

**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, March 4, 2022. Frank Zulski, Board Chairman, called the meeting to order at 8:00 a.m. and led the pledge of allegiance.

**Commissioners Present:**

Frank Zulski – Chairman

Wade Williams – Vice Chairman

**Commissioners Present Via Zoom (non-quorum, non-voting):**

Mark Hoffman – Member, attending from Bradenton, Florida

**Staff Present:**

Brian Gutowski – Engineer/Manager

Brent Shank – Engineer/Manager

James Godzik – Permit/CADD Technician

Shawn Beckman - Project Manager

Robert Genson – Equipment Superintendent

Ed Zmikly – North Road Foreman

John Gray – South Road Foreman

Lisa Kleeman- Finance Director/Board Clerk

**Staff Present via Zoom:**

Michelle Main – Administrative Assistant

Tori Thompson – HR/Payroll Clerk

**Guests Present:**

Toni Drier – Emmet County Commissioner

Bill Dohm – Little Traverse Twp. Supervisor

John Eby – Maple River Twp. Supervisor

Alyce Conrad – Springvale Township

Mary Zulski

**Guests Present via Zoom:**

Shane Gamrat – Gourdie-Frasure, Inc.

Paul Schemanski – Resort Township Trustee

Andrea Belanger

**MINUTES:**

It was moved by Zulski, seconded by Williams, to approve the regular session minutes of January 21, 2022 and special meeting minutes of January 24, 25, 26, and 27, 2022.

Ayes: Williams, Zulski

Nays: None

Non-Voting: Hoffman

Motion carried

**ACCOUNTS PAYABLE:**

It was moved by Williams, seconded by Zulski, to approve accounts payable for payment of the following:

Voucher 2203	02/01/22	Checks 48910 through 48970	\$249,040.09
Voucher 2206	02/11/22	Checks 48971 through 49011	394,243.25
Voucher 2208	02/25/22	Checks 49012 through 49066	227,207.76

Ayes: Williams, Zulski

Nays: None

Non-Voting: Hoffman

Motion carried

**PAYROLL:**

It was moved by Zulski, seconded by Williams, to approve payroll for payment of the following:

Voucher 2205	02/04/22	Checks 57176 through 57203	\$120,897.40
Voucher 2207	02/18/22	Checks 57204 through 57231	110,935.78
Voucher 2209	03/04/22	Checks 57232 through 57258	122,428.42

Ayes: Williams, Zulski

Nays: None

Non-Voting: Hoffman

Motion carried

**UNFINISHED BUSINESS:**

- a. Policy No. 2022-004, Township Asphalt Purchase Cost Share was discussed by Gutowski with proposed changes to include road ratings of 3, asphalt wedge, shoulder gravel, and limitations that will be determined by the road commission. It was moved by Zulski, seconded by Williams, to adopt the policy with the proposed changes.

Ayes: Williams, Zulski

Nays: None

Non-Voting: Hoffman

Motion carried

**PUBLIC COMMENT:** None

**APPOINTMENTS:**

- a. 8:10 a.m. Public Hearing regarding the proposed abandonment and relocation of the curve on Powers Road for approximately 500' near the intersection of Sections 8, 9, 16, and 17 in Littlefield Township. It was moved by Williams, seconded by Zulski, to begin the public hearing.

Ayes: Williams, Zulski

Nays: None

Non-Voting: Hoffman

Motion carried

The public hearing was advertised in the Petoskey News Review. A picture of the curve realignment was presented with plans to complete the project in the summer of 2022. Gutowski gave specific details of the process. No comments were received prior to the public hearing and there were three calls for comments. It was moved by Williams, seconded by Zulski, to end the public hearing.

Ayes: Williams, Zulski

Nays: None

Non-Voting: Hoffman

Motion carried

**NEW BUSINESS:**

- a. It was moved by Zulski, seconded by Williams, to designate the Engineer-Manager to electronically sign the 2021 Act 51 Certifications Maps.

Ayes: Williams, Zulski

Nays: None

Non-Voting: Hoffman

Motion carried

- b. Annual materials bids were reviewed.
  1. It was moved by Zulski, seconded by Williams, to accept the bids for Underbody Scraper Blades and to award in the best interest of the Road Commission.

Ayes: Williams, Zulski

Nays: None

Non-Voting: Hoffman

Motion carried

2. It was moved by Williams, seconded by Zulski, to accept the bids for Pavement Marking and award in the best interest of the Road Commission.

Ayes: Williams, Zulski

Nays: None

Non-Voting: Hoffman

Motion carried

3. It was moved by Williams, seconded by Zulski, to accept the bids for Cold Patch and to award in the best interest of the Road Commission.

