

The regular meeting of the Midland County Road Commission was called to order by Chairman Atton on Thursday, April 4, 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  
Devin Campbell, Civil Technician  
Ashley Rockefeller, GIS Technician

Absent: None

Public Present: Jeanette Snyder, Midland County Board of Commissioners; Bruce Clark, Warren Township Supervisor; Jerry Barber, Warren Township.

**The Pledge of Allegiance was said**

**Additions to Agenda:**

None

**Approval of Minutes:**

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

Roll Call.

Yeas: Commissioners Atton, Kloha, Hyatt

Nays: None

Motion Carried

**Public Comment:**

Bruce Clark discussed drainage issues on N. Lewis Road near the Coleman High School. He thinks there may be an issue with the county drain in the area. Sam stated staff will investigate and get back with him.

**Approval of Open Accounts:**

The pre-pay for April 4, 2019 was discussed.

Moved by Commissioner Hyatt and seconded by Commissioner Kloha to approve payment for the payroll and open accounts for April 4, 2019 in the amount of \$782,510.10.

Roll Call.

Yeas: Commissioners Kloha, Hyatt, Atton

Nays: None

Motion Carried

**Correspondence and Items of Information:**

The East Central Council meeting will be held on April 18<sup>th</sup>, 2019 in Roscommon County.

Budget finals and cash flow reports for 2018 were presented.

**Permit listing was reviewed**

**Unfinished Business:**

None

**New Business:**

Updates on the drug and alcohol policy are being reviewed.

A proposed policy was received from the County Road Association to adopt uniform definition for the small wireless communications facilities deployment act. Discussion was held.

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

WHEREAS, the Michigan Legislature (MCL 460.1301 ET SEQ) has authorized wireless service providers and wireless infrastructure providers to access the public right-of-way and enabled the ability to attach to poles and structures in the public right-of-way to enhance their networks and provide next generation services;

WHEREAS, the Michigan County Road Agencies are statutorily authorized to administer and regulate access to the public right-of-way utilizing the practice of permits (MCL 224.19b);

WHEREAS, the Michigan Legislature deferred the authority to the Michigan County Road Agencies to determine when a wireless facility or wireless support structure "materially impacts" traffic safety, clear vision, drainage, pedestrian facilities or other public utilities;

WHEREAS, the Michigan Legislature deferred the authority to the Michigan County Road Agencies to determine when maintenance practices by the wireless providers while performing "routine maintenance of a small cell wireless facility, utility pole or wireless support structure" MCL 460.1015(5) unreasonably affects traffic patterns or obstructs vehicular or pedestrian traffic in the ROW;

NOW THEREFORE BE IT RESOLVED, the Midland County Road Commission hereby adopts the following uniform definitions to clarify the MCL 460.1301 et seq;

- a. The road commission shall in its sole discretion determine whether the placement of any pole, facility or other unprotected hazard impacts a clear vision zone or traffic control device based on: the posted speed, street alignment, proximity to curves, driveways, traffic control devices and pedestrian traffic.
- b. The road commission shall in its sole discretion determine whether the placement of any pole or facility impacts traffic safety based on: distance from the traveled portion of the road, the posted speed, street alignment, proximity to curves, driveways, traffic control devices and pedestrian traffic.
- c. The road commission shall, in its sole discretion, determine whether the placement of any pole or facility impacts the drainage system or the ability of the Road Commission to maintain the drainage system based on: the proximity to the drainage system, additional work and/or costs necessitated by placement of the pole or facility in relation to the drainage system, the potential for damage to the drainage system from maintenance or repairs to any pole or facility.
- d. The road commission shall in its sole discretion determine whether the placement of any pole or facility impacts the pedestrian access or movement; to assure that proposed facilities are in compliance with the Americans with Disabilities Act Of 1990, Public Law 101-336, or federal, state, or local standards.
- e. The road commission shall in its sole discretion determine whether the placement of any pole or facility impacts the maintenance or full unobstructed use of public utility infrastructure as it was originally designed.

- f. Routine maintenance includes routine work that does not unreasonably affect traffic patterns or obstruct vehicular or pedestrian traffic in the ROW, such as but not limited to: the travel lanes, the road shoulders, drainage systems, non-motorized facilities, traffic control devices or involve any excavation in the road right-of-way. The Agency should require notification in advance of routine maintenance on the initial CRA 100 SC permit, to assure the road agency is notified in advance to determine if the work involves impacts to any of the items listed above.

Roll Call.

Yeas: Commissioner Hyatt, Kloha, Atton

Nays: None

Resolution Adopted

Discussion was held on permit fees for wireless facilities. A public hearing was set for May 16<sup>th</sup>, 2019 at 9:30 a.m.

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

WHEREAS, Contract No.19-5097, consists of rehabilitation work for the structure # 6955 which carries Homer Rd over the Chippewa River, sections 22 & 23, T14N, R01E, Homer Township, Midland County, Michigan; including scour countermeasures, channel upgrade, and maintenance of traffic work; and all together with necessary related work.

