

MINUTES
EMMET COUNTY ROAD COMMISSION
HARBOR SPRINGS, MICHIGAN

The Emmet County Board of Road Commissioners met in regular session at the office in Harbor Springs, August 20, 2020. Chairman Frank Zulski called the meeting to order at 8:00 a.m.

Commissioners Present:

Frank Zulski - Chairman Robert Notestine - Vice Chairman Wade Williams - Member

Staff Present:

Brian Gutowski - Engineer/Manager James Godzik-Permit/CADD Technician
Lisa Kleeman-Finance Director/Clerk of the Board Shawn Beckman – Project Manager
Ed Zmikly – North Road Foreman Bob Genson – Equipment Superintendent

Guests Present:

James Kargol – Emmet County Commissioner Toni Drier – Emmet County Commissioner
Gordon & Edith Kruskie - Readmond Township Bill Dohm – Little Traverse Township
Michael Reaves–Emmet County Administrator Alice Conrad – Springvale Township
Robert Padilla–Trailsend Bay Property Association Dennis Keiser – Bear Creek Township
Estella Smith – Trailsend Bay Property Association

MINUTES: It was moved by Robert Notestine, seconded by Wade Williams, to approve the regular session minutes of August 10, 2020.

Ayes: Notestine, Williams, Zulski

Nays: None

Motion carried

ACCOUNTS PAYABLE: The Lists of Accounts Payable, Vouchers No. 2033A and 2033B, checks 47040 through 47089, in the amount of \$492,417.35 were presented for approval. It was moved by Robert Notestine, seconded by Wade Williams, to approve accounts payable for payment of the same.

Ayes: Notestine, Williams, Zulski

Nays: None

Motion carried

PAYROLL: Voucher No. 2034 for Payroll No. 17, checks 56028 through 56058 and direct deposit, for regular payroll in the amount of \$96,288.58, was presented for approval. It was moved by Frank Zulski, seconded by Wade Williams, to approve payroll for payment of the same.

Ayes: Notestine, Williams, Zulski

Nays: None

Motion carried

UNFINISHED BUSINESS:

- a. Wilderness Park Drive Update (from first beach to second beach) - Gutowski met with Robert Padilla and a couple other members of the Trailsend Bay Property Association, and Roger Moore, Wawatam Township Supervisor, on Monday, August 17. A letter had been received from an attorney who lives on the road and is opposed to any taxable assessment on the homeowners as they believe the project is only benefitting people traveling to Wilderness Park. The opposing attorney mentioned he can block the assessment with 20% of the homeowner's signatures and he can block the assessment with 50% of the homeowner's signatures.

Joel Wurster, the attorney for the road commission, offered advice on special assessments. If the township originates the special assessment, the opposing attorney only needs 20% of the homeowners to stop the assessment. If the homeowners initiate the special assessment, the attorney needs 50% to stop the assessment. Gutowski suggested if the homeowner's still desired to proceed with the project, they need to initiate the special assessment. There is a meeting with the Trailsend Bay Property Association and Roger Moore on Tuesday, August 25 at 9:00 a.m. at the road commission.

The current plan for this section of Wilderness Park Drive is moving the road to the east. An original estimate, which was the federal aid project, was \$430,000. With today's prices, along with road commission widening the road to current federal aid standards, the estimate is \$471,000. With the relocation of the road to the east, the cost estimate is \$672,000.

For clarification, Commissioner Zulski stated the option still exists of going through the original easement. We are projecting to alleviate the intrusion on the property owners that are infringing the right of way at the additional cost of \$201,000. The first option is not off the table, the road is still going to happen, but it depends on the homeowners which way the project will happen. Technically, we are proposing moving the travel portion of the road 3 feet further to the east away from the homes, but if that isn't approved, the agency already gave up \$360,000 of federal aid as well as other costs and is not going to spend an additional \$201,000. August 28, at 9:00 a.m., there is a meeting with the public at the Mackinaw City Recreation Center to discuss this project with homeowners and to answer questions. He expressed appreciation to the committee for working with the road commission on this project.

