

MINUTES  
EMMET COUNTY ROAD COMMISSION  
HARBOR SPRINGS, MICHIGAN

The Emmet County Board of Road Commissioners met in regular session at the offices in Harbor Springs on May 31, 2018. The Chairman, Frank Zulski, called the meeting to order at 8:00 a.m.

Commissioners Present: Frank Zulski-Chairman, Leroy Sumner-Vice Chairman, Larry Williams-Member

Staff Present:

Brian Gutowski - Engineer-Manager

Robert Genson - Equipment Superintendent

Shawn Beckman - Project Manager

James Godzik - Permit/CADD Tech

Lisa Kleeman - Finance Director/Clerk of the Board

James Kargol - Road Foreman

Guests Present:

Gordon & Edith Kruskie – Readmond Township

Cindy Baiardi – West Traverse Township

Toni Drier – Emmet County Commissioner

Bill Dohm – Little Traverse Township

Dennis Keiser – Bear Creek Township

Andrew Martin – Citizens National Bank

Shawn Wonnacott

Lee Keck and Gary Litzner – ECRC

MINUTES: It was moved by Leroy Sumner, seconded by Larry Williams, to approve the open meeting minutes of May 17, 2018.

Ayes: Zulski, Williams, Sumner

Nays: None

Motion carried

ACCOUNTS PAYABLE: The List of Accounts Payable, Voucher No. 1821, checks numbering from No. 44341 to No. 44378, in the amount of \$522,076.77, was presented for approval. It was moved by Larry Williams, seconded by Leroy Sumner, to approve accounts payable for payment of the same.

Ayes: Zulski, Williams, Sumner

Nays: None

Motion carried

PAYROLL: Voucher No. 1822 for Payroll No. 11, checks numbering from No. 53052 to No. 53109 for regular payroll, in the amount of \$88,203.90 was presented for approval. It was moved by Larry Williams, seconded by Leroy Sumner, to approve payroll for payment of the same.

Ayes: Zulski, Williams, Sumner

Nays: None

Motion carried

UNFINISHED BUSINESS:

- a. Engineer-Manager Gutowski gave an update on the chip seal failure litigation. A synopsis has been received from the attorneys on the depositions from Emmet County Road Commission and Halliday Sand and Gravel. A mediation session is scheduled for June 21, 2018 after our expert witness, Dr. Baladi testifies on June 13 and Michigan Aggregate's expert witness testifies June 19. In the event the mediation session is unsuccessful, a case evaluation has been scheduled for July 6 with three attorneys where they decide on a dollar value for the case. If the settlement is not accepted then, this case goes to trial. If mediation is accepted by Emmet County Road Commission and the opposing side rejects the settlement and it goes to trial, the court would order the opposing side to pay our attorney fees.

PUBLIC COMMENT: None

APPOINTMENTS:

- a. 8:10 a.m. - Shawn Wonnacott addressed the Board regarding a steel I-beam mailbox post he had installed which the road commission requested be removed. Gutowski explained the standard mailbox post installation requirements from the US Post Office, MDOT and Emmet County Road Commission. Mr. Wonnacott asked for clarification of the request due to it being a hazard to the motoring public. Gutowski explained the clear zone of 15 feet for a 55 mph roadway. Zulski offered that if the mailbox could be installed using a 2 inch steel pipe to put in the ground, it would be allowable under the current requirements. Mr. Wonnacott affirmed that could be done.

NEW BUSINESS:

- a. Discussion occurred for approving a Resolution for Authorizing Execution and Delivery of an Installment Purchase Agreement for Equipment through Citizens National Bank. It was moved by Frank Zulski, seconded by Larry Williams, to approve the resolution.

Ayes: Zulski, Williams, Sumner

Nays: None

Motion carried

- b. It was moved by Frank Zulski, seconded by Larry Williams, to sign the MDOT Engineering Reimbursement Form for July 2017 through June 2018.

Ayes: Zulski, Williams, Sumner

Nays: None

Motion carried

- c. It was moved by Leroy Sumner, seconded by Larry Williams, to sign the contract with Applied Pavement Maintenance for the seasons overband crack fill work.

