

GRAND HAVEN BOARD OF LIGHT AND POWER
MINUTES
FEBRUARY 29, 2024

A regular meeting of the Grand Haven Board of Light and Power was held on Thursday, February 29, 2024, at 6:00 PM at the Board's office located at 1700 Eaton Drive in Grand Haven, Michigan and electronically via live Zoom Webinar.

The meeting was called to order at 6:00 PM by Chairperson Westbrook.

Present: Directors Crum, Hendrick, Knoth, Welling and Westbrook.

Absent: None.

Others Present: Interim General Manager Rob Shelley, Secretary to the Board Danielle Martin, Operations & Power Supply Manager Erik Booth, Finance Manager Lynn Diffell, and Attorney Ron Bultje.

24-02A Director Welling, supported by Director Crum, moved to approve the meeting agenda.

Roll Call Vote:

In favor: Directors Crum, Hendrick, Knoth, Welling and Westbrook; Opposed: None.
Motion carried.

Public Comment Period:

Jim Hagen, 400 Lake Avenue, discussed grant funding for a community solar garden and recreation area on Harbor Island. Hagen stated BLP support for the grant application process would be great.

Janice Elkins, 14425 Trillium Circle, is a new BLP customer. Elkins inquired about the \$15 monthly service fee. Elkins stated paying this fee is tough and help would be appreciated.

24-02B Director Welling, supported by Director Knoth, moved to approve the consent agenda. The consent agenda includes:

- Approve the minutes of the January 25, 2024 Board meeting
- Receive and file the January Financial Statements, Power Supply and Retail Sales Dashboards
- Receive and File the January Key Performance Indicator (KPI) Dashboard
- Receive and File the MPPA Energy Services Project Resource Position Report dated 01/31/2024
- Approve payment of bills in the amount of \$5,010,979.00 from the Operation & Maintenance Fund
- Approve payment of bills in the amount of \$407,475.21 from the Renewal & Replacement Fund

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- Confirm Purchase Order 22939 to DataVoice International in the amount of \$17,388 for the 2024 OMS hosting subscription
- Confirm Purchase Order 22942 to ESRI in the amount of \$5,570 for the 2024 GIS software subscription
- Confirm Purchase Order 22947 to IPKeys Power Partners in the amount of \$7,650 for 2024 network monitoring
- Confirm Purchase Order 22954 to Futura Systems in the amount of \$24,564 for the 2024 mapping software subscription

The KPI Dashboard was reviewed. Reliability for calendar year 2023 ended in the “good” range. The reliability metric is based on a 12-month rolling average. There were winter storm events in October 2023 and January 2024, which now fall within the 12-month period, causing this metric to be in the “caution” range. Power Supply is below budget due to lower industrial sales and the unexpected closure of one of the BLP’s largest customers. The PSCA is below budget in a favorable way. The cost of power has been lower than budgeted but is expected to return to normal. Cash on hand is above budget. The budget is for a 12-month period but spending throughout the year does not happen in a linear fashion. This metric will get closer to expectations as projects are completed. \$4 million was budgeted for additional administrative facilities, a project which is no longer being pursued.

Roll Call Vote:

In favor: Directors Crum, Hendrick, Knoth, Witherell and Westbrook; Opposed: None.
Motion carried.

24-02C Director Welling, supported by Director Hendrick, moved to approve the Resolution Appointing Member Authorized Representative to Michigan Public Power Agency (Attachment A).

Roll Call Vote:

In favor: Directors Crum, Hendrick, Knoth, Welling and Westbrook; Opposed: None.
Motion carried.

24-02D Director Welling, supported by Director Crum, moved to approve the Resolution Appointing Commissioners to the Michigan Public Power Agency (Attachment B)

Roll Call Vote:

In favor: Directors Crum, Hendrick, Knoth, Welling and Westbrook; Opposed: None.
Motion carried.

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24-02E Director Welling, supported by Director Crum, moved to approve the Resolution Assigning Vote to Michigan Municipal Electric Association (Attachment C).

Roll Call Vote:

In favor: Directors Crum, Hendrick, Knoth, Welling and Westbrook; Opposed: None.
Motion carried.

