

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 June 14, 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:

Cindy Baiardi – West Traverse Township

Serenity Dankert – Ironwood Construction

Toni Drier – Emmet County Commissioner

Bill Dohm – Little Traverse Township

Dennis Keiser – Bear Creek Township

Pat Sumner

Alice Conrad – Springvale Township

Mark Drier – McKinley Township

Lauren Dey – LTBBOI

Kris Dey – LTBBOI

Carrie Coy – LTBBOI

Daugherty Johnson - LTBBOI

MINUTES: It was moved by Leroy Sumner, seconded by Larry Williams, to approve the open and closed meeting minutes of May 31, 2018.

Ayes: Zulski, Williams, Sumner

Nays: None

Motion carried

ACCOUNTS PAYABLE: The List of Accounts Payable, Voucher No. 1823, checks numbering from No. 44379 to No. 44440, in the amount of \$221,640.24, 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. 1824 for Payroll No. 12, checks numbering from No. 53110 to No. 53172 for regular payroll, in the amount of \$94,916.61 was presented for approval. It was moved by Leroy Sumner, seconded by Larry Williams, to approve payroll for payment of the same.

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Ayes: Zulski, Williams, Sumner

Nays: None

Motion carried

UNFINISHED BUSINESS:

- a. Engineer-Manager Gutowski stated the final construction payment for the Levering facility will be presented for approval at next board meeting as Jason Fate of OHM has questions on the payment request.

PUBLIC COMMENT:

- a. Bill Dohm, Little Traverse Township, has been working with MDOT to repair the trail on M119 and he has received an estimate for \$3,300.00.
- b. Mrs. Jones, Larks Lake Road, had questions and comments on the Middle Road Bridge project. Gutowski informed Mrs. Jones of the remaining schedule on the Bridge project as well as the construction process. There was also discussion on the stream which Shawn Beckman addressed. The estimated time to begin the Larks Lake Road Project was slated for July and the difficulty in obtaining brine for gravel roads was discussed.

APPOINTMENTS:

- a. 8:15 a.m. Public Hearing regarding Reed Road over Van Creek for .06 miles in McKinley Township, culvert replacement. It was moved by Leroy Sumner, seconded by Larry Williams, to begin the public hearing.

Ayes: Zulski, Williams, Sumner

Nays: None

Motion carried

Gutowski announced there have been no comments received prior to the public hearing and it was advertised in the Harbor Light Newspaper. The proposed project is for improvements on .06 miles of Reed Road over Van Creek which include culvert removal, timber bridge installation, earth excavation, guardrail replacement, gravel and hot mix asphalt. There were three calls for comment.

Mark Drier, McKinley Township Supervisor, asked for the project to be held back until funding is secured for the railroad tracks as the MDOT opening is 14 feet, the proposed Reed Road opening is 16-18 feet and the opening at the railroad tracks is approximately 7 feet. He stated it is very important for the citizens of Van that this is taken into consideration before moving

forward with this project so we don't have potential for a catastrophic situation due to the seven foot restriction between the two larger openings.

Commissioner Zulski discussed the decision making process involving the engineer's statements the opening would handle the water as well as the timeline for proceeding with the project during the drier season and before revenue availability expires. He also commented on the current railroad opening and how it handled the last significant rain event. Daugherty Johnson, LTBBOI, clarified the funding for Reed Road is this years and next year's funding is for Gill Road over the Carp River. Zulski commented on railroad change details that are underway and the status of the current water obstruction in this area. He went on to state the board has taken every precaution we can reasonably take, if there is an act of nature that happens, it happens, but he has to use the information currently in front of the Board to move forward.

Drier feels the railroad tracks should have been addressed first, in case there is a 100 year event, as the openings to the west and east are larger than the railroad opening. Gutowski reiterated the role of the road commission is to provide the safest possible roads for the public and this will make Reed Road much safer.

Zulski again stated recommendations received from the engineers at the earlier meeting that gave sound assurances and information. He commented that we will document your concern but we can't hold up the project. Drier stated he accepts the board's decision, but would like the statement about the restriction well known and documented. Receiving no additional comments, it was moved by Leroy Sumner, seconded by Larry Williams, to end the public hearing.

