

Muskegon County  
Board of Public Works  
January 10, 2019  
4:00p.m.  
Michael E. Kobza Hall of Justice  
990 Terrace Street  
Muskegon, MI 49442

Gary Foster, Chair

Rillastine R. Wilkins, Vice Chair

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MINUTES

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**CALL TO ORDER**

The meeting was called to order by Chair Hughes 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  
LeighAnn Mikesell, Ex-officio Member

Excused: Jennifer Hernandez, Ex-officio Member

Staff

Present: Matthew Farrar, Public Works Director  
Tina Nash, Public Works Coordinator  
Doug Hughes, Corporate Counsel  
Mark Eisenbarth, County Administrator  
Beth Dick, Assistant Administrator & Finance Director

## **ELECTION OF OFFICERS**

Chair Hughes opened nominations for Chair of the Muskegon County Board of Public Works.

Moved by Commissioner Hughes, seconded by Commissioner Lahring, to nominate Commissioner Foster for Chair.

There were no other nominations for Chair.

Chair Hughes closed the nominations.

**BPW-19-001** Moved by Commissioner Mahoney, seconded by Commissioner Nash, to cast a unanimous ballot for Commissioner Foster as Chair.

**VOICE VOTE: Motion carried**

Commissioner Foster was elected by unanimous vote as Chair of the Muskegon County Board of Public Works.

Commissioner Foster assumed the Chair.

Chair Foster presiding.

Chair Foster opened nominations for Vice Chair of the Muskegon County Board of Public Works.

Moved by Commissioner Hughes, seconded by Commissioner Foster, to nominate Commissioner Wilkins for Vice Chair.

There were no other nominations for Vice Chair.

**BPW-19-002** Moved by Commissioner Mahoney, seconded by Commissioner Hughes, to cast a unanimous ballot for Commissioner Wilkins as Vice Chair.

**VOICE VOTE: Motion carried**

Commissioner Wilkins was elected by unanimous vote as Vice Chair of the Muskegon County Board of Public Works.

Commissioner Wilkins assumed the position as Vice Chair.

Chair Foster opened nominations for Secretary of the Muskegon County Board of Public Works.

Moved by Commissioner Hughes to nominate Drain Commissioner Moore for Secretary.

There were no other nominations for Secretary.

**BPW-18-003** Elect Drain Commissioner Moore as Secretary of the Muskegon County Board of Public Works.

**VOICE VOTE: Motion carried**

Drain Commissioner Moore was elected by unanimous vote as Secretary of the Muskegon County Board of Public Works.

Drain Commissioner Moore assumed the position as Secretary.

Chair Foster opened nominations for Deputy Secretary of the Muskegon County Board of Public Works.

Moved by Commissioner Hughes to nominate Matthew Farrar for Deputy Secretary.

There were no other nominations for Deputy Secretary.

**BPW-19-004** Moved by Commissioner Hughes, seconded by Drain Commissioner Moore, to elect Matthew Farrar for Deputy Secretary to the Muskegon County Board of Public Works.

**VOICE VOTE: Motion carried**

Matthew Farrar was elected by unanimous vote as Deputy Secretary of the Muskegon County Board of Public Works.

Matthew Farrar assumed the position as Deputy Secretary.

**BPW-19-005 APPROVAL OF THE AGENDA**

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

**VOICE VOTE: Motion carried**

**BPW-19-006 APPROVAL OF MINUTES**

Moved by Commissioner Hughes, seconded by Commissioner Mahoney, to approve the minutes of the Board of Public Works meeting held on December 13, 2018.

**VOICE VOTE: Motion carried**

**PUBLIC COMMENT ON AN AGENDA ITEM**

None

**ITEMS FOR CONSIDERATION:**

**BPW-19-007 Board of Public Works Meeting Time**

Moved by Commissioner Hughes, seconded by Commissioner Wilkins, to set the 2019 meeting times for the Board of Public Works to 3:30 p.m.

**VOICE VOTE: Motion carried**

**BPW-19-008 Submit Application for the Community Foundation Spring Competitive Grant**

Moved by Commissioner Wilkins, seconded by Commissioner Mahoney, to authorize the Department of Public Works to submit an application for the Community Foundation Spring Competitive Grant due February 28, 2019.

Matthew Farrar explained the Solid Waste Planning Committee has been working towards education for recycling and would like to apply for the grant to help fund recycling education.

Commissioner Scolnik asked about tours of the Wastewater System. Matthew Farrar stated Steve Barnard, Wastewater Safety & Technical Coordinator, can be contacted for tours. Matthew Farrar stated he knows groups from schools have done tours. There was discussion if there should be a fee to tour the site. Administrator Eisenbarth will have Dave Johnson look into it.

VOICE VOTE: **Motion carried**

**BPW-19-009 Sale of Wastewater Assets**

Moved by Commissioner Snider, seconded by Commissioner Hughes, to authorize the sale of Wastewater assets listed above following the County's Surplus Disposal Policy & Procedure.

VOICE VOTE: **Motion carried**

**BPW-19-010 Approve Change Order No. 2 of the Grain Center Renovation Contract**

Moved by Commissioner Snider, seconded by Commissioner Hughes, to support the decision of the Wastewater Director to make field changes which improved the safety of Wastewater employees working at the renovated grain center and which resulted in an increased contract price of \$9,346.50 for the Grain Center Renovation Contract with R.W. Mercer Company, from \$970,557.89, and authorize the Board Chair to sign the change order.

Roll call:

Yes - Lahring, Mahoney, Moore, Nash, Scolnik, Snider, Wilkins, Foster, Hughes

No –

**Motion carried**

**BPW-19-011 Informational Items:**

Moved by Commissioner Snider, seconded by Commissioner Wilkins, that the following informational items were received and placed on file:

1. Public Works Monthly Operations Report, December 2018.
2. Wastewater Monthly Operating Report, December 2018.
3. Muskegon County Regional Water Policy Board Minutes, December 2018(draft).

Drain Commissioner Moore asked if we had the results from the PFAS tests at the airport. Doug Hughes stated the County has been testing wells near the airport. Doug Hughes stated of the 64 wells tested there were only about 5 that exceeded the limit of 70 ppt. Administrator Eisenbarth stated Bob Lukens is working on scheduling a public hearing in February. The findings will be presented at the public hearing. Doug Hughes stated we are in the process of soliciting bids for an engineer consultant. Commissioner Mahoney stated the houses that tested over the 70 ppt were provided water. Administrator Eisenbarth stated Muskegon County Public Health is in charge of the data.

Commissioner Snider asked if there were PFAS tests at the Wastewater. Administrator Eisenbarth stated tests were conducted on the discharge. The State of Michigan requested more investigation be done to find out where the PFAS is coming from. Commissioner Snider asked if this is an ongoing process to find the source. Administrator Eisenbarth state it was.

Commissioner Wilkins asked if the materials containing PFAS will continue to be used at the airport during training. Administrator Eisenbarth stated they are coming up with alternatives.

Drain Commissioner Moore stated this is good news compared to other communities.

Commissioner Hughes addressed Commissioner Snider's question and stated Wastewater staff is aware of the companies discharging PFAS related discharge and are working with those companies to cleanup what they are sending to the Wastewater.

Commissioner Nash asked if representatives from our Congress have been contacted for their support being these are federal requirements. Administrator Eisenbarth stated those discussions have begun.

#### **OLD BUSINESS**

None

#### **NEW BUSINESS**

Chair Foster asked Drain Commissioner Moore for an update on Kuis Drain. Drain Commissioner Moore stated she would be requesting to be placed on the Full Board agenda to give an update on several of the drains. Drain Commissioner Moore stated the subdivision work is complete. There are three discharge points from the stormwater system giving a lot of water to the Kuis Drain. A walk through will be done in the spring. The second contractor is still digging in the main drain and is about 70% done. Most of the work is now by Hazekamp Meats. Drain Commissioner Moore stated she is considering a spring tour so people can view the work that was completed.

#### **PUBLIC COMMENT ON A NEW ITEM**

None

#### **ADJOURN**

There being no further business to come before the Board of Public Works the meeting was adjourned at 4:27 p.m.

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Gary Foster, Chair

Muskegon County  
Board of Public Works  
February 7, 2019  
3:30p.m.  
Michael E. Kobza Hall of Justice  
990 Terrace Street  
Muskegon, MI 49442

Gary Foster, Chair

Rillastine Wilkins, Vice Chair

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MINUTES

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**CALL TO ORDER**

The meeting was called to order by Chair Foster at 3:51p.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  
Rillastine Wilkins, Muskegon County Commissioner  
Jennifer Hernandez, Ex-officio Member  
LeighAnn Mikesell, Ex-officio Member

Excused: I. John Snider II, Muskegon County Commissioner

Staff

Present: Dave Johnson, Wastewater Director  
Matthew Farrar, Public Works Director  
Tina Nash, Public Works Coordinator  
Doug Hughes, Corporate Counsel  
Mark Eisenbarth, County Administrator  
Beth Dick, Assistant Administrator & Finance Director

**BPW-19-012 APPROVAL OF THE AGENDA**

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

VOICE VOTE: **Motion carried**

**BPW-19-013 APPROVAL OF MINUTES**

Moved by Commissioner Mahoney, seconded by Commissioner Wilkins, to approve the minutes of the Board of Public Works meeting held on January 10, 2019.

VOICE VOTE: **Motion carried**

**PUBLIC COMMENT ON AN AGENDA ITEM**

Chair Foster welcomed Jennifer Hernandez to the Board of Public Works.

**ITEMS FOR CONSIDERATION:**

**BPW-19-014 Accept 2019 Scrap Tire Cleanup Grant Funding**

Moved by Commissioner Nash, seconded by Commissioner Hughes, to accept the funding in the amount of up to \$40,000.00 from the Michigan Department of Environmental Quality to cover the tire collection expenses; authorize the Chair of the Board of Public Works to sign the grant agreement with Environmental Rubber Recycling scrap tire hauler agreement; and authorize the Solid Waste fund to cover any fees in excess of the \$40,000 grant funding.

Matthew Farrar stated the tire events are open to all residents of Muskegon County. Commissioner Nash requested the event flyer be sent to Commissioners.

Roll call:

Yes - Lahring, Mahoney, Moore, Nash, Scolnik, Wilkins, Hughes, Foster

No –

Excused - Snider

**Motion carried**

**BPW-19-015 Waive Tipping Fees for 2019 Free Dump Day Program**

Moved by Commissioner Mahoney seconded by Commissioner Hughes, to approve the waiver of tipping fees for the Free Dump Day Program in 2019.

VOICE VOTE: **Motion carried**

**BPW-19-016 Award Sludge Hauling Services**

Moved by Commissioner Nash, seconded by Commissioner Mahoney, to accept the quote for sludge hauling services from Yellow Rose Transport for \$125.00/hour per truck.

Roll call:

Yes - Wilkins, Hughes, Lahring, Mahoney, Moore, Nash, Scolnik, Foster

No –

Excused - Snider

**Motion carried**

**BPW-19-017 Award Calcium Nitrate Solution**

Moved by Commissioner Hughes, seconded by Commissioner Mahoney, to accept the low quote for calcium nitrate solution from Evoqua Water Technologies for \$1.953/gallon for one year, with three optional one year extensions.

Roll call:

Yes - Moore, Nash, Scolnik, Wilkins, Hughes, Lahring, Mahoney, Foster

No –

Excused - Snider

**Motion carried**

**BPW-19-018 Award Ferric Chloride Solution**

Moved by Commissioner Nash, seconded by Commissioner Wilkins, to accept the low quote for ferric chloride solution from Webb chemical for \$0.2645/lb. for one year, with three optional one year extensions.

Roll call:

Yes - Hughes, Lahring, Mahoney, Moore, Nash, Scolnik, Wilkins, Foster

No –

Excused - Snider

**Motion carried**

**BPW-19-019 Award Installation of an Automatic Transfer Switch at D Station**

Moved by Commissioner Hughes, seconded by Commissioner Mahoney, to award the proposal for the purchase and installation of an automatic transfer switch at D Station to Newkirk Electric for \$43,389.00.

Commissioner Lahring asked Dave Johnson if a cost analysis comparing the use of staff .vs the switch was completed. Dave Johnson stated a cost analysis was not done. Administrator Eisenbarth explained this is safety issue for the environment.

Commissioner Scolnik asked why Newkirk's bid was so low. Dave Johnson explained Newkirk left out the cost of the SCADA. Dave Johnson stated he spoke to Newkirk and gave them the option of withdrawing their bid or including the cost of the SCADA in the bid amount submitted. Dave Johnson stated Newkirk made the decision to include the SCADA in the bid amount submitted.

Roll call:

Yes - Scolnik, Wilkins, Hughes, Lahring, Mahoney, Moore, Nash, Foster

No –

Excused - Snider

**Motion carried**

**BPW-19-020 Approve Change Order No. 2 of the Cell No. 3 Improvements Contract**

Moved by Commissioner Nash, seconded by Commissioner Mahoney, to authorize Change Order No. 2 of the Cell No. 3 Improvements contract, which increases the contract cost by \$9,116.61, from \$2,033,506.44 to 2,042,623.05, and authorize the Board Chair to sign same.

Commissioner Hughes asked Dave Johnson to investigate if this was an error and omission by the architect. Dave Johnson stated he would.

Roll call:

Yes - Mahoney, Moore, Nash, Scolnik, Wilkins, Foster

No – Lahring, Hughes

Excused - Snider

**Motion carried**

**BPW-19-021 Approve Change Order No. 1 of the Fleet Maintenance Building Expansion Contract**

Moved by Commissioner Nash, seconded by Commissioner Wilkins, to approve Change Order No. 1 of the Fleet Maintenance Building expansion Contract with Grand River Construction, which increases the contract price by \$20,750.00, from \$1,051,000.00 to \$1,071,750.00, and authorize the Board Chair to sign same.

Commissioner Lahring asked if the architect’s specifications called for a sliding or sectional door and if they knew that would interfere with the crane rails. Dave Johnsons explained this was not something staff caught in the design phase. Discussion ensued regarding change orders and the accountability/responsibilities of the parties involved. Administrator Eisenbarth stated Matthew Farrar has a licensed engineer as part of his staff to look over projects and maybe this is something the Board may want to consider for the Wastewater. Discussion continued regarding concerns of change orders.

