

Muskegon County  
Water System Policy Board  
February 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 Matthew Farrar at 10:00 a.m.

**ROLL**

Present: Kim Arter, Laketon Township Supervisor - Laketon Township  
Doug Brown, Muskegon County Commissioner – City of Muskegon  
Lori Hayes, Dalton Township Clerk (Alternate) – 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: 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  
Crystal Morgan, WSPB Attorney

### **ELECTION OF OFFICERS**

Matthew Farrar opened nominations for Chair of the Muskegon County Regional Water System Policy Board.

Kim Arter nominated Jennifer Hodges for Chair.

Jennifer Hodges accepted the nomination for Chair.

There were no other nominations for Chair.

Matthew Farrar closed the nominations for Chair.

**WSPB-21-001** Moved by Commissioner Hughes, seconded by Kim Arter, to elect Jennifer Hodges as Chair by unanimous ballot.

Roll call:

Yes – Arter, Brown, Hodges, Hughes, Marcinkowski, Hayes

Excused - Cyr

No –

**Motion carried**

Chair Hodges presiding.

Chair Hodges opened nominations for Vice Chair of the Muskegon County Regional Water System Policy Board.

Commissioner Hughes nominated Kim Arter for Vice Chair.

Kim Arter accepted the nomination for Vice Chair.

There were no other nominations for Vice Chair.

Chair Hodges closed the nominations for Vice Chair.

**WSPB-21-002** Moved by Commissioner Hughes, seconded by Chair Hodges, to elect Kim Arter as Vice Chair by unanimous ballot.

Yes –Marcinkowski, Hayes, Arter, Brown, Hodges, Hughes

Excused - Cyr

No –

**Motion carried**

Chair Hodges opened designations for Secretary of the Muskegon County Regional Water System Policy Board.

Commissioner Hughes nominated Tina Nash for Secretary.

Tina Nash accepted the nomination for Secretary.

There were no other nominations for Secretary.

Chair Hodges closed the nominations.

**WSPB-21-003** Moved by Commissioner Hughes, seconded by Kim Arter, to designate Tina Nash as Secretary by unanimous ballot.

Yes – Hayes, Arter, Brown, Hughes, Marcinkowski, Hodges

Excused - Cyr

No –

**Motion carried**

Chair Hodges opened designations for Fiscal Officer of the Muskegon County Regional Water System Policy Board.

Commissioner Hughes nominated Carly Hysell for Fiscal Officer.  
Carly Hysell accepted the nomination for Fiscal Officer.

There were no other nominations.

Chair Hodges closed the nominations.

**WSPB-21-004** Moved by Commissioner Hughes, supported by Kim Arter, to designate Carly Hysell as Fiscal Officer by unanimous ballot.

Yes – Brown, Hughes, Marcinkowski, Hayes, Arter, Hodges

Excused - Cyr

No –

**Motion carried**

**WSPB-21-005 APPROVAL OF AGENDA**

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

Yes – Arter, Brown, Hughes, Marcinkowski, Hayes, Hodges

Excused - Cyr

No –

**Motion carried**

**WSPB-21-006 APPROVAL OF MINUTES**

Moved by Commissioner Hughes, seconded by Commissioner Brown, to approve the minutes of the Muskegon County Regional Water Policy Board meeting held on December 2, 2020.

Yes – Marcinkowski, Hayes, Arter, Brown, Hodges, Hughes

Excused - Cyr

No –

**Motion carried**

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

None

### **DISCUSSION – EASTSIDE WATER SYSTEM**

Matthew Farrar stated part of the reliability study included recommendations for smaller projects in Muskegon Township. Matthew Farrar stated part of what is driving this discussion, is the low bond rates. Matthew Farrar stated the Eastside Water System was installed around 1958 and provided a background to the condition of the system.

Matthew Farrar stated when bonds are sold this fall for the channel crossing project they could include the costs of the Eastside Water System recommended projects. Matthew Farrar stated they would have three (3) years to complete the projects.

