COMMITTEE LIAISON REPORTS

2019-117 APPOINT LEO EVANS TO THE CITY SLOT FOR THE SOLID WASTE PLANNING COMMITTEE WITH A TERM THROUGH 3/31/2020

The Chairman recommends, moved by Commissioner Nash, seconded by Commissioner Mahoney, to appoint Leo Evans to the City Slot for the Solid Waste Planning Committee with a term through 3/31/2020.

Voice vote Motion Carried

Chairman Hughes invited everyone to attend the Muskegon’s St. Patrick’s Day Parade: Downtown Muskegon, Saturday, March 16th at 11:00 a.m.

ADMINISTRATOR’S REPORT

Administrator Eisenbarth asked Mr. Jim Koens, Muskegon Area Transit System (MATS) Transit System Manager, to provide information regarding the proposed motion to reduce MATS bus routes.

Mr. Jim Koens, Muskegon Area Transit System (MATS) Transit System Manager, presented a PowerPoint to show the changes in the operating expenditures and revenues. (See attached)

Discussion ensued.

2019-118 POSTPONE MATS SERVICE REDUCTIONS FOR SIX (6) MONTHS OR UNTIL WE GET THE RESULTS OF THE STUDY

Moved by Commissioner Wilkins, seconded by Commissioner Hovey-Wright, to postpone MATS service reductions for six (6) months or until we get the results of the study.

Discussion ensued.

Roll Call:

Yes: Gary Foster, Marcia Hovey-Wright, Kenneth Mahoney, Charles Nash, Rillastine Wilkins, Susie Hughes

No: Zach Lahring, Bob Scolnik, I. John Snider, II Motion Carried

Administrator Eisenbarth noted that the Convention Center group continues discussing design and environmental study. Additional soil studies will take place. Commissioner Snider noted Terrace Plaza building construction had similar issues and used a float foundation approach. Discussion ensued.

OLD BUSINESS

There was no old business to come before the Board.
NEW BUSINESS

Commissioner Mahoney noted there is a Rotary Pancake Breakfast at Whitehall High School, Saturday, March 16th and a Business Expo for the White Lake Area.

Commissioner Lahring asked for the Prevailing Wage issue to be brought before the Ways and Means Committee. Administrator Eisenbarth stated he would do that.

PUBLIC COMMENT

Mirelda Tokarczyk, thanked Commissioners who voted to hold off on the bus schedule issue and asked that things start now to make changes that can save or improve the bus ridership and routes.

2019-119 MOVED BY COMMISSIONER MAHONEY, SECONDED BY COMMISSIONER NASH, TO ADJOURN.

Meeting adjourned at 5:07 p.m.

Nancy A. Waters, Muskegon County Clerk

NAW/jmp

To Be Approved at Full Board Meeting on Thursday, March 21, 2019
RETIREMENT OF HAZMAT CHIEF
As of December 21, 2018, the hazmat team’s long-standing Hazmat Chief, Steve Lague, will retire after 35 ½ years of service with the hazmat team. Chief Lague was at the helm for many positive changes that the team experienced over the years. We wish him his best years yet in his retirement and are forever grateful for his years of service to the team and community.

NEW HAZMAT CHIEF
Tony Gutierrez has been serving in the role of interim Hazmat Chief since September 2018. On December 21, 2018, he officially became the Hazmat Chief. Chief Gutierrez previously served as one of the Hazmat Captains and has been a hazmat technician on the team since 2000. Chief Gutierrez brings 18 years’ worth of hazardous materials experience. He currently is employed as a full-time Fire Captain/EMT with the Gerald R. Ford International Airport Fire Department. Chief Gutierrez has extensive knowledge in fire service/hazmat operations and administration, and has a degree in EMS management and will graduate with a bachelor’s degree in Business Management in July 2019. His vision is to continue to move the organization forward, and provide the highest levels of customer service to the community and surrounding service areas. Through education, training, seminars and statistical data collection the team will continually analyze how to best provide services to the citizens of Muskegon, as well as our neighboring cities and towns.

DEVELOPMENT OF HAZMAT TEAM MISSION STATEMENT, VISION, AND MOTTO

Mission Statement
The Muskegon County Hazardous Materials Response Team is a highly motivated, organized and well-trained team dedicated to serving our county and protecting the environment through prevention, preparedness, with both efficient and effective response to hazardous materials incidents, whether accidental or intentional. We serve residents by responding to emergencies and monitoring for hazardous materials.

Vision
To grow a dynamic and innovative team while maintaining proud, competent, and professional members who take ownership of mission goals and objectives.

Motto
“Dedicated to excellence, delivered with pride”
HAZMAT TEAM OVERVIEW
The Muskegon County Hazardous Materials Response Team serves Muskegon, Oceana, and Newaygo Counties under mutual aid agreements for hazardous materials emergency response and training. The team has been responding to hazmat incidents since 1982 and is currently made up of 15 hazmat technicians from the fire service, police service, and general/chemical industry. Each hazmat technician has over 200 hours of training in hazardous materials. The team leadership consists of a hazmat chief, hazmat deputy chief, and hazmat captain. The team has two hazmat apparatus along with two hazmat decon trailers. The team’s overall function is to:

1) Detect the presence of and identifies associated chemical and physical properties of hazardous materials/WMD
2) Identifies and establishes control zones after contamination spread
3) Contains and mitigates liquid and vapor leaks through interventions such as neutralization, plugging, and patching
4) Uses protocols to collect and label substances and evidence in preparation for transportation
5) Detects and surveys for different types of ionizing radiation
6) Interprets readings accurately from radiation detection devices and conducts geographical survey search for suspected radiological sources or contamination
7) Takes actions to limit personnel exposure to radiation and contain the spread of contamination
8) Conducts research related to hazardous materials and WMD to contribute to the Incident Action Plan (IAP)
9) Develops predictive plume models to inform protective actions and support the IAP.

