

The regular meeting of the Midland County Road Commission was called to order by Chairman Atton on Thursday, September 5, 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
Ashley Rockefeller, GIS Technician
Absent: Ben Mead, Facilities Manager
Art Buck, Design Technician

Public Present: Maria Sandow, Larkin Township Supervisor; Laura Dawson, Lee Township Clerk; Doug Jackson, Larkin Township; Tom Corbat, Porter Township Supervisor; Andy Kobisa, Hope 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 August 21, 2019 meeting.

Roll Call.

Yeas: Commissioners Atton, Hyatt, Kloha

Nays: None

Motion Carried

Public Comment:

Tom Corbat inquired whether the approaches on 7 Mile Road Bridge will be paved this year.

Terry informed him they will be paved.

Tom Corbat commented on the fantastic job the contractor is doing on the 11 Mile/Odd/Porter Road reconstruction project.

Tom Corbat inquired whether the brush could be cut on 9 Mile Road bridge over the Pine River.

The trees and brush have engulfed the guard rail.

Andy Kobisa commented on the great job the roadside mowers did this year.

Approval of Open Accounts:

The pre-pay for September 5, 2019 was discussed.

Moved by Commissioner Kloha and seconded by Commissioner Hyatt to approve payment for the payroll and open accounts for September 5, 2019 in the amount of \$574,701.01.

Roll Call.

Yeas: Commissioners Hyatt, Kloha, Atton

Nays: None

Motion Carried

Correspondence and Items of Information:

MCTOA meeting will be held September 5, 2019 at the Larkin Township Hall.

Permit listing was reviewed

Unfinished Business:

Terry discussed the logging contract submitted by Doug Jackson of Larkin Township for his property along Swede Road. A concern is the route the logging trucks will utilize. The Road Commission does not want the trucks traveling the roads in Waskevich Subdivision. Discussion on removal of the gate on the Swede Road right-of-way ensued. Maria Sandow stated Larkin Township is working with their attorney and will get back to the Board when she has more information. Mr. Jackson stated he is anxious for a resolution and discouraged he was denied permit to cut brush.

Discussion was held on the quality of the sealcoat applied to Gordonville Road east of Sasse Road. The emulsion has made the road very smooth and it will be slippery when frost and ice occur. Sam had a meeting with Fahrner Asphalt, Pavement Materials and Central Asphalt and it was agreed the road needs to be capped. Estimate for the ultra-thin cap is \$76,339 and cost will be shared by the Road Commission and Fahrner Asphalt. It is scheduled to be paved on Monday, September 9th.

Chairman Atton opened public hearing for Smiths Crossing Bridge rehabilitation TAP Grant at 9:30 a.m.

Terry stated the rehabilitation grant would open the bridge back up for non-motorized or walking and the Road Commission Board previously approved to move forward and seek public input. Rob Eggers of the Spicer Group and the Great Lakes Regional Trail Board spoke regarding the goal of rehabilitating the bridge is to link Saginaw, Midland and Bay City to the regional trails. With interest from the Road Commission, Midland Community Foundation and the Friends Group along with other parties it was decided to try and move forward with grants. The bridge is on the historic registry and would be part of the Iron Bell Trail Route. Estimated cost is \$4.5 million dollars. If approved the grant would cover \$2.5 million and matching funds would need to be raised. TAP grants are a lengthy process and Rob is hoping for funding for 2021.

Several attendees spoke in support of the rehabilitation of the bridge.

Discussion was held on the matching funds needed and if it would be from tax-payer dollars.

Rob stated the matching funds would be foundation grants. Chairman Atton commented the Road Commission Board has made a resolution stating taxpayer money will not be used for the project. Commissioner Kloha stated the Foundations are also funding future maintenance of the bridge. Tim Krause commented on the troublesome occurrences currently going on at the bridge site. People are using it as a party spot and dumping garbage. Lighting and security cameras were suggested for the new bridge. He also suggested 4-way stop at River Road and Smith Crossing Road for safety.

Midland County Commissioner Jeanette Snyder spoke in favor of the rehabilitation.