Robert Padilla, TBPA, commented when they met a couple of days ago, Zulski stated the responsibility of the road commission was to build the road in the most cost-effective manner possible and there was an original cost of \$471,000 of which the agency was still willing to put forth, so the difference is \$201,000. Zulski and Gutowski stated they lost \$360,000 in federal aid by not putting the road where it was supposed to go and the Road Commission is willing to put \$113,000 towards the project along with over \$28,000 already spent on engineering. Zulski also commented that Wawatam Township is talking about putting funds into this project as well and we are hoping to get the funds still required down to about \$400,000.

Padilla stated they are interested in finding out why it costs so much more to move the road to the east and he also introduced Estella Smith, a fellow member of the TBPA. Padilla inquired if others of the TBPA could attend the meeting on Tuesday, August 25, but Zulski mentioned that he would like to keep the number of attendees minimal to get through all the information.

PUBLIC COMMENT:

- a. Gordon Kruskie, Readmond Township Supervisor – stated he has multiple issues and needs to have Godzik stop and look at issues on Wormwood and M119 as well as other issues. Zmikly will work with Kruskie regarding safety on M119.

APPOINTMENTS: None

NEW BUSINESS:

- a. It was moved by Wade Williams, seconded by Robert Notestine, to sign the contract with the Little Traverse Bay Band of Odawa Indians for the State Road Asphalt Overlay Project from Johnston Hill Road to M 119. Gutowski offered comments as to the timing of this contract and work that has been completed.

Ayes: Notestine, Williams, Zulski

Nays: None

Motion carried

- b. It was moved by Robert Notestine, seconded by Frank Zulski, to sign the contract with the Little Traverse Bay Band of Odawa Indians for the relocation of a power pole on Howard Road near Lears Road.

Ayes: Notestine, Williams, Zulski

Nays: None

Motion carried

- c. It was moved by Wade Williams, seconded by Robert Notestine, to sign the contract with Dale Dukes & Sons, Inc. for the Guardrail Installation on the Reed Road and Munger Road Bridges over the Carp River.

Ayes: Notestine, Williams, Zulski

Nays: None

Motion carried

- d. It was moved by Robert Notestine, seconded by Frank Zulski, to award the bid for the Catch Basin Rehab on MDOT routes in the 21 counties of the Northern Region to Blair Spray Foam.

Ayes: Notestine, Williams, Zulski

Nays: None

Motion carried

CORRESPONDENCE:

- a. Letter from Phyllis Epps regarding a petition to repair Lake Shore Drive from M119 to Sturgeon Bay Trail. Epps gathered signatures from 103 people. Zulski agreed the road is in bad shape and it joins the list of other bad roads but there is no funding. Epps forwarded the petition to Congressman Jack Bergman. Zulski and Notestine asked Gutowski to reiterate to Epps the funding issues and the inability to complete this project soon as both Gutowski and Zulski have had prior conversations with Epps on agency funding and road repair needs.

ENGINEER-MANAGER'S REPORT: Gutowski reported the following:

- Pickerel Lake Road Bids came in under the estimate and there is a preconstruction meeting with Rieth-Riley on Monday, August 24 at 2:00 p.m. with the project to begin on Tuesday, August 25.
- Meeting with Trailsend Bay Property Association and Wawatam Township regarding Wilderness Park Drive at 9:00 a.m., Tuesday, August 25 here at the road commission.
- MCRCSIP Meeting in Mt. Pleasant, August 27, with part of the meeting via zoom from 8:00 a.m. to noon.
- Friday, August 28, at 9:00 a.m. Wilderness Park Drive meeting at the Mackinaw Recreation Center.
- Mitchell & Division Intersection – our consultant believes that adding a right turn signal and installation should be no more than \$8,000. Bear Creek Township may be willing to split the cost.

- MDOT's Milton Road project is moved from 2021 to 2022 due to COVID-19 and reconstruction on US31 is scheduled for 2023.