Roll call:

Yes - Mahoney, Moore, Scolnik, Wilkins, Foster

No – Nash, Lahring

Abstain – Hughes [Hughes Builders worked on the project]

Excused - Snider

**Motion carried**

**BPW-19-022 Approve Change Order No. 1 of the Distribution Channel Screen Addition & RI Pump Station Screen Replacement Contract**

Moved by Commissioner Hughes, seconded by Commissioner Mahoney, to authorize Change Order No. 1 of the Distribution Channel Screen Addition and RI Pump Station Screen Replacement Contract, which increases the original contract price by \$28,007.00, from \$1,722,000.00 to \$1,750,007.00, and authorize the Board Chair to sign same.

Dave Johnson gave a background of the project. Dave Johnson explained the change order is due to grease getting caught in the bar screen. Dave Johnson stated the compactor would be replaced with a different type of conveyer. Commissioner Hughes stated she has witnessed the issues the grease is causing.

Roll call:

Yes - Nash, Scolnik, Wilkins, Hughes, Lahring, Mahoney, Moore, Foster

No –

Excused - Snider

**Motion carried**

**BPW-19-023 Informational Items:**

The following informational items were received and placed on file:

1. Public Works Monthly Operations Report, January 2019.
2. Wastewater Monthly Operating Report, January 2019.
3. Muskegon County Regional Water Policy Board Minutes, January 2019 (draft).
4. Muskegon Municipal Wastewater Management Committee Minutes, Jan. 2019 (draft).

**OLD BUSINESS**

Commissioner Nash asked Dave Johnson when the Distribution Channel Screen Addition and RI Pump Station Screen Replacement project was completed. Dave Johnson stated it was in October.

Chair Foster asked the Commissioners to select a date for the Veterans Food Bank 5K run/walk out at the Wastewater site.

Moved by Commissioner Hughes, seconded by Commissioner Wilkins, to hold the Veterans Food Bank 5K run/walk on the Saturday before Father's Day, June 15, 2019.

VOICE VOTE: **Motion carried**

**NEW BUSINESS**

Commissioner Hughes asked Dave Johnson if they have seen any snowy owls. Dave Johnson stated that he hadn't heard.

**PUBLIC COMMENT ON A NEW ITEM**

None

**ADJOURN**

There being no further business to come before the Board of Public Works the meeting was adjourned at 4:29p.m.

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Gary Foster, Chair

Muskegon County  
Board of Public Works  
March 7, 2019  
3:30p.m.  
Michael E. Kobza Hall of Justice  
990 Terrace Street  
Muskegon, MI 49442

Gary Foster, Chair

Rillastine Wilkins, Vice Chair

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MINUTES

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**CALL TO ORDER**

The meeting was called to order by Chair Foster at 3:55p.m.

ROLL

Present: Gary Foster, Muskegon County Commissioner  
Susie Hughes, Muskegon County Commissioner  
Zach Lahring, Muskegon County Commissioner  
Ken Mahoney, Muskegon County Commissioner  
Charles Nash, Muskegon County Commissioner  
Robert Scolnik, Muskegon County Commissioner  
Rillastine Wilkins, Muskegon County Commissioner  
Jennifer Hernandez, Ex-officio Member

Excused: LeighAnn Mikesell, Ex-officio Member  
Brenda Moore, Drain Commissioner  
I. John Snider II, Muskegon County Commissioner

Staff

Present: Dave Johnson, Wastewater Director  
Matthew Farrar, Public Works Director  
Tina Nash, Public Works Coordinator  
Enrika L.F. McGahan, Corporate Counsel  
Mark Eisenbarth, County Administrator  
Beth Dick, Assistant Administrator & Finance Director

**BPW-19-024 APPROVAL OF THE AGENDA**

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

VOICE VOTE: **Motion carried**

**BPW-19-025 APPROVAL OF MINUTES**

Moved by Commissioner Nash, seconded by Commissioner Hughes, to approve the minutes of the Board of Public Works meeting held on February 7, 2019.

VOICE VOTE: **Motion carried**

**PUBLIC COMMENT ON AN AGENDA ITEM**

Wayne Monroe thanked the board for their consideration of item E.10 / the club agreement and stated he would be happy to answer any questions.

**ITEMS FOR CONSIDERATION:**

**BPW-19-026 Award Household Hazardous Waste Service (RFB 19-2334)**

Moved by Commissioner Nash, seconded by Commissioner Hughes, to award Household Hazardous Waste service for calendar year 2019-2021 to US Ecology.

Roll call:

Yes - Lahring, Mahoney, Nash, Scolnik, Wilkins, Hughes, Foster

No –

Excused – Moore, Snider

**Motion carried**

**BPW-19-027 Award Landfill General Engineering Service (RFQu 19-2327)**

Moved by Commissioner Wilkins, seconded by Commissioner Lahring, to award Landfill General Engineering Services to Golder Associates, Inc., per RFQu 19-2327 and authorize the Chair to sign a professional services agreement.

Roll call:

Yes - Mahoney, Nash, Scolnik, Wilkins, Hughes, Lahring, Foster

No –

Excused – Moore, Snider

**Motion carried**

**BPW-19-028 Approve Type II Hauler Delivery Agreement with Chester's Sanitation, LLC**

Moved by Commissioner Mahoney, seconded by Commissioner Lahring, to approve the Type II Hauler Delivery Agreement with Chester's Sanitation, LLC, 2853 Middle Lake Road, Twin Lake, Michigan 49457 for a period of five years with automatic renewal for two subsequent five year periods possible, and authorize the Public Works Board Chair to execute the Agreement.

VOICE VOTE: **Motion carried**

**BPW-19-029 Approve Type II Hauler Delivery Agreement with Mobile Haulaway, LLC**

Moved by Commissioner Mahoney, seconded by Commissioner Nash, to approve the Type II Hauler Delivery Agreement with Mobile Haulaway, LLC, 1972 Miner Avenue, Michigan 49441 for a period of five years with automatic renewal for two subsequent five year periods possible, and authorize the Public Works Board Chair to execute the Agreement.

VOICE VOTE: **Motion carried**

**BPW-19-030 Approve Type II Hauler Delivery Agreement with Uganski Acquisition Company, LLC**

Moved by Commissioner Mahoney, seconded by Commissioner Hughes, to approve the Type II Hauler Delivery Agreement with Uganski Acquisition Company, LLC, 2344 Park Street, Muskegon, Michigan 49444 for a period of five years with automatic renewal for two subsequent five year periods possible, and authorize the Public Works Board Chair to execute the Agreement.

Matthew Farrar explained the agreement allows a hauler to receive a hauler rate and guarantees the landfill 90% of the hauler's Type II solid waste material.

VOICE VOTE: **Motion carried**

**BPW-19-031 Solicit Bids for Emergency Services**

Moved by Commissioner Mahoney, seconded by Commissioner Scolnik, to authorize the County Procurement Office to solicit bids for emergency service for the Wastewater Department.

VOICE VOTE: **Motion carried**

**BPW-19-032 Solicit Bids for the Sale of Alfalfa**

Moved by Commissioner Wilkins, seconded by Commissioner Hughes, to authorize the County Procurement Office to seek bids for the sale of the alfalfa in fields 6, 7, 8, 13, 18, 25, 33, and 35.

VOICE VOTE: **Motion carried**

**BPW-19-033 Authorize Engineering Services and Solicit Bids for Paving**

Moved by Commissioner Wilkins, seconded by Commissioner Hughes, to authorize Prein & Newhof to perform engineering services for, and the County Procurement Office to solicit bids for, the paving of Swanson Road north of Apple Avenue on Wastewater property.

Dave Johnson explained they would only be paving a portion of the road located within the boundaries of the Wastewater System. Commissioner Lahrng asked what the benefits of paving this are. Dave Johnson explained this is a highly traveled section of road and in the spring the condition of the road is terrible. Commissioner Lahrng asked if this was a county road. Dave Johnson stated it is a private road owned by Wastewater System.

Commissioner Scolnik asked how the Wastewater Farm Manager was doing. Dave Johnson stated he is doing extremely well. Dave Johnson stated they have had two record yields under his leadership.

Roll call:

Yes - Nash, Scolnik, Wilkins, Hughes, Lahring, Mahoney, Foster

No –

Excused – Moore, Snider

**Motion carried**

**BPW-19-034 Award Agricultural Fertilizers & Chemicals (RFB 19-2336)**

Moved by Commissioner Nash, seconded by Commissioner Hughes, to award the Agriculture Fertilizers and Chemicals bid as presented in the table above.

Roll call:

Yes - Wilkins, Hughes, Lahring, Mahoney, Nash, Scolnik, Foster

No –

Excused – Moore, Snider

**Motion carried**

**BPW-19-035 Approve Club Agreement**

Moved by Commissioner Hughes, seconded by Commissioner Nash, to not approve the agreement with Freedom Field Airsoft to use the designated area for their club activities.

Discussion ensued. Some commissioners expressed their concerns regarding the lack of certified instructors, safety of the kids and others using the Wastewater property, designating an area for one club to use, and the club not being a 501(c) (3) organization. Chair Foster stated he and Commissioner Wilkins wanted the Board's input on this request.

VOICE VOTE: **Motion carried**

**BPW-19-036 Informational Items:**

The following informational items were received and placed on file:

1. Public Works Monthly Operations Report, January 2019.
2. Wastewater Monthly Operating Report, January 2019.
3. Fairgrounds 2019 Calendar of Events.
4. Fair Association Proposed Project for 2019.
5. Muskegon Community Recycling Center Closure.

Chair Foster asked Matthew Farrar to speak on the Muskegon Community Recycling Center closure. Matthew Farrar stated Muskegon Community Recycling Center was a transfer station owned by Republic. Matthew Farrar explained the operations of a transfer station. Matthew Farrar stated Republic purchased Chef Container LLC in Holland which is a processing facility and it will be cheaper to have the materials delivered to Chef to be processed. Matthew Farrar stated he is advising residents to contact their local municipality or the resident's trash hauler for recycling services. Discussion ensued.

Chair Foster stated the Solid Waste Planning Committee plans to discuss the matter and will keep the Board updated.

Commissioner Lahring asked about the Fair Association's 2019 list of projects. Discussion ensued regarding the procedure for projects and the responsibility of the Fair Board and County. Chair Foster asked Administrator Eisenbarth to set-up a meeting with Commissioner Lahring to discuss the fairgrounds.

Commissioner Hughes asked about the insurance for the Open Horse Arena Night event. Matthew Farrar stated he will check into this.

Matthew Farrar updated the Board on the bond sale for the water system. Matthew Farrar stated the overall yearly cash savings is about \$66,000.00 for the water system.

**OLD BUSINESS**

None

**NEW BUSINESS**

None

**PUBLIC COMMENT ON A NEW ITEM**

Commissioner Foster informed the Board the Girl Scouts Lakeshore will be hosting an event at Wolf Lake United Methodist Church at 9:30am on Sunday, March 10<sup>th</sup> to recognize their accomplishments.

**ADJOURN**

There being no further business to come before the Board of Public Works the meeting was adjourned at 4:30p.m.

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Gary Foster, Chair

Muskegon County  
Board of Public Works  
April 11, 2019  
3:30p.m.  
Michael E. Kobza Hall of Justice  
990 Terrace Street  
Muskegon, MI 49442

Gary Foster, Chair

Rillastine Wilkins, Vice Chair

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MINUTES

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**CALL TO ORDER**

The meeting was called to order by Chair Foster at 4:45p.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  
Rillastine Wilkins, Muskegon County Commissioner  
Jennifer Hernandez, Ex-officio Member

Excused: I. John Snider II, Muskegon County Commissioner  
LeighAnn Mikesell, Ex-officio Member

Staff

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

**BPW-19-037 APPROVAL OF THE AGENDA**

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

VOICE VOTE: **Motion carried**

**BPW-19-038 APPROVAL OF MINUTES**

Moved by Commissioner Mahoney, seconded by Commissioner Lahring, to approve the minutes of the Board of Public Works meeting held on March 7, 2019.

VOICE VOTE: **Motion carried**

**PUBLIC COMMENT ON AN AGENDA ITEM**

None

**ITEMS FOR CONSIDERATION:**

**BPW-19-039 Approve Type II Hauler Delivery Agreement with Bulldog Dumpsters, LLC**

Moved by Commissioner Mahoney, seconded by Commissioner Lahring, to approve the Type II Hauler Delivery Agreement with Bulldog Dumpsters, LLC, 1825 South Wolf Lake Road, Muskegon, Michigan 49442 for a period of five years with automatic renewal for two subsequent five year periods possible, and authorize the Public Works Board Chair to execute the agreement.

VOICE VOTE: **Motion carried**

**BPW-19-040 Approve Type II Hauler Delivery Agreement with Press's LLC**

Moved by Commissioner Mahoney, seconded by Commissioner Wilkins, to approve the Type II Hauler Delivery Agreement with Press's LLC, 8081 Holton Duck Lake Road, Holton, Michigan 49425 for a period of five years with automatic renewal for two subsequent five year periods possible, and authorize the Public Works Board Chair to execute the agreement.

VOICE VOTE: **Motion carried**

**BPW-19-041 Authorize Electronics Collection at the Solid Waste Site through Goodwill of West Michigan**

Moved by Commissioner Mahoney, seconded by Commissioner Wilkins, to authorize electronics collection at the Solid Waste facility utilizing Goodwill of West Michigan under the 2019 DEQ Recycling Infrastructure Grant Program and Rural Electronics Recycling Grant applications and authorize the Chair to sign a formal letter of support.

VOICE VOTE: **Motion carried**

**BPW-19-042 Amend the Solid Waste Engineering and Development Budget**

Moved by Commissioner Hughes, seconded by Commissioner Mahoney, to amend the Solid Waste Engineering and Development budget by an additional \$260,000 for FY2019.

Matthew Farrar stated this was planned to be budgeted in FY2020; however because of all of the environmental cleanups and the rate the landfill cells are filling up we need to act on this sooner.

Roll call:

Yes - Lahring, Mahoney, Moore, Nash, Scolnik, Wilkins, Hughes, Foster

No –

Excused – Snider

**Motion carried**

**BPW-19-043 Solicit Request for Qualifications for the SCADA Upgrade Project**

Moved by Commissioner Wilkins, seconded by Commissioner Hughes, to authorize the County Procurement Office to issue a Request for Proposals for the Wastewater and Solid Waste SCADA upgrade project.

