

# 2000 REGULAR BOARD MEETING MINUTES

## PLEASE SCROLL DOWN TO VIEW PREVIOUS DATES

### DECEMBER 29, 2000

Chairman Saunders called the meeting to order at 9:00 AM.

Chairman Saunders, Commissioners Way and Ogden, County Commissioner Carl Price, Patrick Harmon, James Vanek and Shelley Kondrat attended.

Moved by Commissioner Way and supported by Commissioner Ogden to approve December 08, 2000 regular meeting minutes with the following changes:

Page 1, line 17: change "who's" to "whose"  
Page 2, line 11: change "motion:" to "policy:"  
Page 2, line 19: change "present dispenser has been" to "present dispenser has not been"

VOTE: Ayes – 3  
Nays – 0  
Motion carried.

Mrs. Kondrat prepared and presented 2000 primary and local county road shoulder maintenance expenditures to date. All present discussed future road building should include pavement widening to assist with shoulder maintenance. Mr. Harmon said it appears lack of shoulder maintenance is reason for pavement edge break-up, but actually bad material under too-narrow pavement causes edge failure when vehicles override the pavement. The Board directed Mr. Harmon to acquire comparisons from Emmet, Otsego and Antrim County Road Commissions, and send information to County Commissioners so they can give their area constituents facts and figures. Commissioner Ogden suggests a cost benefit analysis to study pavement widening and curb placement advantages.

Mrs. Kondrat presented proposed motion rescinding August 14, 2000 motion and explained MDOT Schedule C equipment rates will eventually be close to CCRC actual hourly rates since new equipment is being purchased regularly. CCRC accountant Fred Gardner supports this decision.

Moved by Commissioner Ogden and supported by Commissioner Way to rescind August 14, 2000 motion which reads:

Moved by Commissioner Ogden and supported by Commissioner Way to reduce future suggested MDOT Schedule C equipment rates by 10% for all CCRC equipment beginning 01-01-2001. This practice shall be reviewed when the 2001 Charlevoix County Road Commission Audit Report is completed.

VOTE: Ayes - 3  
Nays - 0  
Motion carried.

Moved by Commissioner Way and supported by Commissioner Ogden to allow the clerk to pay any 2000 invoices on December 31, 2000 with manager's authorization.

VOTE: Ayes - 3  
Nays - 0  
Motion carried.

Mrs. Kondrat presented and explained 2000 Year-end budget, and pointed-out decrease in direct equipment expense from 1999 to 2000 is due to new equipment purchases and reduced repairs, which also means less downtime. Commissioner Ogden feels used boom truck for sign installation and tree trimming could be purchased, but snowplow trucks should be purchased new. His reasoning is used snowplow trucks don't meet CCRC specifications and upgrading trucks is very expensive. Additionally, control systems, hydraulic valves, hydraulic pumps, etc. differs from county to county, making inventory stock difficult, whereas CCRC is currently striving to stock uniform parts throughout the fleet. CCRC Accountant Fred Gardner highly recommends equipment being replaced at 8-years of age due to depreciation and

equipment becoming "exhausted." But Mr. Harmon will take time to look into new and used equipment comparisons and report to CCRC Board and the County Board.

Moved by Commissioner Ogden and supported by Commissioner Way to adopt the proposed 2000 year-end budget as follows:

Presented and Adopted 12-29-00 Before 2000 Year-end Audit Shelley Kondrat, Clerk	<b>2000 BUDGET SUMMARY</b>			Page of 1 3
Name of Governmental Unit Charlevoix County Road Commission	Name of Fund Road Fund	Fund No. 201	Budget Year Ending Date: 12-31-00	

REVENUES (AND OTHER SOURCES)		AMOUNT		
DEPARTMENT OR CLASSIFICATION		AMOUNT		
Page No.	ACCOUNT DESCRIPTION	ACTUAL PRIOR YR. 12-31-99	PREVIOUSLY APPROVED BUDGET	RECOMMENDED 12-31-00 BUDGET
2	TRANSPORTATION	3,021,881.70	3,000,000.00	2,989,285.17
2	FEDERAL REVENUE	277,501.34	0.00	250,271.01
2	TRUNKLINE MAINTENANCE-PRIMARY	285,000.00	320,000.00	369,416.22
2	COUNTY RAISED REVENUE	753,182.46	666,354.21	873,791.85
2	OTHER RAISED REVENUE	0.00	0.00	0.00
2	INTEREST EARNED	28,485.00	38,500.00	27,897.42
2	SALVAGE SALES	2,585.22	2,056.81	2,561.81
2	GAIN/LOSS-EQUIPMENT DISPOSALS	0.00	0.00	0.00
2	PERMIT FEES	28,000.00	30,000.00	33,986.00
2	OTHER	-9.00	341.00	341.00
TOTAL REVENUES		4,396,626.72	4,057,252.02	4,547,550.48
TOTAL OTHER SOURCES		0.00	0.00	0.00
TOTAL REVENUES AND OTHER SOURCES		4,396,696.72	4,057,252.02	4,547,550.48