Ayes: Williams, Zulski

Nays: None

Non-Voting: Hoffman

Motion carried

4. It was moved by Zulski, seconded by Williams, to accept the bids and waive the late irregularity due to need, for Hot Plant Mix Pavement 4E1 and to award in the best interest of the Road Commission.

Ayes: Williams, Zulski

Nays: None

Non-Voting: Hoffman

Motion carried

5. It was moved by Zulski, seconded by Williams, to accept the bids for Dust Control and to award in the best interest of the Road Commission.

Ayes: Williams, Zulski

Nays: None

Non-Voting: Hoffman

Motion carried

6. It was moved by Williams, seconded by Zulski, to accept the bids for Culvert Materials and to award in the best interest of the Road Commission.

Ayes: Williams, Zulski

Nays: None

Non-Voting: Hoffman

Motion carried

7. It was moved by Zulski, seconded by Williams, to accept the bids for Tree Removal Services and to award in the best interest of the Road Commission.

Ayes: Williams, Zulski

Nays: None

Non-Voting: Hoffman

Motion carried

- c. Annul Crack Seal Bids were reviewed. It was moved by Zulski, seconded by Williams, to accept the bids and award the bid to Wolverine Sealing Coating.

Ayes: Williams, Zulski

Nays: None

Non-Voting: Hoffman

Motion carried

- d. The RFP for design of the culvert replacement structures on Lake Shore Road over Wycamp Creek and Lower Shore Drive over Five Mile Creek was reviewed. Upon



recommendation of the Engineer-Manager, it was moved by Zuluski, seconded by Williams, to Gourdie-Fraser.

Ayes: Williams, Zuluski

Nays: None

Non-Voting: Hoffman

Motion carried

- e. Authorizing the Engineer-Manager to DocuSign Appendix G of the State Maintenance Contract was tabled until next meeting.

Ayes: Williams, Zuluski

Nays: None

Non-Voting: Hoffman

Motion carried

- f. Policy No. 2022 – 001: Snowplow Priority Policy was reviewed for approval. It was moved by Zuluski, seconded by Williams, to adopt policy as presented.

Ayes: Williams, Zuluski

Nays: None

Non-Voting: Hoffman

Motion carried

- g. Policy No. 2022 – 002: Signs in the Road Right-of-Way was reviewed for approval. There will be some changes and the policy will be tabled until the next meeting. Commissioner Hoffman requested standardization on private roads with regards to color; they should be blue with white lettering. Commissioner Zuluski requested Gutowski contact Equalization regarding private road standardization.

- h. Policy No. 2022 – 003: Mailbox Replacement was reviewed for possible approval with increased reimbursement. It was moved by Zuluski, seconded by Williams, to adopt policy as presented.

Ayes: Williams, Zuluski

Nays: None

Non-Voting: Hoffman

Motion carried

- i. Gutowski presented and read the attached Resolution to support the abandonment and relocation of the curve on Powers Road. It was moved by Zuluski, seconded by Williams to adopt the Resolution as presented.

Ayes: Williams, Zulski  
Nays: None  
Non-Voting: Hoffman  
Motion carried

**CORRESPONDENCE:** None

**ENGINEER-MANAGER'S REPORT:** Gutowski offered the following:

- Covid policy update - we are in post surge recovery phase; testing and masks are not required.
- Next meeting several bids are due:
  - Resort Township overlays for Camp Daggett, Old 31, and Vantage View
  - East Robinson Road Bridge Supply, Installation, HMA approach, and Guardrail
  - Levering Road Reconstruction
  - 3 Tandem Axle Truck Bids
- Pickerel Lake Road Signal - MDOT is requesting more studying and will be delayed until 2023.
- MDOT Detour Route Zoom meeting is scheduled for next week. An estimate was redone by Shank and Beckman with an increase from the original amount.
- Township estimates have been sent out and contracts are being received.
- Federal Infrastructure Bill released more small urban money. Gutowski submitted a project for Division Road from US 31 to Atkins Road. The project will be funded for 2022 and probably built in 2023; a mill and fill with manhole readjustments.
- Logger called regarding a large timber cut on Middle Village Road, a seasonal road off State Road, and requested to bond a half mile of road. Our proposed policy states a minimum bond for a seasonal road is \$25,000. A potential candidate for congress has promised to force this on road commissions in the future. Cheboygan County Road Commission did pass a policy yesterday allowing bonding. Zulski gave an update on what has occurred since last year with regards to working with the logging industry. As a show of good faith, and believing the road commission is serious about protecting the road, the loggers are making an effort to move forward in communicating via permits. This is for gravel roads only to a Class A Road, a limited policy. It was moved by Zulski, seconded by Williams, to allow this specific request on Middle Village Road for the logging company to access class A State Road. Hoffman inquired regarding Petoskey Crane needing to get on Greg Road and Zulski confirmed that this would not be allowed because this is a paved road that Bear Creek Township has put funds into.

