

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, October 16, 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 Shawn Beckman – Project Manager
Robert Genson – Equipment Superintendent John Gray & Ed Zmikly – Road Foremen
Lisa Kleeman - Finance Director/Board Clerk James Godzik – Permit/CADD Technician

Guests Present:

James Kargol – Emmet County Commissioner Toni Drier – Emmet County Commissioner
Gordon & Edith Kruskie – Readmond Township Roger Moore – Wawatam Twp Sup. (Zoom)
Michael Reaves-Emmet Co. Administrator (Zoom) Thomas Miller – Wawatam Twp (Zoom)
Sandy Planisek (Zoom)

MINUTES: It was moved by Robert Notestine, seconded by Wade Williams, to approve the regular session minutes of October 2, 2020.

Ayes: Notestine, Williams, Zulski

Nays: None

Motion carried

ACCOUNTS PAYABLE: Voucher No. 2041 for Accounts Payable checks 47243 through 47311, in the amount of \$1,125,249.89 was presented for approval. It was moved by Wade Williams, seconded by Robert Notestine, to approve accounts payable for payment of the same.

Ayes: Notestine, Williams, Zulski

Nays: None

Motion carried

PAYROLL: Voucher No. 2042 for Payroll No. 21, checks 56151 through 56179 and direct deposit, for regular payroll in the amount of \$96,277.04, was presented for approval. It was moved by Frank Zulski, seconded by Robert Notestine, to approve payroll for payment of the same.

Ayes: Notestine, Williams, Zulski

Nays: None

Motion carried

UNFINISHED BUSINESS:

- a. Wilderness Park Drive Project Update – Commissioner Zulski attended the meeting in Wawatam Township and the property owners did not want a special assessment, it was voted down 3 to 1. Gutowski and Zulski will plan a meeting for October 20, 2020 with Attorney Bill Henn to see the most practical way to proceed. Zulski expressed appreciation to Wawatam Township for working with us.
- b. Cherry Lane Update – Attorney Bill Henn and the other sides attorney have reached agreement on a settlement in which they will pay us \$10,000 for damages; this requires a notarized signature by Zulski.

It was moved by Robert Notestine, seconded by Wade Williams, to authorize the Board Chairman, Frank Zulski to sign for a settlement in the amount of \$10,000 for the water damage done on Cherry Lane and Wooden Landing.

Ayes: Notestine, Williams, Zulski

Nays: None

Motion carried

PUBLIC COMMENT:

- a. Michael Reaves, Emmet County Administrator - Emmet County wants to be included as a participant in any and all discussions concerning the activity of moving forward with the Wilderness Park Drive Project; pertaining to the residents and potential litigation, mediation, or a resolution.
- b. Gordon Kruskie, Readmond Township Supervisor – Continues to get calls regarding placing rocks along M-119 by residents. Callers are asking for his permission to place rocks along this route and Kruskie believes it is a safety factor. Godzik responded he contacted Andy Baker from MDOT for resolution and was given pictures that items were removed. Kruskie also inquired about a Land Division request on Beckon Road.

APPOINTMENTS: None

NEW BUSINESS:

- a. It was moved by Frank Zulski, seconded by Robert Notestine, to accept the Annual Ice Control Brine Bids and for them to be used in the best interest of the Road Commission.

Ayes: Notestine, Williams, Zulski

Nays: None

Motion carried

CORRESPONDENCE:

- a. Notice of Straits Area Council Meeting on Tuesday, November 3, 2020 at Audie's Restaurant in Mackinaw City. Notestine plans to attend in person with Zulski and Williams attending via Zoom.

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

- CRASIF Safety Award was announced in the Petoskey News Review and Lee Chatfield, Speaker of the House, sent a card of congratulations
- Enbridge is moving forward with preparation for a potential tunnel and this will affect our roads as very large, over-width, and heavy equipment will be using our roads. The route will be Central Avenue to Headlands Road. Gutowski discussed possibly abandoning Algonquin Drive. Zulski mentioned there may be some material the road commission could use from the tunnel.
- Presented at the Public Relations Annual Conference on using Zoom
- Attended via Zoom the Winter Operations Conference
- Asset Management Conference is October 28-29, 2020. Annual Asset Management Report for our agency is due during the next year.
- Local Area Transportation Committee Meeting involving the council of governments will be set up in the next couple of weeks. Robert Notestine will serve as a replacement for Leroy Sumner.

SUPERVISOR'S REPORT: Beckman reported:

- Finished shoulder work on Pickerel Lake Road, just have final paperwork to complete
- Cincinnati Pointe has been completed
- Our crew is working at Reed Road Bridge removing pavement and placing gravel to prepare for paving which is scheduled between October 22-26.
- Munger Road Bridge Project will begin Monday with John Henry Excavating driving piling
- Road Rating reports have been completed as well as Office Tech reports for federal aid projects and closing of township road projects. There are just a few lingering projects.
- Country Club Road was scheduled but not completed and it is probably best this was not started due to construction on US 31.