EXPENDITURES (AND OTHER USES)		AMOUNT		
DEPARTMENT OR CLASSIFICATION		AMOUNT		
Page No.	ACCOUNT DESCRIPTION	ACTUAL PRIOR YR. 12-31-99	PREVIOUSLY APPROVED BUDGET	RECOMMENDED 12-31-00 BUDGET
3	HEAVY MAINTENANCE	1,074,001.02	844,148.74	1,281,809.90
3	REGULAR MAINTENANCE	2,094,822.84	1,850,000.00	2,190,743.73
3	TRUNKLINE MAINTENANCE-PRIMARY	310,000.00	340,000.00	419,007.20
3	ADMINISTRATIVE EXPENSE (NET)	209,525.00	174,000.00	208,326.30
3	EQUIPMENT EXPENSE (NET)	0.00	0.00	-186,627.39
3	CAPITAL OUTLAY (NET)	371,998.20	296,018.26	85,109.68
3	DISTRIBUTIVE EXPENSE	0.00	425,000.00	512,225.49
3	OTHER	6,195.00	2,341.15	3,171.15
TOTAL EXPENDITURES		4,066,542.06	3,931,508.15	4,513,766.06
OTHER USES		0.00	0.00	0.00

AMOUNTS NEEDED FOR CONTINGENCIES	0.00	0.00	0.00
TOTAL EXPENDITURES AND OTHER USES	4,066,542.06	3,931,508.15	4,513,766.06

CURRENT ESTIMATED OPERATING SURPLUS (DEFICIT)	33,784.42
ACCUMULATED AVAILABLE UNAPPROPRIATED SURPLUS (DEFICIT) FROM PRIOR YEARS	-86,021.00
PROJECTED SURPLUS AT END OF BUDGET YEAR	-52,236.58

VOTE: Ayes - 3  
Nays - 0  
Motion carried.

Moved by Commissioner Ogden and supported by Commissioner Way to adopt the recommended 2001 beginning budget as follows:

Presented December 29, 2000 Shelley Kondrat, Clerk	<b>2001 BUDGET SUMMARY</b>			Page of 1 3
Name of Governmental Unit Charlevoix County Road Commission	Name of Fund Road Fund	Fund No. 201	Budget Year Ending Date: 12-31-01	

REVENUES (AND OTHER SOURCES)		AMOUNT		
DEPARTMENT OR CLASSIFICATION		AMOUNT		
Page No.	ACCOUNT DESCRIPTION	ACTUAL PRIOR YR. 12-31-00	PREVIOUSLY APPROVED BUDGET	RECOMMENDED 12-31-01 BUDGET
2	TRANSPORTATION	2,989,285.17	0.00	3,000,000.00
2	FEDERAL REVENUE	250,271.01	0.00	250,000.00
2	TRUNKLINE MAINTENANCE-PRIMARY	369,416.22	0.00	350,000.00
2	COUNTY RAISED REVENUE	873,791.85	0.00	500,000.00
2	OTHER RAISED REVENUE	0.00	0.00	0.00
2	INTEREST EARNED	27,897.42	0.00	30,000.00
2	SALVAGE SALES	2,561.81	0.00	2,500.00
2	GAIN/LOSS-EQUIPMENT DISPOSALS	0.00	0.00	0.00
2	PERMIT FEES	33,986.0	0.00	35,000.00
2	OTHER	341.00	0.00	0.00
TOTAL REVENUES		4,547,550.48	0.00	4,167,500.00
TOTAL OTHER SOURCES		0.00	0.00	0.00
TOTAL REVENUES AND OTHER SOURCES		4,547,550.48	0.00	4,167,500.00

EXPENDITURES (AND OTHER USES)		AMOUNT		
DEPARTMENT OR CLASSIFICATION		AMOUNT		
Page No.	ACCOUNT DESCRIPTION	ACTUAL PRIOR YR. 12-31-00	PREVIOUSLY APPROVED BUDGET	RECOMMENDED 12-31-01 BUDGET
3	HEAVY MAINTENANCE	1,281,809.90	0.00	1,000,000.00

3	REGULAR MAINTENANCE	2,190,743.73	0.00	2,150,000.00
3	TRUNKLINE MAINTENANCE-PRIMARY	419,007.20	0.00	420,000.00
3	ADMINISTRATIVE EXPENSE (NET)	208,326.30	0.00	200,000.00
3	EQUIPMENT EXPENSE (NET)	-186,627.39	0.00	0.00
3	CAPITAL OUTLAY (NET)	85,109.68	0.00	250,000.00
3	DISTRIBUTIVE EXPENSE	512,225.49	0.00	144,500.00
3	OTHER	3,171.15	0.00	3,000.00
TOTAL EXPENDITURES		4,513,766.06	0.00	4,167,500.00
OTHER USES		0.00	0.00	0.00
AMOUNTS NEEDED FOR CONTINGENCIES		0.00	0.00	0.00
TOTAL EXPENDITURES AND OTHER USES		4,513,766.06	0.00	4,167,500.00