Dave Johnson explained SCADA stands for supervisory control and data acquisition. It allows staff to remotely monitor the lift stations.

VOICE VOTE: **Motion carried**

**BPW-19-044 Change Date of the 5K Veterans Run/Walk**

Moved by Commissioner Mahoney, seconded by Commissioner Lahring, to change the date of the Veterans Food Bank 5K run/walk from June 15, 2019, to June 6, 2020.

VOICE VOTE: **Motion carried**

**BPW-19-045 Authorize Engineering Services for J Station Upgrade and C Station Odor Control System**

Moved by Commissioner Hughes, seconded by Commissioner Wilkins, to authorize Prein&Newhof to provide engineering services for J Station replacement at a cost not to exceed \$220,000.00 and C Station odor control system replacement at a cost not to exceed \$18,000.00.

Dave Johnson and Administrator Eisenbarth explained the engineering contract the Wastewater System has with Prein&Newhof. It was requested that future quotes provide more detail as to the costs of services being performed.

Roll call:

Yes - Mahoney, Moore, Nash, Scolnik, Wilkins, Hughes, Lahring, Foster

No –

Excused – Snider

**Motion carried**

**BPW-19-046 Award Sale of Alfalfa (RFB 19-2346)**

Moved by Commissioner Wilkins, seconded by Commissioner Hughes, to award the bids for RFB 19-2346, Sale of Alfalfa, as follows:

Field 6 to Beaver Creek Dairy for \$39.75/ton  
Field 7 to Beaver Creek Dairy for \$39.50/ton  
Field 8 to Beaver Creek Dairy for \$39.50/ton  
Field 13 to Beaver Creek Dairy for \$39.25/ton  
Field 18 to Beaver Creek Dairy for \$39.25/ton  
Field 25 to Brian Ryzebol Dairy for \$38.10/ton  
Field 33 to Beaver Creek Dairy for \$38.50/ton  
Field 35 to Beaver Creek Dairy for \$38.25/ton

VOICE VOTE: **Motion carried**

**BPW-19-047 Authorize Oversight for the Laboratory Renovation Project**

Moved by Commissioner Mahoney, seconded by Commissioner Lahring, to authorize Prein&Newhof to add project oversight to its scope of engineering services provided for the Wastewater Department's laboratory renovation project at a cost not to exceed \$68,000.00.

Dave Johnson explained this is an extensive renovation to the existing laboratory. Dave Johnson stated this does not include new lab equipment.

Dave Johnson stated no architect firms bid on this project so he reached out to Prein&Newhof.

Roll call:

Yes - Scolnik, Wilkins, Hughes, Lahring, Mahoney, Moore, Nash, Foster

No –

Excused – Snider

**Motion carried**

**BPW-19-048 Award Laboratory Renovation (RFB 19-2317)**

Moved by Commissioner Wilkins, seconded by Commissioner Mahoney, to accept the bid from Skye Contracting for RFB 19-2317, Laboratory Renovations, for a total of \$1,191,000.00.

Roll call:

Yes - Hughes, Lahring, Mahoney, Moore, Nash, Scolnik, Wilkins, Foster

No –

Excused – Snider

**Motion carried**

**BPW-19-049 Approve Change Order No. 2 of the Fleet Maintenance Building Expansion Contract**

Moved by Commissioner Mahoney, seconded by Commissioner Wilkins, to approve Change Order No. 2 of the Fleet Maintenance Building Expansion Contract with Grand River Construction, which increases the contract price by \$6,339.00, from \$1,071,750.00 to \$1,078,089.00, and authorize the Board Chair to sign the same.

Roll call:

Yes - Nash, Scolnik, Wilkins, Lahring, Mahoney, Moore, Foster

No –

Abstain - Hughes

Excused – Snider

**Motion carried**

**BPW-19-050 Informational Items:**

The following informational items were received and placed on file:

1. Public Works Monthly Operations Report, March 2019.
2. Wastewater Monthly Operating Report, March 2019.
3. Muskegon Municipal Wastewater Management Committee Minutes, Mar 2019 (draft)
4. Sustainability Champion Award and Ceremony

Drain Commissioner Moore questioned the monthly electrical bill for the Wastewater. Dave Johnson stated Wastewater budgets \$2,000,000.00 a year for electric.

**OLD BUSINESS**

None

**NEW BUSINESS**

Dave Johnson informed the Board that the solar division of Tradewind Energy is now Savion LLC.

**PUBLIC COMMENT ON A NEW ITEM**

Administrator Eisenbarth stated the estimated cost for an amplifier and speakers for the hallway outside of the Board of Commissioners chambers would be \$600.00. Discussion ensued. Administrator Eisenbarth stated he would also look into renting the equipment.

**ADJOURN**

There being no further business to come before the Board of Public Works the meeting was adjourned at 5:15p.m.

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Gary Foster, Chair

Muskegon County  
Board of Public Works  
May 2, 2019  
3:30p.m.  
Michael E. Kobza Hall of Justice  
990 Terrace Street  
Muskegon, MI 49442

Gary Foster, Chair

Rillastine Wilkins, Vice Chair

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MINUTES

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**CALL TO ORDER**

The meeting was called to order by Chair Foster at 4:07p.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  
Rillastine Wilkins, Muskegon County Commissioner  
Leo Evans, Ex-officio Member  
Jennifer Hernandez, Ex-officio Member

Excused: I. John Snider II, Muskegon County Commissioner

Staff

Present: Dave Johnson, Wastewater Director  
Matthew Farrar, Public Works Director  
Tina Nash, Public Works Coordinator  
Doug Hughes, Corporate Counsel  
Mark Eisenbarth, County Administrator  
Beth Dick, Assistant Administrator & Finance Director

**BPW-19-051 APPROVAL OF THE AGENDA**

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

VOICE VOTE: **Motion carried**

**BPW-19-052 APPROVAL OF MINUTES**

Moved by Commissioner Nash, seconded by Commissioner Hughes, to approve the minutes of the Board of Public Works meeting held on April 11, 2019.

VOICE VOTE: **Motion carried**

**PUBLIC COMMENT ON AN AGENDA ITEM**

Leo Evans, City of Muskegon Public Works Director, introduced himself to the board members.

**ITEMS FOR CONSIDERATION:**

**BPW-19-053 Authorize Engineering Services for the South Irrigation Pump Station**

Moved by Commissioner Nash, seconded by Commissioner Mahoney, to authorize Prein&Newhof to provide engineering services for the renovation of the Wastewater's South Irrigation pump station at a cost not to exceed \$230,000.00.

Roll call:

Yes - Hughes, Lahring, Mahoney, Moore, Nash, Scolnik, Wilkins, Foster

No –

Excused – Snider

**Motion carried**

**BPW-19-054 Authorize Purchase of a John Deere 2730 Combination Ripper through MiDeal**

Moved by Commissioner Nash, seconded by Commissioner Hughes, to authorize the Wastewater Department to purchase a John Deere 2730 Combination Ripper through the MiDeal Extended Purchasing Program along with trade-in of a John Deere 714 chisel plow and a John Deere 2210 field cultivator, for a net total of \$42,823.20.

Roll call:

Yes - Lahring, Mahoney, Moore, Nash, Scolnik, Wilkins, Hughes, Foster

No –

Excused – Snider

**Motion carried**

**BPW-19-055 Approve Payment for Repairs to Caterpillar 375L Excavator**

Moved by Commissioner Hughes, seconded by Commissioner Wilkins, to approve the payment of the Michigan CAT invoice of \$64,668.82 for the repair of the Wastewater Department's Caterpillar 375L Excavator.

Dave Johnson stated the equipment was purchased in 1993 for \$558,000.00. Dave Johnson stated the Maintenance Director uses software to evaluate the value of the equipment. Chair Foster explained this is a key piece of equipment for the Wastewater System that needed additional repairs upon what was expected. Dave Johnson stated to purchase a new excavator through MiDeal would cost around \$900,000.00. Administrator Eisenbarth explained this was an emergency repair to a piece of equipment

used often. Administrator Eisenbarth stated there are policies regarding spending in place and he understands the boards concerns.

Roll call:

Yes - Moore, Scolnik, Wilkins, Hughes, Lahring, Mahoney, Foster

No – Nash

Excused – Snider

**Motion carried**

**BPW-19-056 Approve Change Order No. 1 of the Whitehall Irrigation Well Contract**

Moved by Commissioner Mahoney, seconded by Commissioner Lahring, to approve Change Order No. 1 of the Whitehall Irrigation Well Contract with Katz Well Drilling, which increases the contract price by \$4,292.00, from \$120,588.60 to \$124,880.60, and authorize the Board Chair to sign same.

Dave Johnson explained they are working with the MDEQ to shut down the purge well system. Dave Johnson stated if we are allowed to shut down the purge well system this will allow us to still meet our contractual obligation of providing irrigation water.

Roll call:

Yes - Scolnik, Wilkins, Hughes, Lahring, Mahoney, Moore, Nash, Foster

No –

Excused – Snider

**Motion carried**

**BPW-19-057 Approve Change Order No. 3 of the Grain Center Renovation Contract**

Moved by Commissioner Mahoney, seconded by Commissioner Hughes, to approve Change Order No. 3 of the Grain Center Renovation Contract with R.W. Mercer Company, which increases the contract price by \$27,763.24, from \$979,557.89 to \$1,007,321.13, and authorize the Board Chair to sign same.

Roll call:

Yes - Wilkins, Hughes, Lahring, Mahoney, Moore, Nash, Scolnik, Foster

No –

Excused – Snider

**Motion carried**

**BPW-19-058 Approve Change Order No. 3 of the Fleet Maintenance Bldg Expansion Contract**

Moved by Commissioner Wilkins, seconded by Commissioner Hughes, to approve Change Order No. 3 of the Fleet Maintenance Building Expansion Contract with Grand River Construction, which increases the contract price by \$18,205.25, from \$1,078,089.00 to \$1,096,294.25, and authorize the Board Chair to sign same.

Commissioner Lahring requested that the contractor and engineer/architect be named in future motions. Administrator Eisenbarth stated current policy does not require an owner's representative. Commissioner Hughes explained why the changes were necessary. Dave Johnson stated the change orders equal about

4.3% of the total contract price and a lot of the changes are for items Wastewater staff requested. Discussion ensued regarding change orders.

Roll call:

Yes - Scolnik, Wilkins, Hughes, Lahring, Mahoney, Foster

No – Moore, Nash

Excused – Snider

**Motion carried**

**BPW-19-059 Increase Wastewater Department's Preauthorized Spending for Michigan CAT**

Moved by Commissioner Hughes, seconded by Commissioner Mahoney, to increase the Wastewater Department's preauthorized spending for Michigan CAT for FY2019 by, \$50,000, from \$55,000 to \$105,000.

Dave Johnson explained they have two mechanics and one is on light duty due to medical reasons and more repairs are being sent to Michigan CAT because of this.

Roll call:

Yes - Mahoney, Moore, Scolnik, Wilkins, Hughes, Foster

No – Lahring, Nash

Excused – Snider

**Motion carried**

**BPW-19-060 Authorize Quotes for Proposals to Move Electric Lines**

Moved by Commissioner Hughes, seconded by Commissioner Mahoney, to authorize the Wastewater Department to obtain Procurement-level quotes for proposals to move the electric lines in front of the Wastewater's fleet maintenance building to the other side of the road in order to eliminate an electrocution hazard.

Roll call:

Yes - Nash, Scolnik, Wilkins, Hughes, Lahring, Mahoney, Moore, Foster

No –

Excused – Snider

**Motion carried**

**BPW-19-050 Informational Items:**

The following informational items were received and placed on file:

1. Public Works Monthly Operations Report, April 2019.
2. Wastewater Monthly Operating Report, April 2019.

**OLD BUSINESS**

Dave Johnson informed the board the ribbon cutting for the green trail of the new Mosquito Creek Trail will be Saturday, May 11<sup>th</sup>. Administrator Eisenbarth stated it will be at 10a.m.

**NEW BUSINESS**

Discussion ensued regarding the start time of the Board of Public Works meetings.

**BPW-19-051** Moved by Drain Commissioner Moore, seconded by Commissioner Wilkins to move the meeting time of the Board of Public Works to 4p.m.

VOICE VOTE: **Motion carried [No: Nash]**

Drain Commissioner Moore recommended a work session/training regarding video recording meetings.

Drain Commissioner Moore informed the board there will be a Day of Review held on May 15<sup>th</sup> at the Drain Office for several drainage districts throughout Muskegon County.

Discussion ensued regarding cameras in the Board of Commissioner chambers during meetings.

**PUBLIC COMMENT ON A NEW ITEM**

None

**ADJOURN**

There being no further business to come before the Board of Public Works the meeting was adjourned at 4:58p.m.

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Gary Foster, Chair

Muskegon County  
Board of Public Works  
June 6, 2019  
4:00p.m.  
Michael E. Kobza Hall of Justice  
990 Terrace Street  
Muskegon, MI 49442

Gary Foster, Chair

Rillastine Wilkins, Vice Chair

**MINUTES**

**CALL TO ORDER**

The meeting was called to order by Chair Foster at 4:14p.m.

**ROLL**

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

Excused: Brenda Moore, Drain Commissioner  
Leo Evans, Ex-officio Member

**Staff**

Present: Dave Johnson, Wastewater Director  
Matthew Farrar, Public Works Director  
Tina Nash, Public Works Coordinator  
Doug Hughes, Corporate Counsel  
Mark Eisenbarth, County Administrator  
Beth Dick, Assistant Administrator & Finance Director

**BPW-19-063 APPROVAL OF THE AGENDA**

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

VOICE VOTE: **Motion carried**

**BPW-19-064 APPROVAL OF MINUTES**

Moved by Commissioner Wilkins, seconded by Commissioner Hughes, to approve the minutes of the Board of Public Works meeting held on May 2, 2019.

VOICE VOTE: **Motion carried**

**PUBLIC COMMENT ON AN AGENDA ITEM**

None

**DISCUSSION – FIRE AGREEMENT**

Matthew Farrar informed the commissioners that Clerk Spoelman with Moorland Township reached out to him regarding the financial arrangement Moorland Township has with the Solid Waste Facility. Matthew Farrar stated Moorland Township is concerned the tipping tax of 10¢ per cubic yard of material that gets placed in the landfill is an inconsistent revenue stream for them. They are looking for a more consistent revenue stream to be able to provide services. Matthew Farrar stated Moorland Township also has a contract to perform some drain maintenance on a Muskegon County drain that also provides them revenue. Chair Foster introduced Moorland Township's Supervisor, Daniel Nutt and Moorland Township's Clerk, Rose Spoelman who were in the audience.

