

The meeting of the Calhoun County Board of Public Works was held Wednesday, February 20, 2008 at 6:00 p.m. in their office located at 13300 Fifteen Mile Road, Marshall, Michigan.

Present: Commissioner Hugh T. Coward, Chairman
Commissioner Scott A. Brown, Member
Commissioner Chester E. Travis, Member
Commissioner Charles E. Monaweck, Member
Kevin Henning, Interim Managing Director/Finance Director
Pixie Coats, Board Clerk and Human Resource Director
Steve Ball, Operations Manager
Mary Jo Crumpton, Secretarial Clerk

Excused: Commissioner Eric J. Tobin, Vice Chairman

Also Present: Tiffany Eichorst, Calhoun County Road Commission
Erin Cummings, Calhoun County Road Commission
General Public

Chairman Hugh Coward called the regular meeting of the Calhoun County Board of Public Works to order at 6:24 p.m. and led the Pledge of Allegiance.

Moved by Commissioner Brown and supported by Commissioner Monaweck to approve the January 16, 2008 regular meeting minutes of the Calhoun County Board of Public Works. Voice vote: motion carried.

COMMUNICATIONS AND RESOLUTIONS

Mrs. Coats read the communications as follows:

- a) Received a request to approve the amended Soil Erosion and Sedimentation Control Ordinance
- b) Received BPW Resolution to approve the Bond Resolution and Supplement to the Contract with the City of Marshall
- c) Received the Supplement to the Contract for the Calhoun County Water Supply System between the BPW and the City of Marshall
- d) No other communications or resolutions were received.

NEW BUSINESS

Moved by Commissioner Brown and supported by Commissioner Travis to approve the amended Soil Erosion and Sedimentation Control Ordinance. Voice vote: motion carried.

Moved by Commissioner Brown and supported by Commissioner Travis to approve the Board of Public Works Resolution approving the Bond Resolution and Supplement to the Contract with the City of Marshall. Voice vote: motion carried.

Moved by Commissioner Travis and supported by Commissioner Monaweck to approve the Supplement to the Contract for Calhoun County Water Supply System between the Board of Public Works and the City of Marshall. Voice vote: motion carried.

INTERIM MANAGING DIRECTOR REPORT

Mr. Henning provided the following report:

- Bond refinancing: In addition to the City of Marshall bond refinance, Mr. Henning noted that Pennfield Township is also planning to refinance their bonds. This would most likely come before the Board some time in March. With the drop in interest rates, this is a good time to refinance and townships will see a large cost savings, especially in interest.
- Duck Lake project: We were granted easement access, judicially. Since then, the property owner has appealed that ruling. Clarence Township is working with their attorney who is advising them to hold off on moving forward and is asking us to file a motion to dismiss so that they can start the process all over again. This could add 2-3 months to the process. Construction should start no later than June to meet the October 1st deadline.

Mr. Henning noted that Clarence Township has stepped up to take control of their system. However, the Board of Public Works is being held under a consent order from the DEQ for a system that we do not have legal access to. Therefore, we have requested that the DEQ release the Board of Public Works from the consent order and reissue it to Clarence Township. At this time, all decision-making is at the township level. Mr. Henning stated that he would continue to provide updates. Discussion continued. Mrs. Eichorst added that we have been in contact with the USDA and EPA regarding the \$450,000 reimbursement that is owed to the Road Commission.

- Mrs. Eichorst announced that a public hearing on the Solid Waste Strategic Plan is scheduled for Monday, 3-3-08 at 5:30 p.m. here at the Road Commission office.
- Brownfield Project: Phase I environment assessment and asbestos screening is scheduled to begin soon on the old JC Penney building in downtown Battle Creek.
- Sheridan Township: Mrs. Eichorst noted that we have met with Sheridan Township regarding a sewer project. She explained that the interest rate would remain the same, regardless of what party completes the application for the bond. Mr. Henning added that if the Board of Public Works files for Sheridan Township's bond, there is a water sewer construction policy that was adopted by this Board and the

County Board that stipulates that all costs associated with the project will be billed to the township and a deposit on the project is required. Discussion continued.

COMMISSIONER COMMENTS

Commissioner Brown expressed his appreciation for staff's work on the Clarence Township Duck Lake project. From an organizational standpoint, it is very important that the project be handled properly and put in the hands of the responsible party.

Chairman Coward inquired about the timeline and associated DEQ fines that were discussed at the last meeting. He appreciates that Clarence Township has stepped up to take control of this project. Mr. Henning replied that if the DEQ does not release us from the consent order, the fines would come to the BPW. Our agreement with Clarence Township states that they are responsible for the fines. While the Board of Public Works is not held, we are still exposed and he is working to minimize our exposure. Mr. Henning commented that Mrs. Eichorst has done a good job coordinating this and analyzing the funding sources for this project. Discussion continued. Chairman Coward requested a copy of the fine structure imposed by the DEQ.

CITIZEN'S TIME

Citizens commented on the following:

- A Convis Township resident inquired if eminent domain would apply to this Duck Lake property. Mr. Henning replied that this was how we had access, but the resident has appealed this ruling.
- A Clarence Township resident stated his appreciation for Mr. Henning's work on the Duck Lake project. He asked Mr. Henning to clarify where Clarence Township is in the legal process to gain access for the Duck Lake project. Discussion continued.
- A Clarence Township resident inquired about the costs due to the Road Commission from Clarence Township. Mr. Henning stated that these costs have accrued over time. Discussion continued.

ANNOUNCEMENTS

The next meeting of the Calhoun County Board of Public Works is scheduled for Wednesday, March 19, 2008, at 6:00 p.m. or following the 5:30 p.m. Road Commission Board meeting.

There being no additional business before the Board, Chairman Coward adjourned the meeting at 6:58 p.m.

Hugh T. Coward, Chairman

Mary Jo Crumpton, Secretarial Clerk