Discussion ensued regarding the low bond rates, order of priority by working with Muskegon Township, the need to complete the work due to aging infrastructure, and the reliability study recommendations.

Matthew Farrar stated if the board would like to proceed, he would report back with firm financial information.

Chair Hodges asked if certain locations could be looked at more extensively due to issues they are experiencing.

Matthew Farrar provided further information regarding the bonding process. Matthew Farrar stated he would provide the payment schedules once they became available.

The general consensus of the Water Policy Board was to proceed with getting the impact on rates if the additional projects are done. Staff will report back at the March meeting.

### **ITEMS FOR CONSIDERATION**

#### **WSPB-21-007 Approve Contract 2 & Contract 3 of the Channel Crossing Project**

Moved by Commissioner Hughes, seconded by Jeffrey Marcinkowski, to approve Contract 2 & Contract 3 of the Channel Crossing project.

Steve Fink provided information on the Northside System and what each contract represents. Steve Fink stated since the 1990's the State of Michigan (EGLE) has requested the Northside System have a back-up water supply feed. Steve Fink stated EGLE is requiring this work to be completed.

- Contract 1 – From the Water Plant under Beach Street. This line is currently active.
- Contract 2 – Directional drilling the pipe under the Channel, under the State Park to the bath house, and then under the dunes to Snug Harbor.
- Contract 3 – Goes along Memorial Drive from Weber Road to the pipe at Snug Harbor.

Steve Fink stated the plans and specs are mostly finalized and staff is in the process of obtaining the permits from the various agencies. Steve Fink stated Contract 3 could happen this summer; however Contract 2 can't be done until after Labor Day.

Kim Arter requested they be kept informed so they can send letters to Laketon Township residents. Steve Fink stated that would be done.

Yes – Arter, Brown, Hughes, Marcinkowski, Hayes, Hodges  
Excused - Cyr  
No –  
**Motion carried**

**WSPB-21-008 Approve Contract 2 & Contract 3 Plans & Specifications**

Moved by Commissioner Hughes, seconded by Kim Arter, to approve the plans and specifications prepared by DLZ for Contract 2 & Contract 3 of the Channel Crossing Project and direct and authorize the Chair to sign the approval line on the plan set on behalf of the Regional Water System Policy Board.

Yes – Hayes, Arter, Brown, Hughes, Marcinkowski, Hodges  
Excused - Cyr  
No –  
**Motion carried**

**WSPB-21-009 INFORMATIONAL ITEMS**

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

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

Yes – Brown, Hughes, Marcinkowski, Hayes, Arter, Hodges  
Excused - Cyr  
No –  
**Motion carried**

**UNFINISHED BUSINESS**

Kim Arter stated Wesco is completing a construction project and inquired if the extension would be coming to the board for approval.

Discussion ensued regarding the contract and extensions, types of extensions: private development vs. public right away extensions, and EGLE's requirement that they become part of the system.

Crystal Morgan is going to review the contract and report back to the board.

**NEW BUSINESS**

Matthew Farrar stated staff would keep the board members informed on the progress of the Channel Crossing project.

Matthew Farrar stated if any of the board members would like to tour the City of Muskegon Water Plant to email Tina Nash.

**AUDIENCE PARTICIPATION**

None

**ADJOURN**

There being no further business to come before the Water System Policy Board, the meeting adjourned at 10:46 a.m.

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Jennifer Hodges, Chair

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*

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*

Muskegon County  
Water System Policy Board  
May 5, 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  
Jeffrey Marcinkowski, Fruitland Township Supervisor – Fruitland Township  
Jeffrey Martin, Dalton Township Supervisor – Dalton Township

Excused: Doug Brown, Muskegon County Commissioner  
Susie Hughes, 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  
Crystal Morgan, WSPB Attorney

**WSPB-21-018 APPROVAL OF AGENDA**

Moved by Kim Arter, seconded by Jeffrey Marcinkowski, to approve the agenda as presented.