HAZMAT TEAM PERSONNEL

<table>
<thead>
<tr>
<th>Name</th>
<th>Position</th>
<th>Years of Service</th>
<th>Agency</th>
</tr>
</thead>
<tbody>
<tr>
<td>Tony Gutierrez</td>
<td>Hazmat Chief</td>
<td>18</td>
<td>Gerald R. Ford Airport FD</td>
</tr>
<tr>
<td>Christopher Dean</td>
<td>Hazmat Deputy Chief</td>
<td>21</td>
<td>Muskegon Heights FD</td>
</tr>
<tr>
<td>Brad Walters</td>
<td>Hazmat Captain</td>
<td>3.5</td>
<td>Muskegon Twp FD</td>
</tr>
<tr>
<td>Paul Christiansen</td>
<td>Technician</td>
<td>35</td>
<td>Muskegon FD (Retired)</td>
</tr>
<tr>
<td>Jon Mink</td>
<td>Technician</td>
<td>25</td>
<td>Fruitport FD/Trace Analytical</td>
</tr>
<tr>
<td>Joe Munson</td>
<td>Technician</td>
<td>18</td>
<td>Norton Shores FD</td>
</tr>
<tr>
<td>Brian Harris</td>
<td>Technician</td>
<td>16.5</td>
<td>Muskegon Sheriffs Dept (Retired)</td>
</tr>
<tr>
<td>Chad Wilson</td>
<td>Technician</td>
<td>15</td>
<td>City of Muskegon PD</td>
</tr>
<tr>
<td>Mike Wolffis</td>
<td>Technician</td>
<td>13</td>
<td>Fruitport FD</td>
</tr>
<tr>
<td>Heather Stevens</td>
<td>Technician</td>
<td>12</td>
<td>Gentex</td>
</tr>
<tr>
<td>Jake Grabinski</td>
<td>Technician</td>
<td>7.5</td>
<td>Muskegon Twp FD</td>
</tr>
<tr>
<td>Jim Thompson</td>
<td>Technician</td>
<td>3.5</td>
<td>BASF</td>
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<tr>
<td>Tim Doctor</td>
<td>Technician</td>
<td>3.5</td>
<td>Fruitport FD</td>
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<tr>
<td>Ryan Mylenek</td>
<td>Operations</td>
<td>0</td>
<td>Norton Shores FD</td>
</tr>
<tr>
<td>Chris May</td>
<td>Operations</td>
<td>0</td>
<td>Webb Chemical</td>
</tr>
</tbody>
</table>
HAZMAT TEAM TRAINING
We held 24 team training drills consisting of a total of 51 hours which exceeds the OSHA hazmat technician refresher training requirement (24 hours). We also had several members attend several training courses throughout the year. Those courses consisted of Hazardous Materials Branch Officer Course (4-day course), Chemistry I (3-day course), Chemistry II (3-day course), and Highway Cargo Specialist (3-day course). Our team also participated in Northern Exposure 2018 with the 51st CST on May 16, 2018 and conducted a functional exercise with the Muskegon County Correctional Facility on November 19, 2018.

HAZMAT TEAM BUDGET
The budget for FY 2018 was $54,930.00 and the team stayed within the budget. As to cost recovery for FY 2018, $10,170.00 was collected. The majority of the budget is to sustain our current operations. For example, the budget covers the following:

- Maintenance cost of our direct reading instruments (meters) for calibration gas, repairs, and new sensors that have expired.
- Annual DOT inspection and minor repairs on our Hazmat apparatus
- Purchase of new personal protective equipment (PPE) that has expired such as our Level A suits
- Pay for our personnel who have not received a pay raise in over 20 years to keep costs down
- Portable equipment insurance, general liability insurance, accident & sickness, and workers compensation coverage
- Utility costs for the Hazmat Building (Hanger)
- A small line item for training costs

COMMUNITY OUTREACH INITIATIVE’S
As a hazmat team, we plan to provide more outreach to our community such as training with the SARA Title III 302 sites, providing hazmat training to our County fire departments, providing decon training to our local hospitals and continuing to participate in public relations such hazmat apparatus demonstrations. We feel it is important we work with our community and develop those partnerships.

