

**Meeting Minutes**  
**Saginaw County Building Authority**  
**Friday March 17, 2023**  
**County of Saginaw Courthouse – Boardroom 200**  
**111 S. Michigan Avenue, Saginaw, MI 48602**

Present: Robert V. Belleman, Tim Novak, Bill Smith, Leon Turnwald, Ann-Marie Batkoski

Absent:

Others: Jake Golden (Spence), Brian Keeler (Spence), Ben LeBlanc (Granger) Rob Train (Granger), Jay Wheeler (WKA) Bonnie Kanicki (SCACC Director), Christopher Boyd (BOC) Rich Spitzer (BOC), Jack Tany (BOC), Jaime Ceja (Controller's Office), Kelly Suppes (Purchasing/Risk Management),

I. **CALL TO ORDER:** Chairman Belleman called the meeting to order at 9:00AM.

II. **PUBLIC COMMENT:** None

III. **SCACC Resource Center – Ben LeBlanc, Senior Project Manager; Granger**

a. **Air Handling Units Delayed** – Granger was notified by the manufacturer that they are seeing an additional delay on the roof top units. When Granger found out they quickly tried to see if there were any immediate remedies available, how many units were in front of our order and would a financial incentive help. The manufacturer responded that they will be sticking to the first order in, first order out model and that no financial incentive will help to move a up a place in line, they have hospitals and schools in line and have told them the same thing. They do have units in production and have moved production of the delayed piece, the variable frequency drive (VFD) to Mexico. The delay gives us 2 units at the end of April, 8 units the first week in June, and 1 the last week of June. Ben discussed with Ecker Mechanical to look at the possibility of temporary units and in his experience, it is not very successful, there is usually contamination between different zones. Ben investigated Trane they are 30-40 weeks out. Chairman Belleman asked Ben for a recap of the timeline of the air handling units. Ben stated that in May 2021 Granger received the green light for Ecker, and they locked in their suppliers. Granger worked through plans with Kibbe and admittedly it took longer that it should have. In August 2022 Daikin was approved and we were put in the manufacturer queue. September 15, 2022, we received dates from Ecker with an April/May 2023 delivery. January 5, 2023 the manufacturer pushed the delivery dates out by 2 weeks and now 6 weeks. Shipping should take 5 days from Mexico and (2 units) 2 days from Minnesota (9 units). Chairman Belleman asked what the actual delay was, could the units be shipped without that specific part. Ben stated that it was the VFD and the fact that they will not start production of the unit until all parts are in hand would not allow for partial shipment of any units. Member Turnwald confirmed that the manufacturer was Daikin and asked when Ecker was awarded the bid. Ben stated that Ecker was issued a purchase agreement on June 17, 2021 and they issued the purchase order to the vendor on September 2, 2021. Member Turnwald asked if these units are the same that are going into all the recent marijuana facilities. Ben stated he was unsure, and it depends on the specs of