Yes – Cyr, Marcinkowski, Martin, Arter, Hodges

No –

Excused - Brown, Hughes

**Motion carried**

**WSPB-21-019 APPROVAL OF MINUTES**

Moved by Kim Arter, seconded by Jeffrey Martin, to approve the minutes of the Muskegon County Regional Water Policy Board meeting held on April 7, 2021.

Yes – Martin, Arter, Cyr, Marcinkowski, Hodges

No –

Excused - Brown, Hughes

**Motion carried**

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

None

**ITEMS FOR CONSIDERATION**

**WSPB-21-020 Recommend Award for Contract 2 of the Channel Crossing Project**

Moved by Jeffrey Martin, seconded by Jeffrey Marcinkowski, to recommend to the Board of Public Works that it award the bid from Gabe's Construction Inc. for Contract 2 of the Channel Crossing Project for the amount of \$10,144,184.81.

Matthew Farrar stated Contract 2 is the directional drilling portion of the Channel Crossing Project. Matthew Farrar stated staff and DLZ recommend low bid, Gabe's Construction Inc. Steve Fink stated in 2019 Gabe's Construction Inc. completed a boring project under the Grand River for Ottawa County. The client and design firm were very happy with them. Steve Fink stated for items outside of the HDPE drilling, Gabe's Construction will be working with local contractor Jackson-Merkey.

Yes – Cyr, Marcinkowski, Martin, Arter, Hodges

No –

Excused - Brown, Hughes

**Motion carried**

**WSPB-21-021 Approve Expansion / 2315 East Laketon Ave**

Moved by Kim Arter, seconded by Jeffrey Marcinkowski, that the Water System Policy Board approve the installation of 81 LF of 6” ductile iron water main and associated fire hydrant assembly at 2315 East Laketon Ave. by The Storage Group.

Yes – Martin, Arter, Cyr, Marcinkowski, Hodges

No –

Excused - Brown, Hughes

**Motion carried**

**WSPB-21-022 Approve Water Fund Audit**

Moved by Jeffrey Martin, seconded by Kim Arter, to approve the water fund audit and place on file.

Matthew Farrar stated this was approved by the Department of Treasury.

Yes – Cyr, Marcinkowski, Martin, Arter, Hodges

No –

Excused - Brown, Hughes

**Motion carried**

**DISCUSSION**

*Law Office of Crystal Morgan / Termination of Representation Notice*

Crystal Morgan stated she appreciated the opportunity to work with the board and wished everyone the best. Crystal Morgan stated she would work hard for a smooth transition going forward. Crystal Morgan stated she would create a folder with links to download documents.

**WSPB-21-023 Legal Counsel Services**

Moved by Jeffrey Martin, seconded by Kim Arter, to direct staff to issue a Request for Qualifications (RFQu) for legal representation to the Water Policy Board.

Yes – Marcinkowski, Martin, Arter, Cyr, Hodges

No –

Excused - Brown, Hughes

**Motion carried**

Matthew Farrar requested the board select who will review the submittals. Chair Hodges appointed Supervisors Marcinkowski, Martin, Arter, and Hodges and Matthew Farrar as reviewers of the RFQu submissions.

**WSPB-21-024 INFORMATIONAL ITEMS**

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

1. Meter Set List for April 2021
2. Local Fund Balance Sheet for April 2021
3. Check Disbursement Report
4. Water System Monthly Report for April 2021
5. City of Muskegon Letter / Wholesale Customer Water Rate Increase

Matthew Farrar stated anytime the City of Muskegon raises rates they have to give us a notice. Matthew Farrar stated this was anticipated and addressed in the rate study. Matthew Farrar stated per our contract with the City of Muskegon we pay the resident rate plus 25%. Matthew Farrar stated any time the City of Muskegon raises its rates to their residents it also includes municipal customers.

Yes – Arter, Cyr, Marcinkowski, Martin, Hodges

No –

Excused - Brown, Hughes

**Motion carried**

**UNFINISHED BUSINESS**

*Water Rates –*

Matthew Farrar stated he believes the board’s general consensus is to address rates in October 2021. Matthew Farrar stated it is less of a shock to the customer when rates increase in the fall. Matthew Farrar also stated this would allow large customers to budget for the increase.