TEAM STRATEGY PLANNING
The Muskegon County Hazardous Materials Response Team is continuing to move forward. Part of our planning for FY 2019 is:

1) We plan to develop a mission and vision statement for our team.
2) Recognize and scale to changing budgetary, fiscal, and regulatory conditions.
3) Seek to improve operational efficiency and effectiveness by shaping, enhancing, and adapting to changing circumstances.
4) Cultivate and strengthen relationships with stakeholders, governing bodies, fire departments, and the public.
5) Foster a culture that emphasizes and enhances member health and safety.
6) Promote a highly motivated and well-trained workforce.
HAZMAT INCIDENTS AND COST RECOVERY

Our team had three full hazmat team responses for the calendar year. They consisted of the following:

<table>
<thead>
<tr>
<th>Date</th>
<th>Location</th>
<th>Incident</th>
<th>Cost Recovery</th>
</tr>
</thead>
<tbody>
<tr>
<td>5/21/18</td>
<td>Holton Rd</td>
<td>Semi-Truck Saddle Tank Rupture/diesel fuel spill</td>
<td>$6,187.72</td>
</tr>
<tr>
<td>6/6/18</td>
<td>Dollar General (Rothbury)</td>
<td>Unknown Odor/Substance (liquid)</td>
<td>$1,845.00-In Process of paying</td>
</tr>
<tr>
<td>12/5/18</td>
<td>Sherman Blvd</td>
<td>Transformer Oil Spill (Possible PCBs)</td>
<td>Insurance Invoiced</td>
</tr>
</tbody>
</table>

CHEMICAL FEE PROGRAM

As you may know, the Muskegon County Emergency Management Office has established the “chemical fee program” as a needed funding source. Steve Lague and Rich Warner implemented this program in 2018. The funding source will support the Hazmat team budget for many items such as equipment, operating supplies, training, maintenance of hazmat apparatus, etc.

The goal is for the 43 SARA Title III 302 sites in Muskegon County, 14 Tier II sites in Oceana, and the seven Tier II sites in Newaygo Counties to donate $1,500.00 to the hazmat team. To date this program has raised $39,500.00.

We have received donations from the following Tier II sites: Sixteen (16) from Muskegon County: Sun Chemical, TGW Systems, AGS Company Automotive Solutions, Shoreline Division, ALTA Industrial Equipment, Great Lakes Finishing Inc, Lorin Industries, Brunswick Bowling Products, BASF/Bayer, ADAC, Concept Metals Group, Fleet Engineers, Hanson Logistics, Coles Quality Foods, Webb Chemical, and Honeywell; Seven (7) from Oceana County: Peterson Farms, Wilbur-Ellis Company, Arbre Farms, Gray and Company, Seneca Food Corporation, Oceana Foods, and Oceana County Freezer Storage; and one (1) from Newaygo County: Gerber Products Company.

THANK YOU

On behalf of all the members of the Muskegon County Hazardous Materials Response Team, I would like to thank our citizens, the Muskegon County Board of Commissioners for their support in 2018. We look forward to continuing to work together to protect the communities we serve!
March 7, 2019

Muskegon County Board of Commissioners
State of Michigan

Commissioners:

Pursuant to Section 31, Chapter 2 of Act No. 40 of the Public Acts of 1956 as amended, I respectfully submit the Annual Report for this office for October 1, 2017 through September 30, 2018. In previous years we have also supplied a chart of accounts as the office’s financial statement but this year an Audited Financial Statement Report was generated by the county’s auditors for all County Drainage Districts. This financial report is currently being finalized by the County’s Accounting Department and will be provided to the County Board prior to the Drain Code deadline of April 1st.

This report includes background information about the Drain Code and emerging projects. As with previous years, we provide a table with cumulative projects undertaken since Ms. Barrett, the Deputy Drain Commissioner, and I took our offices in November of 2013.

Of particular note is an outstanding balance for Wolf Lake. We are waiting for Board Authorization for an updated lake level report. This authorization must be done by the County Board of Commissioners under state Inland Lakes and Streams legislation to satisfy the judge in the establishment of a lake level. Even though the project was completed in 1984 the final step to determine the lake level by the court did not occur. The cost of the study can be recuperated through an assessment. Staff has been advised of this matter and we await your direction.

Respectfully submitted,

Brenda M. Moore
Muskegon County Drain Commissioner
Muskegon County Drain Commissioner
Annual Report FY 2018

Office Philosophy & History

Muskegon County’s economic health and quality of life are fundamentally linked to its water. In addition to 26 miles of Lake Michigan coastline there are over 10,000 acres of surface water in county inland lakes being fed by hundreds of miles of streams running across our countryside. Many streams discharge to inland lakes that are open conduits to Lake Michigan. For public health and our economic future, we must be good stewards of our surface water resources.

Numerous water bodies in Muskegon County are considered “impaired” by the US Environmental Protection Agency including: Bear Lake (phosphorus), Bear Creek (biota), Ruddiman Creek (e. coli), Black Creek (biota), and Little Black Creek (biota). Other waterways have not graduated to the EPA list, but they are degraded (e.g., Cedar, Duck, Flower, Stevens, Norris, and Crockery Creeks). Muskegon and White Rivers have also suffered from pollution. Most waterway damage originates from “nonpoint” pollution carried by storm water runoff from streets, parking lots, rooftops, lawns, cleared land, and farm fields. Biota, or the living organisms of a stream, is most often impacted by excessive sediment (soil transported by water that smothers creatures, their food, and habitat). Another common impact to biota is a lack of oxygen because of the presence of pollutants that increase biochemical oxygen demand (i.e., they take oxygen to break down). E. coli originates from human or animal excrement and poses a health risk to humans who come in contact with contaminated water. Thermal pollution coming from heated rooftops and parking lots can exacerbate blue-green algae blooms that produce neurotoxins. Finally, there are areas of streams known to contain heavy metals in their sediment. When storm water blasts through a “flashy” stream channel it can transport contaminated sediment downstream into lakes.

