

**LAPEER COUNTY ROAD COMMISSION
REGULAR BOARD MEETING
Wednesday, July 8, 2015
5:10 p.m.**

Present: Mr. Gary Howell, Chairman; Mr. Dale Duckert, Vice Chairman; Mr. Michael Hemmingsen, Member
In Attendance: Mr. Ryan Doyle, County Highway Engineer; Ms. Linette Daily, Board Secretary; Mr. Erick
Pearson, Managing Director; Mr. Destain Gingell, Staff Engineer

Also in attendance: Mr. Eldon Card, Mr. Al Derey, Mr. Tim Derey, Mr. James and Joanna Fish, Mr. Don States;
Mr. Steve Seres, Ms. Tammy Crookedacre

Employees: Joe Haack

Mr. Gary Howell Chairman, called the meeting to order at 4:30 p.m. in the Meeting Room of the Lapeer County
Road Commission Building. The Pledge of Allegiance was recited.

APPROVAL OF AGENDA

070815-128

Motion by Mr. Duckert, seconded by Mr. Hemmingsen to approve the agenda with the amendment to move the
Bronson Lake Association from Public Time to the follow Approval of Projects, and to add Discussion of KWA
to Engineering Report. Motion carried.

APPROVAL OF PRIOR BOARD MEETING MINUTES

070815-129

Motion by Mr. Hemmingsen, seconded by Mr. Duckert to approve the Regular Meeting minutes for June 24,
2015. Motion carried.

APPROVAL OF DISBURSEMENTS

070815-130

Motion by Mr. Hemmingsen, seconded by Mr. Duckert to approve disbursements dated July 9, 2015 in the
amount of \$302,015.11. Motion carried.

APPROVAL OF ROAD PROJECT AGREEMENTS

070815-130

Motion by Mr. Duckert, seconded by Mr. Hemmingsen to approve the following project.

Arcadia Township

505 002 153105 Cut trees on Dead End of Jones. Tree from Edge of Road to Bottom of Ditch, 2 trees on Mitchell
Lake, Trees on Youngs at Nolte and rest to be determined by Township

Estimated Cost: \$10,000/Tree Allocation \$5,000/Township \$5,000

Motion carried.

070815-131

Motion by Mr. Hemmingsen, seconded by Mr. Duckert to approve the following projects.

Elba Township

504 008 153700 Ditching 3,800 feet, Seed and Mulch, Topsoil, Asphalt Approach 24'x500'x3", 5A Stone- 50
Ton Installed, Tile Hill to Davison, 1-12"x30' Drive Tube Installed, Trees, Bassett Road

Estimated Cost: \$60,169.26 Township

504 008 153701 Limestone- 5,000 Ton Estimated Cost: \$95,000.00 Township, Bassett Road

504 008 153702 Ditching 1,800 feet, Seed and Mulch, Topsoil, Traffic Control, 5-18"x30' Drive Tubes Removed and Installed, Concrete Drive, Asphalt Patch, 1-18"x80' Culvert, Trees, Stumps/S. Elba Road and Southhampton Drive Estimated Cost: \$27,126.77 Township

Bronson Lake Association

Mr. Al Derey, Bronson Lake Association

Mr. Derey explained that the Bronson Lake Association would like to request a variance to reconstruct the fence that was removed when the Road Commission added the guardrail on Bronson Lake Road as part of a safety project. Mr. Derey stated that the Association is asking for the variance as a hardship since there is a lack of land to move the fence any farther away from the guardrail.

Mr. Jim Fish

Mr. Fish distributed a drawing of the desired placement of the fence along the Lake using the plan sheet from the safety project. Mr. Fish explained that the fence would be installed by Action Fence Company and it would be a commercial grade piping and residential chain linking fence.

It was explained again that the fence was in place for more than 45 years and is in place to add privacy to those using the lake as well as for the safety of children and others to prevent drowning.

Mr. Derey stated that he did not realize that the current placement guardrail was going to force the association to have to place the fence so close to it, but don't have a choice due to the lake. Mr. Derey also asked for the permit fees to be waived, as the Association was going to be using at least 72% of their funds on the fence replacement. Mr. Derey gave an actual description of the placement of the fence using footage increments.

Mr. Fish explained that the fence company would like to place the fence in a straight line so that it looks professional.

Mr. Doyle stated that he would still like to see the fence be placed with a three foot clearance behind the guardrail to allow for repairs, and a DEQ permit or a waiver from the DEQ that a permit is not needed.

