

February 1, 2007

The February 1, 2007 meeting of the NIESA Board was called to order at 7:00 pm by the Chairperson Charles Galbreath.

Voting Members Present: C. Galbreath, R. Hanna, R. Lillywhite, S. Whelton, N. West, F. Wilbrink. Absent: Representative Wheatfield Township

Non-Voting Members Present: R. Cole, R. Wiegandt

Fire/ EMS Personnel Present: S. Davis, A. Davenport, K. Laitila, R. Oesterle, G. Risch, M. House, C. Weston, G. Flynn, M. Flynn, J. Bisard

Other: M. Adams

Guests: None

Consent Agenda (Agenda I):

Minutes of January 3, 2007 meeting- No comment

Checking Account Summary- No comment

Motion by Mr. Lillywhite to approve the consent agenda as presented, seconded by Mr. Hanna. Motion carried.

Public Comment (Agenda II):

None at this time

Administrative Consultant (Agenda III-A):

Nothing new at this time.

Wieland Davco Agreement (Agenda III-B):

Mr. Galbreath reminded the Board that NIESA had received the AIA agreement from Wieland-Davco, with no percentages included. That agreement was forwarded to Mr. Adams for review, and he has advised that it is a standard agreement.

Wieland-Davco has now forwarded the agreement with a percentage of 5.25% over all construction cost. The agreement was forwarded to Mr. Adams with the letters provided by Wieland -Davco concerning the fees associated with the phases of the project. While reviewing the information Mr. Adams found some discrepancies.

Mr. Adams reminded the Board that he had not been involved with what the Board had done last fall. He advised that the letters from April 7, 2005, and September 5, 2005, had discrepancies. It is his understanding that the Board expects the \$21,000 they paid for phase one would be applied to the \$89,000 indicated in the April 2005 letter.

Mr. Adams advised that it is not Wieland-Davco's understanding of the agreement. They feel the agreements are for a total of \$110,000, the \$21,000 plus the \$89,000. Mr. Adams advised that Wieland - Davco offered a compromise and is willing to reduce the \$89,000 by \$4,500. Mr. Adams indicated he needed to know how the Board wanted to proceed. Discussion followed

Consensus of the Board was that the \$21,000 would be reduced off the \$89,000, and that is what they expected.

Mr. Adams indicated that there is another issue, regarding the services included in the agreement. He referenced the Wieland Davco letter from September 6, 2005. On page 2 it states that the services included under Phase 2, Step 4, included; "A Senior Project Manager from Wieland-Davco will run this project from the Lansing Office;" A Site Superintendent from Wieland-Davco will be on site, at a minimum 40 hours per week, to monitor quality, safety and schedule"; and "A Contract Administrator from Wieland-Davco will spend approximately 10 hours per work on lien waivers, sworn statements, pay applications, submittals, and final payment". However then on the page 3, Addendum A it shows those items again as being part of the "Direct Construction Costs and General Condition Items" which is covered under the cost of the Construction Management fee of 5.25%. Mr. Adams interpretation is that NIESA is paying for those services twice. Discussion followed.

Consensus of the Board is that those items are included in the \$89,000 phase, and should not be billed again under the Construction phase. Also that NIESA representatives should meet with Wieland Davco to discuss the issues, and that Mr. Adams should attend that meeting. Mr. Wilbrink, Mr. Lillywhite, and Mr. Cole offered to attend the meeting with Mr. Galbreath.

Mr. Galbreath requested that the Board provide guidelines as to what would be an acceptable settlement with Wieland-Davco. He indicated to remain on schedule the building should have been ordered yesterday. Discussion followed.

Consensus of the Board is to agree to the \$110,000 payment, if the items indicated by Mr. Adams were included in the \$89,000 phase.

Mr. Galbreath advised that it may be necessary to have a special meeting if a resolution can not be reached.

Facilities Maintenance Agreement (Additional Old Business):

Mr. Galbreath reported that he received a Facilities Maintenance Agreement from the Drain Commissioner concerning the West Grand River property, and he forwarded the agreement to Mr. Adams for review. Mr. Adams has reviewed the agreement and met with the Drain Commissioner.

