



# SAGINAW AREA STORM WATER AUTHORITY

## January 15, 2003 MEETING MINUTES – REVISED Bridgeport Charter Township Governmental Center

**Present:** *John Malzahn*, Bridgeport Charter Township; *Debby Lopez, Dale Klein, Dennis Anklam*, Carrollton Township; *John Premo*, City of Saginaw; *Len Ballosh*, James Township; *Sharon Carroll, Mike Comstock*, Kochville Township; *Sonny Grunwell*, Saginaw Charter Township; *Jack Tagget, Dan Ackerman*, Spaulding Township; *Chris Snyder, Bob Weise*, Thomas Township; *Paul Vassold*, Tittabawassee Township; *Tom Waters*, City of Zilwaukee; *Carl Ruth*, Saginaw County Board of Commissioners; Saginaw County; *Dan Armentrout*, Saginaw County Road Commission; *Jim Stone, Bob Cherry*, Saginaw Township Community Schools; *Robert Tutsock*, Saginaw Valley State University.

**Absent:** Birch Run Township, Buena Vista Charter Township, Saginaw Correctional Facility, Bridgeport-Spaulding Community Schools, Saginaw Intermediate School District, Swan Valley School District

**Guests:** *Jack Tessman*, Carrollton Public Schools; *David Meyer*, Attorney

**I. Call to Order:** Mr. Koski welcomed attendees to the first full membership meeting of SASWA and called the meeting to order at 2:05 p.m. Carl Ruth was introduced and welcomed as Saginaw County's representative. Mr. Ruth is the chairman of the county services committee.

**II. Roll Call:** Roll call was taken by Mr. Malzahn.

**III. Review of December 18, 2002 Minutes:** The SCWA minutes of December 18, 2002 were reviewed.

*Mr. Ballosh moved, Mr. Vassold supported, to approve the minutes of December 18, 2002, with a revision in that Tittabawassee Township was omitted from the list of attendees. MOTION CARRIED.*

**IV. Treasurer's Report:** Mr. Malzahn presented the Treasurer's Report. He indicated that \$8,944.07 in funds will be transferred from SCWA to SASWA. Accounts payable bills total \$11,516.00, in addition to the Articles of Incorporation publication bill (not yet received). Currently, Bridgeport-Spaulding School District has not paid its \$4,000.00 membership fee, and Spaulding Township has \$1,000.00 outstanding. Careful monitoring of fund usage will be necessary.

A SWEEPS account will be opened through Merrill Lynch, and the first quarterly bills will be sent to members, along with payment coupons. Checks are payable to Merrill Lynch and are to be sent to Merrill Lynch with the coupon for direct deposit into the account. Verification of payment will be made by the accountant via monthly statements to the authority.

Members will be provided with a written Treasurer's Report each month which will list all account action, as the SASWA will now have an accounting system to accommodate this practice.

*Moved by Mr. Ballosh, supported by Mr. Vassold, to accept the Treasurer's Report as presented. MOTION CARRIED.*

*Mr. Premo moved, Mr. Ballosh supported, adoption of the \$220,000 budget created by SCWA for use by the Saginaw Area Storm Water Authority. MOTION CARRIED.*

**V. New Business (Authority Procedures – David Meyer)**

**A. Articles of Incorporation/Bylaws:**

*John Malzahn moved, Len Ballosh supported, to adopt the Bylaws as developed by the Saginaw Clean Water Alliance (SCWA). MOTION CARRIED.*

Mr. Meyer distributed a "redlined" copy of the Bylaws which shows all additions and deletions to the draft originally reviewed by the Executive Committee, along with a "clean" copy of the final (approved) bylaws. He reported that the Articles of Incorporation have been published and amendments will be discussed in the near future.

- B. **Designation of Authority Office (mailing address and phone number)**: Per SASWA bylaws, the Authority must have an official mailing address and telephone number. Because Mr. Malzahn is currently receiving bills at the Bridgeport Charter Township Governmental Center, it was suggested that this address be adopted as the official SASWA address. As Chairman of the authority and first “emergency” contact, Mr. Koski’s office phone number was suggested for use as the SASWA phone number. An email address has also been set up for the authority. SASWA may be contacted as follows:

*Saginaw Area Storm Water Authority (SASWA)  
c/o Bridgeport Charter Township  
6206 Dixie Highway  
Bridgeport, MI 48722  
Phone No.: (989) 790-5258  
Email: [saswa@saginawcounty.com](mailto:saswa@saginawcounty.com)*

- C. **Election of Chairman**: James Koski was nominated by Mr. Malzahn with support from Mr. Ballosh to serve as Chairman of the SASWA. Three requests for additional nominations were made by Mr. Malzahn, with no response.

