

The regular meeting of the Midland County Road Commission was called to order by Chairman Atton on Thursday, March 7, 2019 at 9:00 a.m. at the Road Commission office.

Present: Mike Atton, Chairman  
Al Kloha, Vice Chairman  
Jim Hyatt, Commission Member  
Terry Palmer, Managing Director  
Sam SanMiguel, Superintendent  
Brenda Gordert, Finance Director  
Russ Inman, Design Engineer  
Ben Mead, Facilities Manager  
Art Buck, Design Technician  
Ashley Rockefeller, GIS Technician

Absent: None

Public Present: Rich Keenan, Mt. Haley Township Supervisor; Laura Dawson, Lee Township Clerk; Maria Sandow, Larkin Township Supervisor

**The Pledge of Allegiance was said**

**Additions to Agenda:**

None

**Approval of Minutes:**

Moved by Commissioner Kloha and seconded by Commissioner Hyatt to approve the minutes of the February 21, 2019 meeting.

Roll Call.

Yeas: Commissioners Atton, Kloha, Hyatt

Nays: None

Motion Carried

**Public Comment:**

Laura Dawson thanked the Road Commission for sending the townships to the Michigan Road Preservation Workshop in Mt. Pleasant. She felt it was very informative. Sam stated he is going to look into passer rating workshops for the townships.

**Approval of Open Accounts:**

The pre-pay for February 7, 2019 was discussed.

Moved by Commissioners Kloha and seconded by Commissioner Hyatt to approve payment for the payroll and open accounts for March 7, 2019 in the amount of \$440,344.77.

Roll Call.

Yeas: Commissioners Kloha, Hyatt, Atton

Nays: None

Motion Carried

**Correspondence and Items of Information:**

Midland County Township Association Meeting will be held March 7<sup>th</sup> at the Mt. Haley Township Hall at 6:30 pm.

**Permit listing was reviewed**

**Unfinished Business:**

Ben purchased a used mower tractor from K+S Butcher Farms with prior approval from the Board and submitted documentation of comparable models and prices:

K+S Butcher Farms - \$56,000 1997 John Deere 8100 4WD

Caro Michigan - \$60,000 1997 John Deere 8100

Knox Indiana - \$61,500 1997 John Deere 8100

**New Business:**

DRG Development, Inc., submitted two private road name permit requests for Cabala Way and Woodburn Court in Larkin Township section 21. They will be part of a site condominium located north off Monroe Road between Jefferson and Eastman Roads. Road name approval has been received from Midland County GIS and Larkin Township.

Moved by Commissioner Hyatt and seconded by Commissioner Kloha to approve private road names Cabala Way and Woodburn Court.

Roll Call.

Yeas: Commissioners Atton, Hyatt, Kloha

Nays: None

Motion Carried

Ben presented pricing from AIS through the State of Michigan MiDeal Program for a John Deere 670BP motor grader. List price is \$440,619.05 and MiDeal pricing is \$288,222.53 including delivery, 5-year extended warranty, manuals and spare rim and tire.

Discussion ensued.

Moved by Commissioner Kloha and seconded by Commissioner Hyatt to approve purchase of John Deere motor grader from AIS through the MiDeal program.

Roll Call.

Yeas: Commissioners Hyatt, Kloha, Atton

Nays: None

Motion Carried

Ben presented pricing from Todd Wenzel Buick of Westland through the State of Michigan MiDeal Program for a 2019 GMC Sierra 2500HD Dbl Cab 4x4 Pickup for \$29,011.70. He received pricing from Garber Chevrolet of Midland for a 2019 Chevrolet Silverado 2500HD 4WD Dbl Cab Pickup for \$28,637.40 and discussion ensued.

Moved by Commissioner Kloha and seconded by Commissioner Hyatt to purchase pickup from Garber Chevrolet of Midland.

Roll Call.