CURRENT ESTIMATED OPERATING SURPLUS (DEFICIT)	0.00
ACCUMULATED AVAILABLE UNAPPROPRIATED SURPLUS (DEFICIT) FROM PRIOR YEARS	33,784.42
PROJECTED SURPLUS AT END OF BUDGET YEAR	33,784.42

VOTE: Ayes - 3  
Nays - 0  
Motion carried.

Eveline Township assessor and resident Dave Willson heard a rumor on the radio the Charlevoix County Board of Commissioners is using CCRC Chairman Wayne Saunders as a scapegoat for "bad" county roads, and is trying to get rid of him. Mr. Willson said he strongly backs Chairman Saunders, along with the Michigan Township Association and Eveline Township. Mr. Willson added Chairman Saunders is a Road Commission asset, having proven his road comprehension and knowledge (i.e. funding, reconstruction, liability, etc.) many times over.

Mr. Harmon said Eveline Township and Wilson Township, along with the Road Commission and possibly the City of Boyne City may meet to discuss Marshall Road reconstruction. The City of Boyne City has already filed Marshall Road as a drainage district, which could financially burden the Road Commission with mandatory funding participation. Mr. Harmon feels it would be beneficial to coordinate the reconstruction and the drainage district by bidding as one, and the four entities could share the cost.

Moved by Commissioner Way and supported by Commissioner Ogden to approve up to 30% fund transfer from the Primary Road Fund to the Local Road Fund, and to transfer funds from the County Road Fund to the Local Road Fund for the fiscal year ending December 31, 2000 as necessary.

VOTE: Ayes - 3  
Nays - 0  
Motion carried.

Commissioner Ogden would be pleased if the current Road Commission Board continues, as well as Commissioner Price as liaison. Commissioner Price explained liaison appointments are made later in the year. Commissioner Ogden would feel more comfortable if Chairman Saunders was appointed permanent rather than temporary, explaining the current Road Commission Board makes good decisions for Charlevoix County as a whole. He said the Road Commission Board must select a 2001 Chairman, Vice-Chairman and Member each first annual meeting.

Commissioner Ogden asked Commissioner Price about the proposed countywide road millage. Commissioner Price explained the County Board would more than likely drop this idea because townships don't favor it. Mrs. Kondrat asked if the County Board has considered a tourist tax as suggested at a recent MTA meeting. She said a \$1.00 per bed tourist tax could raise a lot of money for much needed road reconstruction and equipment purchases, and tourists using the county road system would contribute to deterioration problems.

Mr. Harmon recommended the 2001 permit fee schedule remain the same as 2000, which are reasonable, fair and workable.

Moved by Commissioner Way and supported by Commissioner Ogden to approve 2001 Transportation and Driveway Permit Fees as presented with additional wording, "\$250.00 maximum fee per permit," for utility permits.

VOTE: Ayes – 3  
Nays – 0  
Motion carried.

Mrs. Kondrat prepared and presented January 1, 2000 through December 17, 2000 retroactive pay summary. Mr. Harmon explained the current cost is approximately \$35,000.00 to \$40,000.00, which includes entire staff. He said a fact finder has been assigned, who will initially meet for a pre-hearing type meeting in Lansing with CCRC Attorney Michael Kluck and Teamsters Union representative Butch Carmien. The second meeting, to be held in the Charlevoix County Road Commission Boardroom, will include Mr. Harmon and the union stewards.

Mr. Harmon met with Manthei Development representatives regarding Old Orchard Road paving letter from Manthei Development. They agreed the portion stating "and that any further corrective or additional work be paid by the Charlevoix County Road Commission" would be struck from the letter, which the Road Commission has already received. Mr. Harmon made it clear the road shall be put back to its original condition or better, and is confident Manthei Development will do as fine a job as they have in past projects. He pointed-out the Road Commission currently holds a \$62,000.00 bond and can collect if the job isn't done to terms. Mr. Harmon said H&D, Inc. will move in, remove the manholes, profile mill the area, replace the manhole covers (which will be adjusted for paving) and will pave with automation. They will then cut the driveways back and repave so there is a smooth transition to the roadway. Mr. Harmon believes Charlevoix Township supervisor Oscar Stroud, concerned County Commissioner Don Smith and angry residents will be pleased with the outcome. As requested by Commissioner Ogden, Mr. Harmon will send a copy of Manthei Developments letter to County Commissioner Don Smith.