Discussion ensued. Several questions were asked by the board members. Clerk Spoelman stated Moorland Township is looking for a fair resolution. Matthew Farrar stated he would provide answers to the questions to continue further discussions.

**ITEMS FOR CONSIDERATION:**

**BPW-19-065 Authorize the Army Corps of Engineers Right-of-Entry**

Moved by Commissioner Hughes, seconded by Commissioner Mahoney, to authorize the Army Corps of Engineers right-of-entry to perform pilot hole boring work for future extraction wells EW-8, 10, 11, 13 and 14 within County owned property at the former Ott/Story and Muskegon County Business Park – North properties.

VOICE VOTE: **Motion carried**

**BPW-19-066 Award Compactor Wheel and Teeth Replacement (RFP 19-2333)**

Moved by Commissioner Hughes, seconded by Commissioner Mahoney, to award Compactor Wheel and Teeth Replacement to Michigan CAT with the Caron Compactor Company, Option 1, per RFP 19-2333, for a not to exceed price of \$98,133.

Roll call:

Yes - Lahring, Mahoney, Nash, Scolnik, Snider, Wilkins, Hughes, Foster

No –

Excused – Moore

**Motion carried**

**BPW-19-067 Brown's Pond Dam**

Moved by Commissioner Hughes, seconded by Commissioner Lahring, to not accept Blue Lake Township request of ownership of the Brown's Pond Dam from Blue Lake Township.

Melonie Arbogast, Blue Lake Township Supervisor, stated the DPW department is in charge of the Special Assessment District and has certain responsibilities they are required to complete. Supervisor Arbogast spoke about some of those responsibilities and stated Blue Lake Township would request Muskegon County take ownership of the dam.

Matthew Farrar explained staff's recommendation to not take ownership of the Brown's Pond Dam.

Discussion ensued. Supervisor Arbogast thanked the board for their consideration.

Roll call:

Yes - Mahoney, Nash, Scolnik, Snider, Wilkins, Hughes, Lahring, Foster

No –

Excused – Moore

**Motion carried**

**BPW-19-068 Solicit Quotes for Six Garage Doors**

Moved by Commissioner Hughes, seconded by Commissioner Scolnik, to authorize the Procurement Department to solicit quotes for the purchase and installation of six garage doors at the Wastewater Treatment Plant.

VOICE VOTE: **Motion carried**

**BPW-19-069 Solicit Bids for the Replacement of C Station Odor Control System**

Moved by Commissioner Nash, seconded by Commissioner Hughes, to authorize the Procurement Department to solicit bids for the replacement of the Wastewater Department's C Station odor control system.

Dave Johnson stated they do not know why this particular system failed. Dave Johnson stated the same system is installed at other locations and those are working fine. Dave Johnson explained the engineers will determine the failure once the system is removed and they can break into it. Discussion ensued. Dave Johnson clarified this motion is to replace the failed system.

VOICE VOTE: **Motion carried**

**BPW-19-070 Solicit Qualifications for Professional Engineering Services**

Moved by Commissioner Wilkins, seconded by Commissioner Hughes, to authorize the Procurement Department to promulgate a request for qualifications for the selection of an engineering firm to provide professional engineering services to the Wastewater Department in a three-year contract with two possible two-year extensions.

VOICE VOTE: **Motion carried**

**BPW-19-071 Authorize One-Year Extension of the Vehicle Lubricants Contract**

Moved by Commissioner Hughes, seconded by Commissioner Mahoney, to authorize the first of two possible one-year extensions of the Wastewater Department's vehicle lubricants contract with Alt Oil Company.

Roll call:

Yes - Scolnik, Snider, Wilkins, Hughes, Lahring, Mahoney, Nash, Foster

No –

Excused – Moore

**Motion carried**

**BPW-19-072 Purchase John Deere 1990CCS No-Till Drill through MiDeal**

Moved by Commissioner Wilkins, seconded by Commissioner Scolnik, to authorize the Wastewater Department to purchase a John Deere 1990CCS no-till drill through the MiDeal Extended Purchasing Program along with trade-in of the old no-till drill, for a net total of \$155,400.00.

Roll call:

Yes - Snider, Wilkins, Hughes, Lahring, Mahoney, Nash, Scolnik, Foster

No –

Excused – Moore

**Motion carried**

**BPW-19-073 Informational Items:**

The following informational items were received and placed on file:

1. Public Works Monthly Operations Report, May 2019.
2. Wastewater Monthly Operating Report, May 2019.
3. Muskegon County Regional Water Policy Board Minutes, May 2019
4. Muskegon Municipal Wastewater Management Committee Minutes, May 2019

**OLD BUSINESS**

None

**NEW BUSINESS**

**Facility Tours -**

Matthew Farrar stated they would like to host a tour of the wastewater system, landfill and the water plants for the commissioners to view. Administrator Eisenbarth stated he would send the commissioners some possible dates and schedule the tour.

**PUBLIC COMMENT ON A NEW ITEM**

None

**ADJOURN**

There being no further business to come before the Board of Public Works the meeting was adjourned at 5:09p.m.

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Gary Foster, Chair

Muskegon County  
Board of Public Works  
July 11, 2019  
4:00p.m.  
Michael E. Kobza Hall of Justice  
990 Terrace Street  
Muskegon, MI 49442

Gary Foster, Chair

Rillastine Wilkins, Vice Chair

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MINUTES

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**CALL TO ORDER**

The meeting was called to order by Chair Foster at 4:25p.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  
Robert Scolnik, Muskegon County Commissioner  
I. John Snider II, Muskegon County Commissioner  
Rillastine Wilkins, Muskegon County Commissioner

Excused: Leo Evans, Ex-officio Member  
Jennifer Hernandez, Ex-officio Member  
Charles Nash, Muskegon County Commissioner

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

**BPW-19-074 APPROVAL OF THE AMENDED AGENDA**

Moved by Commissioner Wilkins, seconded by Commissioner Hughes, to amend the agenda, removing item E.1 for additional information.

VOICE VOTE: **Motion carried**

**BPW-19-075 APPROVAL OF MINUTES**

Moved by Commissioner Hughes, seconded by Commissioner Mahoney, to approve the minutes of the Board of Public Works meeting held on June 6, 2019.

VOICE VOTE: **Motion carried**

**PUBLIC COMMENT ON AN AGENDA ITEM**

None

**ITEMS FOR CONSIDERATION:**

**BPW-19-076 Approve Purchase of a Caterpillar D6 Dozer with Extended Warranty**

Moved by Commissioner Snider, seconded by Commissioner Mahoney, to approve the procurement of a Caterpillar D6 Dozer with 72 month/3,500 hour powertrain, hydraulics, and technology extended warranty for \$443,638.02 per the quote number 144463-05, to approve the D6 in the FY2020 budget, and authorize the sale of the D6N through the Surplus Disposal Policy & Procedure Policy or the trade in value to Michigan CAT, whichever provides a higher sale price.

Matthew Farrar was asked if this was brand specific. Matthew Farrar explained the equipment would be purchased through the Sourcewell contract and did not know if it was brand specific but would look into it and report back to the commissioners.

Roll call:

Yes - Moore, Scolnik, Snider, Wilkins, Foster

No – Hughes, Lahring, Mahoney

Excused – Nash

**Motion carried**

**BPW-19-077 Approve Change Order No. 4 of the Fleet Maintenance Building Expansion Contract**

Moved by Commissioner Mahoney, seconded by Commissioner Snider, to approve Change Order No. 4 of the Fleet Maintenance Building Expansion Contract with Grand River Construction, which increases the contract price by \$9,018.99, from \$1,096,294.25 to \$1,105,313.24, and authorize the Board Chair to sign same.

Dave Johnson stated these were items staff asked for. Discussion ensued regarding contract changes. Administrator Eisenbarth stated he would look at the Procurement Policy for possible changes.

Roll call:

Yes - Lahring, Mahoney, Scolnik, Snider, Wilkins, Hughes, Foster

No – Moore

Excused – Nash

**Motion carried**

**BPW-19-078 Discount the Sewer Rate for the Former SAPPI Property Environmental Remediation**

Moved by Commissioner Hughes, seconded by Commissioner Snider, to discount the sewer rate for the environmental remediation of the former SAPPI property by removing the debt portion of the sewer rate from the wholesale sewer rate.

Matthew Farrar stated they do the same for contaminated soil and use the soil for cover at the landfill. Matthew Farrar reported Verplank was given a rate of \$8 per ton to dispose of the coal/sand from the BC Cobb site to the landfill.

Roll call:

Yes - Mahoney, Moore, Scolnik, Snider, Wilkins, Hughes, Lahring, Foster

No –

Excused – Nash

**Motion carried**

**BPW-19-079 Authorize Participation in Consumers Energy’s Demand Response Program**

Moved by Commissioner Hughes, seconded by Commissioner Snider, to authorize the Wastewater Department to participate in Consumers Energy’s Demand Response Program for a four-year term (that is, for calendar years 2020-2023) and authorize the Board Chair to sign the Demand Response Program contract.

VOICE VOTE: **Motion carried**

**BPW-19-080 Donate Two Black Walnut Trees**

Moved by Commissioner Wilkins, seconded by Commissioner Hughes, to donate two black walnut trees on Wastewater property to Heal with a Horse.

Dave Johnson reported the forester consultant estimated the value of the trees to be around \$200 - \$350 due to the spikes in the trees; however the forester did state the actual value will be what someone is willing to pay. Discussion ensued regarding donations.

Roll call:

Yes - Snider, Wilkins, Hughes, Lahring, Foster

No – Moore, Scolnik, Mahoney

Excused – Nash

**Motion carried**

**BPW-19-081 Informational Items:**

Moved by Commissioner Mahoney, seconded by Commissioner Snider, the following informational items were received and placed on file:

1. Public Works Monthly Operations Report, June 2019.
2. Wastewater Monthly Operating Report, June 2019.
3. Muskegon County Regional Water Policy Board Minutes, June 2019
4. Muskegon Municipal Wastewater Management Committee Minutes, June 2019

VOICE VOTE: **Motion carried**

**OLD BUSINESS**

Drain Commissioner Moore recommended using the GIS system for soil erosion control. Commissioner Hughes commented the Stormwater Committee also uses the GIS system.

Commissioner Hughes asked Dave Johnson to look into what is causing an oily looking film around the edges in the east lagoon on the west edge.

Chair Foster asked if Matthew Farrar or Dave Johnson was aware of permits issued for the digester in Fremont to dump sludge in two lagoons located in Holton Township. Administrator Eisenbarth stated the County did not issue permits. Drain Commissioner Moore suggested it may be an EGLE permit. Chair Foster asked Administrator Eisenbarth to work with Holton Township to address the resident's concerns.

Commissioner Hughes asked Matthew Farrar for an update on PFAS at the airport. Matthew Farrar stated they are working on putting in six water services from a grant received. Matthew Farrar stated EGLE is taking over the investigation using the consultant we hired and EGLE will be paying for it. Matthew Farrar stated if someone has any concerns with reported PFAS levels in their water they should contact DHHS.

**NEW BUSINESS**

None

**PUBLIC COMMENT ON A NEW ITEM**

None

**ADJOURN**

There being no further business to come before the Board of Public Works the meeting was adjourned at 5:02p.m.

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Gary Foster, Chair

Muskegon County  
Board of Public Works  
August 1, 2019  
4:00p.m.  
Michael E. Kobza Hall of Justice  
990 Terrace Street  
Muskegon, MI 49442

Gary Foster, Chair

Rillastine Wilkins, Vice Chair

**MINUTES**

**CALL TO ORDER**

The meeting was called to order by Chair Foster at 4:04p.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 [excused at 4:26p.m.]  
Robert Scolnik, Muskegon County Commissioner  
I. John Snider II, Muskegon County Commissioner  
Rillastine Wilkins, Muskegon County Commissioner  
Leo Evans, Ex-officio Member  
Jennifer Hernandez, Ex-officio Member

**Excused:**

**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  
Marcia Hovey-Wright, Muskegon County Commissioner

**BPW-19-082 APPROVAL OF THE AGENDA**

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

**VOICE VOTE: Motion carried**

**BPW-19-083 APPROVAL OF MINUTES**

Moved by Commissioner Mahoney, seconded by Commissioner Snider, to approve the minutes of the Board of Public Works meeting held on July 11, 2019.

VOICE VOTE: **Motion carried**

**PUBLIC COMMENT ON AN AGENDA ITEM**

None

**PRESENTATIONS**

Matthew Farrar presented the proposed Solid Waste Management System's and the Regional Water System's fiscal year 2020 overall budgets (Attached). Matthew Farrar spoke about the landfill expansion project. Matthew Farrar stated the proposed budget for the Regional Water System assumes the recommended rate increase to the users of the system by the Water System Policy Board. Matthew Farrar informed the Board they estimate the Channel Crossing project will total \$10M when completed. Matthew Farrar stated the almost \$9M Regional Water System capital spending for the next five years will be mostly construction projects.

Dave Johnson presented the proposed Wastewater Management System's fiscal year 2020 budget. Dave Johnson spoke about capital improvement projects (Attached). Dave Johnson informed the Board they will be removing the J Station project due to possible grant funding. Dave Johnson informed the Board the proposed budget presented includes a 2% increase to the sewer rate. Dave Johnson stated the Wastewater User Group will vote on the increase at their next meeting. Dave Johnson clarified the 2% increase would be on the users' wholesale sewer rate. Dave Johnson stated they also may look at increasing rates to grease trap haulers due to increase costs associated with the grease.

[Commissioner Nash excused at 4:26p.m.]

**ITEMS FOR CONSIDERATION:**

**BPW-19-084 Approve to Submit Application for 2019/20 Scrap Tire Cleanup Grant**

Moved by Commissioner Snider, seconded by Commissioner Wilkins, to authorize the Department of Public Works to submit an application to the Michigan Department of Environmental Quality 2019/20 Scrap Tire Cleanup Grant Program and authorize the use of Solid Waste Funds to pay for scheduled tire collection events in 2020.