Yeas: Commissioners Kloha, Hyatt, Atton

Nays: None

Motion Carried

Ben presented pricing from Todd Wenzel Buick of Westland through the State of Michigan MiDeal Program for a 2019 GMC Sierra 1500 Crew Cab 4x4 Pickup for \$37,434.45. He received pricing from Garber Chevrolet of Midland for a 2019 Chevrolet Silverado 1500 4WD Crew Cab Pickup for \$35,690.70 and discussion ensued.

Moved by Commissioner Kloha and seconded by Commissioner Hyatt to purchase pickup from Garber Chevrolet of Midland.

Roll Call.

Yeas: Commissioners Kloha, Hyatt, Atton

Nays: None

Motion Carried

Correspondence was received from the Self-Insurance Pool regarding the liability professional engineers may be exposed to working for Road Commissions. The Pool recommends the Road Commission Board pass a resolution that indemnifies a professional engineer and holds them harmless to the fullest extent permitted by law.

Moved by Commissioner Kloha and seconded by Commissioner Hyatt to adopt the following resolution:

*Resolution to Defend, Indemnify and Hold Harmless the County Highway Engineer for Professional Liability*

*WHEREAS, pursuant to MCL 224.1, et seq., the Board of County Road Commissioners of the County of Midland employs a county highway engineer.*

*WHEREAS, pursuant to MCL 224.10(2) and MCL 224.19(3), the county highway engineer fulfills and performs statutory obligations at the pleasure of the Board, which may include:*

*Preparation and review of surveys; preparation and review of plans and specifications for roads, bridges, and culverts; supervision over construction and implementation of said plans and specifications; and other engineering duties as appropriate.*

*NOW, THEREOFRE BE IT RESOLVED, that the Board shall defend, indemnify, and hold harmless, to the fullest extent permitted by law, the county highway engineer for and against any claims or liability arising from his or her acts or omissions as a professional engineer, and occurring within the course of his or her employment, and within the scope of his or her authority, while acting on behalf of the Board.*

*NOW, THEREFORE BE IT RESOLVED, that this Resolution shall not require the Board to indemnify or hold harmless the county highway engineer for and against any act or omission constituting gross negligence or an intentional tort.*

Roll Call.

Yeas: Commissioners Atton, Hyatt, Kloha

Nays: None

Motion Carried

A construction contract was received from the Michigan Department of Transportation regarding a project programmed with the FHWA, for implementation with the use of Federal Funds under Emergency Relief Program.

Moved by Commissioner Hyatt and seconded by Commissioner Kloha to offer the following resolution:

*WHEREAS, Federal Funds have been made available for the repair of roads and streets eligible for Federal Transportation Funds which have suffered serious damage as a result of a natural disaster over a wide area or from a catastrophic failure, hereinafter referred to as the "EMERGENCY", and*

*WHEREAS, Contract No.19-5054, determined to qualify for such funding consists of culvert installation work along Letts Road over Waldo Drain; including approach reconstruction and maintenance of traffic work; and all together with necessary related work, and*

*WHEREAS, the parties hereto have reached an understanding with each other regarding the performance of the work and desires to set forth this understanding in the form of a written contract.*

*NOW, THEREFORE BE IT RESOLVED, that the Board of County Road Commissioners, County of Midland, authorizes Terence Palmer, Managing Director and Michael Atton, Chairman, to sign Contract 19-5054.*

Roll Call.

Yeas: Commissioners Hyatt, Atton, Kloha

Nays: None

Resolution Adopted.

A policy to establish procedures by which Road Commissioners may participate in and vote on business was presented and discussed.

- Commissioners may participate in and vote on all matters that come before the Board at a regular Board Meeting with the connection of a two-way communication type of phone system

- Communication system must adequately provide audio to allow the public to hear and be heard throughout the public meeting.
- To participate by two-way communication, the public must be notified 1 hour in advance of the meeting by official posting at the Road Commission Office.
- One Commissioner must be in present at Board Meeting.

A letter was drafted and presented to the Board for the support of an Economic Development Category A grant for W. LaPorte Road roadway improvements to provide Michigan Chloride Sales, LLC with an all-season roadway connection directly from their mining facilities. Discussion ensued.