Mr. Harmon presented Charles Stewart 12-21-00 letter to attorney Bryan Graham for his legal recommendation regarding the Plat of Glenwood Beach Resort to Evangeline Township. Mr. Stewart searched Road Commission minutes from 1932 to 1936 for McNitt Act information. Mr. Stewart has Evangeline Township minutes and "very legitimate" bills and records showing Evangeline Township paid the Road Commission to construct Glenwood Beach Road; Road Commission minutes show nothing. Mr. Harmon explained the major dispute is a resident wants to build a garage in the lot 23 right-of-way, which was abandoned by Evangeline Township, but was either purposely not included or was overlooked in the Road Commission March 04, 1968 abandonment motion. Evangeline Township cannot issue a zoning permit because it would violate their zoning ordinance. Mr. Harmon explained the property owner might have to file a friendly lawsuit and let a judge make the decision.

Gail Rowe of 29015 (seasonal) Greenes Lake Road, Beaver Island called Mr. Harmon December 28, 2000 and requested the Road Commission snowplow so a truck can enter to refill her propane tank. Mr. Harmon explained several Beaver Island seasonal road residents have requested CCRC employee Joe Timsak to snowplow their roads, which he refused and now residents are watching him closely. He doesn't recommend snowplowing seasonal Greenes Lake Road because it would set precedence. The Board and Mr. Harmon chose to inform Mrs. Rowe of CCRC Policy #84-1 entitled "Improvement to Roads Not Open to Public Travel During the Months of November through April in Accordance with M.S.A. 9.1097(5a)." Mr. Harmon will compose a letter suggesting she hire somebody local with a front-end loader or backhoe to remove the snow, which the Board and Commissioner Price agreed with. County Chairman Phil Johnson will receive a copy of said letter.

St. James Township supervisor Don Vyse called Mr. Harmon 12-28-00 to report Beaver Island residents Richie Gillespie and Ernie Martin contacted the Native Americans to request 2% money to pave several small St. James Township streets on which Native Americans reside permanently. Mr. Vyse knew nothing about this request until he received a call from the Native Americans. Mr. Gillespie and Mr. Martin also contacted Gary Vogt, also without notifying Mr. Vyse, to obtain a cost estimate for said roads (which was a little over \$200,000.00). Mr. Vyse said the Native Americans didn't sound positive because of the high cost. Mr. Vyse informed Mr. Harmon there may be a meeting after the first of the year and he requested Mr. Harmon and Mr. Vanek attend since he and the Road Commission were "left in the dark."

Mr. Vyse received a call from Lansing informing him the \$1.4 million for Main Street reconstruction, St. James Township, Beaver Island would soon be awarded. After approval, the check will be sent to the Charlevoix County Clerk's office to manage the payments. Mr. Harmon requested a copy of the official letter and notification when the check is sent. Mr. Harmon said the Road Commission, St. James Township and Mr. Vogt must meet and a very specific contract shall be signed by the Road Commission, St. James Township and Mr. Vogt "before any dirt is turned," and the contract shall address who would be responsible for overrun costs. He said it shall be written the Road Commission will incur no costs whatsoever. Mr. Harmon said the Road Commission shall meet with whoever handles the money and Mr. Vanek or Mr. Harmon shall review billing quantities and amounts before payments are made. Mr. Vanek shall do progress inspections and enter into Field Manager program (since there is State and Federal Funds involved). He stated the Road

Commission shall have copies of everything pertaining to the St. James Township Main Street reconstruction job. Mr. Vyse agreed with the idea of a contract and feels there most likely will be overages, which the contract shall address. Mr. Vyse also stated Beaver Island township airport is receiving \$2.7 million, over and above the \$1.4 million for the Main Street project.

Mr. Harmon noted bids shall be let locally because the State wants nothing to do with the bidding process. He said CCRC Attorney Joel Wurster shall review every step in the process (i.e. the contract, the bid letting, the bid award, etc.). Everything shall be "cut in stone" before the project begins.

Commissioner Ogden suggested changed wording in future CCRC abandonment resolutions to comply with HB 5940. He instructed Mr. Harmon to ask CCRC Attorney Joel Wurster if advertising acceptance of new county roads is required (HB 5940 possibly alludes to this).

Mr. Harmon, Commissioner Ogden and H&D, Inc. representatives will meet to discuss escrow accounts and letter of credit.

Moved by Commissioner Ogden and supported by Commissioner Way to pay bills totaling \$169,778.93.

VOTE: Ayes – 3  
Nays – 0  
Motion carried.

Moved by Commissioner Way and supported by Commissioner Ogden to adjourn at 11:50 AM.

VOTE: Ayes – 3  
Nays – 0  
Motion carried.

## **DECEMBER 8, 2000**

Chairman Saunders called the meeting to order at 9:00 AM.

Chairman Saunders, Commissioners Way and Ogden, Patrick Harmon and Shelley Kondrat attended. James Vanek was unable to attend.