Matthew Farrar informed the Board an additional event location was added so he will be applying for \$54,000.00.

Roll call:

Yes - Hughes, Lahring, Mahoney Moore, Snider, Wilkins, Foster

No –

Excused – Nash, Scolnik [Scolnik stepped out at 4:47p.m.]

**Motion carried**

**BPW-19-085 Approve the Cost Sharing Agreement for Phase 1 of the Channel Crossing Project**

Moved by Commissioner Mahoney, seconded by Commissioner Snider, to approve the cost sharing agreement for Phase 1 of the Channel Crossing project between the County and the City of Muskegon and authorize the Chair and Clerk to sign the agreement.

Roll call:

Yes - Lahring, Mahoney Moore, Scolnik, Snider, Wilkins, Hughes, Foster

No –

Excused – Nash

**Motion carried**

**BPW-19-086 Increase the Muskegon Channel Crossing Project Engineering Services Contract**

Moved by Commissioner Snider, seconded by Commissioner Hughes, to increase the Muskegon Channel Crossing Project engineering services contract with J&A by \$115,000, for a revised contract value of \$634,253, and authorize the Board Chair to sign the contract amendment with all costs paid by the City of Muskegon.

Roll call:

Yes - Mahoney Moore, Scolnik, Snider, Wilkins, Hughes, Lahring, Foster

No –

Excused – Nash

**Motion carried**

**BPW-19-087 Award Proposal to Upgrade and Expand SCADA Systems and Update PLCs**

Moved by Commissioner Mahoney, seconded by Commissioner Snider, to accept the proposal from KISM to work with Solid Waste and Wastewater to develop a cost proposal to upgrade and expand their SCADA systems and update PLCs.

Dave Johnson stated only two of the vendors who submitted proposals met the specifications and the low of those two is recommended.

Roll call:

Yes - Moore, Scolnik, Snider, Wilkins, Hughes, Lahring, Mahoney, Foster

No –

Excused – Nash

**Motion carried**

**BPW-19-088 Award Quote to Move Overhead Electrical Lines**

Moved by Commissioner Hughes, seconded by Commissioner Wilkins, to accept the low quote for Move Overhead Electrical Lines from Windemuller, Inc., for \$36,300.00.

Roll call:

Yes - Scolnik, Snider, Wilkins, Hughes, Lahring, Mahoney Moore, Foster

No –

Excused – Nash

**Motion carried**

**BPW-19-089 Authorize to Add Construction Oversight Services / Swanson Road**

Moved by Commissioner Wilkins, seconded by Commissioner Snider, to authorize Prein&Newhof to add construction oversight to its scope of engineering services provided for the Wastewater Department's Swanson Road paving project at a cost not to exceed \$153,000.00.

Dave Johnson was asked about bidding this job. Dave Johnson stated they are currently seeking qualifications for engineering services for the Wastewater. Those proposals are due next week. It was stated Wastewater is currently under contract with Prein&Newhof. Dave Johnson clarified this project will be from Apple Avenue to the fleet maintenance building.

Roll call:

Yes - Wilkins, Hughes, Lahrng, Mahoney Moore, Scolnik, Snider, Foster

No –

Excused – Nash

**Motion carried**

**BPW-19-090 Award Bid for Wastewater System Improvements/Swanson Road**

Moved by Commissioner Hughes, seconded by Commissioner Wilkins, to accept the bid from Jackson-Merkey Contractors for IFB 19-2350, Wastewater System Improvements: Swanson Road, for a total of \$2,149,528.40.

Roll call:

Yes - Snider, Wilkins, Hughes, Lahrng, Mahoney Moore, Scolnik, Foster

No –

Excused – Nash

**Motion carried**

**BPW-19-091 Adopt Wastewater 2019 Hunting and Trapping Rules & Authorize the Spring Youth Turkey Hunt, 2019 Liberty Hunt and DNR Waterfowl Hunt**

Moved by Commissioner Hughes, seconded by Commissioner Mahoney, to adopt the attached 2019 Wastewater Hunting and Trapping Rules and authorize the spring youth turkey hunt, 2019 Liberty Hunt for youth (archery only) and DNR waterfowl hunt, the window of which will be expanded to include November 15 -30.

Administrator Eisenbarth informed the Board the rules were written by previous corporate counsel, Ted Williams.

VOICE VOTE: **Motion carried**

**BPW-19-092 Informational Items:**

The following informational items were received and placed on file:

1. Public Works Monthly Operations Report, July 2019.
2. Wastewater Monthly Operating Report, July 2019.

**OLD BUSINESS**

Commissioners thanked staff for the tours of the various facilities.

**NEW BUSINESS**

Drain Commissioner Moore informed the Commissioners she would be giving an update on the Ribe Drain at an upcoming Ways & Means committee meeting.

Commissioner Hughes asked Matthew Farrar to check with the USDA Rural Development on possible grant funds for the landfill expansion project.

Chair Foster congratulated Supervisor Hodges on her recent marriage.

**PUBLIC COMMENT ON A NEW ITEM**

None

**ADJOURN**

There being no further business to come before the Board of Public Works the meeting was adjourned at 5:07p.m.