the facilities. Member Turnwald asked if Ecker had sent money at the time of the purchase order issuance. Ben stated that he believed they would have. Chairman Belleman inquired whether the manufacturer will confirm the dates we currently have at this time. Ben stated, they will not confirm dates until all pieces are in hand and production can begin. There are 520 units in front of ours currently. They have padded the dates by 2 weeks, and they have not been seeing the delays that they were seeing previously. Board of Commissioners Chairman Chris Boyd asked if we have contracts and have we looked at the contracts to see what legal recourse we may have and if they are bound by any delivery dates. Rob stated that we are further ahead with Daikin and it is his recommendation that we remain with them. Chairman Belleman asked if there are any other manufacturers in Canada that may be able to deliver. Ben stated that Ecker as well as Granger are looking at all manufacturers, but nobody right now will guarantee a production or delivery date. Mr. Boyd asked if the contract with Ecker has an escape clause, are there provisions to allow for legal action? Member Smith asked Ben to forward the contracts to him for review. Rob stated that damages to the County may be the only leverage we have. He also stated that there are additional staffing costs with the delay and those will not be brought to the Building Authority, but rather Granger will work them out with Ecker. Member Turnwald stated that if everything was done correctly and when it comes down to the court of law, the factory should be releasing units without the panel. If they are sending units to marijuana dispensaries, they need to stop. Chairman Belleman asked whether warranties have been activated. Ben stated that Granger will make sure that they do not start until the units are installed and substantial completion is met. Mr. Boyd asked if we know who the new manufacturer of the delayed part is. Why would the manufacturer switch who the VFD manufacturer is, when they could be utilizing both, no matter the cost? Ben stated that the issue is the units cannot be tested without the part installed, so the unit would not fall under any warranty. Chairman Belleman asked how many units they can produce a week. Ben stated that they are currently working 2 shifts a day, they are producing and there has not been a slow down since they switched suppliers. Chairman Belleman confirmed that the approved purchase order was submitted in September and Ecker didn't make contact until January. Ben stated no, the manufacturer fell behind by 2 weeks in January and Ecker was in contact with them at that time. Member Batkoski asked why it took so long to approve. Ben stated that Kibbe, Granger and Ecker had a disagreement and Kibbe held for 5 months. Ben was working with Ecker to find out the cost to go with Trane. It was thousands of dollars more. Chairman Belleman recalled the meeting in August 2022, Chris Miller from Kibbe was present on the telephone, and the holdup was that Chris had concerns about the efficiency of Daikin. It was also represented at the time that Trane was not even taking orders until January 1, 2023. Ben stated that a letter had come out on March 1, 2023 stating that the delays were in part due to China's strict COVID-19 policies, trucker shortages, factory labor, and the Ukraine war. Mr. Boyd stated that the letter also states that the lead time on the Variable frequency drives were greater than 75 weeks. We need to look at

the contracts closely and see what legal action may be able to be taken. Member Smith asked if there was anything else that we can use the building for while we wait. Ben stated that in speaking with Bonnie, that is the plan, start staff on training, diagnostics of the other systems, and data center training. Occupancy will come down to safety and certificate of completion will not be issued until the building is fully completed. Rob stated that they will continue to push on Ecker to push on the manufacturer, knowing that we do not want to fall farther behind. Chairman Belleman asked if the damages have been quantified, Rob stated that he will work with Ecker to do that looking at staff time, electric costs.

2. **Dishwasher** – Chairman Belleman asked for a status on the dishwasher, a commercial outlet was not installed to handle the commercial dishwasher. Ben advised it was taken care of.

**IV. SCACC Resource Center – Jay Wheeler, Vice President, William A. Kibbe & Associated, INC**

**a. Kochville Township Fire Inspection – Emergency Responder Radio Coverage –** Kibbe presented a report from the Kochville Township Fire Inspector representing that their emergency radios did not work in certain areas of the shelter. The report further stated that code states that emergency responder Radio coverage levels within a building need to be the same as that measured exterior to the building. It has been determined that radio coverage is also an issue for our staff. Bonnie and Rodney Ludlum, ACO went to the site and tested their radios/cell phones and found them to be inoperable in specific areas, on the west side of the building: food prep area, laundry room, breakroom hallway, and behavior room. Member Turnwald asked what kind of test was run by the fire department and did we mimic the test exactly? Bonnie stated that she tested with central dispatch on the channel used for animal control. Chairman Belleman asked if Bonnie tested with Rodney outside the building communicating to her inside, Bonnie stated, no. Chairman Belleman asked her to please do that test. Mr. Boyd asked if we know why the radios don't work outside the cinder block. Jay stated that we should get a vendor to come in and test to see what the issue is, it could be the cinder block, metal cages or the soundproofing. Member Smith asked if repeaters are common? Commissioner Rich Spitzer asked if in the design phase were the radio needs discussed? Member Turnwald asked why Kibbe didn't know if repeaters would be necessary. Chairman Belleman stated that he would look to Blue Sky on this vs. Kibbe and asked Bonnie to check with the other Michigan shelter that Blue Sky designed if they have to use repeaters. Ben stated that the cost of a repeater would depend on the square footage it needs to cover. Ben stated that we are aware that some portions of the building are good, we need to have 95% coverage in 92% of the building.