In the late 1800s and early 1900s the majority of the county’s 130+ drains were created under the State Drain Code. These drains represent over 200 miles of surface water within the county. Most county drains are altered creek systems. Many of these drains are at the headwaters of major creeks. If not properly managed, county drains send poor water quality and sediment downstream. Early on, dynamite was often used to create county drains; draining wetlands and rerouting or straightening creeks to expedite surface water drainage. At the time, the tremendous negative impacts of such actions were not well understood. Today, most would never think of doing such things. Still, county drains are established infrastructure systems relied on by numerous property owners. They must be properly maintained. However, while we conduct drain work we can restore some natural functions of the stream that improve water quality and extend the life expectancy of drainage improvements.

What constitutes “properly maintained” has been redefined in recent history. The same year I took office, the state legislature amended the Natural Resources & Environmental Protection Act (NREPA) to hold Drain Commissioners more accountable for environmental impacts. Previously, Drain Commissioners were exempt from environmental standards (e.g., soil erosion control, wetland protection, and inland lakes and streams protection). Literally, they could tear up the countryside with absolutely no responsibility to protect or restore the environment. Now, Drain Commissioners must follow state established “best management practices” and obtain state permits for most of our work. In addition to these new demands, drain commissioners now have some responsibility for surface water quality.
This Report

The Drain Code requires that annually the Drain Commissioner provides a report of annual activities to the County Board. This report provides more detail about the operations of the office in an effort to foster a broader understanding of what we do. At this point, the only full time employees in our office are the Drain Commissioner and Deputy Drain Commissioner. A temp employee assists with the MS4 Municipal Storm Water Committee and internal records for approximately 5 hours per week. In terms of managing various drain projects, we rely on contractors to help us execute project tasks. This works well in that we can “ramp-up” or trim back as needs dictate. Historically the Drain Office had three employees in addition to the Commissioner and Deputy; an inspector and two administrative staff.

Team Members

We have worked with several engineering firms (listed alphabetically) that we utilize for design and project inspection services, including:

- Eng. Inc.
- J&A Engineering
- Land & Resources Engineering
- Schultz Land & Water Consulting

Both staff members are certified soil erosion control officers. We regularly inspect drains as well. We also have a contract with the Muskegon Conservation District (MCD) to assist with spraying herbicides, erosion control measures, planting, and invasive species control. MCD staff members are licensed applicators and they have expertise in conservation practices. To date, we have not used chemicals to manage the drains. In rural areas prescribed burns may be an option. MCD staff has recently become a certified burn team.

Excavating contractors are selected based on a competitive, line-item bid process. For larger projects we also hold mandatory pre-bid meetings. Following are contractors who have been awarded contracts by our office:

- Busscher Development
- Jackson Merkey
- McCormick Sand
- Mead Brothers
- Quantum Excavating
- Randall Meyer
- Stein Construction
- Volker Crane Services

Our legal counsel is Fahey, Schultz, Burzych Rhodes PLC of Okemos, who also represents the MI Association of Drain Commissioners.

Our financial advisors are Steve Mann, Esq., of Miller Canfield and Paul Stauder of Public Financial Management, Inc.
Other important partners include:

- Michigan Department of Environmental Quality – Nonpoint Pollution, Wetland & Inland Lakes and Streams (permits, tech support, and potential grants)
- Michigan Department of Natural Resources, Fisheries Division (tech support and potential grants)
- Michigan Department of Transportation (supplemental assessments and design assistance)
- Muskegon County GIS (services billed to individual districts)
- Muskegon County Road Commission (cost-sharing for road culverts, engineer comments)
- US Fish and Wildlife (tech support and grants)

Drain Code Process and County Practices

Drain projects are completed under one of two scenarios; as maintenance projects or as petitioned projects. The Drain Code limits spending on a drain project to $5,000 per mile, per year-- unless it comes under petition or a local municipality passes a resolution to allow additional spending. The $5,000 per mile limit was put in the law decades ago and is nowhere near the actual cost of conducting maintenance now--especially considering state restoration requirements. Working through an entire drain branch under the maintenance scenario can take years. The down-side of that is it is difficult to work on a stream system in small segments because what happens to one segment of the system impacts other parts of the system. For example, if sediment is removed from a portion of stream, it invites water to move faster downstream; this can cause additional flooding or sediment deposition downstream. Ideally, it is more cost effective and environmentally sound to maintain and restore a section of stream (drain) through its entire run.

Under the Drain Code, projects are generally paid through an assessment process. Each Drainage District is treated like its own corporation, having individual charts of account. Drain projects in Muskegon County are currently financed solely through bank notes and bonds paid off by assessments. Other Drain Commissioners have healthy revolving funds that have grown over time and/or County Boards provide a significant general fund injection to their office. In other counties townships often pay most or all of an assessment for their constituents. Whatever the reason, this has not been the culture of Muskegon County in the past. Around 2011 the County Board stopped providing general funds for drain maintenance when the previous Drain Commissioner suggested assessments for work was more appropriate than a flat general fund contribution. He did not get the chance to levy assessments nor was he able to turn around the fact that many drain accounts had zero or negative balances because of an historic lack of assessments to support maintenance. Regardless of the history, we are working with what we can now; bank notes and bonds being paid back with assessments. In addressing negative balances, the newly created revolving fund will prevent the need for 40 bank notes, saving an estimated $80,000 in financing fees.