Moved by Commissioner Ogden and supported by Commissioner Way to approve November 13, 2000 closed meeting minutes as presented.

VOTE: Ayes – 3  
Nays – 0  
Motion carried.

Moved by Commissioner Ogden and supported by Commissioner Way to approve November 27, 2000 regular meeting minutes with the following changes:

- Page 3, line 19: delete "to prevent contamination." from end of paragraph
- Page 3, line 56: add "on a plat whose streets are apparently dedicated to the public, but are unaccepted and uncertified by the Road Commission." after "66' right-of-way"
- Page 4, line 25: replace "that the established of" with "to establish"
- Page 4, line 29: change "Charlevoix County Road Commission employees" to "Charlevoix County Road Commission Employee Plan"
- Page 4, line 34: delete "and" between "employee/who"
- Page 4, line 37: change "be" to "by" after "Participant"

VOTE: Ayes – 3  
Nays – 0  
Motion carried.

Mr. Harmon said he and CCRC shop foreman Mick Luchenbill reviewed Peninsular Equipment, Inc. spray injection machine and emulsion storage tank bid and recommended purchase.

Moved by Commissioner Way and supported by Commissioner Ogden to award 2000 Work-Ready Spray Injection Road Repair Machine & 6000-Gallon Emulsion Storage Tank bid to Peninsular Equipment, Inc. for a total of \$79,292.00.

VOTE: Ayes – 3  
Nays – 0  
Motion carried.

Mrs. Kondrat presented and explained 2000 updated budget review. She will prepare 2000 year-end budget and 2001 beginning year budget for December 29, 2000 regular meeting presentation.

Mick Luchenbill entered at 9:20 AM and presented truck expense comparisons. The Board asked his opinion of Peterbilt Trucks, since there is some controversy. Mr. Luchenbill is happy with Peterbilt Trucks all around, stating:

- Dollar for dollar, Peterbilt is the best all-around truck and they bid lowest, even over Volvo, Kenworth and International, (and International can't supply required Detroit Diesel engines).
- Peterbilt produces a quality, aluminum cab, Class A truck with a better-designed air ride suspension (CCRC has already replaced floors in all 1991 & older Ford trucks).
- Peterbilt cab is the best designed for visibility and comfort.
- Peterbilt offers in-house warranty, reimbursing CCRC 100% for work performed.
- Peterbilt trucks must be driven a little slower because flotation is different due to larger front tires and longer wheelbases compared to other CCRC trucks.
- Peterbilts, with more horsepower than competitors, have the same size fuel tank but burn less fuel.
- When front tires are in good condition, CCRC operators have no complaints with the steering or turn radius.
- Since Sterling purchased Ford, Ford parts for CCRC L9000 & LT9000 trucks are becoming obsolete and very expensive, and Sterling air ride system is inadequate and bulky.

Mr. Luchenbill would rather repair CCRC older trucks than purchase used replacement trucks as some suggest. But he cannot guarantee repaired older equipment will be ready to work when they are required, even for plowing snow or for emergencies. The Board agreed unanimously Mr. Luchenbill is an expert mechanic, and they respect his recommendations.

Moved by Commissioner Ogden and supported by Commissioner Way to incorporate CCRC attorney Michael Kluck recommended changes to policy #96-3 entitled "Sexual Harassment Policy" as follows:

Paragraph 6, 1<sup>st</sup> sentence: change "the" to "all," preceding "employees should know,"  
Paragraph 6, 3<sup>rd</sup> sentence: change "objection" to "objective"  
Add paragraph to end of policy: "There will be no discrimination or retaliation against any employee because the employee has filed a complaint, testified, assisted, or participated in an investigation under this Policy."

VOTE: Ayes – 3  
Nays – 0  
Motion carried.

Mr. Harmon said Beaver Island garage requires a new fuel pump dispenser since the present dispenser has not been working well the last few years during cold months. Mr. Vanek will gather product and installation quotes for December 29, 2000 regular meeting.

Mr. Harmon informed the Board the Boyne City garage requires a new lawn tractor in spring 2001. He recommends an under deck mower to accommodate current CCRC thatcher and sweeper. He will gather and review pamphlets and quotes and report to the Board.

Moved by Commissioner Ogden and supported by Commissioner Way to pay bills totaling \$80,883.72.

VOTE: Ayes – 3  
Nays – 0  
Motion carried.

Moved by Commissioner Way and supported by Commissioner Ogden to adjourn at 10:55 AM.

VOTE: Ayes – 3

Nays – 0  
Motion carried.

## **NOVEMBER 27, 2000**

Chairman Saunders called the meeting to order at 9:00 AM.

Chairman Saunders, Commissioners Way and Ogden, Patrick Harmon, James Vanek and Shelley Kondrat attended, along with Petoskey News-Review reporter Fred Gray.