Ayes: Williams, Zulski  
Nays: None  
Non-Voting: Hoffman  
Motion carried

- Shank discussed lots of project estimates getting sent out and we will be getting bids put together soon.

**SUPERVISOR'S REPORT:** Beckman commented he is working on project estimates when Shank requests and entering projects in the TAMC for last year's projects for the Act 51 requirement. Waiting for MDOT's response on the detour project so that can be sent out.

**PERMIT/CAD TECHNICIAN'S REPORT:** Godzik stated he has been working on Wilderness Park Drive with Shank; project is designed and specs will be put out for bid soon. He also updated on power poles that still need to be moved but none are in the right of way that will hinder the project to be started. Country Club project should be wrapped up in about a week and a half.

**EQUIPMENT SUPERINTENDENT'S REPORT:** Genson reported he has three trucks out for bid. The Board authorized two but an accident has resulted in a totaled truck, so a third truck will be ordered and paid for with insurance money. Two 4x4's trucks that were ordered last year are at Truck & Trailer Specialties; one should be done by the next meeting and the second about two weeks after that. Cab and chassis for the flat rack is built and we are waiting for delivery. Genson also gave a detailed update on the mowing tractors.

**ROAD FOREMAN'S REPORT:** Zmiky stated doing winter maintenance; plowing the road and cutting trees in between, preparing for rain and cutting drains. Gray reported pretty much the same and working on trees on Terpening Road.

**FINANCE DIRECTOR'S REPORT:** Kleeman stated she will be attending the CRA Highway Conference and Accounting Manual Committee Meeting Monday through Thursday of the next week. MTF information was distributed and discussed for December and January's payments. The annual financial onsite audit is complete and should have a report for the Board in April. A transfer will be required from primary to local roads and will be on the agenda at the next board meeting.

**COMMISSIONERS' REPORT:** Commissioner Williams inquired about ditching on the MDOT project on US31. Gutowski responded the bike trail south of Powers Road will be removed and the road raised.

Commissioner Zulski inquired about the salt shed near the county line. Gutowski discussed a meeting that was held at Hayes Township with Shank and Pat Harmon; there was discussion with Bill Wahl, MDOT, and he can get the funding. Gutowski discussed the trade of acreage with Rieth-Riley; Swenor should have the property surveyed by next week and the next step is to get a consultant for building design. Charlevoix needs room for 500-700 tons and we need space for about 500 tons; looking to build a 1500-ton building. There is good support from the township so far but public hearings will have to be conducted. Gutowski estimates construction will occur in 2023.



Zulski inquired why the \$600,000 difference in the MDOT US31 detour project. Gutowski responded the prior project asphalt was too thin so the project was changed from an ultra-thin to a 2" asphalt cap.

**PUBLIC COMMENT:**

- a. John Eby, Maple River Township Supervisor – requested clarification on the overruns on wedging projects. He understands road projects and the overrun with 15% allowable. Can we cap a wedging project at a certain dollar amount and no 15% overage? Shank and Beckman will be meeting with the wedging crew by looking at procedures to control how much material is being used and hitting the finish line appropriately; with more predictability and reliability. More has been learned by attending a paving class and Shank believes we will hit the goal right on or a little under by looking at improvements to the process. Eby discussed Tower Road and Durkalic Road, same with Maple River Road and Gregory Road; cut off the project when the money limit is reached and continue the next year from where the project ended. Eby is working on the budget and inquired do they scale back 15% or try to hit the full amount? Beckman discussed quarter crown, amount of tons, and which point you will end at. They will be developing a checklist to assist with this process. Gutowski also mentioned meeting with Eby regarding Tower Road in the Spring. Zulski brought up using next year's allocation if it is needed to reach a goal.
- b. Toni Drier, Emmet County Commissioner – Attended a Readmond Township Board meeting and Cindy McSurely, director of Blissfest, mentioned she is concerned she did not receive a bill from Hill Road and the township board said they did not receive a bill yet. Gutowski stated we have billed the township everything and they have paid the bill for the project. Her comment is maybe Gutowski should contact Readmond Township so they understand what Blissfest owes.
- c. Alyce Conrad, Springvale Township – On US 31, coming north, almost to the Sacramentine entrance, there is a pass with care sign which is very misleading as there are two roads coming onto the highway and the speed sign seems misleading also. Zulski asked Gutowski to check with MDOT on this.

Commissioner Zulski adjourned the meeting at 9:10 a.m.