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Gary Foster, Chair

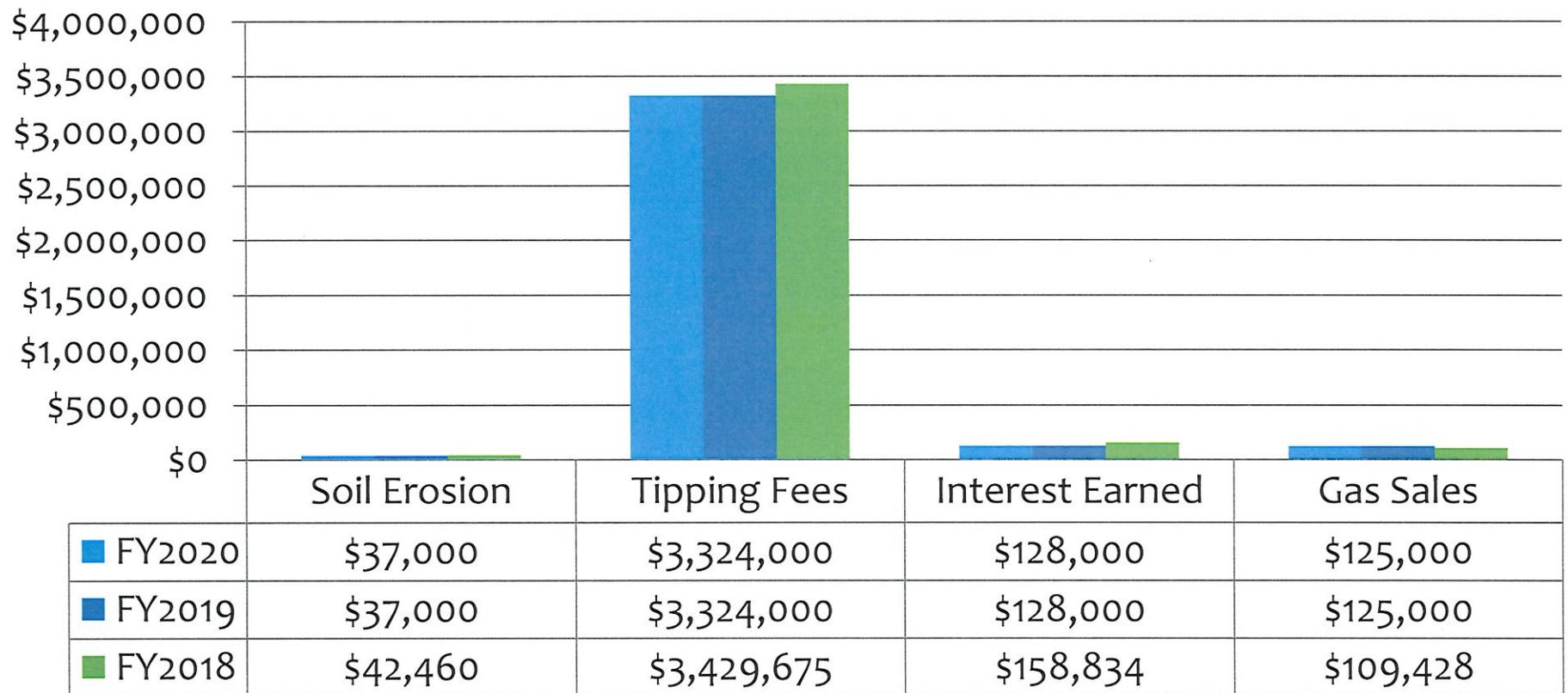


# Requested FY2020 Budget

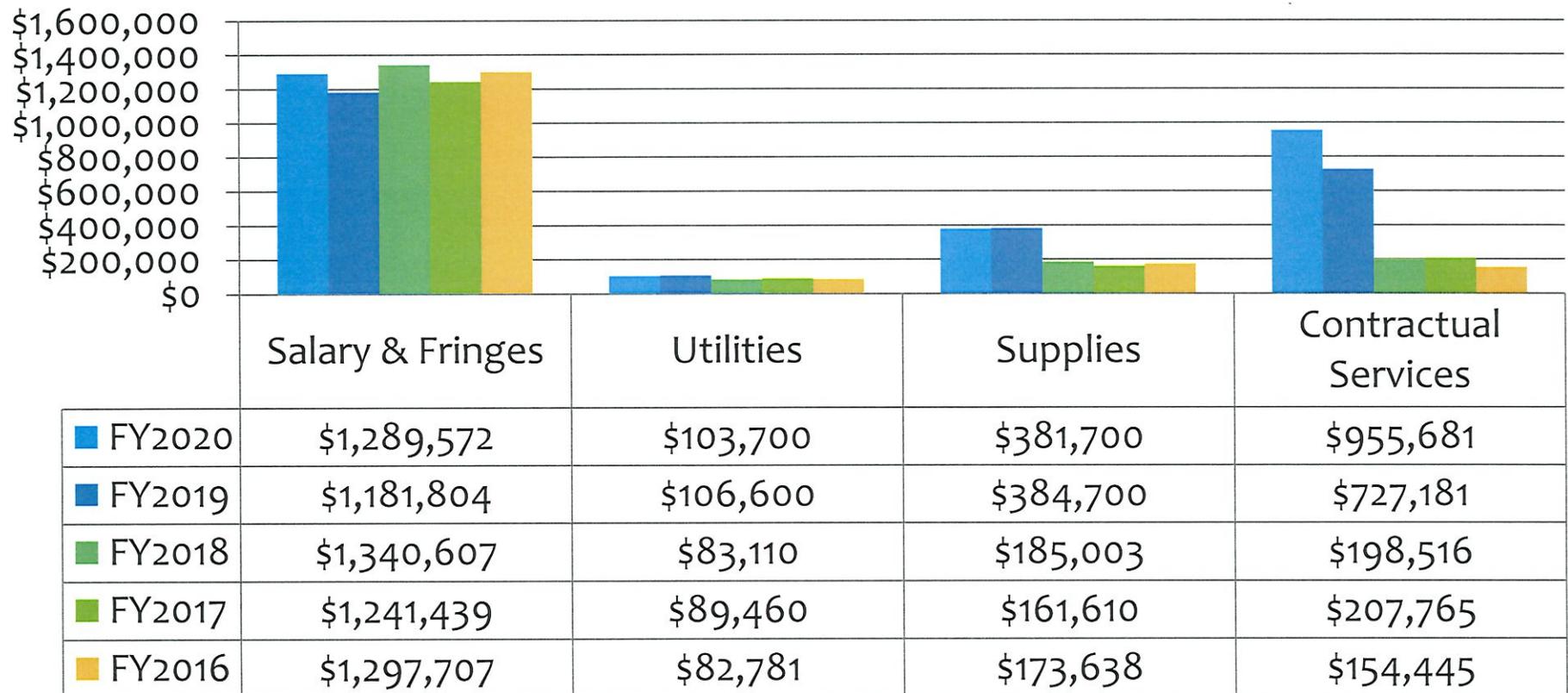
Solid Waste Management

Regional Water System

# Solid Waste Management Revenue

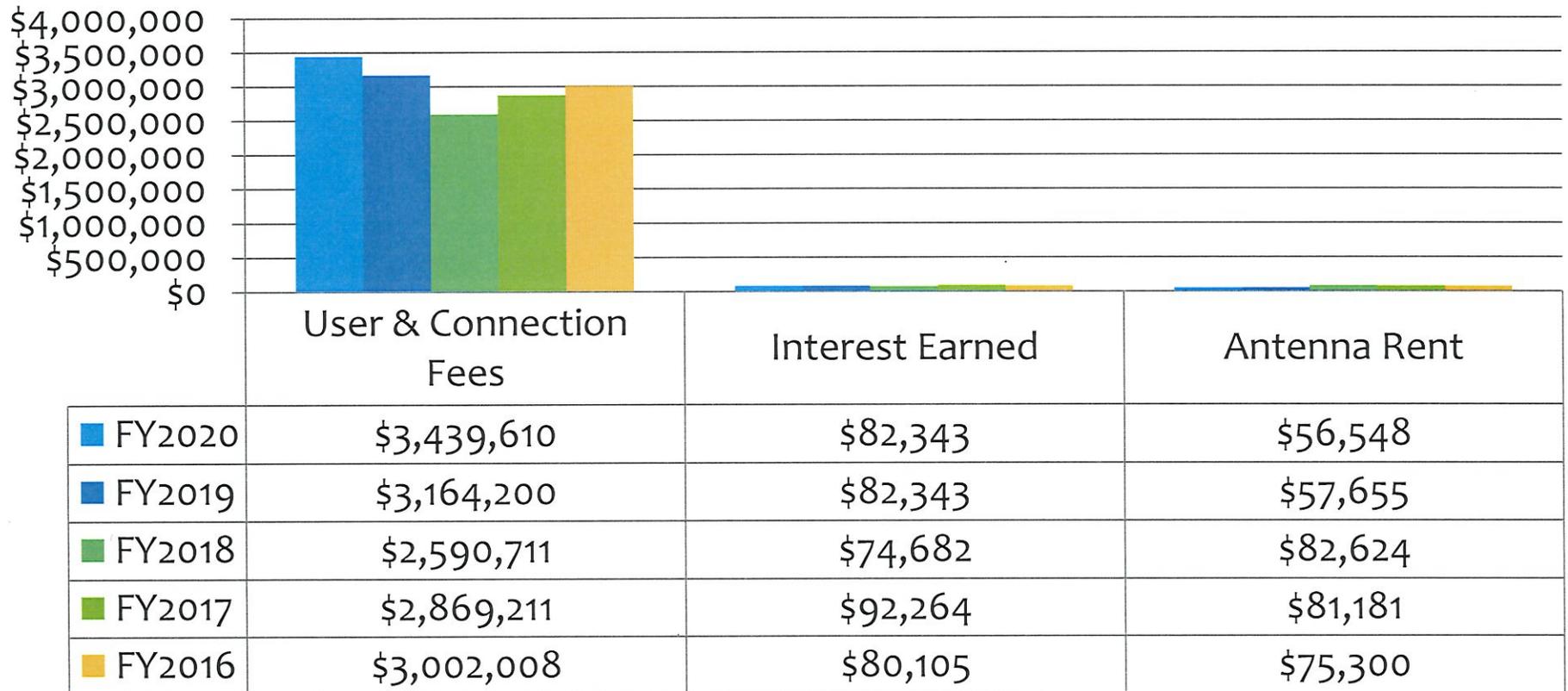


# Solid Waste Management Expenses

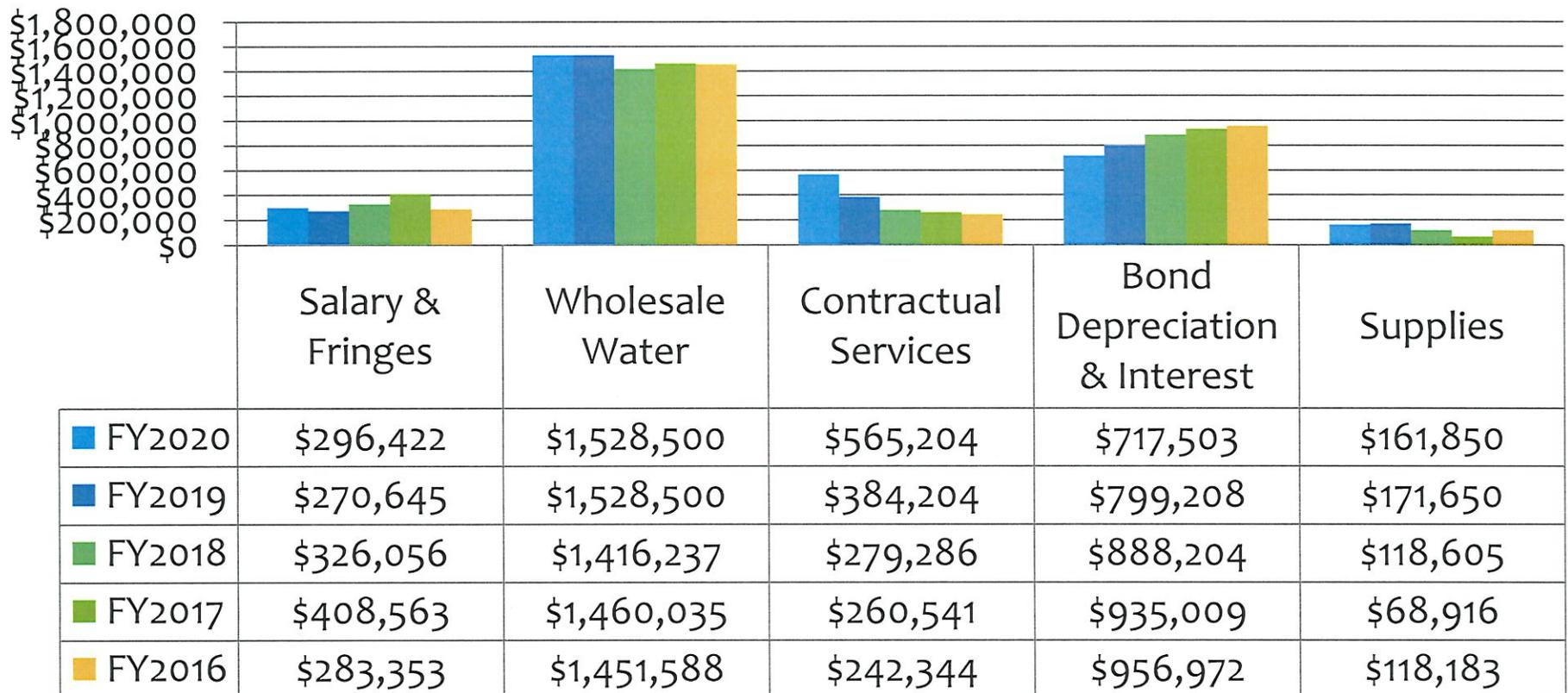


# Began Engineering on Landfill Expansion

# Regional Water System Revenue



# Regional Water System Expenses



# Regional Water System 5 Year Capital Improvement Plan

Project Description	Fiscal Year:	2020	2021	2022	2023	2024
<b>Northside</b>						
Hydrant Painting		5,000	5,000	5,000	5,000	5,000
Channel Crossing		90,000	7,100,000	-	-	-
Memorial Drive - Weber to Peterson Rd		-	1,300,000	-	-	-
PLC Upgrades at Giles P.S. and Tank		-	-	-	66,000	-
Tank Painting - Interior		-	-	-	-	140,000
<b>Eastside</b>						
Hydrant Painting		5,000	5,000	5,000	5,000	5,000
Quarterline Tank Drain, Inspect and Wash		6,000	-	-	-	-
Tank Painting - Exterior & Misc. Improvements		-	150,000	-	-	-
PLC Upgrades at Quarterline & Evanston		-	-	-	63,000	-

Total Regional Water  
System capital spending  
for the next five years:

**\$8.96M**

QUESTIONS?



**FY2020 WW Budget:  
\$23.5M**

**~\$10M in Capital Spending,  
with 2 new major  
construction projects**

## **The Re-Creation of J Station**



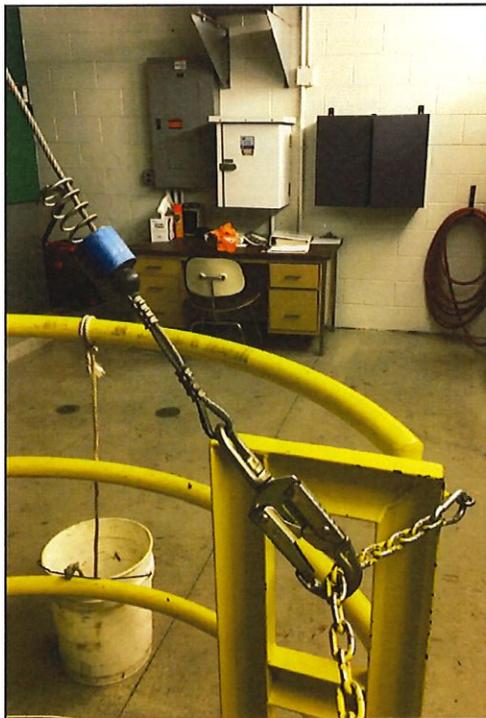
## J Station



### What is the rationale for Re-creating the Station?

- **Primary Reason: The wet well is undersized**
- **Secondary Reason: Significant safety improvements by redesigning the station from “Can” style to “Submersible” style.**

## A Can Style Lift Station



### Can Style Station Safety Measures:

- Must don safety harness and attach cable for fall protection
- Must test air at bottom of dry well before descending

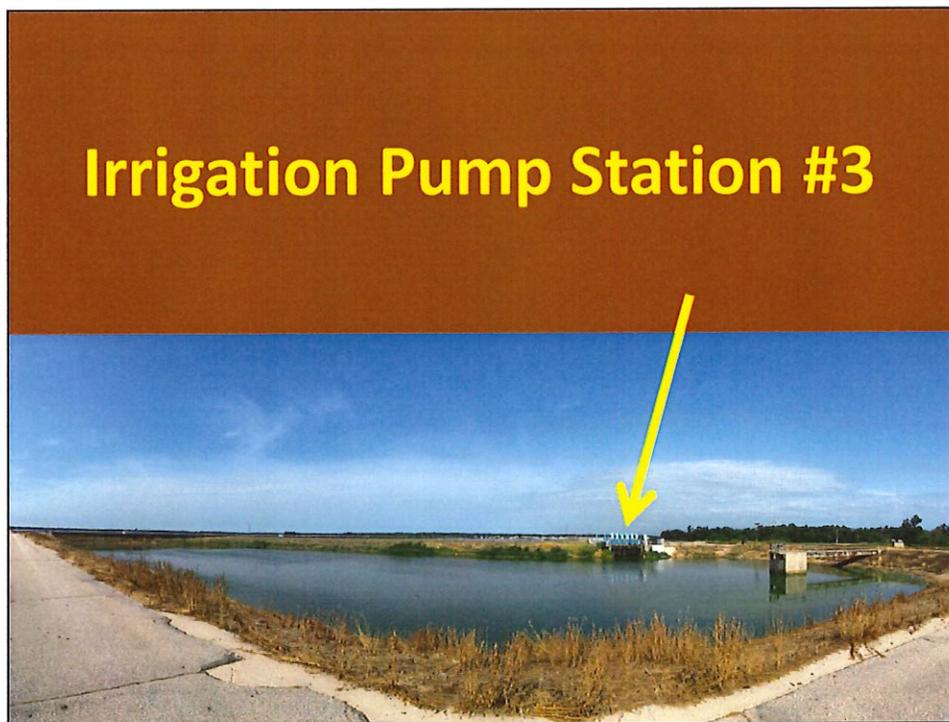
## **Estimated Price Tag for J Station: \$2.85M**

- **New larger wet well**
- **Four new pumps**
- **New controls**
- **New controls building**

**Construction: Spring of 2020**

## **The Transformation of South Station**





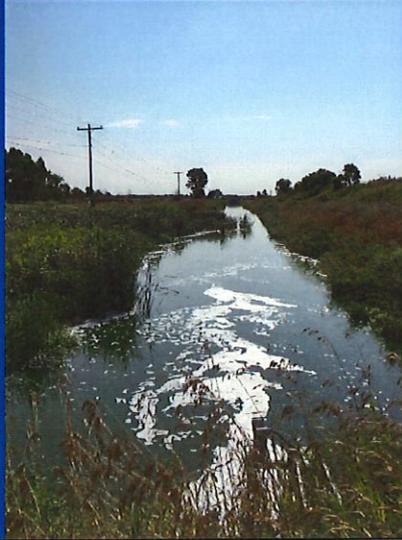
## South Station Weaknesses



The water from the East Storage Lagoon flows through a short pipeline into an open ditch



**The ditch is 400 yards long**



**South Station lies at the far east end of the ditch**



## So What are the Weaknesses?

- When gate is opened to let water into the ditch from east storage lagoon, it's like opening up a drain on the lagoon. When the ditch is full, the pumps must be turned on to pump water out of ditch at the same rate that water enters ditch.
- *If Rate of Flow In > Rate of Flow Out, then Ditch Overflows*
- *If Rate of Flow In < Rate of Flow Out, then Pumps Get Air-Bound*
- South Station Pumps Fail = Potential for Big Flood
- One more weakness: The ditch fills with weeds!

**The balancing act between Water In and Water Out is the responsibility of the Wastewater Irrigation Operator, whose position over the years has acquired the nickname, "Ditch Runner".**

## **Estimated Price Tag for South Station: \$3.2M**

- **Replace ditch with outlet lagoon**
- **Four new 150 HP pumps**
- **New electrical**
- **Bar screen**

**Construction: Begin this winter;  
Complete by start of irrigation  
season in spring, 2020.**

## **Other FY20 Capital Spending**

- **3 Irrigation rig replacements**
- **One vehicle replacement**
- **No-till drill**
- **ICP-MS for laboratory**

## **Plus Continued Spending from Previously Budgeted Projects**

- **SCADA**
- **Swanson Rd.**
- **Lab**



**Thank you for your attentiveness!**

**David Johnson**

**[johnsonda@muskegoncounty.net](mailto:johnsonda@muskegoncounty.net)**

**Wildlife photography by  
Commissioner Susie Hughes  
(Used by permission)**

Muskegon County  
Board of Public Works  
September 5, 2019  
4:00p.m.  
Michael E. Kobza Hall of Justice  
990 Terrace Street  
Muskegon, MI 49442

Gary Foster, Chair

Rillastine Wilkins, Vice Chair

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MINUTES

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**CALL TO ORDER**

The meeting was called to order by Chair Foster at 4:38p.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  
Leo Evans, Ex-officio Member  
Jennifer Hodges, Ex-officio Member

Excused:

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  
Jamie Burmeister, Procurement Analyst

**BPW-19-093 APPROVAL OF THE AGENDA**

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

VOICE VOTE: **Motion carried**

**BPW-19-094 APPROVAL OF MINUTES**

Moved by Commissioner Hughes, seconded by Commissioner Mahoney, to approve the minutes of the Board of Public Works meeting held on August 1, 2019.

VOICE VOTE: **Motion carried**

**PUBLIC COMMENT ON AN AGENDA ITEM**

Tony Barnes, Dalton Township Supervisor; Linda M. Aerts, Cedar Creek Supervisor; Kim Arter, Laketon Township Supervisor and Leonard Rudholm addressed the Board regarding item E.3 and the 2% increase in the wholesale sewer rate. All were opposed to the 2% increase.

**ITEMS FOR CONSIDERATION:**

**BPW-19-095 Approve Fiscal Year 2020 Budget for the Solid Waste Management System**

Moved by Commissioner Nash, seconded by Commissioner Mahoney, to approve the requested FY2020 Solid Waste budget, including the attached tipping fee increases.