Ayes: Zuluski, Williams, Sumner

Nays: None

Motion carried

- d. It was moved by Larry Williams, seconded by Leroy Sumner, to sign the contract with Maple River Township for asphalt wedging on Red School Road.

Ayes: Zuluski, Williams, Sumner

Nays: None

Motion carried

- e. It was moved by Larry Williams, seconded by Leroy Sumner, to sign the contract with Payne & Dolan for the Lake Grove Road Ultra-thin Asphalt Project.

Ayes: Zuluski, Williams, Sumner

Nays: None

Motion carried

- f. It was moved by Larry Williams, seconded by Leroy Sumner, to sign the contract with J & N Contracting for the Maplewood Road reconstruction project.

Ayes: Zuluski, Williams, Sumner

Nays: None

Motion carried

- g. It was moved by Leroy Sumner, seconded by Larry Williams, to sign the contract with J & N Contracting for the Atkins Road reconstruction project.

Ayes: Zuluski, Williams, Sumner

Nays: None

Motion carried

- h. It was moved by Leroy Sumner, seconded by Larry Williams, to sign the contract with Rieth-Riley for the Bear Creek Township Ultra-thin Asphalt project.

Ayes: Zulski, Williams, Sumner

Nays: None

Motion carried

- i. The Bid tabulation was reviewed for the Supply & Delivery of the Bridge Materials for the Reed Road over Van Creek crossing in McKinley Township. The estimated cost for these materials is \$64,960.00. It was moved by Leroy Sumner, seconded by Frank Zulski, to award the bid to Krenn Timber Bridge Inc. in the amount of \$57,034.00.

Ayes: Zulski, Williams, Sumner

Nays: None

Motion carried

- j. The Bid tabulation was reviewed for the Timber Pile & Cap Installation for the Reed Road over Van Creek crossing in McKinley Township. The estimated cost for this is \$14,000.00. It was moved by Leroy Sumner, seconded by Larry Williams, to award the bid to John Henry Excavating in the amount of \$23,400.00.

Ayes: Zulski, Williams, Sumner

Nays: None

Motion carried

- k. The Bid tabulation was reviewed for Guardrail Installation for the Reed Road over Van Creek crossing in McKinley Township. The estimated cost for this is \$14,000.00. It was moved by Larry Williams, seconded by Leroy Sumner, to award the bid to Action Traffic Maintenance in the amount of \$16,990.00.

Ayes: Zulski, Williams, Sumner

Nays: None

Motion carried

- l. The Bid tabulation was reviewed for One (1) Flat Bed Dump Body, Hoist and Frame Mounted Tool Box. It was moved by Leroy Sumner, seconded by Larry Williams, to award the bid to Truck & Trailer Specialties for a Parkhurst PTS9690, Crysteel LB500 and MCB HP24-SSHI-Pack, in the amount of \$17,526.00.

Ayes: Zuluski, Williams, Sumner

Nays: None

Motion carried

- m. The Bid tabulation was reviewed for One (1) 13,000 GVWR 2-Wheel Drive Chassis Cab. It was moved by Larry Williams, seconded by Leroy Sumner, to award the bid to Brown Motors of Petoskey for a 2018 RAM 3500 Chassis Cab, in the amount of \$24,542.00 with an additional amount of \$2,907.00 for a 5 year, 100,000 mile bumper to bumper warranty for a total of 27,449.00.

Ayes: Zuluski, Williams, Sumner

Nays: None

Motion carried

- n. It was moved by Leroy Sumner, seconded by Larry Williams, to submit a vote for John Rogers of Kalkaska County Road Commission to the MCRCSIP Board of Directors for an At large Position Candidate.

Ayes: Zuluski, Williams, Sumner

Nays: None

Motion carried

CORRESPONDENCE:

- a. Notice of the MCRCSIP Annual Meeting to be held July 18-19, 2018, at the Soaring Eagle Resort in Mt. Pleasant. Gutowski and Sumner plan to attend.

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

June 1 – MDOT Bid Opening for North Conway Road Federal Aid Project  
June 4 - Roads Plus CRA fundraising event in Antrim County  
June 5 - MCRCSIP Equipment Safety Training here at the road commission  
June 6 & 7 - UP Road Builders Meeting in Brimley  
June 7 - Regional 10A Task Force Meeting, Boyne City at 10:00 a.m.