**NEW BUSINESS**

None

**AUDIENCE PARTICIPATION**

Chris Hall asked if any comments were received from residents on Memorial Drive. Steve Fink stated one resident was concerned with her circle drive and how the slopes would be put back. The Road Commission will work with her on this issue in the road right-of-way. Another resident informed us he has an invasive plant called Japanese Knotweed that will need to be contained on his property. A resident had concerns with dewatering and if the culvert pipe would create issues for him. McCormick Sand met with the resident, turned on pump and observed flow, and does not think it will be a problem.

Steve Fink stated real soon the water service line contractor, Ryerson, and Robert Ribbens would be getting in contact with the residents to figure out the location of the water service line stubs.

**ADJOURN**

There being no further business to come before the Water System Policy Board, the meeting adjourned at 10:26 a.m.

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Jennifer Hodges, Chair

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

Muskegon County  
Water System Policy Board  
June 2, 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  
Doug Brown, Muskegon County Commissioner [entered meeting at 10:09 a.m.]  
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:

Staff

Present: Matt Farrar, Public Works Director  
Tina Nash, Public Works Coordinator  
Steve Fink, Public Works Engineer & Projects Manager  
Crystal Morgan, WSPB Attorney

**WSPB-21-025 APPROVAL OF AGENDA**

Moved by Jeffrey Martin, seconded by Commissioner Hughes, to approve the agenda as presented.

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

No –

Excused - Brown

**Motion carried**

**WSPB-21-026 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 May 5, 2021.

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

No –

Excused - Brown

Motion carried

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

None

**ITEMS FOR DISCUSSION**

*Risk Assessment Update*

Matthew Farrar stated the Risk and Resilience Assessment is due June 30<sup>th</sup>. Matthew Farrar stated he has received the final draft and will be sending final comments to Prein&Newhof. Matthew Farrar stated this is a requirement of the EPA. This was done jointly with other water systems connected to the City of Muskegon water plant.

*Channel Crossing Update*

Contract 1 / Beach Street

Steve Fink stated the pavement is done and the final striping was put down yesterday. Steve Fink stated there are a few City of Muskegon related items that the city is working with the contractor on. The City of Muskegon will be paying all costs for these items. Steve Fink stated Contract 1 is now in the punch list phase and hopes to wrap up Contract 1 this month.

Contract 2/Directional drilling under the channel

Steve Fink stated there will be a preconstruction and coordination meeting with the City of Muskegon and State Park at the end of the week. Steve Fink stated the work for Contract 2 will not start until after Labor Day.

Contract 3 / Memorial Drive

Steve Fink stated the pressure test passed on the first segment of pipe. Last week chlorine was put in the pipe and they finished the flushing yesterday. Steve Fink stated bacteria testing will take place on

Thursday and Friday. Assuming this goes well, the first segment of pipe will be available for use. Steve Fink stated the contractor is restoring areas by homes they have performed work by and moving the dewatering pipe to continue laying pipe to the western portion of the project. The contractor, McCormick Sand, is estimating they will be done with Contract 3 by the end of July.

### *Bonds*

Matthew Farrar provided an overview of the finances relating to the Channel Crossing project. Matthew Farrar stated the previous reliability study recommended some improvements to the Eastside System. Matthew Farrar spoke to the low interest rates and asked the board if they would like to bond additional funds to begin addressing needed repairs to the Eastside System. Matthew Farrar reviewed the difference in bonding the \$11,290,151 (Channel Crossing project only) vs. \$13,500,000 (Channel Crossing project with additional funds to address some of the improvements to the Eastside System).

Discussion ensued.

### **WSPB-21-027 Bonding \$13,500,000**

Moved by Kim Arter, seconded by Commissioner Brown, to request staff to set the amount of the bond at \$13,500,000.