SUPERVISOR'S REPORT: Beckman reported the following:

- Action Traffic has been finishing the sign grant; it is now complete and pay estimate generated.
- Wilderness Park has a punch list to be completed, silt fence still on site from federal aid project.
- Pickerel Lake Road Project was scheduled to begin September 7 but will start next week instead.
- Reed Road Bridge Project – CenturyLink's and Consumer's lines are in the way and EGLE permit arrived yesterday. Beetle survey will begin Monday August 24, about two weeks behind schedule. The plan is to drive pile on Tuesday depending on the beetle survey results and Consumers will have to move the power lines. The estimate is two to three weeks onsite to complete each bridge if utilities are taken care of properly.
- Munger Road Bridge Project has underground power in the way, but Consumers has been onsite and very cooperative in working with us.
- Between Prein-Newhoff, EGLE, and CRA we are a little behind schedule, but things should be going well by the middle of next week.
- OfficeTech and ProjectWise documents have been getting submitted as well as the sign project, township projects, and Atkins Road Project closed out also.

PERMIT/CAD TECHNICIAN'S REPORT: None

EQUIPMENT SUPERINTENDENT'S REPORT: Genson commented he is trying to get things done for summer and begin to get ready for winter. He also expressed frustration at the shortage of funds to put into equipment and discussed a second flat rack dump truck that needs major repairs as it is 17 years old; the estimate is under \$5,000. Zulski explained in more detail the need for the repair and the new portion that will be purchased will be able to be moved to a newer truck in the future. Genson has also placed his order for winter blades.

ROAD FOREMAN'S REPORT: Zmikly commented a lot of patching has been getting completed and culvert replacements. The last few weeks there has been a crew on I75 completed joint repair for MDOT.

FINANCE DIRECTOR'S REPORT: Kleeman commented road salt prices are in for 2020-2021 and are a little less than last year.

COMMISSIONERS' REPORT: Commissioner Notestine commented he has seen ditching occurring on US 31 by Townsend Road as part of the MDOT contract.

Commissioner Zulski had additional comments on Wilderness Park Drive and the committee that has been meeting. We have received a letter from a retired attorney, and he has expressed comments regarding stopping the special assessment needed to complete the project. He also expressed he can sue the road commission and cause extra costs in the form of attorney fees that will make the project much more expensive. Zulski is hoping the Trailsend Bay Property Association understands what the road commission is trying to do and gets on board, but there is a lot of resistance to this project. We are trying to save homeowner's from having to move several items in the right of way, but the homeowners will have to take the ball and start a petition. The goal is to make the road safer for the homeowners and save them from having to move garages, wells, rock gardens, etc.

PUBLIC COMMENT:


- a. Alice Conrad, Springvale Township – commented the intersection of Boyer and Mitchell Road has very limited sight distance with traffic coming from the east due to a hedge. Dennis Keiser, Bear Creek Township Supervisor agreed and stated the cedar hedge needs to be trimmed back.
- b. Toni Drier, Emmet County Commissioner – asked if there was an answer to the crack sealing question from the last meeting. Beckman said there was an ordering issue and it will probably be another week. Gutowski relayed information he recently received regarding the contractor's status of other projects throughout the state. Drier stated the township supervisors are very concerned the road commission's contractor cannot get the job completed and would like answers. Gutowski commented the contractor has not been a problem in the past and the contract states they have until October 1 to get it done and Beckman said a second vendor has agreed to help with crack sealing if the first contractor fails. Zulski stated if contractor fails to get it done and a second contractor comes in, plan to do township funded roads first.
- c. Dennis Keiser, Bear Creek Township Supervisor – asked for an update on the M119 and US 31 MDOT Project. Gutowski thinks the intersection will be closed for at least 6 weeks with the detour being Zaiger and West Conway Road. The Country Club Road Project will run at the same time but hopefully the Pickerel Lake Road Project will be completed before the MDOT project begins. Zulski asked to get a reminder on Facebook regarding the detour and added time required.
- d. Gordon Kruskie, Readmond Township Supervisor – asked if the final painting on State Road is the end of the project and Beckman relayed Levering Road will have 700 tons of leftover asphalt applied.

- e. Jim Kargol, Emmet County Commissioner – noticed catch basins on Mitchell and Division are marked and inquired if repair is scheduled for these. Keiser stated Blain Gibson will be reconstructing the catch basins and the Road Commission will be repaving each one. Keiser asked about an area just east of the school on Mitchell that needs to be looked at for sinkhole repair.

Commissioner Zuluski adjourned the meeting at 8:47 a.m.



Lisa Kleeman, Finance Director-Clerk of the Board



Date