

**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 5, 2021. Frank Zulski, Chairman of the Board, called the meeting to order at 8:00 a.m.

**Commissioners Present:**

Frank Zulski – Chairman                      Wade Williams - Member

**Commissioners Absent-Excused:**

Robert Notestine - Vice Chairman

**Staff Present:**

Brian Gutowski - Engineer/Manager	John Gray and Ed Zmikly – Road Foremen
James Godzik – Permit/CADD Technician	Bob Genson – Equipment Superintendent
Lisa Kleeman – Finance Director/Board Clerk	Shawn Beckman – Project Supervisor

**Guests Present via Zoom:**

Toni Drier – Emmet County Commissioner	Damien Henning – Littlefield Twp. Supervisor
Michael Reaves – Emmet County Administrator	Roger Moore – Wawatam Twp. Supervisor
Bill Dohm – Little Traverse Township	Dennis Keiser – Bear Creek Twp. Supervisor
Thomas Miller–Trails End Bay Property Assoc.	Sandy Planisek
Bob Desy	

**MINUTES:** It was moved by Wade Williams, seconded by Frank Zulski, to approve the regular session minutes of February 19, 2021.

Ayes: Williams, Zulski

Nays: None

Absent: Notestine

Motion carried

**ACCOUNTS PAYABLE:**

Voucher No. 2109 for Accounts Payable checks 47777 through 47833, in the amount of \$167,708.63 was presented for approval. It was moved by Frank Zulski, seconded by Wade Williams, to approve accounts payable for payment of the same.

Ayes: Williams, Zulski

Nays: None

Absent: Notestine

Motion carried

**PAYROLL:**

Voucher No. 2110 for Payroll No. 5, checks 56483 through 56512 and direct deposit, in the amount of \$122,306.78, was presented for approval. It was moved by Wade Williams, seconded by Frank Zulski, to approve payroll for payment of the same. Gutowski commented Gary Litzner has retired and he wishes him well as he has been a very good employee.

Ayes: Williams, Zulski

Nays: None

Absent: Notestine

Motion carried

**UNFINISHED BUSINESS:**

- a. Gutowski gave an update on \$184,124 in Highway Infrastructure Program (HIP) funds as part of the first COVID Relief package that will need to be used by 2024. He suggested a chip seal over the cold-in-place recycling project on Pleasantview Road north of Stutsmanville Road or McDougal Road project. Traffic counts were discussed and he recommended the Pleasantview Road project.

Commissioner Williams suggested the chip seal project may also help Maple River Township with a chip seal bid. Gutowski mentioned there is the possibility of another COVID Relief package that may be up to four times the amount of the first package.

It was moved by Frank Zulski, seconded by Wade Williams, to use the HIP funds on a chip seal over the Pleasantview Road cold-in-place recycling project from Stutsmanville Road to Robinson Road.

Ayes: Williams, Zulski

Nays: None

Absent: Notestine

Motion carried

- b. Gutowski discussed in 2020 the board decided not to allow bonding during frost laws and reminded everyone that the legislature passed a law that loggers no longer need to obtain driveway permits. There was much discussion for allowing bonding for loggers and other equipment haulers as well as other options during "Frost Law" Weight Restrictions. Enforcement and cost of repairing roads were discussed at length. While the board would like to allow this, there are many variables that need to be dealt with. Gutowski will collaborate with other road commissions and timber companies on March 17 and relay this information at the next board meeting. Dennis Keiser reminded the board the entire route needs to be addressed, not just a small segment of road where the project is, and staff time would be significant for monitoring this issue.

**PUBLIC COMMENT:** None

**APPOINTMENTS:**

- a. 8:10 a.m.: Public Hearing – Culvert Replacement on Country Club Road over Tannery Creek in Bear Creek Township. It was moved by Frank Zulski, seconded by Wade Williams, to begin the public hearing.

Ayes: Williams, Zulski

Nays: None

Absent: Notestine

Motion carried

The public hearing was advertised in the Petoskey News Review. No comments were received prior to the public hearing and there were three calls for comments. Dennis Keiser, Bear Creek Township Supervisor, asked what the project time frame would be and Gutowski responded it would be done before July 1, and it will be a 2 or 3-week project. It was moved by Frank Zulski, seconded by Wade Williams, to end the public hearing.

Ayes: Williams, Zulski

Nays: None

Absent: Notestine

Motion carried

- b. 8:15 a.m.: Public Hearing – Bridge installation on Banwell Road over Cedar Creek in Springvale Township. It was moved by Frank Zulski, seconded by Wade Williams, to begin the public hearing.