Moved by Commissioner Way and supported by Commissioner Ogden to approve the November 13, 2000 regular meeting minutes with the following changes:

Page 4, line 3: replace “the State” with “MDOT.”

Page 4, line 4: add “NDG project engineer Howard Haselschwardt” after Mr. Vanek

Page 4, line 6: delete the sentence “Commissioner Ogden suggested waiving pavement specifications for driveways and “short-length” jobs.”

VOTE: Ayes – 3  
Nays – 0  
Motion carried.

Moved by Commissioner Ogden and supported by Commissioner Way to approve the 2000 Annual Township meeting minutes with the following changes:

### Wilson Township, Thursday, November 2, 2000 @ 8:00 PM:

Page 1, line 7: add “and” after Pleasant Valley Road

Page 1, line 10: change “charge” to “charged”

Page 1, line 17: change “documents” to “documented”

Page 1, line 31: change “Full” to “Fuller”

Page 1, line 33: change “place” to “placed”

Page 1, line 43: change “south” to “north”

Page 1, line 49 & 50: change “Manning” to “Mannes” (twice)

Page 1, line 54: change “an AMZ” to “a spray injection”

Page 2, line 1 & 7: change “mileage” to “millage” (twice)

Page 2, line 2: change “in” to “include”

### Bay Township, Thursday, November 2, 2000 @ 7:00 PM:

Page 1, line 34 & 35: change “mileage” to “millage”

Page 1, line 38: change “mileages” to “millages”

Page 1, line 45: change “would” to “who”

### Marion Township, Thursday, October 26, 2000 @ 7:00 PM:

Page 1, line 37: add “said” after “Mr. Harmon”

Page 1, line 17: delete “seasonal” before “Black Road”

Page 1, line 44: change “DuraPatch Machine” to “spray injection machine”

Page 1, line 49: change “Black” to “Marion Center”

Page 2, line 1 & 6: change “mileage” to “millage” (twice)

Page 2, line 3: change “1998” to “1997”

Page 2, line 26: change “15” to “14” and change “1998” to “1997” (twice)

Page 2, line 29: “legislature” to “legislators”

Page 2, line 36: add “would” between “it/put”

Page 2, Line 27: delete “of the” after “off”

### Eveline Township, Thursday, October 26, 2000 @ 8:00 PM:

Page 1, line 21: change “off” to “running west of”

Page 1, line 22: add “also it was noted that” before “Catherine Street”

Page 1, line 37 & 46: change “DuraPatch Machine” to “spray injection machine”

Page 1, line 42: delete "looked" before "investigated"

Hayes Township, Wednesday, November 1, 2000 @ 7:00 PM:

Page 1, line 16, 19, 22 & 30: change "mileage" to "millage" (four times)  
Page 1, line 18: change "mileages" to "millages" and "mileage" to "millage"  
Page 1, line 24/25: delete ", and doesn't qualify for Category D funds" after "million"

Boyne Valley Township, Wednesday, November 1, 2000 @ 8:00 PM:

Page 1, line 8: delete "(questionable)" after "Bisque Road"  
Page 1, line 22: add "at Boyne Valley Township expense" after "year-round maintenance."  
Page 1, line 24: change "Lake" to "Lakes"  
Page 1, line 26: change "pole is" to "poles are"  
Page 1, line 34: change "ton" to "tons"  
Page 1, line 50, 52 & 55: change "mileage" to "millage" (thrice)  
Page 1, line 53: change "mileages" to "millages"  
Page 2, line 1: change "advise" to "advice"  
Page 2, line 2 & 6: change "mileage" to "millage" (twice)  
Page 2, line 14: change "hear" to "heard"  
Page 2, line 14: delete "in Boyne Falls" and add "near the Industrial Park" after M75

Melrose Township, Thursday, October 26, 2000 @ 6:00 PM:

Page 1, line 18: change "15" to "14"  
Page 1, line 19: change "1998" to "1997" (twice)  
Line 20: delete "of the" after "off"  
Line 22: change "legislature" to "legislators"  
Line 41: change "if" to "it"  
Page 2, line 4 & 10: change "mileage" to "millage"

South Arm Township, Tuesday, October 24, 2000 @ 9:00 PM:

Page 1, Line 6: change "Dave Grutsch" to "Carl Grutsch"  
Page 1, Line 11: change "should" to "shoulder"  
Page 1, Line 25: change "because" to "become"  
Page 1, Line 38: delete "the" before highly  
Page 1, Line 34: change "road was" to "roads were"

Chandler Township, Tuesday, October 24, 2000 @ 8:00 PM:

Page 1, line 10: delete "observing to examine compliance with state statutes" and add "to investigate site-distance compliance" after "Mr. Howard"  
Page 1, line 23/24 & 28: change "DuraPatch Machine" to "spray injection machine"  
Page 1, line 33: change "share" to "sharp"  
Page 2, line 9 & 10: change "mileage" to "millage"  
Page 2, line 42: change "\$41 million" to "\$140 million"