PERMIT/CAD TECHNICIAN'S REPORT: Godzik reported the following:

- Land Division request for the corner of State Road and Beckon Road. This is a complicated request that goes back to 1992 and lacks proper sight distance on Beckon Road. Godzik has denied the Land Division approval. He will meet with township supervisor Kruskie regarding mowing in the area.
- Coveyou Farms situated along US 131 and Greg Road has a proposed expansion, but Greg Road cannot sustain the type and amount of traffic that would be required.

Coveyou has been working with Road Foreman John Gray and MDOT for an abandonment of Greg Road due to danger of this intersection. Mr. Coveyou plans to attend the next board meeting to discuss this issue.

- Division Road (Bear Creek Township) - working with Tom Swenor regarding a proposed gate near the pump station and dealing with snow removal issues.
- Wilderness Park Drive – He has been working with Tom Swenor about concern of a possible discrepancy on the plat. All indications are the plat is correct and any discrepancy would be due to a different highwater mark from 1925 to 1986. The change in high water mark would push everything to the west.
- Oxcart has launched ROW permits and appears to be working well at this point.

EQUIPMENT SUPERINTENDENT’S REPORT: Genson discussed getting equipment changed from summer to winter; we have enough equipment ready for snow removal.

ROAD FOREMAN’S REPORT: Gray reported wrapping up the last few projects before winter. Greenwood Road Culvert will be replaced today, and the road is scheduled to be opened today but may be closed for the weekend. Zmikly also reported finishing projects, dealing with the color tour, and getting roads ready for winter.

FINANCE DIRECTOR’S REPORT: Kleeman reported:

- Tori Thompson, Administrative Assistant, has officially been offered and accepted the Payroll Clerk position effective 11/01/20
- Ron Swiss, Payroll Clerk, will be retiring in June 2021. He has 32 years with the road commission and his knowledge and working relationship will be greatly missed.
- Posting for the Administrative Assistant position will begin in February 2021
- Emmet CRC is the beta test site for Oxcart and ROW permits; Thompson and Godzik have had significant involvement in developing the process for the rest of the state.

COMMISSIONERS’ REPORT: Commissioner Notestine inquired if the October 1 construction deadline was working well. Beckman suggested the possibility of allowing ultra-thins or overlay projects to begin past the October 1 deadline. Gutowski and Zuluski commented changing the policy for future years could be discussed at the work meeting.

Commissioner Williams discussed taking out trees close to the road right of way. Powers Road has some significant trees that need to be addressed for safety and road maintenance issues. The tree removal policy was discussed by Gutowski. Williams also noted trees on the highway, especially some red pines that are completely dead from Milton Road north. Gray discussed plans for tree removal on MDOT routes and this item will be placed on the agenda for the October 28 meeting with our MDOT Transportation Maintenance Coordinator, Rob Hall.

PUBLIC COMMENT:

- a. Michael Reaves, Emmet County Administrator – asked if there will be a written report to the Board on Wilderness Park Drive and Godzik affirmed this.

- b. Thomas Miller, Wawatam Township – inquired when the road commission would be clearing the 10 feet on each side of the road on Wilderness Park Drive for safety purposes. Zulski responded after we talk with legal counsel and Gutowski added the Road Foreman clears trees when there is a break in winter weather, usually February and March.

Miller discussed the voting, and his opinion is it may have pertained to the amount of footage owned in correlation to a positive or negative vote on the special assessment. He believes the vote would have still failed if each property owner had one vote each but believes the vote was closer than people thought.

Miller went on to say the road commission's position stated that if a special assessment was not approved there is a time frame before work would be completed on the road due to lack of funding and 10 years was mentioned. This raised the question, when does the road become unmaintainable. Miller also asked what the objective was for getting the attorney involved at this point. Gutowski responded the attorney has been involved for getting encroachments out of the right-of-way.

Zulski commented the special assessment was pursued to replace the road in 2022 and we are now unsure of when federal aid will be available, and the issue of the delay was because of the number of obstructions in the right-of-way. Zulski also commented we are using an attorney to be sure the obstructions are dealt with correctly and future boards do not have the same issue should funding become available. The Board wanted to work with the people and did everything we could to make this project less intrusive to the property owners and the Board has an obligation to act in the best interest of the road commission and that is the reason they will now be involving an attorney.

Miller believes resident's objections were concerns for safety and moving the road closer to the occupied areas. Zulski stated the majority of people were in favor of 28 feet for the road width, very few residents wanted the 26-foot road. Miller expects there will be very little objection to clearing the 10 feet in the short term for safety purposes.

Commissioner Zulski recessed the meeting at 8:45 a.m.

Commissioner Zulski reconvened the meeting at 8:53 a.m.

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Minutes of 10/16/20

Board of Emmet County Road Commissioners


The following was discussed during the work session with the Board and administrative staff:

- Budget Update
- Proposed 2021 projects, building, and other equipment needs
- Winter preparation
- Staffing update
- Safety Banquet and other considerations
- Other related road issues

Commissioner Zulski adjourned the meeting at 10:20 a.m.



Lisa Kleeman, Finance Director-Clerk of the Board



Date