*Mr. Ballosh moved, Mr. Malzahn supported, to close nominations and unanimously cast a ballot electing James Koski to the position of Chairman of the SASWA. MOTION CARRIED.*

Mr. Koski thanked members, stating he was pleased with progress and member participation to date and noting he will be taking the message of the funding needs to the legislators in Lansing.

- D. **Election of Vice-Chairman**: Rob Grose was nominated by Mr. Malzahn with support from Mr. Ballosh to serve as Vice-Chairman of the SASWA. Three requests for additional nominations were made by Mr. Koski, with no response.

*Mr. Ballosh moved, Mr. Malzahn supported, to close nominations and unanimously cast a ballot electing Rob Grose to the position of Vice-Chairman of the SASWA. MOTION CARRIED.*

- E. **Election of Secretary**: Dan Sika was nominated by Mr. Malzahn with support from Mr. Premo to serve as Secretary of the SASWA. Three requests for additional nominations were made by Mr. Koski, with no response.

*Mr. Ballosh moved, Mr. Premo supported, to close nominations and unanimously cast a ballot electing Dan Sika to the position of Secretary of the SASWA. MOTION CARRIED.*

- F. **Election of Treasurer**: John Malzahn was nominated by Mr. Premo with support from Mr. Ballosh to serve as Treasurer of the SASWA. Three requests for additional nominations were made by Mr. Koski, with no response.

*Mr. Ballosh moved, Mr. Premo supported, to close nominations and unanimously cast a ballot electing John Malzahn to the position of Treasurer of the SASWA. MOTION CARRIED.*

- a. Treasurer must file a bond conditional upon faithful performance of duties at SASWA’s expense. Mr. Malzahn is to contact SASWA’s liability insurance carrier regarding this issue.
- b. Application for tax identification number: Mr. Meyer indicated he will apply for a federal tax i.d. number as soon as he obtains the appropriate signatures.
- c. Appointment of designees authorized to sign checks and withdrawals on behalf of authority. Two signatures are required on all checks and withdrawals.

*Mr. Malzahn moved, Mr. Ballosh supported, a motion to approve withdrawals and checks to written out of the trust account upon signature by any two of the four SASWA officers. MOTION CARRIED.*

*RESOLUTION: The secretary of the Authority was authorized to execute a corporate resolution to provide for all transactions through the authority’s Merrill Lynch trust account to be authorized upon the signature of two officers of the authority. 12 Yeas, 0 Nays, 0 Abstentions. RESOLUTION PASSED. (See attached.)*

**G. Resolution Approving Membership of James Township as a Membership Municipality:**

*Mr. Malzahn moved, Mr. Sika, supported, adoption of a Resolution approving James Township as a member municipality. A roll call vote was taken to approve a resolution (attached) drafted by Mr. Meyer to approve James Township as a member municipality of the SASWA, 12 yeas, 0 nays, and 0 abstentions, the resolution was declared as adopted. (See attached.)*

- H. Review of Intergovernmental Contract:** Mr. Meyer distributed a copy of the drafted agreement to be used for public organizations which cannot technically be members per Public Act 233. They will be contracting governmental units. The term of office for public organizations is one year subject to annual renewal (reference Article 4 of the Bylaws).

*Mr. Premo moved, Mr. Sika supported, a motion to adopt the intergovernmental contract as presented by David Meyer. MOTION CARRIED.*

- I. Oath of Office:** Mr. Sika was directed to draft an oath of office form to be distributed to all member municipalities for filing with their individual clerks.
- J. Conflict of Interest Disclosure:** all known conflicts on which a trustee may be called to vote as a board member are to be disclosed and member is to ask to be excused from voting.
- K. General Board Meeting Designation:** Bridgeport Charter Township is amenable to continue to host the general meetings.

*Mr. Malzahn moved, Mr. Grunwell supported, to hold the monthly board meetings at Bridgeport Charter Township Governmental Center on the third Wednesday of each month at 2:00 p.m. MOTION CARRIED.*

- L. Executive Committee Meeting Designation:** The Executive Committee currently meets bimonthly at Spicer Group. The SCWA Executive Committee was large in order to gain as much input as possible. SASWA's Executive Committee, per the Articles of Incorporation, must not exceed 50% of its total membership. It was suggested that SASWA officers and three additional members be elected to the Executive Committee. Following the execution of contracts, it was suggested that school district and university representation be added to provide a better cross-section of representation and knowledge.