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

No –

Excused - Hughes

**Motion carried**

### *Attorney Selection Process*

Matthew Farrar stated proposals were opened yesterday. Matthew Farrar reviewed the process for the township supervisors to rate the proposals. Matthew Farrar stated there were six (6) proposals received. Matthew Farrar continued to speak to the procurement process and schedule. Matthew Farrar stated Crystal Morgan informed them she would continue to work with this board until another WSPB attorney is selected.

### *Contract Review Committee*

Matthew Farrar stated once a new attorney is selected a meeting will be set up to review where we are at with the contract changes. The contract review committee can then begin meeting again to continue the process.

### **WSPB-21-028 INFORMATIONAL ITEMS**

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

1. Meter Set List for May 2021
2. Local Fund Balance Sheet for May 2021
3. Check Disbursement Report

4. Water System Monthly Report for May 2021

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

No –

Excused - Hughes

Motion carried

**UNFINISHED BUSINESS**

None

**NEW BUSINESS**

Matthew Farrar stated he would notify the board when the directional drilling will take place so they may watch the process.

Matthew Farrar stated if a board member would like to tour the water filtration plant, please contact Tina Nash to set up a time.

**AUDIENCE PARTICIPATION**

None

**ADJOURN**

There being no further business to come before the Water System Policy Board, the meeting adjourned at 10:48 a.m.

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Jennifer Hodges, Chair

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

Muskegon County  
Water System Policy Board  
August 4, 2021  
10:00 a.m.  
97 E. Apple Avenue, Room 119

*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  
Doug Brown, Muskegon County Commissioner  
Kim Cyr, Muskegon County Commissioner  
Jennifer Hodges, Muskegon Charter Township Supervisor  
Susie Hughes, Muskegon County Commissioner  
Jeffrey Marcinkowski, Fruitland Township Supervisor  
Jeffrey Martin, Dalton Township Supervisor

Excused:

Staff

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

**WSPB-21-029 APPROVAL OF AGENDA**

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

Voice Vote: **Motion Carried**

**WSPB-21-030 APPROVAL OF MINUTES**

Moved by Jeffrey Martin, seconded by Commissioner Hughes, to approve the minutes of the Muskegon County Regional Water Policy Board meeting held on June 2, 2021.

Voice Vote: **Motion Carried**

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

None

**ITEMS FOR CONSIDERATION**

**WSPB-21-031 Recommend Fiscal Year 2022 Budget**

Moved by Commissioner Hughes, seconded by Commissioner Cyr, to recommend to the Board of Commissioners the approval of the fiscal year 2022 budget for the Muskegon County Regional Water System as presented.

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

No –

**Motion carried**

**WSPB-21-032 WSPB Legal Counsel / Open for Discussion**

Moved by Commissioner Hughes, seconded by Jeffrey Marcinkowski, to open for discussion.

Voice Vote: **Motion Carried**

Chair Hodges spoke to the memorandum she sent.

Commissioner Hughes expressed concerns on criteria used to eliminate firms.

Matthew Farrar explained the proposal/rating process. Chair Hodges spoke to the selection process.

Discussion ensued.

Jeffrey Martin stated all firms who submitted a proposal were qualified.

**WSPB-21-033 WSPB Legal Counsel / Close Discussion**

Moved by Jeffery Martin, seconded by Commissioner Hughes, to close the discussion.

Voice Vote: **Motion Carried**

**WSPB-21-034 WSPB Legal Counsel**

Moved by Jeffery Martin, seconded by Commissioner Hughes, to hire Curcio Law Firm PLC to represent the Water System Policy Board.

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

No – Arter

Motion carried

Matthew Farrar thanked Crystal Morgan and congratulated her on the next steps in her career.

**WSPB-21-035 Reliability Study Updates**

Matthew Farrar stated the last reliability study recommended improvements to the Eastside Water System (ESW) and the Channel Crossing project. Matthew Farrar spoke to the list of recommended improvements to the ESW and the need to have the list prioritized. Matthew Farrar stated Prein&Newhof completed the last reliability study. Matthew Farrar stated Prein&Newhof would need to do some additional testing to update the study and prioritize the ESW list.