Hudson Township, Tuesday, October 24, 2000 @ 7:00 PM:

Page 1, line 39: change "recommended" to "concur CCRC shouldn't"  
Page 1, line 42: change "verses" to "versus"  
Page 1, line 48: change "official" to "Board"  
Page 1, line 50: delete "." after "Bridge"  
Page 1, line 54: change "string" to "stream"  
Page 2, line 1: change "yon" to "ton"  
Page 2, line 16, 23 & 25: change "mileage" to "millage"  
Page 2, line 18: change "legislature" to "legislation"  
Page 2, line 20: change "1998" to "1997"  
Page 2, line 19: change "fairest way to tax all drivers using the roads and" to "fairest tax because the people using the roads pay the tax, which should have been raised more in 1997."

Evangeline Township, Monday, November 13, 2000 @ 11:30 AM:

Page 1, line 10, 22 & 23: change "mileage" to "millage"  
Page 1, line 14: change "mileages" to "millages"  
Page 1, line 42: delete "...can set-up for Evangeline Township Board comfort" after "wish"

VOTE:               Ayes – 3  
                      Nays – 0  
                      Motion carried.

**10:00 AM – Open 2000 Work-Ready Spray Injection Road Repair Machine and 6000-gallon Emulsion Storage Tank bids, attended by Peninsular Equipment, Inc. representative Bill Harmon.**

Peninsular Equipment, Inc.	DuraPatch Spray Injection Road Repair Machine	\$49,752.00
Peninsular Equipment, Inc.	DuraPatch 6000-gallon Emulsion Storage Tank	<u>\$29,540.00</u>
	TOTAL	\$79,292.00

Bill Harmon presented “Dura Tank for Emulsions” brochures and explained CCRC installation preparation and financial obligations. Chairman Saunders asked what the minimum emulsion delivery amount would be, to which Pat Harmon said 7,200 gallons, but CCRC and Emmet CRC will work together so there will be no extra, expensive drop charge for a lesser amount. He said the emulsion would be included with CCRC annual bids. Bill Harmon said the thermostatically controlled tank is economical and insulated, and the emulsion is water-soluble and doesn’t require cold-weather heat because it withstands freezing (he recommends AE90 for pot holes, and HFRS-2 for re-seal projects). He said the spray injection machines are built to order and are individually pre-run at the factory.

Bill Harmon said:

- bid prices are good through April 2001
- he will personally inspect the pad before the tank is delivered and installed
- CCRC crew will be provided training for as long as it takes.
- requested CCRC contact references on the list enclosed with Peninsular Equipment bid.

The Board instructed Pat Harmon and CCRC shop foreman Mick Luchenbill to examine bids, contact references, and give recommendation at December 8, 2000 regular Board meeting. Commissioner Way feels this is a good, reasonably priced package.

10:30 AM- C.H. Smith, Inc. representative Steve Smith arrived to discuss final Behling Road/Wilson Road project billing. He said the undercut was approximately 2’ deeper than anticipated, and wants payment for extra backfill material. Mr. Vanek and Pat Harmon said undercut is paid by volume, as written in 1990 Standard Specifications for Construction, Section 2.08.17 portion, which states:

- ❖ Subgrade Undercutting will be measured by volume in cubic yards in its original position.
- ❖ There will be no adjustment in the contract unit price for any type of Subgrade Undercutting specified, regardless of the percentage of increase or decrease in the final constructed quantity above or below the contract quantity. Payment for subgrade undercutting work includes the removal and replacement of undesirable material with material of the type specified.

Chairman Saunders asked Mr. Smith if backfill is included in a subgrade undercut. Mr. Smith said it is, but his whole contention is CCRC changed the cross-section during the job and feels the extra sand required should be paid for. Commissioner Ogden said the specifications are firm and fair, and sand is incidental in an undercut, adding any contractor gets paid for sub-grade undercut by volume removed (per cubic yard). Chairman Saunders asked Mr. Smith if his bid included a subgrade undercut unit price. Mr. Smith said it did, and he isn’t trying to change the price. His argument is the cross-section was changed in a non-pay item after the project began. Chairman Saunders asked if the bid specifications allowed for a deeper undercut. Mr. Vanek felt that it did. Mr. Smith said the words “as directed by engineer” would have solved the problem, but instead the bid specifically said to excavate 2 feet deep. Pat Harmon said the cross-section change is a 1990 Standard Specifications for Construction option. The Board instructed Pat Harmon to investigate and notify Mr. Smith of the decision.

Evangeline Township zoning administrator Chuck Stewart arrived to discuss the complicated Glenwood Beach area problem, which currently has structures and houses in the 66’ right-of-way on a plat who’s streets are apparently dedicated to the public, but are unaccepted and uncertified by the Road Commission. He said present landowners cannot build anything new due to zoning limitations. Also, the township has engaged attorney Jim Young for legal advice.