Motion: Director Welling, supported by Director Crum, moved to approve the Resolution Assigning American Public Power Association Voting Delegates.

24-02F Director Welling, supported by Director Crum, moved to amend the resolution by adding the words “effective April 24, 2024” after the word authorizes in the first statement of resolution.

Roll Call Vote:

In favor: Directors Crum, Hendrick, Knoth, Welling and Westbrook; Opposed: None.
Motion carried.

24-02G Director Welling, supported by Director Crum, moved to approve the Resolution Assigning American Public Power Association Voting Delegates as amended (Attachment D).

Roll Call Vote:

In favor: Directors Crum, Hendrick, Knoth, Welling and Westbrook; Opposed: None.
Motion carried.

24-02H Director Welling, supported by Director Hendrick, moved to approve the Resolution Assigning Representatives to the Michigan Professional Insurance Authority Board (Attachment E).

Roll Call Vote:

In favor: Directors Crum, Hendrick, Knoth, Welling and Westbrook; Opposed: None.
Motion carried.

24-02I Director Welling, supported by Director Crum, moved to approve the Purchase Orders. The Purchase Orders include:

- Purchase Order 22948 to DataVoice International in the amount of \$42,100 to add texting capability to Outage Management System
- Purchase Order 22949 to Brown Wood Preserving Company in the amount of \$42,606 for 72 wood distribution poles
- Purchase Order 22957 to GRP Engineering in the amount of \$68,000 for engineering for the Harbor Drive underground project

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- Purchase Order 2958 to the Holland Board of Public Works in the amount of \$8,000 for the CY24 distribution safety program
- Purchase Order 2959 to Dykstra Landscape Management in the amount of \$8,130 for CY24 lawncare at Eaton Drive and the Osipoff substation
- Purchase Order 22961 to Pleune Service Company in the amount of \$26,270 for a replacement rooftop HVAC unit at Eaton Drive
- Purchase Order 22963 to CDW Computer Government in the amount of \$7,318 for the FY24 replacement of 6 desktop computers
- Purchase Order 22965 to Irby Utilities in the amount of \$21,910 for eight 25kVA polemount transformers

Purchase Order 22958 to the Holland Board of Public Works is for the newly created Lakeshore Electric Distribution Safety program. This will replace MECA for distribution safety training and comes at a lower cost with more specialized services. We are reimbursing Holland BPW for our portion of the expenses.

Purchase Order 22957 to GRP Engineering is for the engineering work to underground electric lines on Harbor Drive between Columbus and Howard. This project is in the initial phase and the build will be in 2025.

Roll Call Vote:

In favor: Directors Crum, Hendrick, Knoth, Welling and Westbrook; Opposed: None.
Motion carried.

24-02J Director Welling, supported by Director Crum, moved to authorize the Member Authorized Representative to execute the White Tail Solar Power Purchase Commitment.

The memo provided in the Board's packet includes detailed information on this purchase. It is a part of moving forward with our diversified power supply portfolio. The project is located in Washtenaw County and the BLP's portion will be approximately 2.15 MW's. This purchase will go to the City Council for ratification as the agreement has a 20-year term.

Roll Call Vote:

In favor: Directors Crum, Hendrick, Knoth, Welling and Westbrook; Opposed: None.
Motion carried.

24-02K Rob Shelley informed the Board he will be participating in Coffee with the City Manager on March 5th at Aldea Coffee.

No formal action taken.

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24-02L Erik Booth provided a presentation on the LED street light project.

When the requirements of Michigan’s mandatory energy waste reduction program ceased in 2021 for municipal electric utilities, the BLP used the flexibility to continue these efforts through internally developed initiatives. One initiative was the streetlight LED upgrade program. That process is now complete and the reduction in energy use is substantial. In 2016, 220,000 kilowatt hours of energy were being used each month. That has now been reduced to under 80,000 kilowatt hours per month. The associated annual savings achieved are \$69,604 for the City of Grand Haven, \$3,750 for the City Ferrysburg, \$3,508 for Spring Lake, and \$57 for Robinson Township. Staff recommends a street light evaluation to be included in the next cost of service study to ensure appropriate rates are applied. The annual emission reductions from the LED streetlight conversion project in 2022 and 2023 equate to approximately 200 tons of carbon dioxide emissions avoided per year and is the equivalent of approximately 40 homes’ electricity usage for one year. This project is a piece of the larger picture of the BLP’s sustainability programs and the cumulative impact they have, which now equates to over 30 million kilowatt hours saved per year.