Previously Mr. Adams was able to get the Drain Commission to sign off on any liens on the West Grand River property. If we sign the agreement provided, it would put a lien back on the property.

Mr. Adams recommended that the Board not sign that agreement. Instead he has drafted Resolution 1 of 2007, Drainage Facilities Maintenance Agreement, for the Board review and approval.

This resolution has the same language as the agreement forwarded by the drain commission, however it removes those portions that would place a lien back on the property. The resolution has not been approved by the Drain Commissioner. Discussion followed.

Motion by Mr. Lillywhite to adopt Resolution, Number 1 of 2007, Drainage Facilities Maintenance Agreement, as written by Mr. Adams. Seconded by Mr. Hanna.

Roll call vote: Yeas: Mr. Hanna, Mr. Wilbrink, Mr. West, Mrs. Whelton, Mr. Lillywhite
Mr. Galbreath.

Nays: None

Absent: Wheatfield Township Representative.

Building Financing (Additional Old Business):

Mr. Galbreath reported there was also an issue with the financing of the building project. Mr. Galbreath had discussed the financing with a bond attorney, and he took the position that since NIESA was incorporated under Public Act 57 of 1988, NIESA could not assume debt or issue debt.

He then discussed the issue with Mr. Adams. Mr. Adams reminded him that when NIESA was established he advised the Board that this could be an issue. However at that time he wrote the State of Michigan, Department of Treasury for an opinion. A copy of the State of Michigan's from 1998 is in their packets.

At that time Richard L. Baldermann was the administrator, and he advised that "NIESA has the same power as the participating municipalities to issue bonds and other obligation under the Municipal Financing Act, MCL 131.1, et seq."

Mr. Adams spoke with the bond attorney and provided him with a copy of the State's opinion regarding the issue. The letter changed the bond attorney's position, however his firm is conservative and does not want to represent NIESA in this matter. Mr. Galbreath indicated NIESA will need to find a different bond attorney. The financing will be accomplished, but it will just take some additional time.

Mr. Galbreath reported that he has been working with Fifth Third Bank concerning the financing, and they have verbally advised what they need from a bond attorney. Mr. Galbreath has requested they put in writing specifics as to what is needed from the bond attorney. He is still waiting for the written request.

Discussion followed.

Purchase Order Policy (Additional Old Business):

Mr. Lillywhite asked Mr. Galbreath if he had a chance to work on the Purchase Order Policy. Mr. Galbreath indicated that he had found some information regarding purchase order policies, and discovered that writing the policy is not as simple as he thought. He will continue to work on it.

Bank Account - Authorized Signatures (Agenda IV-A):

Ms. Curtis advised that when she opened the new account for the Building & Equipment millage funds, she took the opportunity to review the signature card information. It was discovered that some of the accounts needed to be changed.

She requested that the Board authorize herself, Mr. Galbreath, and Mr. Hanna as authorized signers.

Motion by Mrs. Whelton to Mr. Hanna, Mr. Galbreath, and Ms. Curtis be designated as NIESA authorized signatures for all bank accounts. Seconded by Mr. Lillywhite. Motion carried.

Leroy Township Building Project (Additional New Business)

Mr. Galbreath advised that he, Chief Flynn, and Mr. Lillywhite met with Bob Wight of Hobbs and Black last Friday to discuss the possible renovation and addition to the Leroy Township Building. They went through the building, and obtained the original plans from Leroy Township for Mr. Wight to review.

Hobbs and Black forwarded a quote of \$4,500 which would provide NIESA with; a site plan layout; floor plan; building elevations; and probable cost of construction estimate. It also included meeting with NIESA and the staff. Mr. Galbreath stated that this agreement is between Hobbs and Black and NIESA, and any drawings are the property of NIESA. Discussion followed.

Motion by Mr. West to contract with Hobbs and Black Architectural firm, for the services indicated in the quote for the amount of \$4,500, seconded by Mr. Wilbrink. Motion carried.