**Lisa Kleeman**

Digitally signed by Lisa Kleeman  
DN: cn=Lisa Kleeman, o=Emmet County Road  
Commission, ou, email=ecrcclerk@emmetcrrc.com, c=US  
Date: 2022.03.26 12:15:27 -0400

Lisa Kleeman, Finance Director-Clerk of the Board

Date



Wade Williams  
Mark W. Hoffman  
Frank Zulski Jr.  
Brian A. Gutowski, P.E.  
Engineer-Manager  
Lisa Kleeman  
Finance Director -  
Clerk of the Board



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The following is an excerpt from the minutes of the regular meeting of the Emmet County Board of Road Commissioners held on March 4, 2022:

It was moved by Zulski, seconded by Williams, to designate the Engineer-Manager to electronically sign the 2021 Act 51 Certifications Maps.

Ayes: Williams, Zulski  
Nays: None  
Non-Voting: Hoffman  
Motion carried

#### RESOLUTION

WHEREAS, the Michigan Department of Transportation ("MDOT") requires Act 51 Certification Maps to be signed and dated by the current Chairperson of a governing body; and

WHEREAS, MDOT allows a governing body to designate someone specific on a county staff to sign the maps on their behalf via resolution, as long as the maps are accompanied by the resolution designating that specific staff person to sign;

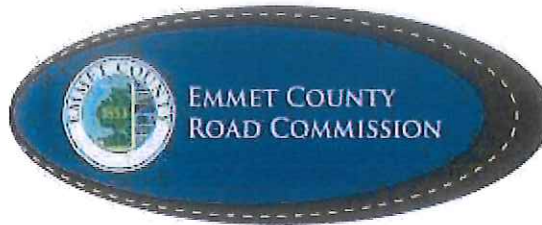
NOW, THEREFORE, BE IT RESOLVED THAT, the Emmet County Board of Road Commissioners authorized Brian Gutowski, Engineer-Manager, to electronically sign the 2021 Act 51 Certification Maps;

I hereby certify that the above is true and adopted by the Board of Emmet County Road Commissioners at their regular board meeting on March 4, 2022, and is made part of their official minutes of said Board meeting.

Signed: **Lisa Kleeman**  
Lisa Kleeman, Finance Director-Clerk of the Board  
Emmet County Road Commission

Digitally signed by Lisa Kleeman  
DN: cn=Lisa Kleeman, o=Emmet County Road  
Commission, ou, email=ecrrclerk@emmetcrrc.com, c=US  
Date: 2022.03.15 08:57:30 -0400

Wade Williams  
Mark W. Hoffman  
Frank Zalski Jr.  
Brian A. Gutowski, P.E.  
Engineer-Manager  
Lisa Kleeman  
Finance Director -  
Clerk of the Board



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### RESOLUTION

WHEREAS, a petition was initiated in support of the abandonment of a portion of Powers Road that is described on the attached Exhibit "A" in Littlefield Township; and

WHEREAS, pursuant to a Road Relocation Agreement being finalized among the Emmet County Road Commission, Elmer's Real Estate Company, LLC, and Rieth-Riley Construction Co., Inc., the Emmet County Road Commission intends to relocate and realign to the south this portion of road to significantly reduce the large curve in the road that presently exists at and near the intersection of Sections 8, 9, 16, and 17, in Littlefield Township; and

WHEREAS, following the relocation and realignment to the south of the replacement portion of this road, the described portion of the road that is being relocated will serve no useful purpose to the motoring public or to the Road Commission that has jurisdiction over it; and

WHEREAS, the Board of County Road Commissioners has considered this petition and has determined that it is the best interests of the public that the described portion of the road that is being relocated be abandoned upon the completion and opening of the overall relocation and realignment of this portion of Powers Road.

NOW, THEREFORE, BE IT RESOLVED THAT the described portion of the road covered by the petition shall be abandoned and discontinued by the Emmet County Road Commission, but only upon the completion and opening of the relocated and realigned route of the subject portion of Powers Road; and

BE IT FURTHER RESOLVED THAT upon the completion and opening of the relocated and realigned route of this portion of Powers Road, the Road Commission shall provide quit claim deeds to the involved property owners pursuant to the Road Relocation Agreement, shall record a copy of this resolution with the Emmet County Register of Deeds, and shall notify the Michigan Department of Transportation of the abandonment of the subject portion of Powers Road.

I hereby certify that the above is true and adopted by the Board of Emmet County Road Commissioners at their regular board meeting on March 4, 2022 and is made part of their official minutes of said Board meeting.

Signed:

**Lisa Kleeman**

Digitally signed by Lisa Kleeman  
DN: cn=Lisa Kleeman, o=Emmet County Road Commission,  
ou, email=ecrcclerk@emmetcrc.com, c=US  
Date: 2022.03.15 08:10:15 -0400

Lisa Kleeman, Finance Director-Clerk of the Board  
Emmet County Road Commission