Chairman Atton closed the public hearing at 9:55 a.m.

New Business:

Moved by Commissioner Kloha and seconded by Commissioner Hyatt to apply for TAP grant for the Smiths Crossing Bridge rehabilitation and offer the following resolution:

WHEREAS, the Midland County Road Commission (MCRC) in cooperation with the Great Lakes Bay Regional Trail (GLBRT) Committee is desirous of rehabilitating the Smith's Crossing Historic Bridge, as part of and an extension to the GLBRT, with a MDOT Transportation Alternatives Program (TAP) grant, and

WHEREAS, the trail expansion is consistent with the goals and objectives of the MCRC, the GLBRT Regional Trail Plan, the Midland County Five Year Park and Recreation Plan, and Midland Area Transportation (MATS) long range transportation study, and

WHEREAS, the proposed project is part of the Iron Belle Trail, and

WHEREAS, the MCRC, as the Act 51 agency, will sponsor the TAP grant application, and

WHEREAS, Terry Palmer, the Managing Director of the MCRC, is the agent/representative authorized to act on behalf of the applicant agency during project development and to sign a project agreement (contract) upon receipt of a grant funding award, and

WHEREAS, the MCRC commits to owning/operating the constructed facility and, in cooperation with the GLBRT Committee, will provide an on-going maintenance plan for the constructed facilities in perpetuity, and

WHEREAS, a public hearing was held on September 5, 2019 to allow the citizens to provide input on the proposed project, and

WHEREAS, the MCRC has received numerous letters of support from residents, businesses and adjoining communities for the proposed project, and

WHEREAS, MCRC expects the financial level of support of the project in the amount of \$1,241,030.00 (35%) matching funds (participating costs), and

WHEREAS, the MCRC also expects the financial level of support for the project in the amount of \$738,200.00 for the non-participating funds of the project which will fund the required survey, preliminary engineering, construction engineering and staking and the roadway improvements, and

WHEREAS, the MCRC is working with the Iron Belle Trail Foundation, the GLBRT Committee and the Midland Community Foundation to raise funds from various foundations for the local match (\$1,241,030.00) and the Non-Participating (\$738,200.00) costs of the project, for a total local financial commitment of \$1,979,230.00:

NOW THEREFORE BE IT RESOLVED, that the MCRC hereby authorizes submission of a MDOT TAP application requesting \$2,304,770.00 (65%) and further resolves to make available its expected level of financial support in the 2021 fiscal year.

Roll Call.

Yeas: Commissioners Hyatt, Atton, Kloha

Nays: None

Motion Carried

The annual certification of Employee-related conditions per Public Act 51, section 18j was presented. The Road Commission is certifying that medical benefits are offered to its employees in compliance with the publicly funded health insurance contribution act, 2011 PA 152.

Moved by Commissioner Hyatt and seconded by Commissioner Kloha to submit annual certification.

Roll Call.

Yeas: Commissioners Atton, Kloha, Hyatt

Nays: None

Motion Carried

Brenda presented information regarding Michigan Class and discussion was held.

Moved by Commissioners Hyatt and Kloha to offer the following resolution:

WHEREAS, Midland County Road Commission desires to enter into an interlocal agreement for the purpose of exercising jointly the power each Public Agency has to invest its surplus funds; and

WHEREAS, the Midland County Road Commission is a Public Agency under the Participation Agreement and is authorized by Michigan law to invest its funds in certain investments (the Permitted Investments); and

WHEREAS, Act 7 of the Public Acts of the Extra Session of 1967, as amended, (the Urban Cooperation Act of 1967) authorizes Public Agencies to contract in the form of an interlocal agreement to provide for the manner of investment of surplus funds or proceeds of grants, gifts, or bequests to the parties to the interlocal agreement under the control of a legal or administrative entity created by that interlocal agreement.

NOW, THEREFORE, BE IT RESOLUTED AS FOLLOWS;

1. The Board of Midland County Road Commissioners adopts the Participation Agreement and agrees to join with other Public Agencies to become a Participant under the terms of the Participation Agreement and to accept additional Public Agencies as new Participants without subsequent action.