Moved by Commissioner Hughes, seconded by Jeffrey Marcinkowski, to select Prein&Newhof to update the study for \$1,000 or less.

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

No –

Motion carried

**WSPB-21-036 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 July 2021
2. Local Fund Balance Sheet for July 2021
3. Check Disbursement Report
4. Water System Monthly Report for July 2021

Voice Vote: **Motion Carried**

## **UNFINISHED BUSINESS**

### **Channel Crossing Project Updates**

#### *Contract No. 1 / Beach Street*

Steve Fink stated Hallack Contracting was given the punch list and there will one final additional pay app after the final balancing change order is approved.

#### *Contract No. 3 / Memorial Drive*

Steve Fink stated the last western segment of the pipe is getting its first bacteria samples taken today. Once all tests pass, McCormick Sand can put in a sleeve to tie east and west portions together. Once released to the County we will need to keep our water quality up and residents will be able to connect to the system. Steve Fink stated at this time it would be 5 or less residents. Steve Fink stated the State Park will be the biggest customer. Steve Fink stated until the loop is in place sacrificial flushing will need to be done. Steve Fink informed the board McCormick Sand has been a good contractor and communication has been excellent.

#### *Contract No. 2 / Directional Drilling Under the Channel*

Steve Fink stated the utility coordination meeting was held last week. In June the pre-construction meeting took place. Gabe's Construction will be arriving right after Labor Day and setting up in Margaret Drake Elliot Park. Steve Fink stated the State Park has been a very good partner in this project. The State Park has agreed to allow Gabe's Construction to close the State Park for certain periods during the winter for safety reasons. The project is scheduled to go on to approximately May 13<sup>th</sup>. Steve Fink stated Gabe's Construction has also been good to work with.

## **NEW BUSINESS**

Commissioner Hughes stated it has been good working with Crystal Morgan and thanked her.

## **AUDIENCE PARTICIPATION**

None

## **ADJOURN**

There being no further business to come before the Water System Policy Board, the meeting adjourned at 10:46 a.m.

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Jennifer Hodges, Chair

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

Muskegon County  
Water System Policy Board  
October 6, 2021  
10:00 a.m.  
97 E. Apple Avenue, Room 119

*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  
Kim Cyr, Muskegon County Commissioner  
Jennifer Hodges, Muskegon Charter Township Supervisor  
Susie Hughes, Muskegon County Commissioner  
Jeffrey Marcinkowski, Fruitland Township Supervisor  
Jeffrey Martin, Dalton Township Supervisor

Excused: Doug Brown, Muskegon County Commissioner

Staff

Present: Matthew Farrar, Public Works Director  
Tina Nash, Public Works Coordinator  
Nick Curcio, WSPB Attorney

**WSPB-21-037 APPROVAL OF AGENDA**

Moved by Commissioner Hughes, seconded by Jeffrey Martin, to approve the agenda as presented.

Voice Vote: **Motion Carried**

**WSPB-21-038 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 August 4, 2021.

Voice Vote: **Motion Carried**

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

None

**ITEMS FOR CONSIDERATION**

**WSPB-21-039 Approve Water System Policy Board Meeting Schedule for 2022**

Moved by Commissioner Hughes, seconded by Kim Arter, to approve the Water System Policy Board meeting schedule for 2022.

Voice Vote: **Motion Carried**

**DISCUSSION ITEMS**

***Rates***

Matthew Farrar stated the recommendation would be to raise rates on January 1, 2022. Matthew Farrar stated the use by residents is lower during this time and this will allow the large commercial accounts to budget for the increase. Matthew Farrar stated the impact to a residential customer would be approximately an additional \$2.60 per month. The recommended rates by the rate consultant would be:

Water Commodity Charge – PER 100 CUBIC FEET:	\$4.11
Monthly Water Ready to Serve (RTS) – By Meter Size:	would range from \$16.03 to \$1,282.50 depending on meter size.