Most drain work in the county has required more excavation and restoration work than normally necessary because of a long term lack of consistent management of the systems. To add to the issue, during this time, various property owners were permitted to dig in public drains. Many overly deepened or widened them, which caused damage to downstream segments of the system. Getting state permits, fixing the damage of sporadic digging, and catching up with decades of inadequate maintenance makes what we have to do more complex and expensive. Further, because of the cost to replace or upsize culverts, they can rarely be done as part of maintenance projects. This is why many projects have been petitions, because the cost to effectively undertake a project requested by property owners far exceeds maintenance spending limits of the Drain Code.
A petition must be employed and approved when adding branches to a drain system, abandoning portions of a drain, deepening or widening a channel, or placing a certain amount of culverts or storm sewer. As a check-and-balance under the Drain Code, a Commissioner cannot act on a petition alone. There must be a public hearing process in which all property owners of a district are notified by 1st class mail and via newspaper notices. There is a Board of Determination appointed (BOD) comprised of 3 citizens plus an alternate. Members cannot own property in the district or community in which the project is proposed but they must own land and reside in the county. Under the Drain Code, the Drain Commissioner appoints the BOD members. Early on, some township board members served on BODs but they became less comfortable serving when they realized BOD meetings could be very contentious. Soon after I took office we asked township supervisors if they knew of local people who served on a local board who could handle meetings and, perhaps, an angry crowd. From the local units we generated a list of about 12 people who were willing to serve. They received training from our attorney regarding their roles and responsibilities under the Drain Code.

The Board of Determination process has received a lot of criticism, most notably because the Drain Commissioner appoints BOD members. Truly, I believe we have done the best we can to pick independent thinkers, prepare them legally, and then be “hands off” at meetings. We have legal counsel at hearings if BOD members have procedural questions. At a recent hearing, for example, I was not able to correct the impression that citizens would have to help pay for a new branch of a drain specifically requested by a few property owners. That would not have happened. The benefiting properties would have received the assessment for the new branch because it only served them.

We have also wished there could be a different process then the BOD because we have seen petitioners bullied at meetings and members of the public (some of them elected officials) insult our engineers, legal counsel, and BOD members by questioning their integrity. Many of the public comments have degenerated into the perpetuation of misinformation, spiteful comments, and irrelevant hearsay. Because BOD members are citizen volunteers, they may not feel well equipped to “gavel down” inappropriate behavior. As consultants and staff we have very little ability to stop such activity or correct misinformation because it looks like we are trying to sway the process. Still, this is what the Drain Code gave us.

If the BOD determines that a petitioned project should continue, and there are no court challenges, the engineering survey & design process begins. The Drain Commissioner, with her team, determines the scope of the project. During this time the Road Commission and MI Department of Transportation are asked if they want to be partners in any culvert replacements. This opportunity allows a township to pay for culvert replacements over time via an assessment vs. having to pay their half of the culvert cost in one payment to the Road Commission. The Road Commission may request supplemental assessments to finance culvert replacements over time but has chosen not to thus far. MDOT pays for the bulk of work it requests (e.g., Robinson Drain 80% of all costs; Kuis Drain, 100%, of requested work). During this time there are also discussions with permitting agencies, local officials and property owners regarding options.

As part of the “scoping” process, we also look into potential grants. To date, we have investigated grants for in-line wetland creation; full streambed span box culverts to replace side by side metal culverts that sit within the creek bed, and soil erosion and sedimentation control grants for plant materials along drains. The wetland creation grants we pursued went to Lake Erie projects. Fish passage grants generally go to healthier ecosystems with significant fish populations. We also learned that agencies tied to Areas of Concern get more attention from funding entities, as was the intent of being designated an AOC. In short, by comparison, our recent projects were not of interest to many funding agencies. Recently, however, the Muskegon Conservation District partnered with our office for
two grants related to erosion control: one for the Peterson-Ahlert Drain (Bear Creek Watershed) to plant and stabilize stream banks and the other for the Muskegon River Watershed for tree planting, which will primarily target the Holland Drain (Ryerson Creek).

Once the project scope and partners are determined and engineering design is complete we submit for state and/or federal permits. It is during this time that we obtain additional drain easements if necessary. When design and permitting are complete bid specification packets are developed for competitive bid. This is the beginning of the construction phase. For initial phases of the project (survey, design, etc.) we obtain bank notes. For many projects we have been able to finance the entire project using bank notes. Larger construction projects (exceeding 1 million dollars) have required bonding.

**Drain Projects**

When my tenure began in 2013, four petitions were in process from Mr. Fisher’s tenure (Pierson Swamp, Kuis, Ellis, and Mason Drains). Since then, we have received one community petition from the City of Montague to extend and improve the Montague Drain (Buttermilk Creek). Two petitions originated from the County Road Commission (Laurene Taylor and Norris Creek). The remaining petitions were from property owners. See our list following: those stricken are completed projects. Those italicized were deemed not necessary by a Board of Determination. Those bolded are in progress.

