CALL TO ORDER
The meeting was called to order by Chair Foster at 4:00p.m.

ROLL
Present: Gary Foster, Muskegon County Commissioner
         Susie Hughes, Muskegon County Commissioner
         Zach Lahring, Muskegon County Commissioner
         Ken Mahoney, Muskegon County Commissioner
         Brenda Moore, Drain Commissioner
         Charles Nash, Muskegon County Commissioner
         Robert Scolnik, Muskegon County Commissioner
         I. John Snider II, Muskegon County Commissioner
         Rillastine Wilkins, Muskegon County Commissioner
         Jennifer Hodges, Ex-officio Member

Excused: Leo Evans, Ex-officio Member

Staff
Present: Dave Johnson, Wastewater Director
         Matthew Farrar, Public Works Director
         Tina Nash, Public Works Coordinator
         Mark Eisenbarth, County Administrator
         Beth Dick, Assistant Administrator & Finance Director
         Steve Fink, Public Works Engineer & Projects Manager
         Michael D. Homier, Corporate Counsel

BPW-19-120 APPROVAL OF THE AGENDA

Chair Foster requested to amend the agenda by adding a discussion of a written legal opinion from corporate counsel under closed session.

Moved by Commissioner Hughes, seconded by Commissioner Snider, to approve the amended agenda.

VOICE VOTE: Motion carried
BPW-19-121  APPROVAL OF MINUTES

Moved by Commissioner Snider, seconded by Commissioner Hughes, to approve the minutes of the Board of Public Works meeting held on October 3, 2019.

VOICE VOTE:  Motion carried

PUBLIC COMMENT ON AN AGENDA ITEM

None

ITEMS FOR CONSIDERATION:

BPW-19-122  Approve Meters, Software and Parts Purchases

Moved by Commissioner Snider, seconded by Commissioner Hughes, to waive the bid process and approve immediate release of payment for the purchase of Neptune meters, software, and parts for the Regional Water System from sole source vendor Ferguson Enterprises, Inc. for FY 2020.

Roll call:
Yes - Lahring, Mahoney, Moore, Nash, Scolnik, Snider, Wilkins, Hughes, Foster
No –
Motion carried

BPW-19-123  Approve Propane Payments

Moved by Commissioner Wilkins, seconded by Commissioner Mahoney, to approve for immediate release of payment in FY2020 for vendors supplying propane used at Solid Waste Management and the Wastewater Management System.

Roll call:
Yes - Hughes, Lahring, Mahoney, Moore, Nash, Scolnik, Snider, Wilkins, Foster
No –
Motion carried

BPW-19-124  Solicit Bids for Phase I / Channel Crossing Project

Moved by Commissioner Hughes, seconded by Commissioner Snider, to authorize staff to solicit bids for Phase I of the Channel Crossing Project.

Matthew Farrar stated it will be a 30 inch pipe. Steve Fink explained the process of directional drilling. Steve Fink stated this will provide a redundant feed line to the entire Northside Water System. Steve Fink stated EGLE requested this project be completed.

VOICE VOTE:  Motion carried
**BPW-19-125  Salary Range Adjustment to Weighstation Positions**

Moved by Commissioner Snider, seconded by Commissioner Hughes, to make a salary range adjustment to the Weighstation Attendant Hourly (W40002) – Pay grade WH-00030 ($12.70 - $15.71) to Pay grade WW-00045 ($14.04 - $18.07/hour) at step 6 Weighstation Attendant FT (W40001) – Pay grade WW-00030 ($12.77 - $16.59/hour) to Pay grade WW-00045 ($14.04 - $18.07/hour) at step 7 effective immediately.

Roll call:
Yes - Moore, Nash, Scolnik, Snider, Wilkins, Hughes, Lahring, Mahoney, Foster
No –
**Motion carried**

**BPW-19-126  Approve Cost Proposal to Upgrade and Expand SCADA Systems**

Moved by Commissioner Wilkins, seconded by Commissioner Snider, to approve the KISM cost proposal to upgrade and expand the Wastewater and Solid Waste SCADA systems for $887,320.00 and $59,431.00, respectively, and for providing cloud backup hosting for $16,670.00 per year $1,560.00 per year, respectively, (with yearly cost increases capped at 3% per year), and authorize the Board Chair to sign the agreement.

Dave Johnson stated the proposal was higher due to the costs for additional hardware needed. Dave Johnson stated there are reserve funds available to cover the difference.

Dave Johnson suggested an amendment to the motion to allow Wastewater and/or Solid Waste to purchase the hardware. Dave Johnson explained there would be a savings to Wastewater and Solid Waste by directly purchasing the hardware from Kendall Electric vs. going through Kennedy Industries System Master (KISM).

Move by Commissioner Hughes, seconded by Commissioner Snider, to allow Wastewater and Solid Waste to directly purchase the hardware.

Discussion ensued regarding the responsibilities and accountabilities of the Wastewater Director, Solid Waste Director and KISM regarding the direct purchase of hardware.