**WSPB-21-040**

Moved by Commissioner Hughes, seconded by Commissioner Cyr, to approve the recommended Water Commodity Charge – per 100 cubic feet from \$4.01 to \$4.11 and the Monthly Water Ready to Serve (RTS) rate (based on meter size) from \$14.06 - \$1,125.00 to \$16.03 - \$1,282.50, effective January 1, 2022.

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

No –

Excused - Brown

**Motion carried**

The township supervisors requested Nick Curcio prepare the resolution by the first week of November so they may take it to their boards for consideration.

### *Water System Improvements*

Matthew Farrar referred to the project prioritization table provided by Prein&Newhof. Matthew Farrar stated staff recommends the top 4 projects be completed. Matthew Farrar stated he would meet with Jerry Sanders, Muskegon Charter Township's DPW Director, to look at the locations of each project.

Matthew Farrar suggested to request pricing from engineering firms Prein&Newhof and DLZ. Matthew Farrar stated both of these firms have worked on the water system. The board concurred. Matthew Farrar stated he would request pricing from both firms and bring the information back to the board to discuss.

Commissioner Hughes stated if the County should acquire the Baker College campus, they may need to tear up roads to install fiber and suggested the County and the water system may be able to share costs for road replacement.

Matthew Farrar expressed the bond monies must be spent in the next 3 years.

Jeffrey Marcinkowski spoke to the Federal Infrastructure Bill and if passed some firms may get overwhelmed with projects. Matthew Farrar stated both Prein&Newhof and DLZ are committed to working on local projects. Matthew Farrar stated there are conditions that come with using federal monies but it is something they will be looking into.

### *Update on Channel Crossing Projects*

Matthew Farrar stated the pilot hole is in and the drill rig has reached the State Park. The contractor will now start back reaming. There will be three (3) back reams done to get to the size hole needed. Once the back reaming is complete the contractor will be able to pull the pipe through. Matthew Farrar stated the pipe will be delivered to the State Park the end of October and they are scheduled to pull the pipe the end of December.

Matthew Farrar stated there will be a final balancing change order motion for Phase I going to the Public Works Board for approval tomorrow. Matthew Farrar stated the final cost for Phase I came in under the bid amount.

Kim Arter asked Matthew Farrar how many people hooked up to water on Memorial Drive. Matthew Farrar stated a couple.

### ***Hop Child Care***

Matthew Farrar and Jeffrey Martin provided the board members with background information concerning the Hop Child Care matter.

Discussion ensued.

Matthew Farrar stated EGLE is working on a study and possible grant funding. Matthew Farrar stated this currently is in the hands of the State of Michigan and he will continue to keep the board updated.

### ***Baker College***

Matthew Farrar stated due to the cost of repairs needed to the South Campus buildings, the County board is considering moving all non-court related functions to the current Baker College location. Matthew Farrar stated Baker College is looking to move to a downtown location. Matthew Farrar stated negotiations are ongoing. Matthew Farrar stated the County is in the process of doing their due diligence.

### ***American Rescue Plan Funds***

Chair Hodges stated she sent a letter to the County Board requesting a \$2.5 million match for the Eastside Water System projects. Chair Hodges requested the County Commissioners serving on this board to advocate for the requested funding.

### **WSPB-21-041 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 September 2021
2. Local Fund Balance Sheet for September 2021
3. Check Disbursement Report
4. Water System Monthly Report for September 2021

Voice Vote: **Motion Carried**

### **UNFINISHED BUSINESS**

None

### **NEW BUSINESS**

None

**AUDIENCE PARTICIPATION**

Chair Hodges introduced Lindsey Theile, Muskegon Charter Township Treasurer.

Matthew Farrar stated in March 2022 the sub-committee for the Management Contract will resume meeting. It was suggested to meet after the Water System Policy Board meetings.

Commissioner Hughes asked about using drones for the Channel Crossing project. Matthew Farrar stated DLZ has one and Jeff Johnson, retired County employee, has one.

**ADJOURN**

There being no further business to come before the Water System Policy Board, the meeting adjourned at 10:52 a.m.

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Jennifer Hodges, Chair

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