1. **Black Creek Consol. (in planning)**
2. **Chaddock**
3. **Ellis**
4. **Erickson**
5. **Holland**
6. **Hurlbut (contract awarded)**
7. **Kent**
8. **Kuis**
9. **Laurene-Taylor**
10. **Mason**
11. **Montague (in planning)**
12. **Norris Creek (in planning)**
13. **Pierson**
14. **Ribe (in litigation)**
15. **Saxe**
16. **Schwemer**
17. **Stewart**
18. **Wilsie**

**2018 Construction Projects:**

- Pierson Drain- estimate 85% complete
- Kuis Drain - estimate 90% complete
- Cleaning & stabilization of a portion of the Wilsie Drain with future phases planned (petition failed)
- Stabilization of unauthorized work done by a property owner on the Walsworth Drain.

**2019 Certifications:**

In 2019 we are focusing on “cleaning up” the remaining drain district records to; 1) verify the drains were legally established, 2) verify watershed (district) boundaries using 2016 LiDAR data to derive 1-foot elevation contours (vs. 1800s and early 1900s surveys) and, 3) assess each district to both cover the above costs and to rectify negative drain balances which have existed for years. Much of this work is being funded by the newly established revolving fund.

1. **Ackerburg**
2. **Artibey**
3. **Bailey**
4. **Barnes**
5. **Bartholomew**
6. **Becker**
7. **Bussing**
8. **Dobe**
9. **Dolph**, 10. **Ellis**
2019 Engineering Surveys:

The following drains have been previously certified, they are getting engineered surveys to diagnose potential issues. The cost of which is being covered by a state SAW grant. Note: IC = Inter-county drain.

1. Anderson
2. Bowen IC
3. Canada
4. Carlson
5. Clyde Thompson
6. Crockery Cr. IC
7. Dry IC
8. Eadie
9. Farkas
10. John Smith
11. Klever
12. Lawrence
13. Lewis
14. Norris Creek
15. Tony Rupar
16. Walsworth
17. Westover
18. Wilsie
19. Wilsie
20. Wilsie
21. Witham
22. Wilsie
23. Witham
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2019 Projects:

Because several petitioned projects did not advance through the BOD process, we will be engaging in multiple year maintenance schedules to address each drain’s biggest issues. At face value this keeps annual costs down, but property owners will receive less service for their investment because each year contractors will charge for mobilization fees to get to the work site rather than giving a better price for work on an entire stretch of drain. We discussed previously why this is not the preferred approach. In an effort to reduce mobilization costs, we intend to bid out numerous small projects at once in hopes one contractor will provide a good price to “batch” maintenance jobs. Thus far the Anderson, Erickson, Holland, Walsworth, Washburn and Yonker Drains are in line for maintenance work.

Financing & Assessments

2019 Bank Notes:

- Wooley Marsh $133,000
- Hurlbut $800,000

2018 Bank notes:

- Anderson $100,000
- Black Creek Consolidated Drain $500,000
- Brandstrom $46,500
- Erickson $50,000
- Furman $35,000
- Holland $70,000
-
• Hurlbut $100,000 (retired with recent note)
• Montague $100,000
• Ribe $180,000
• Washburn $100,000
• Wilsie $55,000

2018 Bonds:
• Pierson; (approximately 3.2 million)  
• Kuis; (approximately 2.4 million) note: over $245,000 was pre-paid by MDOT for work along US31.

2018 Assessments

• Ellis (paid by Norton Shores)  
• Kent (2nd of 10 years)  
• Kuis (1st of 20 years)  
• Lawrence (1st of 2 years)  
• Little Black Lake Inter-county with Ottawa (1 year, done)  
• Laurene Taylor (2nd of 10 years)  
• Mason (2nd of 7 years)  
• Partridge (1 year, done)  
• Pierson Swamp Drain (1st of 30 years)  
• Robinson Inter-county with Newaygo and Oceana (1st of 5 years)  
• Round Marsh (2nd of 5 years)  
• Saxe (1st of 10 years)  
• Sieder (paid by Norton Shores)  
• Stewart (1st of 10 years)  
• Stafford (1 year, done)  
• Truman Inter-county with Ottawa (1 year, done)  
• Tupper (2nd of 2 year)  
• Wooley Marsh (1st of 7 years)

2019 Assessments

Thus far, in addition to continuing multi-year assessments listed above the Hurlbut Drain is a petitioned project that will be built and assessed in 2019.

All newly certified drains will be assessed to rectify negative drain balances and reimburse the revolving fund.

A note on the County’s assessment

As already indicated, the County Drain office receives no general funds for drain maintenance. We rely on assessments. General fund allocations ended when Mr. Fisher suggested county assessments for drain work were more appropriate than general fund allocations. The County Administrator at the time agreed and around 2011 general fund allocations ceased. When assessments to the county began in 2014, we provided the engineering calculations that facilitate the recuperation of some assessment fees from the County Road Commission.
When general funds were provided to the drain office for maintenance it amounted to approximately $200,000 annually. With inflation, $200,000 in 1980 dollars is worth about $467,000 in 2019. In looking through office records it’s not clear what the county received for their investment when general funds were given. At least now, county assessments are directly tied to specific projects and it is clear what the funds are used for. Regardless, recent County assessments are less than what the Board ever gave the drain office in general funds.