2. The Board of Midland County Road Commissioners agrees to and concurs in the appointment of those Trustees either appointed, to be appointed or currently serving as members of the Board of Trustees created under the Participation Agreement and recognizes those Trustees and their successors as the appointees of the Public Agency.

3. The Board of Midland County Road Commissioners acknowledges and confirms the representation, warranties and covenants provided in the Participation Agreement to the Investment Advisor and Custodian under Participation Agreement, upon which they may respectively rely.

4. The Board of Midland County Road Commissioners hereby authorize Brenda Gordert, to take the following actions with regard to the participation of the Midland County Road Commission in the Participation Agreement.

a. Deliver a certified copy of this Resolution to Investment Advisor under the Participation Agreement.

b. Execute and deliver all notices, directions and instructions required or permitted by the Participation Agreement from the Midland County Road Commission.

c. Make contributions to the Investment Property as provided in the Participation Agreement and select all or part of the Surplus Funds (as defined in the Participation Agreement) to be contributed to the Investment Property.

d. Consent to an amendment to the Participation Agreement on behalf of the Midland County Road Commission if such amendment is not materially averse to the interest of the Midland County Road Commission, is necessary to conform to the Participation agreement with law, or is a technical change necessary to facilitate the intent of the Participation Agreement.

5. The Participant understands and agrees that it shall not amend or repeal this Resolution except to the extent necessary to alter the limitations imposed on the Authorized Officer, to change Authorized Officers, or to withdraw from the Participation Agreement.

6. All resolutions and parts of resolution in conflict with this Resolution shall be, and hereby are, amended or repealed to the extent of such conflict.

Roll Call.

Yeas: Commissioners Atton, Hyatt, Kloha

Nays: None

Resolution Adopted.

A request for a personal leave of absence was submitted to the Board by employee Nick Myers. He will be attending Ferris State University the fall semester of 2019 in the college of Engineering Technologies. Discussion was held on the course of study. In following the union contract leave can be granted for a period of up to 90 days without pay, without benefits and without loss of seniority.

Moved by Commissioner Kloha and seconded by Commissioner Hyatt to grant leave of absence to Nick Myers effective September 5, 2019.

Roll Call.

Yeas: Commissioners Hyatt, Kloha, Atton

Nays: None

Motion Carried

Miscellaneous:

None

Staff Reports:

Ashley stated the survey for the US-10 interchange at Waldo Road has been very successful. Responses total over 2,600 and have been 94% positive. Terry and Russ had a meeting with Brad Kaye and Josh Frederickson of the City of Midland and held a preliminary discussion on funding.

Russ stated he is putting a Public Notice in the newspaper to fulfill FEMA requirements for grant funding for Tupelo Drive drain repairs due to the flood damage of 2017. If approved the grant would fund majority of the estimated \$230,000 storm sewer installation.

He stated Donald Drive storm sewer installation in Jerome Township will start next week. The catch basins have been delivered. The landowners and Jerome Township are working together with the Road Commission and the project is moving forward.

He is working on an erosion issue on Douglas Drive in Aspen Point Estates Subdivision in Larkin Township.

He is continuing to work on reimbursement from the state for the 2017 flood projects. This week \$300,000 was received of the emergency response expenses leaving a balance of \$27,000. He hopes to get authorization to submit reimbursements for Preliminary Engineering and Construction Engineering on all the projects soon.

Sam stated the paving is started back up today. He is working with Kevin Beason on paving at Pine Crest.

The second round of brining will start on September 16th.

He stated Fisher Contracting will be laying gravel the week of September 23rd.

He is working to get the 5-year plans for the Townships finished up.

Terry stated the paving on 11 Mile/Odd/Porter Road is going well.

He is working on the budget for 2020.

Meeting was adjourned by Commissioner Atton at 10:05 a.m. until Thursday, September 19, 2019

Brenda Gordert, Finance Director

Mike Atton, Chairman