No formal action taken.

24-02M The City will be rebidding the coal yard cleanup work and will provide the updated cost to the Board. The BLP will pay for its appropriate portion of this work. The City is hoping the consent order for the impoundment will be coming sometime this spring.

Director Knoth asked how the BLP can support the project discussed during public comment. Rob Shelley stated that the project goes hand in hand with the Harbor Island process, which the City is leading. The City Manager stated a grant has been received for a community visioning process which will begin in March and continue into April and May.

No formal action taken.

24-02N Director Welling, supported by Director Knoth, moved to appoint Directors Hendrick and Westbrook to a subcommittee to review the proposals for Executive Search Services and bring a recommendation to the full Board no later than April’s regular meeting.

Danielle Martin reviewed the memo provided in the Board’s packet. Four proposals were received. Staff recommends a subcommittee evaluate the proposals and make a recommendation to the full Board of what firm to engage.

Roll Call Vote:

In favor: Directors Crum, Hendrick, Knoth, Welling and Westbrook; Opposed: None.
Motion carried.

24-02O Director Welling, supported by Director Knoth, moved to approve the Employment Agreement dated February 29, 2024 for Rob Shelley.

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The employment agreement is for the position of Interim General Manager. It was reviewed by Attorney Bultje and both he and Mr. Shelley are happy with the language.

Roll Call Vote:

In favor: Directors Crum, Hendrick, Knoth, Welling and Westbrook; Opposed: None.
Motion carried.

24-02P Chairperson Westbrook informed the Board that the BLP experienced a data breach, and a memo was provided in the Board's packet providing an update on associated investigation activities.

Rob Shelley stated this is an ongoing investigation, so limited details can be provided at this time. A final report will be brought to the Board when the investigation is concluded. The investigation is being directed by the BLP's Cyber Liability insurance carrier and \$21,000 has been spent to date. It has been determined that a breach did occur, and the data set is being analyzed to see if personally identifiable information was compromised. The investigation is necessary to ensure the BLP provides any individual notifications required under Michigan law. Expert firms assigned by our insurance carrier are making the determinations, not internal staff.

Attorney Bultje confirmed he is not concerned with this investigation compromising whistleblower rights.

No formal action taken.

24-02Q Chairperson Westbrook provided an update of whistleblower investigation activities. A summary memo was provided in the Board's packet.

The BLP cooperated fully with the investigation process and a total of eight employees were interviewed. Costs billed through December associated with this investigation are \$5,778 for services through our regular attorney at Dickinson Wright and \$2,022.75 for services through our insurance assigned counsel at Varnum. The Chairperson informed the Board the final report is expected any day, and he hopes the BLP is provided a copy of the report as soon as possible as this is an open item in the Board's January 25, 2024 resolution relating to the General Manager.

No formal action taken.

24-02R Attorney Bultje informed the Board that the FOIA documents related to the indemnification resolution passed last month were provided to Danielle Martin just before tonight's meeting. Martin will distribute the documents to the requesting parties.

Bultje asked to clarify some misunderstandings related to the FOIA response process. He stated this is not a case of improper email use, but a problem with an overly broad request that goes beyond official BLP activities. Some of the requested documents were protected under the First Amendment rights relating to political activities and some were personal records that deal with the BLP but not its operations.

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Bultje stated he interpreted the FOIA request broadly when reviewing the documents. The BLP has agreed to be more transparent than required and is disclosing documents that could have been withheld as attorney-client privileged. Bultje reported the dispute process was amicable, and no documents are being contested by Director Hendrick's attorney. All documents determined to be non-exempt public records by Attorney Bultje are being released.