**Storm Water Reviews Performed FY 2018**

1. Aldi Food Market  
2. Green Acres, LLC  
3. Sternberg Hotel Development  
4. Apple Carr Village Expansion  
5. LMCU Roosevelt Park  
6. Motion Dynamics  
7. Mercy Health North Muskegon  
8. Everstream Montague  
9. Sherman Storage Facility  
10. M-46 Wellness  
11. Autozone Egleston Twp  
12. Blue Water Industrial  
13. TKI Properties  
14. Eagle View Estates  
15. Chandy Acres East

**Non-Drain projects**

Recent:

- Administering Municipal Storm Water, Post Construction Ordinance and storm water reviews for the cities of Muskegon, Norton Shores, Muskegon Heights, and Roosevelt Park.
- Partnership with county GIS for this office to finance 1-foot LIDAR contours for the entire county (about $13,000).

Historic:

The Drain Commissioner’s office has taken a major role in special projects outside of the scope of regular duties including:

- Assisting the cities of Muskegon, Norton Shores, Muskegon Heights, Roosevelt Park, and North Muskegon with their 5-year update of state NPDES storm water permits.
- Chair and assist Municipal Storm water group with MDEQ requirements and storm water reviews (listed above).
- Wrote first draft of the Bear Lake Plan - feasibility study added by the consultant.
- Worked with Ottawa and Allegan Counties to draft MDEQ required storm water standards, the first ever for Muskegon County.
- Received $535,660 SAW grant.
- Drafted County 2015 Recreation Plan
### Summary table: Completed Projects

<table>
<thead>
<tr>
<th>Drain</th>
<th>Description</th>
<th>Status</th>
</tr>
</thead>
<tbody>
<tr>
<td>Dirkes</td>
<td>Maintenance- branch of Black Creek Consol.</td>
<td>Project completed 2016. Black Creek Assessment 2015-2017</td>
</tr>
<tr>
<td>Kent</td>
<td>Citizen petition</td>
<td>Project completed 2017. Assessment 2017-2026</td>
</tr>
<tr>
<td>Laurene Taylor</td>
<td>Petition from Road Commission</td>
<td>Project completed 2017. Assessment 2017-2026</td>
</tr>
<tr>
<td>Little Black Lake</td>
<td>Dam inspection &amp; district certification</td>
<td>Completed and assessed 2018</td>
</tr>
<tr>
<td>Marion (Inter-county with Newaygo)</td>
<td>Complaints</td>
<td>Project completed. MDOT financed along M-120, no assessment.</td>
</tr>
<tr>
<td>Mason</td>
<td>Citizen petition</td>
<td>Project completed 2017. Assessment 2017-2023</td>
</tr>
<tr>
<td>Robinson (Inter-county w/Newaygo and Oceana)</td>
<td>Started with complaints. M-DOT financed majority of work along M-120.</td>
<td>Project completed 2017. Assessment for Muskegon’s portion 2018-2022</td>
</tr>
<tr>
<td>Round Marsh</td>
<td>Emergency declaration</td>
<td>Project completed 2016. Assessment 2017-2021</td>
</tr>
<tr>
<td>Saxe</td>
<td>Citizen petition</td>
<td>Project completed 2017. Assessment 2018-2027</td>
</tr>
<tr>
<td>Stewart</td>
<td>Citizen petition</td>
<td>Project completed 2017. Assessment 2018-2027</td>
</tr>
<tr>
<td>Washburn</td>
<td>Complaints</td>
<td>Partial ditch clean-out under maintenance provisions.</td>
</tr>
<tr>
<td>Wilsie</td>
<td>Complaints/failed petition</td>
<td>Partial ditch clean-out under maintenance provisions.</td>
</tr>
<tr>
<td>Wooley Marsh</td>
<td>Started with complaints Township authorized work</td>
<td>Project complete 2017. Assessment 2018- 2024</td>
</tr>
</tbody>
</table>
# Status of Open Drain Projects

<table>
<thead>
<tr>
<th>Drain</th>
<th>Initiated by</th>
<th>Status</th>
<th>Engineer</th>
</tr>
</thead>
<tbody>
<tr>
<td>Anderson</td>
<td>complaints</td>
<td>Survey and design complete</td>
<td>ENG.</td>
</tr>
<tr>
<td>Black Creek Consolidated Drain</td>
<td>petition</td>
<td>Surveys complete determining scope</td>
<td>LRE, ENG and Snell Environmental</td>
</tr>
<tr>
<td>Hurlbut</td>
<td>petition</td>
<td>Contract awarded</td>
<td>ENG.</td>
</tr>
<tr>
<td>Kuis</td>
<td>petition</td>
<td>Construction about 90% complete</td>
<td>ENG.</td>
</tr>
<tr>
<td>Lawrence</td>
<td>complaints</td>
<td>Survey and design complete.</td>
<td>LRE</td>
</tr>
<tr>
<td>Montague</td>
<td>petition from City</td>
<td>Engineering complete obtaining easements</td>
<td>LRE</td>
</tr>
<tr>
<td>Norris Creek</td>
<td>petition</td>
<td>Survey work complete design started</td>
<td>LRE</td>
</tr>
<tr>
<td>Partridge</td>
<td>grant opportunity</td>
<td>Aborted</td>
<td>Schultz</td>
</tr>
<tr>
<td>Pierson Swamp</td>
<td>petition</td>
<td>Construction about 80% complete</td>
<td>LRE</td>
</tr>
<tr>
<td>Ribe</td>
<td>petition</td>
<td>Secured DTE and CSX agreements. DTE estimates $1 million to lower gas line <em>at their expense</em></td>
<td>ENG.</td>
</tr>
<tr>
<td>Wolf Lake</td>
<td>Flaw in record</td>
<td>On hold. <strong>Need County Board action</strong></td>
<td>Johnson &amp; Anderson</td>
</tr>
</tbody>
</table>