Ayes: Zulski, Williams, Sumner

Nays: None

Motion carried

NEW BUSINESS:

- a. It was moved by Larry Williams, seconded by Leroy Sumner, to sign the contracts with Krenn Timber Bridge, Inc. for the Reed Road Bridge Material Supply.

Ayes: Zulski, Williams, Sumner

Nays: None

Motion carried

- b. It was moved by Leroy Sumner, seconded by Larry Williams, to sign the contracts with Action Traffic Maintenance for the Reed Road Bridge Guardrail Installation.

Ayes: Zulski, Williams, Sumner

Nays: None

Motion carried

- c. It was moved by Larry Williams, seconded by Leroy Sumner, to sign the contract with John Henry Excavating for the Reed Road Timber Bridge Pile and Cap Installation.

Ayes: Zulski, Williams, Sumner

Nays: None

Motion carried

- d. Requests for Proposals for the Munger Road and Reed Road over the Carp River culvert replacement/bridge installation projects were reviewed. It was moved by Larry Williams, seconded by Leroy Sumner, to award the bid to Prein & Newhof for \$34,650.00.

Ayes: Zulski, Williams, Sumner

Nays: None

Motion carried

- e. Proposals for the North Conway Road Construction Engineering Services were reviewed. It was moved by Leroy Sumner, seconded by Larry Williams, to accept the proposal from Gourdie-Fraser, Inc. for the amount of \$32,910.00.

Ayes: Zulski, Williams, Sumner

Nays: None

Motion carried

- f. Bids for Woodland Road Hot-Mix Asphalt were reviewed. It was moved by Leroy Sumner, seconded by Frank Zulski, to award the bid to Rieth-Riley in the amount of \$39,828.20.

Ayes: Zulski, Williams, Sumner

Nays: None

Motion carried

- g. Bids for Middle Road Hot-Mix Asphalt were reviewed. It was moved by Frank Zulski, seconded by Larry Williams, to award the bid to Spierling Trucking in the amount of \$31,960.00.

Ayes: Zulski, Williams, Sumner

Nays: None

Motion carried

- h. It was moved by Leroy Sumner, seconded by Larry Williams, to sign the contracts with the Little Traverse Bay Band of Odawa Indians for the Middle Road Bridge Project.

Ayes: Zulski, Williams, Sumner

Nays: None

Motion carried

- i. Bids for the 2012 Dodge RAM Pickup, Unit #4, were reviewed. It was moved by Leroy Sumner, seconded by Larry Williams, to award the bid to Tri County Excavating for the amount of \$2,101.00.

Ayes: Zulski, Williams, Sumner

Nays: None

Motion carried

- j. It was moved by Frank Zulski, seconded by Larry Williams, to approve Payment #1 to Ironwood Construction for the Conway Brine Facility Project in the amount of \$79,994.42. Serenity Dankert gave an update on the progress of the project.

Ayes: Zulski, Williams, Sumner

Nays: None

Motion carried

- k. It was moved by Frank Zulski, seconded by Larry Williams, to approve the increased amount of the project for North Conway Road in Little Traverse Township. Of the increase, 80% is covered by federal aid funding with the difference split by the township and the road commission. The estimated split amount is approximately \$61,000 due to current cost of asphalt.

Ayes: Zulski, Williams, Sumner

Nays: None

Motion carried

- I. It was moved by Larry Williams, seconded by Leroy Sumner, to sign the contracts with Little Traverse Township for the Emmet Heights Road Project for asphalt wedging from Bester Road to Quick Road.