Ayes: Williams, Zulski

Nays: None

Absent: Notestine

Motion carried

The public hearing was advertised in the Petoskey News Review. No comments were received prior to the public hearing and there were three calls for comments. Michael Reeves, Emmet County Administrator, asked Gutowski to keep them aware of the status of the project so they can keep people apprised that are planning to use Camp Petosega. Gutowski responded he would and the project will take about 4 weeks and should be done by May 31. It was moved by Frank Zulski, seconded by Wade Williams, to end the public hearing.

Ayes: Williams, Zulski

Nays: None

Absent: Notestine

Motion carried

- c. 8:20 a.m.: Public Hearing – Stutsmanville Road improvements from State Road to Pleasantview Road for 4.63 miles in Friendship and Pleasantview Townships. It was moved by Wade Williams, seconded by Frank Zulski, to begin the public hearing.

Ayes: Williams, Zulski

Nays: None

Absent: Notestine

Motion carried

The public hearing was advertised in the Petoskey News Review. No comments were received prior to the public hearing and there were three calls for comments. This BIA project is scheduled to be completed before August 31, 2021. It was moved by Frank Zulski, seconded by Wade Williams, to end the public hearing.

Ayes: Williams, Zulski

Nays: None

Absent: Notestine

Motion carried

**NEW BUSINESS:**

- a. It was moved by Frank Zulski, seconded by Wade Williams, to sign the contract with Bear Creek Township for the Rustic Road Reconstruction Project.

Ayes: Williams, Zulski

Nays: None

Absent: Notestine

Motion carried

- b. It was moved by Frank Zulski, seconded by Wade Williams, to sign the contract with Tri County Excavating for the Crump Road Reconstruction Project in Littlefield Township.

Ayes: Williams, Zulski

Nays: None

Absent: Notestine

Motion carried

- c. It was moved by Wade Williams, seconded by Frank Zulski, to sign the contract with Tri County Excavating for the Rustic Road Reconstruction Project in Springvale and Bear Creek Townships.

Ayes: Williams, Zulski

Nays: None

Absent: Notestine

Motion carried

- d. It was moved by Frank Zuluski, seconded by Wade Williams, to sign the contract with J & N Construction for the Wilderness Park Drive Reconstruction Project in Wawatam Township.

Ayes: Williams, Zuluski

Nays: None

Absent: Notestine

Motion carried

- e. It was moved by Frank Zuluski, seconded by Wade Williams, to award the bid for the Country Club Road over Tannery Creek Culvert Installation to Elmer's Crane & Dozer, Inc. for \$188,700.

Ayes: Williams, Zuluski

Nays: None

Absent: Notestine

Motion carried

- f. It was moved by Wade Williams, seconded by Frank Zuluski, to award the bid for the Country Club Road over Tannery Creek Hot-mix Asphalt to Rieth-Riley Construction Co., Inc. for \$18,485.

Ayes: Williams, Zuluski

Nays: None

Absent: Notestine

Motion carried

- g. It was moved by Frank Zuluski, seconded by Wade Williams, to award the bid for the Country Club Road over Tannery Creek Guardrail to Action Traffic for \$7,581.25.

Ayes: Williams, Zuluski

Nays: None

Absent: Notestine

Motion carried

- h. It was moved by Frank Zuluski, seconded by Wade Williams, to award the bid for the Banwell Road over Cedar Creek Hot-mix Asphalt to Rieth-Riley Construction Co., Inc. for \$65,351.50.

Ayes: Williams, Zuluski

Nays: None

Absent: Notestine

Motion carried

- i. It was moved by Wade Williams, seconded by Frank Zulski, to award the bid for the Banwell Road over Cedar Creek Guardrail to Action Traffic for \$27,952.

Ayes: Williams, Zulski

Nays: None

Absent: Notestine

Motion carried

- j. It was moved by Frank Zulski, seconded by Wade Williams, to award the bid for the Stutsmanville Road Asphalt Overlay Project to Rieth-Riley Construction Co., Inc. for \$1,052,600.89.

Ayes: Williams, Zulski

Nays: None

Absent: Notestine

Motion carried

- k. Materials bids were reviewed.

- 1. It was moved by Frank Zulski, seconded by Wade Williams, to accept the bids for Underbody Scraper Blades and to use them in the best interest of the Road Commission.

Ayes: Williams, Zulski

Nays: None

Absent: Notestine

Motion carried

- 2. It was moved by Frank Zulski, seconded by Wade Williams, to accept the bids for Pavement Marking and award the bid to Michigan Pavement Markings, LLC.

Ayes: Williams, Zulski

Nays: None

Absent: Notestine

Motion carried

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

Ayes: Williams, Zulski

Nays: None

Absent: Notestine

Motion carried

4. It was moved by Wade Williams, seconded by Frank Zulski, to accept the bids for Hot Plant Mix Pavement 4E1 and to use them in the best interest of the Road Commission.