Moved by Commissioner Kloha and seconded by Commissioner Hyatt to approve letter of support for W. Laporte Road improvements.

Roll Call.

Yeas: Commissioners Kloha, Atton, Hyatt

Nays: None

Motion Carried

**Miscellaneous:**

None

**Staff Reports:**

Ben stated the asphalt recycle machine has arrived and the hot boxes should be here within two weeks. He will be ordering supplies and training employees on how to use recycler.

Sam requested approval to send up to 5 employees to a MISS DIG underground utilities conference.

Moved by Commissioner Kloha and seconded by Commissioner Hyatt to approve sending up to 5 employees to MISS DIG conference.

Roll Call.

Yeas: Commissioners Atton, Hyatt, Kloha

Nays: None

Motion Carried

Sam stated he completed the first round of interviews, along with Art, Ben and Kevin, for the three new employees. He is going to set up second interviews with the candidates to meet with Terry and Doug and conduct skills testing. He requested approval to hire top three candidates as determined by staff.

Moved by Commissioner Hyatt and seconded by Commissioner Kloha to hire three employee candidates as determined by staff in the best interest of the Road Commission.

Roll Call.

Yeas: Commissioners Hyatt, Kloha, Atton

Nays: None

Motion Carried

Art stated we hosted the local Superintendents meeting on Tuesday, March 5<sup>th</sup> with approximately 30 people in attendance. Meeting was geared toward safety and training.

The group wants to put on a program to train new employees for everyday activities.

He stated AT & T is relocating phone lines for the Eastman Road scrap tire project, it could start as early as March 18<sup>th</sup>.

He stated there is a pre-con meeting this afternoon for Castor Road Bridge replacement that is scheduled to begin March 18<sup>th</sup> and Sturgeon Road Bridge replacement scheduled to begin April 1<sup>st</sup>.

There was a bid letting on March 1<sup>st</sup> for Coleman Road at School, Isabella Corp. was low bidder at 8.42% under engineer's estimate. Also, Magruder Road Bridge over Pine River and Saginaw Road bridge over Big Salt, C.A. Hall was low bidder at 9.71% under engineer's estimate.

Art stated request for proposals are due today for professional services and materials bids are due next Friday, March 15<sup>th</sup>.  
He stated seasonal weight restrictions will be in effect starting Tuesday, March 12<sup>th</sup> at noon.

Russ stated Sam and Ashley attended a job fair on Monday at CMU and received a couple possible contacts for the engineering and GIS departments this summer.  
He stated the open house at the Larkin Township office was held last night. There was quite a bit of discussion regarding the possible intersection improvements at Waldo and Monroe and the US10 interchange at Waldo Road.

Terry stated he talked with Roger Hauck regarding funding and possible changes to the ACT 51 formula. He presented charts from the asset management council comparing pavement conditions between the state trunklines, counties, and cities and villages. Charts show all entities have comparable road conditions and Terry feels no ACT 51 changes are necessary. He presented charts showing 40% increase in winter maintenance costs over the past two years.

He stated the Governor has discussed bridge bundling and he will be attending informational sessions next week at the CRA Conference.

Terry stated the most popular new county road sign is "Midland County Growing our Future" but he is still looking for suggestions and would like to start building the new signs during weight restrictions.

Commissioner Kloha stated what a great job our crew is doing.

Sam and Terry commented we have received thank you's in the form of a sheet cake from Meijer of Midland; the Ask Midland Group donated pizzas; Commissioner Atton delivered paczki's; and County Commissioner Jeanette Synder delivered donuts for the crews.

Laura Dawson asked if someone would be able to attend the County Drain meeting for the Larson Drain next Wednesday. Terry informed her staff would be in Lansing at a conference, but they would work with Doug Enos, Drain Commissioner.

Meeting was adjourned by Commissioner Atton at 10:20 a.m. until Thursday, March 21, 2019.

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Brenda Gordert, Finance Director

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Mike Atton, Chairman