<b>RATE CATEGORY</b>	<b>CURRENT FEE PER TON</b>	<b>PROPOSED FEE 2020</b>
Gate Rate - General Refuse	\$34.60	\$36.00
Contract Rate - General Refuse	\$27.50	\$29.00
Discount Rate - Charity	\$13.75	\$18.00
Transfer Rate - Residential	\$46.00	\$50.00
Livestock Rate	\$45.00	\$45.00
Sharps: \$50.00 Min	\$46.00	\$50.00
Oversized Material: \$36.00 Min	\$46.00	\$50.00
Wastewater Sludge	\$27.50	\$36.00
Foundry Sand	\$2.50	\$3.00
Cover Soils	\$12.00	\$12.00
Weight Tickets Residential	\$6.00	\$8.00
Weight Tickets Commercial	\$12.00	\$12.00

**TRANSFER STATION MINIMUM CHARGE**

CAR	\$8.00	\$10.00
SUV/TRUCK/TRAILER OR CAR WITH TRAILER	\$22.00	\$24.00

Roll call:

Yes - Hughes, Lahring, Mahoney, Moore, Nash, Scolnik, Snider, Wilkins, Foster

No –

**Motion carried**

**BPW-19-096 Approve Fiscal Year 2020 Budget for the Regional Water System**

Moved by Commissioner Nash, seconded by Commissioner Mahoney, to approve the requested FY2020 budget of \$3,330,743 in revenues with \$3,380,698 in expenses for the Muskegon County Regional Water System as presented including the commodity rate from \$3.82 per cubic foot to \$4.01 per cubic foot and increase the monthly ready-to-serve charge base from \$11.25 to \$14.06.

Roll call:

Yes - Lahring, Mahoney, Moore, Nash, Scolnik, Snider, Wilkins, Hughes, Foster

No –

**Motion carried**

**Approve the Wastewater Department's Requested Fiscal Year 2020 Budget**

Moved by Commissioner Hughes, seconded by Commissioner Wilkins, to approve the requested FY2020 Wastewater budget, which includes a 2% increase in the wholesale sewer rate, an 11.5% rate increase for hauled grease waste, and a 5.8% rate increase for hauled mixed septage and grease.

Matthew Farrar explained the rate formula outlined in the Memorandum of Understanding (MOU) between the County and Users Committee and the process used to reach the 2% increase in the wholesale sewer rate. Dave Johnson stated they expect to spend \$6.5 to \$7 million per year over the next 10 years on capital improvements. Matthew Farrar clarified each municipality owns their sewer lines and are responsible for the maintenance. Jennifer Hodges explained the townships are over the amounts budgeted and requested the 2% increase be delayed. There was discussion as to how the 2% would affect the municipalities and the Wastewater System's budget. Drain Commissioner Moore addressed the high ground water problem and asked if there were any way to help the municipalities with the additional costs. Matthew Farrar stated infiltration was discussed during the negotiation of the 2010 master contract with the Users Group and it was agreed all metered sewer waste would be billed.

Moved by Commissioner Hughes, seconded by Commissioner Nash to amend the motion to a 1% increase in the wholesale sewer rate.

Dave Johnson explained budget models called for a 3.25% wholesale rate increase and the 2% was a compromise to address the municipalities concerns. Discussion ensued.

Commissioner Hughes withdrew her motion.

Commissioner Snider asked about the Muskegon Area First contract. Administrator Eisenbarth stated a new contract will be brought to the User Group in the next few weeks to be voted on and will be a separate expense item.

Chair Foster requested to allow Tony Barnes to speak if there were no objections. Tony Barnes spoke to the tax increases, drain assessments and water rate increase the residents are enduring and requested the 2% increase be postponed for a year.

It was requested by Commissioner Scolnik and Drain Commissioner Moore, to vote on the wholesale rate increase separate from the hauled grease rate increase and the hauled septage.

**BPW-19-097** Moved by Commissioner Nash, seconded by Commissioner Lahring, to approve a 2% increase in the wholesale sewer rate.

Roll call:

Yes - Lahring

No – Moore, Nash, Scolnik, Snider, Wilkins, Hughes, Mahoney, Foster

**Motion failed**

**BPW-19-098** Moved by Commissioner Scolnik, seconded by Commissioner Nash, to approve a 1% increase in the wholesale sewer rate.

Roll call:

Yes – Lahring, Mahoney, Nash, Scolnik, Snider, Wilkins, Hughes

No – Moore, Foster

**Motion carried**

**BPW-19-099** Moved by Commissioner Nash, seconded by Commissioner Hughes, to approve the requested FY2020 Wastewater budget, which includes a 11.5% rate increase for hauled grease waste, and a 5.8% rate increase for hauled mixed septage and grease.

Roll call:

Yes – Snider, Wilkins, Hughes, Lahring, Mahoney, Moore, Nash, Scolnik, Foster

No –

**Motion carried**

**BPW-19-100 Authorize Engineering Services for the Gap Cell and Cell 2 and 3 Final Cover Project**

Moved by Commissioner Nash, seconded by Commissioner Mahoney, to authorize Golder Associates, Inc. to proceed with Engineering Services for the Gap Cell and Cell 2 and 3 Final Cover Project, per Proposal Number P19124054 in the amount of \$53,700.00, according to the Landfill Engineering Agreement.

Roll call:

Yes - Hughes, Lahring, Mahoney, Moore, Nash, Scolnik, Snider, Wilkins, Foster

No –

**Motion carried**

**BPW-19-101 Authorize Engineering Services for the Leachate Station 2 Rebuild**

Moved by Commissioner Scolnik, seconded by Commissioner Nash, to authorize Golder Associates, Inc. to proceed with Engineering Services for the Leachate Station 2 rebuild, per Proposal Number P19124058 in the amount of \$29,300.00, according to the Landfill Engineering Agreement.

Roll call:

Yes - Lahring, Mahoney, Moore, Nash, Scolnik, Snider, Wilkins, Hughes, Foster

No –

**Motion carried**

**BPW-19-102 Authorize Michigan CAT for Preventative Maintenance and Equipment Repair**

Moved by Commissioner Hughes, seconded by Commissioner Nash, to authorize the use of Michigan CAT for preventative maintenance and equipment repair services for Solid Waste heavy equipment and authorize the Chair to sign the Agreement after approved by Corporate Counsel.

Roll call:

Yes - Scolnik, Snider, Wilkins, Hughes, Lahring, Mahoney, Moore, Nash, Foster

No –

**Motion carried**

**BPW-19-103 Approve Timber Harvest Contracts**

Moved by Commissioner Nash, seconded by Commissioner Snider, to accept the high bid of \$50,875.00 from Atwood Timber & Lumber for the timber harvest on the 110-acre area, and accept the high bid of \$40.00/cord for red pine, \$60.00/cord for oak logs, \$30.00/cord for oak scrag, and \$10.00/cord for firewood from Habitat Management of Michigan for the timber harvest on the 40-acre area, and authorize the Board Chair to sign the contracts, with commencement of the harvests dependent upon presentation of the necessary general liability insurance documents by both companies.

Commissioner Hughes had concerns with the prior timber harvest. A motion was made by Commissioner Hughes to postpone for 1 year. Motion did not receive a second.

Vote on the original motion presented.

VOICE VOTE: **Motion carried [No – Hughes]**

**Award Professional Engineering Services/RFQu 19-2361**

Moved by Commissioner Mahoney, seconded by Commissioner Wilkins, to award the Wastewater's three-year contract for professional engineering services (with the option of two one-year extensions) to Prein&Newhof.

Commissioner Hughes asked why no pricing was given being the firms ratings were within 10% of each other.

Jamie Burmeister explained the RFQu procurement process.

A friendly amendment was made by Commissioner Hughes, seconded by Drain Commissioner Moore to obtain costs from the three bidders before awarding.

**BPW-19-104** Moved by Commissioner Mahoney, seconded by Commissioner Wilkins, prior to awarding the Wastewater's three-year contract for professional engineering services (with the option of two one-year extensions) evaluate costs from the bidders and include in the final evaluation.

Roll call:

Yes - Hughes, Lahring, Mahoney Moore, Nash, Scolnik, Wilkins, Foster

No – Snider

**Motion carried**

**BPW-19-105 Authorize the Purchase of a No-Till Drill through Sourcewell**

Moved by Commissioner Hughes, seconded by Commissioner Mahoney, to authorize the Wastewater Department to purchase a John Deere 1990CCS no-till drill through the Sourcewell purchasing contract, with trade-in of the old drill, for a total of \$134,138.80, in lieu of purchasing the same through MiDeal, as was previously approved by the Board.

Roll call:

Yes - Nash, Scolnik, Snider, Wilkins, Hughes, Lahring, Mahoney, Moore, Foster

No –

**Motion carried**

**BPW-19-106 Authorize to Purchase Replacement Pump for Keating Station**

Moved by Commissioner Hughes, seconded by Commissioner Nash, to authorize the purchase of a new Flygt model NP3171.830-435 pump for \$35,650.00 to replace the failed 22-year-old pump at Keating Station, and to waive the requirement of obtaining Procurement-level quotes.

Roll call:

Yes - Moore, Nash, Scolnik, Snider, Wilkins, Hughes, Lahring, Mahoney, Foster

No –

**Motion carried**

**BPW-19-107 Approve Payment of Crop Dusting Invoice**

Moved by Commissioner Nash, seconded by Commissioner Mahoney, to support the Wastewater Director's action in ordering the fungicide/pesticide application for the Wastewater's 1400 acres of corn.

Roll call:

Yes - Hughes, Lahring, Mahoney, Nash, Scolnik, Snider, Wilkins, Foster

No – Moore

**Motion carried**

**BPW-19-108 Informational Items:**

Moved by Chair Foster, seconded by Commissioner Mahoney, the following informational items were received and placed on file:

1. Public Works Monthly Operations Report, August 2019.
2. Wastewater Monthly Operating Report, August 2019.
3. Muskegon County Regional Water Policy Board Minutes, August 2019 (draft)
4. Muskegon Municipal Wastewater Management Committee Minutes, August 2019 (draft)

VOICE VOTE: **Motion carried**

**OLD BUSINESS**

None

**NEW BUSINESS**

Administrator Eisenbarth informed the Board there will be a closed session at the Full Board meeting on September 10, 2019.

**PUBLIC COMMENT ON A NEW ITEM**

Tony Barnes thanked the Board for taking the municipalities concerns in consideration. He also thanked the Board on behalf of Kim Arter.

Dave Johnson informed the Board of a sewage spill. Dave Johnson stated the spill was approximately 15 gallons and happened on a roadway. The spill wasn't near any water ways and was not a public health issue. Dave Johnson stated no matter the size they are required to report it to the State of Michigan and he wanted to make sure the Board was informed.

**ADJOURN**

There being no further business to come before the Board of Public Works the meeting was adjourned at 5:53p.m.

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Gary Foster, Chair

Muskegon County  
Board of Public Works  
October 3, 2019  
4:00p.m.  
Michael E. Kobza Hall of Justice  
990 Terrace Street  
Muskegon, MI 49442

Gary Foster, Chair

Rillastine Wilkins, Vice Chair

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MINUTES

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**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  
I. John Snider II, Muskegon County Commissioner  
Rillastine Wilkins, Muskegon County Commissioner  
Leo Evans, Ex-officio Member  
Jennifer Hodges, Ex-officio Member [arrived at 4:01]

Excused: Brenda Moore, Drain Commissioner  
Charles Nash, Muskegon County Commissioner  
Robert Scolnik, Muskegon County Commissioner

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

**BPW-19-109 APPROVAL OF THE AGENDA**

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

VOICE VOTE: **Motion carried**

**BPW-19-110 APPROVAL OF MINUTES**

Moved by Commissioner Hughes, seconded by Commissioner Wilkins, to approve the minutes of the Board of Public Works meeting held on September 5, 2019.

VOICE VOTE: **Motion carried**

**PUBLIC COMMENT ON AN AGENDA ITEM**

None

**ITEMS FOR CONSIDERATION:**

**BPW-19-111 Approve Credit Card Processing Services for Solid Waste**

Moved by Commissioner Snider, seconded by Commissioner Mahoney, to approve the use of Merchant Partners and 1<sup>st</sup> Mile for credit card processing services at Solid Waste, allow the Public Works Board Chair to sign the agreements, and approve requiring signature capture for transactions exceeding \$100.00.

It was requested an update be given to the Commissioners in six months.

Roll call:

Yes - Hughes, Lahring, Mahoney, Snider, Wilkins, Foster

No –

Excused - Moore, Nash, Scolnik

**Motion carried**

**BPW-19-112 Allow the Use of Wastewater Property for a Situation Training Exercise**

Moved by Commissioner Wilkins, seconded by Commissioner Mahoney, to allow the Michigan National Guard to use portions of the Wastewater property to stage a Situation Training Exercise on April 16, 2020, for the purpose of practicing emergency response protocols.

Dave Johnson provided information regarding the training. Dave Johnson informed the board the training location at the Wastewater site has not been determined. Dave Johnson stated there is no cost to the Michigan National Guard to use the Wastewater site for this training.

VOICE VOTE: **Motion carried** [No – Lahring]

**BPW-19-113 Solicit Bids for the Purchase of Three Irrigation Rigs and Pivot Pads**

Moved by Commissioner Hughes, seconded by Commissioner Mahoney, to authorize the Procurement Office to solicit bids for the purchase of three irrigation rigs and pivot pads to replace the ones in fields 26, 37, and 44, with trade-in of the old rigs.

VOICE VOTE: **Motion carried**

**BPW-19-114 Approve Vendor and Contractor Relationships as Outlined**

Moved by Commissioner Snider, seconded by Commissioner Wilkins, that the vendor and contractor relationships outlined in the attached schedule be approved to continue under existing arrangements for the time period of October 1, 2019 through September 30, 2020.