Gutowski also announced he is working with Great Lakes Railroad. The new MTF Railroad Fund will provide for repairs on the Click Road Railroad Crossing to begin June 11. This project will take 3 to 4 days to complete with a full road closure. We will provide flagging and saw cutting as well as setting up a detour and splitting the cost of the asphalt.

The next Board Meeting bids will be reviewed for the Middle Road Bridge Asphalt Bid, Woodland Road Asphalt Bid, and there will be a public hearing for the Reed Road over Van Creek Crossing. Gutowski commented he received a call from Senator Wayne Schmidt regarding the wedging on State Road and Robinson Road and he is very happy with the ride. He also announced the legislature has approved an additional \$330 million which equals to about \$750,000 extra for our agency in 2019. Gutowski plans to finish wedging Robinson Road, about 7.5 miles, with these extra funds.

**SUPERVISOR'S REPORT:** Beckman reported he had a final inspection on the Mackinac Highway Project with LTBBOI/BIA and they are happy with the restoration work completed on the project and final reports and pay estimates have been submitted. Middle Road Bridge construction continues with the east abutment almost complete. Our project foreman is meeting with the surveyors today verifying elevations and alignment of the wall. Atkins Road project has begun with detours, road closures, cutting, stripping top soil, moving material to low areas, and stockpiling. He has also been working on wedging project invoice breakdowns. Ultra-thin asphalt projects are done in Pleasantview, Little Traverse, and Springvale Townships and Bear Creek Township Ultra-thin project begins tomorrow.

**PERMIT/CAD REPORT:** Godzik has been working with Jim Gillespie and Tammy Doernenburg regarding Blissfest and installing a couple more driveways for more campground sites.

**EQUIPMENT SUPERINTENDENT'S REPORT:** Genson reported 2 loaders, 2 trucks and the north foreman pickup have been delivered and they are staying busy in the shop.

**COMMISSIONERS' REPORT:** Commissioner Zuluski discussed a new change to a bill authored by Senator Casperson regarding frost laws. This bill has already had a hearing and his concerns are it only allows 35 days for frost laws and it also needs clarification on if the bill is for gravel roads only or any non-class A road. He also wishes for CRA to express opposition to this bill.

**ROAD FOREMAN'S REPORT:** Kargol reported most storm damage repair is complete except for hot mix which is needed on Townsend Road and will be coordinated with the Click Road Railroad Crossing. He also stated they are done ditching on old US 31 and will be removing trees on Atkins Road on Monday.

**FINANCE DIRECTOR REPORT:** Kleeman mentioned HB 6073 has been introduced and part of the bill stipulates that half of certain civil fines related to overweight vehicles would be distributed to the Michigan Transportation Fund.

**PUBLIC COMMENT:**

- a. Gordon Kruskie of Readmond Township stated that on a previous wedging project on State Road, just south of Osborne Road at the rise on the hill, in the southbound lane, there is a dip

that needs to be addressed. Traffic and trucks are using the opposite lane to avoid this dip. He also gets calls regarding gravel on Osborne Road and Gutowski let him know that Sackrider will be doing this during the middle to the end of June.

- a. Dennis Keiser of Bear Creek Township asked if the Petoskey News review could be contacted regarding Click Road.

Commissioner Zulski called for a five minute recess at 8:31 a.m.

Commissioner Zulski asked for a motion to go into closed session at 8:36 a.m. to discuss Teamsters Local 214 contract negotiations. It was moved by Leroy Sumner, seconded by Larry Williams, to go into closed session.

Ayes: Zulski, Williams, Sumner

Nays: None

Motion carried


It was moved by Larry Williams, seconded by Leroy Sumner, to return to open session at 8:54 a.m.

Ayes: Zulski, Williams, Sumner

Nays: None

Motion carried

With no further business, Commissioner Zulski adjourned the meeting at 8:54 a.m.

  
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Lisa Kleeman, Finance Director/Clerk of the Board

6-14-18  
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Date