No formal action taken.

24-02S The Bylaws update is in progress and will be on next month's agenda.

No formal action taken.

24-02T Director Welling, supported by Director Crum, moved to approve the resolution regarding snowmelt costs (Attachment F).

Chairperson Westbrook summarized the resolution as a request to the City Council to make a decision regarding the snowmelt costs in an open meeting.

Director Hendrick stated this is not a way to improve relationships. She feels both parties came to a solution previously and now the BLP is changing its mind. Director Knoth agreed.

Rob Shelley provided some information on how the resolution was developed. He and the Chairperson met with the Mayor and City Manager recently and this item was discussed. They were aware the resolution would be on tonight's agenda. He confirmed the resolution is only asking for a formal answer, it is not forcing anything.

Roll Call Vote:

In favor: Directors Crum, Knoth, Welling and Westbrook; Opposed: Director Hendrick.
Motion carried.

24-02U Danielle Martin will be providing the individual login credentials for the Public Power Governance training approved at last month's meeting soon.

No formal action taken.

24-02V The Chairperson stated the meeting he attended with Rob Shelley, the Mayor, and the City Manager was a good meeting. The idea of a joint meeting was supported but no specific date has been proposed agenda has yet been developed. This will be a work in progress.

No formal action taken.

24-02W The APPA National Conference will be held June 7th through 12th in San Diego. The budget includes three Board members' attendance, if desired. Directors who are interested in attending should let Danielle Martin know by March 20th.

No formal action taken.

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24-02X The Chairperson announced the retirement of Pamela Pilko, one of the BLP's Customer Account Representatives. Pam served the BLP for over 16 years and will be missed by her colleagues and customers. The Board and staff congratulate Pam on her retirement.

No formal action taken.

Public Comment Period:

Chairperson Westbrook commented on Respectful Workplace training received by all employees and the Board. He feels this was great training that was well received.

Geri McCaleb, West Olive, commented on the fulfillment of the FOIA request and the associated costs incurred which will ultimately be paid by the ratepayers. Regarding snowmelt, McCaleb feels people that do not live in the City are being asked to chip in for a city amenity and it is not legal to make them contribute.

Jim Hagen, 400 Lake, congratulated the Board for the White Tail power purchase. He liked the EPA calculator used in the streetlight project presentation and thinks it would be a good tool for the BLP to use to educate people on solar projects as well.

Adjournment

At 7:34PM by motion of Director Welling, supported by Director Hendrick, the February 29, 2024 Board meeting was unanimously adjourned.

Respectfully submitted,



Danielle Martin
Secretary to the Board

DM

GRAND HAVEN BOARD OF LIGHT AND POWER
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Attachment A

GRAND HAVEN BOARD OF LIGHT & POWER

RESOLUTION APPOINTING MEMBER AUTHORIZED REPRESENTATIVE TO MICHIGAN PUBLIC POWER AGENCY

WHEREAS, on March 11, 2009, the Michigan Public Power Agency (“MPPA”) Board of Commissioners by action in open meeting created the Energy Services Project (“Project”); and

WHEREAS, a Member joining the Project, must execute an Energy Services Agreement (“ESA”); and

WHEREAS, Section 2 of the ESA requires the Member’s Governing Body to designate a Member Authorized Representative (“MAR”); and

WHEREAS, the MAR is delegated the responsibility of binding the Member into Power Purchase Commitments (“PPC’s”) with MPPA; and

THEREFORE, BE IT RESOLVED, the Grand Haven Board of Light and Power designates the Acting General Manager to be the Member Authorized Representative (“MAR”); and

BE IT FURTHER RESOLVED, The Grand Haven Board of Light and Power delegates the authority to the MAR to approve PPC’s with MPPA if the PPC is within guidelines of the MPPA Power Supply Risk Management Policy; and

BE IT FURTHER RESOLVED, that all resolutions or parts of resolutions in conflict herewith are hereby rescinded.