List of Preferred Vendors of Muskegon County Wastewater Management System

Vendor Code	Vendor Name/Address	Vendor Service	Recommended FY2020	Justification for Exclusivity
V951	Apparelmaster-Muskegon Inc. 341 E Apple Ave, Muskegon, MI 49442	Uniforms & Janitorial	\$ 20,000	Contract
V2730	Detroit Pump & Manufacturing 450 Fair Ave., Building D, Ferndale, MI 48220	Cornel pump parts & service	\$ 30,000	Authorized Cornel dealer, distributor and repair facility
V4862	Kennedy Industries PO Box 930079, Wixom, MI 48393	Flygt pump parts; Dezurik valves	\$ 105,000	Authorized Flygt and Dezurik dealer; specialized pump repair
V4723	Jones Electric 1965 Sanford St., Muskegon, MI 49443	Motor repair	\$ 125,000	Local, available, experienced, trusted motor repair
V6037	Michigan Cat Department 77576, Detroit, MI 48277-0576	Caterpillar parts and service	\$ 100,000	Authorized Caterpillar dealer and repair facility
V93021196	DTE Energy PO Box 740786, Cincinnati, OH 45274-0786	Natural gas service	\$ 60,000	Sole provider
V37514	Zook Farm Equipment 7980 Pratt Lake Ave SE, Alto, MI 49302	Grain dryer repairs	\$ 5,000	Authorized grain dryer repairs
V34392	Mission Communications, LLC 3170 Reys Miller Rd NW Suite 190, Norcross, GA 30071	Flow Meter Remote Monitoring	\$ 10,000	Authorized Dealer/Repair facility
V8896	Moorland Township P.O. Box 268, Ravenna, MI 49451	Annual Payment per Contract	\$ 4,500	Contract
V8388	State of Michigan PO Box 30657, Lansing, MI 48909	Permits, Inspections and Licenses	\$ 68,000	Issuer of permits/licenses/tank inspections
V27011	Thermo Electron North America, LLC 1400 Northpoint Pkwy, Ste 10, West Palm Beach, FL 33407-1976	ICP Service Contract	\$ 15,000	Authorized Dealer/Repair facility
V1916	Faster Asset Solutions, Inc. 2700 International PKWY, Suite 300, Virginia Beach, VA 23452	Faster Maintenance Software	\$ 11,000	Authorized Dealer/Repair facility
V93018886	Advanced Diesel Systems 9790 N US 31, Montague, MI 49437	Water Pumps JD Engine Repairs	\$ 5,000	Authorized repairs
V6060	C&C Communications Inc./Midcom 2131 E Laketon Ave, Muskegon, MI 49442	Radio Tower Monthly Service/Radio Repairs	\$ 10,000	Authorized Dealer/Repair facility
V40192	FCX Performance, Inc./SW Controls/Corrosion Fluid Products 3000 E 14th Ave, Columbus, OH 43219	Milton Roy Pumps	\$ 15,000	Authorized Dealer/Repair facility
V3255	Greenmark Equipment Various Locations in Kent City, Holland, Hastings	John Deere Parts & Service	\$ 30,000	Authorized Dealer/Repair facility
V93010918	Lewis, Reed and Allen, PC 136 E Michigan Ave, Ste 800, PO Box 51100, Kalamazoo, MI 49005	Users Committee Attorney	\$ 35,000	Selected by Users Committee
V39909	MacAllister Machinery Co, Inc. (Mich Cat) Dept. 78731, PO Box, 78000, Detroit, MI 48278-0731	Heavy Equipment Rentals	\$ 20,000	Authorized Dealer/Rental facility
V5865	Mettler-Toledo 22670 Network Place, Chicago, IL 60673-1226	Scale Software	\$ 5,000	Contract
V93023224	DC Martin & Son Scales, Inc. 370 36th St SE, Grand Rapids, MI 49548	Scale Maintenance/ Repairs Authorized Service	\$ 10,000	Authorized Dealer/Service
V93010619	Miss Dig System 3285 Lapeer Rd West, Auburn Hills, MI 48326	Miss Dig Membership Dues	\$ 17,000	Sole provider
V3009	Egelston Township 5428 Apple Ave, Muskegon, MI 49442	Annual Payment per Contract	\$ 55,000	Contract
V39444	Wiarcom, Inc. PO Box 168, Sugarland, TX 77487	GPS Service	\$ 7,000	Contract
V37161	Star Crane/Derks Crane & Hoist Service, Inc. 11340 54th Ave, Allendale, MI 49401	Crane Training/ Inspection & Repair Services	\$ 5,000	Authorized Training/Service/Repairs
V38980	Alta Equipment Company 25538 Network Place, Chicago, IL 60673-1255	Volvo Authorized Service	\$ 8,000	Authorized Service/Repairs

Dave Johnson stated the list includes frequently used vendors. Dave Johnson stated this will allow payments to be expedited. Beth Dick informed the board the departments will still follow the Procurement Policy procedures.

Roll call:

Yes - Lahring, Mahoney, Snider, Wilkins, Hughes, Foster

No –

Excused - Moore, Nash, Scolnik

**Motion carried**

**BPW-19-115 Waive the Procurement Policy for the Purchase of Alfalfa, Corn and Soybean Seed**

Moved by Commissioner Hughes, seconded by Commissioner Snider, to waive the County's procurement policies for Department-level quotes, Procurement-level quotes, and formal bid solicitations regarding the Wastewater's FY2020 purchases of alfalfa, corn and soybean seed.

Roll call:

Yes - Mahoney, Snider, Wilkins, Hughes, Lahring, Foster

No –

Excused - Moore, Nash, Scolnik

**Motion carried**

**BPW-19-116 Award Professional Engineering Services**

Moved by Commissioner Snider, seconded by Commissioner Wilkins, to award the Wastewater's three-year contract for professional engineering services (with the option of two one-year extensions) to Prein&Newhof.

Roll call:

Yes - Mahoney, Snider, Wilkins, Foster

No – Hughes, Lahring,

Excused - Moore, Nash, Scolnik

**Motion carried**

**BPW-19-117 Approve Agreement for Economic Development Services**

Moved by Commissioner Hughes, seconded by Commissioner Wilkins, to approve the Agreement for Economic Development Services with Muskegon Area First and authorize the Board Chair to sign same.

Administrator Eisenbarth provided a brief background regarding the relationship between Muskegon Area First and the Wastewater System. Administrator Eisenbarth spoke on the changes to the agreement. Administrator Eisenbarth informed the board the Users Group approved the agreement by an 11 – 2 vote.

Steve Olsen, President of Northern Tool and Muskegon Area First Board member, and Scott Huebler, Whitehall City Manager and Muskegon Municipal Wastewater Management Committee Chair, spoke on the restructuring of Muskegon Area First and how important economic development is for the communities of Muskegon.

Chair Foster requested Muskegon Area First members attend township and city meetings to inform residents of their services.

Roll call:

Yes - Snider, Wilkins, Hughes, Lahring, Mahoney, Foster

No –

Excused - Moore, Nash, Scolnik

**Motion carried**

**BPW-19-118 Informational Items:**

The following informational items were received and placed on file:

1. Public Works Monthly Operations Report, September 2019.
2. Wastewater Monthly Operating Report, September 2019.
3. Muskegon Municipal Wastewater Management Committee Minutes, Sept. 2019 (draft)

There was a question as to why we were getting bids for a fence at Brown's Pond Dam. Matthew Farrar explained the township owns the dam but Muskegon County Public Works is the "delegated authority" that will schedule inspections and maintenance. The costs of the fence will be included in the special assessment district.

**OLD BUSINESS**

**BPW-19-119 Fire Service Agreement (attached)**

Moved by Chair Foster, seconded by Commissioner Lahring, to approve the Fire Service Agreement with Moorland Township effective January 1, 2019 and authorize the Board Chair to sign the agreement.

Roll call:

Yes - Hughes, Lahring, Mahoney, Snider, Wilkins, Foster

No –

Excused - Moore, Nash, Scolnik

**Motion carried**

**NEW BUSINESS**

Commissioner Mahoney reminded the board the committee meetings on October 15, 2019 will be held at Montague Township Hall.

Administrator Eisenbarth informed the board there will be a work session regarding HealthWest on October 8, 2019 at 2p.m.

Commissioner Hughes reminded everyone of the Employee Picnic on Saturday, October 5, 2019 at Camp Pentalouan.

**PUBLIC COMMENT**

None

**ADJOURN**

There being no further business to come before the Board of Public Works the meeting was adjourned at 4:42p.m.

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Gary Foster, Chair

## **FIRE SERVICE AGREEMENT- 2019**

This Agreement, effective January 1, 2019, is between Moorland Township, a Michigan municipal corporation located at 12416 Apple Avenue, Ravenna, Michigan 49451 in Muskegon County ("Township"), and the County of Muskegon, a Michigan municipal corporation, located at 990 Terrace Street, Muskegon, Michigan 49442, by its Public Works Board (collectively "County") concerning the fire service at the "Metro" facility of the Muskegon County Wastewater Management System ("MCWMS").

### **RECITALS**

A. The County of Muskegon, through its Public Works Board, operates the Muskegon County Solid Waste Facility, which is located in Moorland Township, having several cells, including operating facilities and buildings which need fire protection and some of which are the location or storage places for hazardous materials.

B. The Township has a part-time fire department consisting of several, volunteer firefighters, having extensive fire fighting and emergency medical equipment.

C. The Township is able to provide fire and emergency medical services, and the equipment and ability to provide same have been reviewed by County and have been deemed satisfactory.

### **THE PARTIES, THEREFORE, AGREE:**

1. **Provision of Fire and Emergency Services.** The Township will provide fire and emergency medical services for all properties located in the Muskegon County Solid Waste Facility, located in Moorland Township. The coverage provided shall include the following commitments by the Township:

1.1 **Equipment and Personnel.** The Township will maintain the level of equipment and personnel which is in place on the date of this Agreement.

1.2 **Mutual Aid Agreement.** The Township will maintain in effect its Mutual Aid Agreement.

1.3 **Fire Department.** The Township will maintain its current staffing levels which were in place on the date of this agreement.

2. **Consideration; Fees and Review.** For the fire and emergency services protection afforded by this Agreement to the MCWMS, the County will pay to the Township the following:

2.1 An annual fee of \$51,753.89, payable on the date of executing this contract and on each anniversary date hereof.

2.2 In addition to the said fee, on January 1 of each year the annual fee shall increase by a percentage equal to the Consumer Price Index (CPI).

3. **Additional Consideration.** The Township waives its right to and will not charge Solid Waste any impact fees afforded by Michigan Public Act 66 of 1990. The Township further agrees to discharge **DRAINAGE, MAINTENANCE AND IMPROVEMENT SERVICES AGREEMENT – 2011**

4. **General Provisions.**

4.1 **Inspections.** Upon the execution of this contract, the County shall arrange for an inspection of all its facilities by the Township, for the purpose of accounting for any facilities presently unknown to the Township's fire department. County shall periodically notify the Township of any changes in the condition or general usage of any structure or building on the MCWMS.

4.2 **Hazardous Materials and Chemicals.** The County shall provide the Township, within 30 days after the execution of this Agreement, an inventory, diagrams and maps indicating the location and description of all hazardous materials stored, kept or used on the premises. Further, the County agrees to promptly inform the Township in writing of any changes in locations or descriptions of materials and provide diagrams, maps and narrative descriptions of said changes.

4.3 **Nature of the Fee.** This fee is for fire protection and emergency medical services, and is separate from and in addition to any other payment from the County to Township in connection with any service or access rights agreement related to the MCWMS,

4.4 **Term of the Agreement.** The term of this Agreement is indefinite, but it shall be reviewed prior to January 1, 2021, and continuance or renewal shall be reasonably negotiated by the parties.

5. **Termination of the Agreement.** This Agreement may be terminated by thirty (30) days written notice by either party for the following reasons:

5.1 Failure by the non-terminating party to substantially and materially perform its obligations under this Agreement.

5.2 By the County, in the event the County determines after inspection that the Township's fire department has not substantially maintained its equipment and capability which is in place and in effect on the date of execution of this contract.

5.3 A determination by the Township that it does not wish to continue the coverage afforded by this Agreement, in which event thirty (30) days notice of termination shall be given to the County.

6. **Miscellaneous Provisions.**

6.1 **No Third Party Beneficiary.** No person dealing with the County or Township shall be, nor shall any of them be deemed to be, third-party beneficiaries of this Agreement. This Agreement is not intended to, nor shall it be interpreted to create a special relationship between the County or the Township and any staff, visitors, residents, or other individuals who may have business through the County.

6.2 **Governing Law.** This Agreement shall be construed and enforced in accordance with the laws of the State of Michigan applicable to contracts made and to be performed within the State of Michigan.

6.3 **Assignment.** Township shall not assign any of its rights nor transfer any of its obligations under this Agreement without the prior written consent of County and any attempt to so assign or so transfer without such consent shall be void and without legal effect and shall constitute grounds for termination.

6.4 **Severability.** If any one or more of the provisions contained herein shall for any reason be held to be invalid, illegal or unenforceable in any respect, then such provision or provisions shall be deemed severable from the remaining provisions hereof, and such invalidity, illegality or unenforceability shall not affect any other provision hereof, and this Agreement shall be construed as if such invalid, illegal or unenforceable provision had never been contained herein.

6.5 **Entire Agreement and Amendment.** In conjunction with the matters considered herein, this Agreement contains the entire understanding and agreement of the parties and there have been no promises, representations, agreements, warranties or undertakings by any of the parties, either oral or written, of any character or nature hereafter binding except as set forth herein. This Agreement may be altered, amended or modified only by an instrument in writing, executed by the parties to this Agreement and by no other means. Each party waives their future right to claim, contest or assert that this Agreement was modified, canceled, superseded or changed by any oral agreements, course of conduct waiver or estoppel.

6.6 **Terms and Conditions.** The terms and conditions used in this Agreement shall be given their common and ordinary definition and will not be construed against either party.

6.7 **Execution of Counterparts.** This Agreement may be executed in any number of counterparts and each such counterparts shall for all purposes be deemed to be an original; and all such counterparts, or as many of them as the parties shall preserve undestroyed, shall together constitute one and the same instrument.

6.8 **Authority.** All parties to this Agreement warrant and represent that they have the power and authority to enter into this Agreement in the names, titles and capacities herein stated and on behalf of any entities, person, or firms represented or purported to be represented by such entity(ies), person(s), or firm(s) and that all formal requirements necessary or required by any State and/or Federal law in order to enter into this Agreement have been fully complied with. Furthermore, by entering into this Agreement, Township hereby warrants that it shall not have breached the terms or conditions of any contract or agreement to which Township is obligated, which breach would have a material effect there on.

INWITNESS WHEREOF the parties sign this Agreement effective the date set forth above.

MUSKEGON COUNTY  
BOARD OF PUBLIC WORKS

Dated: \_\_\_\_\_

By: \_\_\_\_\_  
Gary Foster, Chair

MOORLAND TOWNSHIP

Dated: \_\_\_\_\_

By: \_\_\_\_\_

Dated: \_\_\_\_\_

By: \_\_\_\_\_

DRAFT

Muskegon County  
Board of Public Works  
November 7, 2019  
4:00p.m.  
Michael E. Kobza Hall of Justice  
990 Terrace Street  
Muskegon, MI 49442

Gary Foster, Chair

Rillastine Wilkins, Vice Chair

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MINUTES

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**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:

1. Public Works Monthly Operations Report, October 2019.
2. Wastewater Monthly Operating Report, October 2019.
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.

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Gary Foster, Chair