Ayes: Williams, Zulski

Nays: None

Absent: Notestine

Motion carried

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

Ayes: Williams, Zulski

Nays: None

Absent: Notestine

Motion carried

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

Ayes: Williams, Zulski

Nays: None

Absent: Notestine

Motion carried

- l. It was moved by Frank Zulski, seconded by Wade Williams, to sign the contract with Center Township for asphalt wedging on local roads up to \$90,000.

Ayes: Williams, Zulski

Nays: None

Absent: Notestine

Motion carried

- m. It was moved by Frank Zulski, seconded by Wade Williams, to sign the contract with Littlefield Township for the Crump Road Reconstruction Project.

Ayes: Williams, Zulski

Nays: None

Absent: Notestine

Motion carried

- n. It was moved by Frank Zulski, seconded by Wade Williams, to authorize a transfer from the Primary Road Fund to Local Road Fund in the amount of \$729,528.80.

Ayes: Williams, Zulski

Nays: None

Absent: Notestine

Motion carried

- o. It was moved by Frank Zulski, seconded by Wade Williams, to sign the 2020 Act 51 Attest.

Ayes: Williams, Zulski

Nays: None

Absent: Notestine

Motion carried

- p. It was moved by Wade Williams, seconded by Frank Zulski, to approve a resolution that authorizes the Engineer-Manager to electronically sign the 2020 Act 51 Mileage Certification Map. See attached.

Ayes: Williams, Zulski

Nays: None

Absent: Notestine

Motion carried

**CORRESPONDENCE:** None

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

- Weight restrictions began today and we have contracted with Michigan State Police for enforcement along with our staff weighmasters
- Preconstruction meeting Tuesday, March 9, at 10:00 a.m. for a Sign Safety Grant
- Lindsay Walker and Andy Sheppard requested a meeting on March 16, 9:00 a.m. to discuss recycling products for possible use in asphalt.
- Next Board meeting there will be Mindel Road bids
- March 17, Cheboygan County Road Commission meeting with timber haulers
- Governor's executive order opened meetings up to 25 people effective today.

**SUPERVISOR'S REPORT:** Beckman reported working on TAMC project entry, finishing up Act 51 certification maps, revising estimates for townships, getting trees marked for Eppler Road, and project design estimates for possible new funding.

**PERMIT/CAD TECHNICIAN'S REPORT:** Godzik reported he is not done with Wilderness Park Drive right of way letters but will be finished shortly. He will be meeting with Great Lakes Energy and the phone company for pedestal movement. Lots of permits are coming in.



**EQUIPMENT SUPERINTENDENT'S REPORT:** Genson reported it has been a tough year for truck repair and trying to get parts. There was also discussion on the mower tractor and it is still not repaired.

**ROAD FOREMAN'S REPORT:** Zmikly reported receiving back up county and state salt, removing dead trees in the row, patching potholes, and ditching to deal with upcoming water issues. Gray reported working on trees; some very, very large. He has been dealing with some water issues and patching potholes.

**FINANCE DIRECTOR'S REPORT:** Kleeman reported the annual audit went well and distributed the following:

- a. Michigan Transportation Funding for January
- b. Municipal Employees Retirement System 2020 Quarterly Status Report

**COMMISSIONERS' REPORT:** Commissioner Zulski inquired on our weighmasters for this year and Gutowski responded they are Art Beach and Brian Drayton. He also asked we send out a letter of appreciation when staff retire. Zulski inquired on the status of Wilderness Park Drive tree cutting and Zmikly responded all is done except what needs to be done by Great Lakes Energy. He also inquired about stumping and Genson responded the mini excavator is ready to remove stumps.

**PUBLIC COMMENT:**

- a. Thomas Miller, Trails End Bay Property Association – Inquired when culvert work will be done on the next section of Wilderness Park Drive. Gutowski responded as soon as frost laws are off, towards the end of April. Miller also asked if we still anticipate doing the one on the second portion of Wilderness Park Drive also and Gutowski said yes.
- b. Dennis Keiser, Bear Creek Supervisor - Inquired about the dust control company for this year's bid award. Gutowski responded they provided dust control for Charlevoix County Road Commission and they were pleased with their service.

Commissioner Zulski adjourned the meeting at 9:01 a.m.

  
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Lisa Kleeman, Finance Director-Clerk of the Board

03-19-21  
\_\_\_\_\_  
Date

Wade Williams  
Robert Notestine  
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 5, 2021:

It was moved by Wade Williams, seconded by Frank Zulski, to approve a resolution that authorizes the Engineer-Manager to electronically sign the 2020 Act 51 Mileage Certification Map.

Ayes: Williams, Zulski  
Nays: None  
Absent: Notestine  
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 2020 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 5, 2021, and is made part of their official minutes of said Board meeting.

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