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.

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 19-5097.

Roll Call.

Yeas: Commissioners Hyatt, Atton, Kloha

Nays: None

Resolution Adopted.

Seasonal frost laws were discussed. Terry is checking areas and stated restrictions could be removed in a couple weeks.

Discussion was held on candidate projects for the fiscal year 2022 Local Bridge Program. Moved by Commissioner Kloha and second by Commissioner Hyatt to submit applications for FY2022 Local Bridge Funding and offer the following resolution:

WHEREAS, the Board of County Road Commissioners, County of Midland, has reviewed the 2019 applications for FY2022 Local Bridge Program funding.

THEREFORE BE IT RESOLVED, that the Board of County Road Commissioners, County of Midland, actively seek Federal and State participation with the following structures, listed in priority:

- Rehabilitation of Meridian Road over Chippewa River, Homer Township, section 28 and Lee Township, section 24, structure #6951 – P10, with MCRC providing 20% local funding.
- Replacement of Tittabawassee Rd over Weeks Drain with a GRS-IBS structure, Ingersoll Township, section 34, structure #6972 – L06.
- Preventative Maintenance of Porter Rd over Pine River, Porter Township, section 17, structure #6946 – P27.

- Preventative Maintenance of 9 Mile Rd over Pine River, Porter Township, section 10, structure #6947 – P17.
- Preventative Maintenance of 4 3/4 Mile Rd over Pine River, Homer Township, section 34, structure #7004 – L41.
- Preventative Maintenance of Pine River Rd over Pine River, Homer Township, sections 24/25, structure #6935 – P04.
- Replacement of Brooks Road over Jo Drain with a GRS-IBS structure, Ingersoll Township, sections 10/15, structure #6976 – L10.
- Replacement of Kent Rd over Jo Drain with a GRS-IBS structure, Ingersoll Township, sections 24/25, structure #6975 – L09.

Roll Call.

Yeas: Commissioners Atton, Kloha, Hyatt

Nays: None

Resolution Adopted

**Miscellaneous:**

None

**Staff Reports:**

Sam stated he held a pre-con meeting with the chipseal contractor and went over the maps and quantities. Program is projected to start middle of May.

He will hold a pre-con meeting with Central Asphalt regarding local paving and is working with Doug Moore from Fisher for graveling.

He stated there will be a safety meeting for the entire crew on April 9<sup>th</sup>.

Sam and Kevin will attend meeting on new employee training in Gladwin.

Chain saw training will be held on May 28<sup>th</sup> and 29<sup>th</sup>.

Sam stated grading for brine has been scheduled for June 3<sup>rd</sup>.

He stated Servinski Sod and Pat's Gradall thanked the Road Commission for allowing the Weighmaster to come talk with their truck drivers and weigh trucks.

Sam stated the three new employees started Monday.

Terry stated the Eastman Road rubber tire grant project has started.

He stated the bridge beams have been delivered for Grey Road.

He stated the contractor salvaged some of the beams from the Castor Road bridge replacement project and they have been stock piled at the clay pit.

He had a meeting with the DNR to discuss proposed future projects; Turner Parkway, Burns Road connection to M18 and Mier Road extension.

Ben stated the safety committee has requested the purchase of new tow chains. Cost will be approximately \$5,500 to equip all trucks with new chains. Discussion was held.

Moved by Commissioner Kloha and seconded by Commissioner Hyatt to approve purchase of 1/2" chain, grade 100, up to \$6,000.00.

Roll Call.

Yeas: Commissioners Atton, Hyatt, Kloha

Nays: None

Motion Carried

Ben stated he will take a couple mechanics and the utility men to training on the vac truck and on April 17<sup>th</sup> they will conduct training here for the entire crew.

He stated he will be pulling the v-boxes out of the trucks and will be using an acid wash to remove rust and will be coating the chains with a sealer.

Art stated he has been attending meetings and classes for re-certifications.

He stated work has begun on the Castor Road bridge replacement project. After Castor is complete contractor will move to Sturgeon Road Bridge in Larkin Township.

He stated Jack's Tree Service has removed the trees along the Poseyville Road project that is scheduled to begin April 22<sup>nd</sup> if AT & T has relocated their lines.

Art stated he will have a pre-con meeting with Isabella Corp for the Coleman Road project at School Road on April 11<sup>th</sup>.

Russ stated he has completed the certification maps and local road mileage increased by .66 miles.

He stated Charter Communications will be installing new equipment to update the phones to digital and increase internet speed.

He stated he has been interviewing GIS summer interns along with Ashley.

Devin stated he has been working on plans for local road projects.

He is working with IT Right on computer support.

Brenda stated Tom Smith is currently in conducting the annual audit. He will have new funding percentages for OPEB and MERS with completion of the audit.

Meeting was adjourned by Commissioner Atton at 10:25 a.m. until Wednesday, April 17, 2019.

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Brenda Gordert, Finance Director

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Mike Atton, Chairman