RESOLUTION DECLARED ADOPTED

Dated: February 29, 2024



Danielle Martin, Board Secretary
Grand Haven Board of Light & Power

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Attachment B

GRAND HAVEN BOARD OF LIGHT & POWER

RESOLUTION APPOINTING COMMISSIONERS TO THE MICHIGAN PUBLIC POWER AGENCY

WHEREAS, the Michigan Public Power Agency (“MPPA”) is a public body politic and corporate of the State of Michigan created in late 1978 under act 448, Public Acts of Michigan, 1976 as amended, to help members realize the benefits of joint action in the planning, development, acquisition, and management of energy-related assets and services; and

WHEREAS, the Grand Haven Board of Light & Power is a member of the MPPA which is governed by a Board of Commissioners consisting of one appointee from each member pursuant to MPPA Bylaws as follows:

Section 2.1 Board of Commissioners and Alternate Commissioners. The Agency shall be governed by a Board of Commissioners appointed by the respective governing bodies of the municipalities which are members of the Agency. The governing body of each member municipality shall by resolution appoint one commissioner. The governing body of each member municipality may by resolution appoint an Alternate Commissioner who shall be entitled to vote only in the absence of the Commissioner. If a 2nd Alternate Commissioner is appointed in the resolution of the governing body of the member municipality, the resolution shall designate who shall be the 1st Alternate Commissioner and the 2nd Alternate Commissioner. In the event more than one Alternate Commissioner attends a meeting of the Agency, including any of its committees, the Alternate Commissioner with the highest designation shall be recognized and entitled to vote in the absence of the Commissioner.

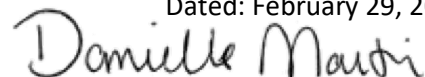
THEREFORE BE IT RESOLVED, the Grand Haven Board of Light and Power appoints the Acting General Manager to the MPPA Board of Commissioners as a Commissioner effective as of the date of this resolution; and

BE IT FURTHER RESOLVED, the Grand Haven Board of Light and Power appoints the Power Supply Manager to the MPPA Board of Commissioners as an Alternate Commissioner effective as of the date of this resolution; and

BE IT FURTHER RESOLVED, all resolutions or parts of resolutions in conflict herewith are hereby rescinded.

RESOLUTION DECLARED ADOPTED

Dated: February 29, 2024



Danielle Martin, Board Secretary
Grand Haven Board of Light & Power

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Attachment C

GRAND HAVEN BOARD OF LIGHT & POWER

RESOLUTION ASSIGNING VOTE TO MICHIGAN MUNICIPAL ELECTRIC ASSOCIATION

WHEREAS, the Michigan Municipal Electric Association's ("MMEA"), Amended and Restated By-Laws state in section 3.2 that:

...any municipality that is a member of the Association shall be entitled to designate in writing one individual who shall be a public official or employee of the member who shall represent such member at all meetings of the Association. Such designee in turn shall have the right to designate in writing any other individual who shall be a public official or employee of the member in question to represent such member and act as its alternate at any meeting of the members of the Association.

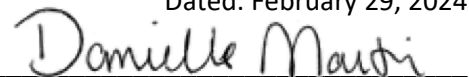
THEREFORE BE IT RESOLVED, the Grand Haven Board of Light and Power appoints the Acting General Manager as the MMEA representative; and

BE IT FURTHER RESOLVED, the Grand Haven Board of Light and Power authorizes and directs the Acting General Manager to submit the Statement Assigning Vote to Accredited Representative to MMEA; and

BE IT FURTHER RESOLVED, all resolutions or parts of resolutions in conflict herewith are hereby rescinded.

RESOLUTION DECLARED ADOPTED

Dated: February 29, 2024



Danielle Martin, Board Secretary
Grand Haven Board of Light & Power

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Attachment D

GRAND HAVEN BOARD OF LIGHT & POWER

RESOLUTION ASSIGNING AMERICAN PUBLIC POWER ASSOCIATION VOTING DELEGATES

WHEREAS, the Grand Haven Board of Light and Power is a member of the American Public Power Association ("APPA"); and

WHEREAS, the APPA Bylaws Section 2.9 state:

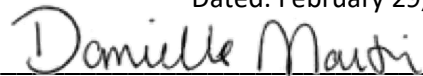
Each Regular Member shall designate by a writing filed with the Secretary, one of the Regular Member's officers, officials or employees to serve as its Representative in the affairs of the Association, as well as an alternate who may serve in the absence of the designated Representative. A Regular Member may change the person designated to be its Representative or alternate at any time by a writing filed with the Secretary.