Commissioner Hughes stated she had concerns and withdrew her motion.

**BPW-19-127  Amendment to BPW-19-126**

Move by Commissioner Nash, seconded by Commissioner Snider, to allow Wastewater and Solid Waste to directly purchase the hardware from Kendall Electric.

Discussion continued regarding the responsibilities and accountabilities of the parties involved.

Roll call:
Yes - Mahoney, Moore, Nash, Snider, Wilkins
No – Lahring, Scolnik, Hughes, Foster
**Motion carried**
BPW-19-126  Approve Cost Proposal to Upgrade and Expand SCADA Systems

Vote on original motion

Roll call:
Yes - Hughes, Lahring, Mahoney, Moore, Nash, Scolnik, Snider, Wilkins, Foster
No –
Motion carried

BPW-19-128  Approve Discounted Sewer Rate for the Construction Dewatering/Convention Center

Moved by Commissioner Nash, seconded by Commissioner Snider, to discount the sewer rate for the construction dewatering of the Muskegon Convention Center by removing the debt portion of the sewer rate and only charging the O&M portion, which currently is $2,067.59 per million gallons (though is subject to rate increases approved by the Board).

Dave Johnson stated they legally can only remove the debt portion. Dave Johnson clarified this will be for all of the dewatering related to the Muskegon Convention Center construction project. Dave Johnson stated the water does contain PFAS which will be treated prior to it being sent to the Wastewater system. Dave Johnson stated the permit will require testing to be completed. Dave Johnson explained the testing will be done by an independent lab. Discussion ensued.

Drain Commissioner Moore called for the question.

Roll call:
Yes - Wilkins, Hughes, Mahoney, Moore, Nash, Scolnik, Snider, Foster
No – Lahring
Motion carried

BPW-19-129  Authorize Letter Granting Rights of Ingress & Egress for White Rd Substation

Moved by Commissioner Nash, seconded by Commissioner Mahoney, to authorize the Chair of the Board of Public Works to sign the consent letter granting rights of ingress and egress for the White Road Substation, as worded in the Standard Public Pumping Contract, to the Michigan Electric Transmission Company.

VOICE VOTE:  Motion carried

BPW-19-130  Reject Amendment to Lease Agreement

Moved by Commissioner Snider, seconded by Commissioner Hughes, to reject the proposed amendment to the lease agreement with Muskegon Green Solar Project, LLC.

Dave Johnson explained the options Muskegon Green Solar Project, LLC has to reduce their costs.

VOICE VOTE:  Motion carried
BPW-19-131 Informational Items:

The following informational items were received and placed on file:
3. Muskegon Municipal Wastewater Management Committee Minutes, Oct. 2019 (draft)

[Commissioner Nash excused from meeting at 4:54p.m.]

OLD BUSINESS
None

NEW BUSINESS - Wolf Lake

Matthew Farrar stated the Public Works department has been operating the pump at Wolf Lake.

Michael D. Homier stated the county has options they can take regarding the lake and explained those options. Michael D. Homier stated the preferred option would be to request Egelston Township, under Act 188, establish a special assessment district.

Mark Eisenbarth stated the General Fund has been incurring the costs to pump the lake since Public Works took over those duties from the Drain Office.

Discussion ensued regarding the options. The Board was informed corporate counsel would be drafting a letter to Egelston Township.

PUBLIC COMMENT
None

[Jennifer Hodges was excused from meeting at 5:08p.m.]

CLOSED SESSION – Property Acquisition and Discussion of a Written Legal Opinion from Corporate Counsel

BPW-19-132 Moved by Commissioner Mahoney, seconded by Commissioner Hughes, to go into closed session for the purpose of discussing property acquisition and a written legal opinion from corporate counsel.

Roll call:
Yes - Moore, Scolnik, Snider, Wilkins, Hughes, Lahring, Mahoney, Foster
No –
Excused - Nash
Motion carried

The Board of Public Works went into closed session at 5:09p.m.

The Board of Public Works went into open session at 5:18p.m.
BPW-19-133   Approve Purchase of 8571 & 8559 East Apple

Moved by Commissioner Hughes, seconded by Commissioner Mahoney, to approve the purchase of 8571 East Apple for $80,000 and 8559 East Apple for $180,000 and authorize the Chair to sign the purchase agreement and the Public Works Director to sign the closing documents contingent on approval of Corporate Counsel.

Roll call:
Yes - Mahoney, Moore, Scolnik, Snider, Wilkins, Hughes, Lahring, Foster
No –
Excused - Nash
Motion carried

ADJOURN
There being no further business to come before the Board of Public Works the meeting was adjourned at 5:19p.m.

_____________________________________
Gary Foster, Chair

_____________________________________
Board of Public Works
Minutes
November 7, 2019
Page 6

Preliminary Minutes
To be approved at the December 5, 2019 Board of Public Works Meeting