*Mr. Ballosh moved, Mr. Armentrout supported, that the Executive Committee be comprised of the SASWA Chairman, Vice Chairman, Treasurer, and Secretary, in addition to the Saginaw County Road Commission, the City of Saginaw, and Carrollton Township. MOTION CARRIED.*

Mr. Tutsock expressed a definite interest in providing SVSU representation on the Executive Committee, stating that SVSU is a good avenue for outreach and provision of public information.

*Mr. Malzahn moved, Mr. Ruth supported, a motion to utilize Spicer Group as host for Executive Committee meetings to be scheduled on the second and fourth Wednesday of each month at 9:30 a.m.. MOTION CARRIED.*

**M. Contracts for Non-Municipal Members:**

*Mr. Malzahn moved, Mr. Ballosh supported acceptance of Bridgeport-Spaulding Schools as a contracted entity upon execution of an intergovernmental contract. MOTION CARRIED.*

*MR. Malzahn moved, Mr. Ballosh supported acceptance of Saginaw Intermediate School District as a contracted entity upon execution of an intergovernmental contract. MOTION CARRIED.*

*Mr. Malzahn moved, Mr. Vasold supported acceptance of Saginaw Township Community Schools as a contracted entity upon execution of an intergovernmental contract. MOTION CARRIED.*

*Mr. Malzahn moved, Mr. Premo supported acceptance of Saginaw Valley State University as a contracted entity upon execution of an intergovernmental contract.. MOTION CARRIED.*

*Mr. Malzahn moved, Mr. Ballosh supported acceptance of Swan Valley School District as a contracted entity upon execution of an intergovernmental contract. MOTION CARRIED.*

*Mr. Malzahn moved, Mr. Premo supported acceptance of Saginaw Correctional Facility as a contracted entity upon execution of an intergovernmental contract. MOTION CARRIED.*

Mr. Meyer's office will distribute intergovernmental agreements to be executed by the Chairman and the Secretary.

**N. Appointment of Authority Attorney:**

*Mr. Malzahn moved, Mr. Ballosh supported, appointment of David Meyer of Smith Bovill for a one-year term as attorney for the Saginaw Area Storm Water Authority. MOTION CARRIED.*

**O. Appointment of Authority Accountant:**

*Mr. Malzahn moved, Mr. Premo supported, appointment of Heritage Accounting as the Saginaw Area Storm Water Authority accountant. MOTION CARRIED.*

**P. Appointment of Authority Auditor:**

*Mr. Malzahn moved, Mr. Ballosh supported, engagement in discussions with Yeo and Yeo regarding possible appointment as the Saginaw Area Storm Water Authority auditor. MOTION CARRIED.*

**Q. Appointment of Authority Engineering Consultant:**

*Mr. Malzahn moved, Mr. Ballosh supported, appointment of Spicer Group, Inc. as the Saginaw Area Storm Water Authority engineering consultant. MOTION CARRIED.*

**R. Corporate Seal: Mr. Meyer will order a SASWA corporate seal.**

**VI. Old Business**

- A. **Articles of Incorporation:** Although amendments to the Articles of Incorporation were inevitable if adopted as written, in the interest of time members decided to adopt them in June and amend them later. Changes will include organization (annual), adherence to the Open Meetings Act, and requirement of a 2/3 vote for a change in the apportionment formula or to issue a bond of indebtedness. The board should be in the position to amend the Articles of Incorporation at the next board meeting. Members were encouraged to submit any requested changes to Mr. Beaubien or a SASWA board member for discussion at the next Executive Committee meeting. Members were encouraged provide input for that discussion.
- B. **NPDES Permit Application:** Mr. Beaubien distributed instructions and partially completed copies of the NPDES Permit Application to all present entities for completion and return to him within one week. The top portion was to be reviewed for accuracy, and the name and address of the entity's storm water program manager and it's account's payable manager filled in. One person can hold both positions; simply check both boxes on the form.

**VII. Executive Committee Meeting Change - Next meeting, January 29th, 9:30 a.m., at Spicer Group.**

**VIII. Adjournment**

*Moved by Len Ballosh, seconded by Debby Lopez to adjourn this meeting of the SASWA at 3:35 p.m. MOTION CARRIED.*

*Respectfully submitted,*

*Dan Sika, Secretary*