THEREFORE, BE IT RESOLVED, the Grand Haven Board of Light and Power authorizes, effective April 24, 2024, the Acting General Manager to serve as voting delegate and the Chairman of the Board to serve as alternate voting delegate to represent the Board of Light and Power with respect to the American Public Power Association's membership business; and

BE IT FURTHER RESOLVED, all resolutions or parts of resolutions in conflict herewith are hereby rescinded.

RESOLUTION DECLARED ADOPTED

Dated: February 29, 2024



Danielle Martin, Board Secretary
Grand Haven Board of Light & Power

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Attachment E

GRAND HAVEN BOARD OF LIGHT & POWER

RESOLUTION ASSIGNING REPRESENTATIVES TO THE MICHIGAN PROFESSIONAL INSURANCE AUTHORITY BOARD

WHEREAS, the Amended and Restated Bylaws of the Michigan Professional Insurance Authority state in Article 5.1 that:

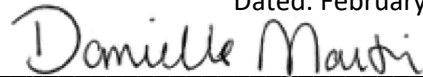
- A. The Board of Directors of the Authority shall be comprised of the two members appointed by each Participating Public Entity, provided that there are not more than five (5) Participating Public Entities.

THEREFORE, BE IT RESOLVED, the Grand Haven Board of Light and Power appoints the Chairperson and the Acting General Manager as representatives to the Michigan Professional Insurance Authority Board of Directors.

BE IT FURTHER RESOLVED, that all resolutions or parts of resolutions in conflict herewith are hereby rescinded.

RESOLUTION DECLARED ADOPTED

Dated: February 29, 2024



Danielle Martin, Board Secretary
Grand Haven Board of Light & Power

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Attachment F

GRAND HAVEN BOARD OF LIGHT & POWER

RESOLUTION REGARDING SNOWMELT COSTS

WHEREAS, on December 15, 2022, the Board of Light and Power passed a resolution of commitment to collect and provide twenty-five percent (25%) of the \$1,037,151 advance to the City of Grand Haven for its snowmelt replacement equipment; and

WHEREAS, the December 15, 2022, resolution stated the Board of Light and Power will collect a five percent (5%) additional monthly service charge for all customers in each rate class to fund this commitment; and

WHEREAS, the Board of Light and Power received a letter dated November 6, 2023, from the City of Ferrysburg stating under the Franchise Agreement, the BLP is not authorized to increase the rates for Ferrysburg residents to recover the cost of snowmelt equipment and that snowmelt equipment is not a necessary operating expense to the distribution of electricity; and

WHEREAS, the City of Ferrysburg requested that all fees collected under the 5% snowmelt charge since January of 2023 be returned to City of Ferrysburg rate payers and this fee be removed from all future bills to the City of Ferrysburg rate payers; and

WHEREAS, on November 16, 2023, the Board of Light and Power passed a resolution to reimburse all customers the snowmelt cost that was billed beginning January 2023 after \$259,287.75 is collected from the City of Grand Haven, and to discontinue any further charges until this matter is resolved; and

WHEREAS, in its November 16, 2023, resolution the Board of Light and Power committed to work with Grand Haven City Council to develop fair and equitable payment terms.

THEREFORE, BE IT RESOLVED, the Board of Light and Power respectfully asks the Grand Haven City Council to consider in an open meeting the repayment of \$259,287.75 that will not be collected by the Board of Light and Power for the city's snowmelt replacement equipment; and

BE IT FURTHER RESOLVED, the Board of Light and Power respectfully asks the Grand Haven City Council, after consideration at an open meeting, to pass a formal resolution indicating its decision regarding repayment.

RESOLUTION DECLARED ADOPTED

Dated: February 29, 2024



Danielle Martin, Board Secretary
Grand Haven Board of Light & Power