City of Williamston-Public Hearing (Additional New Business):

Mr. Hanna advised that the City of Williamston will be having a public hearing regarding the sale of the current Williamston Fire Station at 627 E Grand River on February 12, 2007 at 7:05 pm. The public hearing is necessary to comply with the City of Williamston's current policies regarding the sale of City owned property.

Mr. Galbreath advised that NIESA and the City of Williamston can not move forward with any efforts to sell the Williamston Station until the City has the public hearing.

2006 Homeland Security Grant (Additional New Business):

Mr. Galbreath advised that the Williamston Station had applied for a Homeland Security Grant from the Federal Government for an exhaust system for the current Williamston Station. They received confirmation today via Senator Stabenow's office and Congressman Rogers office that they were awarded the grant. The amount is \$72,368. It was a matching funds grant, so NIESA will need to pay approximately \$7,200. The Williamston personnel will also be completing the necessary forms to transfer the location of the exhaust system to the new station.

Mr. Lillywhite requested that thank you letters be forwarded to Rick Shuck and the other fire personnel that worked on the grant.

Building Committee (Agenda V-A):

Nothing further to discuss.

Finance Committee (Agenda V-B):

Nothing to discuss at this time.

Personnel Committee (Agenda V-C):

Nothing to discuss at this time.

Negotiation Committee (Agenda V-D):

Nothing to discuss at this time.

Comments from the Department Chiefs/ Billing (Agenda VI):

Chief Flynn: Reported that the Leroy Township station responded to 15 calls last month. The main response was to a house fire last Sunday. Both the Leroy and Williamston Station responded and the personnel did a good job of containing the fire to the floor around the fireplace.

Chief Siegel: Was unable to attend the meeting. However he asked Ms. Curtis to advise the Board that the Williamston Station responded to 13 calls last month. They had also received their thermal imager from Ingham County's 2005 Homeland Security Grant.

Sherry Davis-EMT: At the January meeting the Board requested that Ms. Davis provided them with information regarding the cost of a new and refurbished heart monitor.

Since the last Board meeting they have ordered some new cables for the current heart monitor. It was discovered that one of the cables was an original from 2002.

In the Board's packet this evening are two quotes from Medtronic, one for a new monitor, and one for a refurbished monitor. Cost of the new monitor is approximately \$22,000, which includes a 5 year warranty. Cost of the refurbished monitor is \$14,000, with a one year warranty.

Mr. Lillywhite asked Ms. Davis what she recommended. She advised that a refurbished unit would be fine. She had also spoken with a company called PMI regarding refurbished monitors, and they provided her with a quote that was better than Medtronics but they could not say when they could provide a refurbished unit because of there high demand.

Discussion followed.

Motion by Mr. Lillywhite to purchase a refurbished unit. No support for the motion.

Discussion followed.

Motion by Mr. Lillywhite to purchase a new LifePak12, with a maximum cost of \$23,500 for the unit, and the understanding that the service contract cost are not included, seconded by Mr. West. Motion carried.

Comments from Secretary / Treasurer (Agenda VII):

Ms. Curtis advised the Board that Deputy Robert Ott has recently started working part time for NIESA, and has agreed to help with CPR classes to the public. He is also an EMS- Instructor Coordinator and will be helping us with our continuing education requirements, and our Tri-County licensing. Mr. Galbreath advised that NIESA is required to have an Instructor Coordinator on staff.

Comments from Board Members (Agenda VIII):

Mrs Whelton and Mr. Galbreath wanted to thank the personnel for attending the "Blue Mass" at St Mary's last Sunday. Mrs. Whelton indicated that the mass was well attended, and St Mary's appreciated our participation.

Comments from Association Members (Agenda IX):

Ms. Curtis advised that the Williamston Station will be having Ice Rescue Training this month. The practical portion of the class will probably be held on Saturday, February 24th starting around 9:00 am. If any of the Board is interested in seeing the training, or participating they are more than welcome to come.

Public Comment (Agenda X):

Nothing at this time.

Adjournment (Agenda XI):

Motion by Mr. Hanna to adjourn the meeting at 8:22 pm, seconded by Mr. Lillywhite. Motion carried.

Paula M Curtis, Secretary/Treasurer

Date