Ayes: Zulski, Williams, Sumner

Nays: None

Motion carried

CORRESPONDENCE: None

ENGINEER-MANAGER'S REPORT: Gutowski discussed a CRA pamphlet on the logging industry bill that has recently passed. The new law states logging companies no longer have to get driveway permits, but are encouraged to work with the road commissions. We can still fine them if they damage the road, but we no longer have legal authority to require them to get a permit. Zulski asked that a letter be sent to the loggers on our list that have been complying and acknowledge we want to continue to work with them for both the structure of the road and safety of the general public with regards to driveway location, giving us 14 days notice if possible. James Godzik will do a letter stating we recognize the silvaculture act and we, along with township citizens, have put millions of dollars of investment into the roads and we want to maintain the integrity of the roads. Godzik stated it is hard to know where and when they are working or damage is occurring unless someone calls in. Zulski asked Gutowski to check with CRA and see if there is something we are not aware of regarding enforcement on this issue. He also stated to be sure the letter says we will still issue a permit, at no cost to them, so we can stipulate where to put the driveway so there is no road damage or an accident.

Gutowski also discussed an opinion letter has been received from Attorney Bill Henn on the current mailbox issue. There is a past Supreme Court ruling clarifying that a road commission has total authority for objects within the right of way and for keeping it safe. Zulski stated we had a different interpretation than our insurance carrier and the steel beam on the two inch pole permission has been voided and the person is aware their mailbox is illegal and we have the right and have requested it be removed.

The State has passed the 2019 budget with an additional \$117 million for Road Commissions which means for us there will be an additional \$694,000.00 to be used only for roads. Gutowski plans to finish Robinson Road from State Road to where the BIA project ended, about 7 miles. Zulski mentioned he would like to see seal coating on the wedging projects that have been completed and improving the fleet during next year's budget.

Gutowski also listed the following:

- The Click Road railroad crossing closure that occurred Monday by Great Lakes Central Railroad is almost complete. They are done and we are adding gravel to the shoulders and plan to open the road around 10:00 a.m. today.
- June 19, Little Traverse Bay Watershed and Tip of the Mitt Meeting, 1:00-3:00 p.m., with Leroy Sumner
- June 20, Gaylord - Cold In-Place Recycling Presentation, 12:00-2:00 p.m.
- June 21, Grand Rapids, Chip Seal Failure Mediation with Frank Zulski at 10:00 a.m.
- June 25, Lake Kathleen Dam Preconstruction Meeting, On-site at 10:00 a.m.
- June 26, Federal Aid project bid due for Headlands Wilderness Park Drive, 2019 Project
- June 28, Board Meeting – Bids Due:
 - Reed Road Over Van Creek Paving
 - Pickerel Lake Road over the Minnehaha Creek Paving
- Local 10A Task Force is required to select 2020 to 2023 Projects. Wilderness Park Drive 2020 Project is already scheduled. Input still required from Public Transit and Villages.

SUPERVISOR'S REPORT: Beckman reported crews have been out on the Middle Road Bridge Project. J & N Construction is working on Atkins Road and is placing gravel and pouring curbs. He has been busy with scheduling testing of stockpiled and placed aggregate. There are two projects left to design.

PERMIT/CAD REPORT: Godzik has been working on the projects already mentioned. He also requested for anyone that sees any logging activity to please notify him.

EQUIPMENT SUPERINTENDENT'S REPORT: Genson reported everything is going well.

COMMISSIONERS' REPORT: Commissioner Williams asked about J & N's progress on the Atkins Road Project and inquired if we are monitoring the situation so we don't have the issues of last year being repeated. Beckman replied the situation is being closely monitored.

Commissioner Zulski asked for clarification on the Federal Aid Project for Headlands Wilderness Park Drive and right of way issues that may disrupt funding. Gutowski responded he does not think it will be a problem due to a survey completed by the consultant and the location of construction that will take place. Zulski asked about wetland issues and Gutowski responded it may be a small problem. Gutowski's goal is to have project design completed and bid out before the end of the year.

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ROAD FOREMAN'S REPORT: Kargol reported everything is going well. He also relayed information on the delay in receiving brine for dust control. There are multiple problems with the transporting of the product, not the availability.

FINANCE DIRECTOR REPORT: None

PUBLIC COMMENT: . None

With no further business, Commissioner Zuluski adjourned the meeting at 8:40 a.m.



Lisa Kleeman, Finance Director/Clerk of the Board

7-2-18

Date