**V. Dow Event Center – Memorial Cup Update, Brian Keeler, Spence Brothers**

a. Chairman Belleman stated that he is presenting 3 phases of improvements, Phase I, owner improvements, these need to be completed regardless if we win the bid for the Memorial Cup. Phase II, will include improvements we will need to do as winner of the Memorial Cup bid. Phase III, to be completed based on funding availability. Spence is asking for \$350,000 for the design and bidding

process and they are asking for it all at one time because this is a non-traditional delivery. Budget currently for all phases is \$3.8 million. Member Smith asked if Spence would be specific about which fund/Phase they would need money for? Brian stated Yes. Saginaw County proposed projects are as follows: new locker rooms, suite sound system, toilet room upgrades, arena specific- painting, storage room improvements, ceilings, handrails, rooftop units to exhaust air, red room specific - hallway lights, ceilings, diffusers, painting, theater specific – plaster, glass and window replacement, lighting, general common area – Jolt pavilion painting, fire alarm system, exterior HM doors. Member Smith asked if the Chandelier in the theater lobby is on the list to be replaced and if all replacement lighting would be high efficiency LED. Brian stated no for the Chandelier, but now would be the time to remove it as we will have scaffolding and lifts available. There is no budget to replace it. Yes, on the LED high efficiency lighting with better controls, the red room is extremely dark even when all the lighting is on. Member Smith asked if there is any other option than replacing the large glass windows. Brian stated no, they are probably original from 1976. Chairman Belleman stated that he was quite surprised that the condition was not brought to the Building Authority's attention sooner, the frames are rusted, windows cracked. We are lucky there hasn't been any significant issues thus far. Member Smith asked what the process would be if jobs came in over/under budget. Brian stated that they will take bids, if the bids are higher, they will come back and speak on it, if they are lower than they would like the autonomy to decide and approve the vendors. If we get the Memorial Cup Spence will be back at the April Building Authority meeting to ask for the phase II budget approval. Chairman Belleman stated that the OHL will be at the arena on Saturday March 18 for a site inspection and then attend the game that evening. The design phase will take some time and we wanted to get that going, because lead times could be longer than normal. If we approve this today, the Building Authority will present to the Board of Commissioners. Member Smith asked if there was a better way to go about this approval process? Brian stated that this is a job where the window of construction is short, Spence will need the ability to move fast, and this is the best way to do that. Member Batkoski asked what issues does Brian see for this job, staffing, aren't contractors already booking for the summer? Brian stated the following concerns, elevators, expanding the suites, plumbing and steel. For the manpower, we will make sure the sub-contractors who bid the jobs have the manpower available to get the jobs done. As for the summer season and available subs, therefore we are asking for some leeway in negotiating and awarding bids. Jake will be the project manager on this job. Mr. Boyd asked if ADA compliance is a concern. Chairman Belleman stated that we are doing a renovation of less than 50%, ADA will not have to be addressed however The Dow is not ADA accessible in a lot of areas now, the suites being one location. Elevators would be a large help as they will give access to the suites but also food and beverage as they must use the stairs right now.

Member Smith made a motion to accept the Spence Brothers proposal for phases I-III change order for The Dow Event Center contingent upon the Board of Commissioners approval. Member Novak supported. The motion passed (5-0).

**VI. OTHER ISSUES/CONCERNS:**

- a. SCACCRC – Bonnie stated that the turn style dog bowls in kennel are not large enough at 1qt. we need 2 qt bowls for food and currently water with 2 gallon bowls. Chairman Belleman stated that we engaged Bluesky and these types of issues keep coming up. Did Bluesky not speak to anyone in the operations when they were in the design phase of this project? Do they need to come and walk the shelter to see the operations? Member Smith asked Bonnie if she has spoken to anyone at Michigan Humane in Westland to see if they have the same issue? Bonnie stated no but Cherie and Harold are aware and will look to see if the system can be modified. Chairman Belleman stated that the price tag will be large, and it is a clear design flaw.

**VII. NEXT MEETING:** April 6, 2023 at 10:30 a.m.

**VIII. ADJOURNMENT:** Member Novak moved to adjourn the meeting; supported by Member Batkoski. The meeting was adjourned at 10:23a.m.