Note: Petitioned projects have taken 18 months to over 3 years to execute depending on:

- complexity of design
- requirement for DEQ, and/or Army Corp permits
- need to obtain easements
- amount of coordination with land owners (e.g., Railroads and other utilities).
- litigation
Guiding Principles:

- The need for drainage must be balanced with stewardship
- Investments are made for longevity
- Water quality is paramount to Muskegon Co.’s economy
The beginnings of Drain Law started in 1819 before Michigan was a state!

- Most drains were “created” to drain wetlands and expedite drainage.
- They often used dynamite to reroute streams.
- No consideration of environmental impact.
2013

- Changes to state law: DCs no longer exempt from MEPA

- New attention to water quality: Clean Water Act, Nonpoint pollution NPEDS
- Typical drain: stagnate, warm, sediment laden, low oxygen; very little can survive.
- Likely no body contact.
We work in the Riparian Zone
EPA List of impaired waters:

- Bear Lake (phosphorus)
- Bear Creek (biota)
- Ruddiman Creek (e. coli)
- Black Creek (biota)
- Little Black Creek (biota).
Head Cutting
Flooding transports sediment that smothers
Bank slump, trees undercut
Sediment choked culverts
Scouring from sudden and excessive runoff damages downstream locations
Waters of the State...
Making Improvements
Hancock Rd. before
Old Lamos Rd Bridge
Hancock Bridge completed.

*Shot taken after 7 inch rain event.*
Before:
Main channel south of Hancock Road.
Before: Main channel south of Hancock Road.
After: Re-sculpted channel.
After: Re-sculpted channel.
After: Cross-vane
After:
Log revetment
Old Eilers Rd Bridge
New Eilers Rd Bridge
Ford Vs. Culvert
Creating meanders
Reinforce sharp turns
Riffle to slow and aerate water
Placement of revetments
Step pools
Groundwater discharge
Before and after stretch of Kuis Drain
Use of coconut logs
Nonpoint pollution - first flush
Muskegon Area Transit System

Proposal to Eliminate Routes 20 & 45, Effective April 1, 2019
MATS Service Reduction Proposal

- Proposal Announced January 2019
  - Eliminate Route 20 (Apple I) from service, effective April 1, 2019
    - One of two buses operating this corridor
  - Eliminate Route 45 (Peck-Sanford) from service, effective April 1, 2019
    - One of two buses operating this corridor
- Public Comment Period February 1 - 15, 2019
- Public Hearing Held February 19, 2019
- Board Action Requested March 12, 2019
MATS Budget Shortfall Factors

• MATS program and staffing expansions implemented to address community needs
• Increased costs of personnel, goods, services
• Reduced ridership and associated fares
• Persistent shortfall of local funding and resulting accelerated use of federal funds to decrease local match need
MATS Operating Expenditures
FY2009 – FY2018
MATS Operating Expenditure Areas – Typical
Based on FY2018 Operations – Excluding Capital Project Grants and Non-Cash Entries
Revenue Sources to Support Operations
MATS - FY2018

- Federal, 49%
- State, 32%
- Farebox, 8%
- Ads, Greyhound, Other, 2%
- Local Share Contributions, 4%
- Shortfall - County General Fund, 4%
MATS Fixed Route Program
Customer Fare Revenue and Ridership Trend
MATS Local Community Partner Funding
2009 to 2018, with 2019 Projected and 2019 and 2020 Requested from Five Urban Community Partners

- Dalton Township
- City of Whitehall
- City of Montague
- Baker College
- Muskegon Twp
- City of Roosevelt Park
- City of Norton Shores
- City of Muskegon Heights
- City of Muskegon
FY2018-FY2020 MATS Funding Sources
as projected with FY2019 budget preparation
MATS Budget Action Steps to Date

• Revise MATS discounting policies – July 2017
• Ravenna and Holton Route cuts – January 2018
• Saturday service cuts, selected Holiday reductions, other small route adjustments, monthly pass price increases – January 2018
• Beach-Towne Trolley Route cut – summer 2018
• GoBus deployment reductions -- 2018 and 2019
• Internal staffing cuts – Layoffs February 2019, delayed recruitments
• MCC/Baker Contributions for Route 70 – 2018 and 2019
• MARC Route 115-Montague Contributions and new non-urban Federal Funding source – 2019
• Technology Study -- Underway
• Route Study – Pending
• Proposal to Eliminate Routes 20 and 45 – Pending