Mr. Fish explained that during the Fourth of July weekend, there were once again cars parked on the road next to the guardrail, unloading their kayaks, causing a serious safety issue.

Mr. Derey added that he was able to walk between the guardrail and the current fence that has an 18" clearance.

It was stated that the fence will be removed if it becomes necessary to make repairs to the guardrail.

070815-132

Motion by Mr. Duckert, seconded by Mr. Hemmingsen to remove the motion 062415-123 from the table. Motion carried.

070815-133

Motion by Mr. Hemmingsen, seconded by Mr. Duckert to approve the variance for the Bronson Lake Association to place the fence as far away from the guardrail as possible, with the understanding that if the fence is damaged it will not be the responsibility of the Road Commission to replace or repair it. Motion carried.

Mr. Duckert stated that it is not an ideal situation, but there is no other choice.

Mr. Doyle stated that the permit will require DEQ clearance of some sort.

Mr. Howell asked about the fees associated with the permit. Mr. Doyle explained that permit fee is \$75.00 and the inspection deposit is \$200.00.

MANAGERS REPORT

070815-134

Motion by Mr. Hemmingsen, seconded by Mr. Duckert to approve MERS Employer Resolution Establishing Uniform Transfer Provision. Roll call: Mr. Duckert, aye; Mr. Howell, aye; Mr. Hemmingsen, aye. Motion carried.

070815-135

Motion by Mr. Duckert, seconded by Mr. Hemmingsen to approve MERS Health Care Savings Program Participation Agreements for AFSCME #1071 and SCEEA. Motion carried.

070815-136

Motion by Mr. Hemmingsen, seconded by Mr. Duckert to approve MERS Hybrid Plan Adoption Agreement for AFSCME #1071 and SCEEA. Motion carried.

Mr. Pearson explained that he has been reviewing the staffing levels of the Road Commission now that the contracts have been settled. Mr. Pearson reported that there are currently 13 vacancies and he is reviewing the equipment levels and will give his final determination at the next committee of the whole for approval.

ENGINEERING REPORT

Mr. Doyle gave an update on his current road projects.

KWA Update

Mr. Doyle stated that there is a meeting scheduled at Goodland Township on Thursday, July 16, 2015 at 6:00 p.m. for the residents, townships, and agencies. Mr. Doyle explained that the reason for the meeting is to express the severity to KWA that the rules must be followed. Mr. Doyle stated that the contractor does not do what they are told. Photos were disbursed to show the condition of some of the roads that are causing distress to the residents. Mr. Doyle stated that he wants a reasonable date when the roads will be completed. Mr. Doyle went on to state that Cade Road has been tore up for two and a half months and they have not done any restoration on the roadway since last week.

Mr. Doyle stated that he would also like to know what is going to be done to the roads, but he still would like to have eight inches of new material placed on the roadway.

The Board stated that they would like to have Mr. Pearson contact Mr. Wright at Genesee Drain Commission and explain that the permit is going to be pulled if the repairs are not made and the permit would be then issued in segments once restoration is complete.

PUBLIC COMMENT

Mr. Jim Tolen

Mr. Tolen stated that he was in front of the Board a year ago and he thanked the Board for their response at that time. Mr. Tolen explained that he has an issue at his drive as the water runs down from the east and circles around and causes a washout. Mr. Tolen wanted to know if the Road Commission will fix it. Mr. Tolen stated

that he believes there is a plugged culvert that has never been cleaned out. Mr. Tolen stated that the workers did a great job when it needed to be fixed. Mr. Tolen stated that he is 77 years old and it is difficult to fix it himself.

Mr. Howell explained to Mr. Tolen that the Road Commission would look into the issue and see what needs to be done, and we will contact him with an answer.

COMMISSIONERS COMMENTS

Mr. Hemmingsen stated that he will not be at the next Committee of the Whole Meeting.

Mr. Howell stated that he would like to begin reviewing the Management contracts and would like to review them as a Board. Mr. Howell stated that the labor attorney will review the contracts. Future dates will be arranged.

Ms. Daily reminded the Board about the Blue Water Highway Council Meeting on July 30, 2015 in Vassar. Mr. Howell, Mr. Duckert, Mr. Pearson and Ms. Daily will attend.

Mr. Howell declared the meeting adjourned at 5:50 p.m.

Dale Duckert, Vice Chairman

Linette Daily, Board Secretary