Mr. Stewart investigated and discovered in 1902 Evangeline Township accepted the platted subdivision, but CCRC never did. Additionally, township minutes from the 1920’s vacate lots 23 through 42, but 1928 CCRC minutes vacate only lots 24 through 42. Mr. Stewart asked if CCRC could amend their 1928 minutes to include lot 23 without Circuit Court involvement. The Board informed him CCRC can abandon rights-of-way, but Circuit Court must legally vacate it. Also

noted was lot 23 is approximately 20' from water, so the DNR and Evangeline Township have first property rights, not the landowners. Pat Harmon said CCRC normally supports township requests, but feels CCRC has no title to said property.

Mr. Stewart will request Evangeline Township attorney Jim Young to investigate said matter.

Mr. Stewart said he would attend a future CCRC Board meeting when he completes information regarding the Nelson Road end proposed abandonment.

**RESOLUTION TO APPROVE  
THE IMPLEMENTATION OF A DEFERRED COMPENSATION PLAN**

Commissioner Ogden moved to adopt the following **RESOLUTION**, supported by Commissioner Way.

**WHEREAS**, the Charlevoix County Road Commission has determined that a Deferred Compensation Plan will be beneficial to its employees as a supplement to their retirement plan, and

**WHEREAS**, it has been determined to establish a Deferred Compensation Plan will result in little cost to the County Road Commission.

**NOW, THEREFORE, BE IT RESOLVED** that the Charlevoix County Road Commission hereby adopts and establishes the Charlevoix County Road Commission Employee Plan (hereinafter called the "PLAN"), and

**BE IT FURTHER RESOLVED** that the Plan Advisor will be John T. Walters, C.L.U. of Comprehensive Financial Services, Inc., Post Office Box 1097, East Lansing, Michigan, 48826-1097. The Plan will consist of the provisions set forth in the Master Deferred Compensation Agreement and is applicable to each employee who elects to participate in the Plan, and

**BE IT FURTHER RESOLVED** that the Plan is effective as to each public employee upon the date he or she becomes a "Participant" by signing and filing a "Participation Agreement" referred to in the Master Plan.

Resolution adopted by the following voice vote:

AYES – Saunders, Way, Ogden

NAYS – None

I certify this is a true **Resolution** copy adopted at the November 27, 2000 Charlevoix County Road Commission Board regular meeting.

\_\_\_\_\_  
Shelley Kondrat, Clerk

Mr. Vanek presented future bid specification additions, which are:

▪ **GRADE STAKES:**

Whenever subgrade undercut is performed, or sand or gravel is placed below an existing or proposed asphalt surface, the contractor shall, as incidental, furnish and set grade stakes each side of roadway every 100-feet as a reference point to insure longitudinal grade integrity.

▪ **AUTOMATED PAVER:**

Whenever a roadway section exceeding 200-feet is to be paved, the contractor shall use a fully automated paver for each asphalt course. Electronic automation is not required while paving an intersection radius, driveways or mainline pavement edge wedging or widening.

Recessed at 12:15 PM for lunch.

Resumed at 12:50 PM.

Pat Harmon reported Hudson Township Board approved mining at H&D, Inc. Camp Ten Road gravel pit.

Moved by Commissioner Ogden and supported by Commissioner Way to rescind October 10, 2000 motion which reads in part:

"authorizing CCRC manager Patrick Harmon to sign extended State Maintenance agreement for the fiscal year October 1, 2000 through September 30, 2001.

- TO -

“authorizing CCRC manager Patrick Harmon to sign State Maintenance contract that extends the term from October 1, 1998 through March 31, 2001.

VOTE: Ayes – 3  
Nays – 0  
Motion carried.

Moved by Commissioner Way and supported by Commissioner Ogden to pay bills totaling \$94,898.29.

VOTE: Ayes – 3  
Nays – 0  
Motion carried.

Moved by Commissioner Ogden and supported by Commissioner Way to adjourn at 1:30 PM.

VOTE: Ayes – 3  
Nays – 0  
Motion carried.

## **NOVEMBER 13, 2000**

Chairman Saunders called the meeting to order at 9:00 AM.

Chairman Saunders, Commissioners Way and Ogden, County Commissioner Carl Price, Patrick Harmon and Shelley Kondrat attended, along with Petoskey News-Review reporter Fred Gray. James Vanek overseeing Huffman Lake Road reconstruction and was unable to attend until 10:30 AM.

Moved by Commissioner Way and supported by Commissioner Ogden to approve October 23, 2000 regular meeting minutes with the following changes:

- Page 2, line 24: add “Road Commission attorney” before Joel Wurster
- Page 2, line 51: add “St. James Township engineer” before Gary Vogt and add “(Moore & Bruggink, Inc.)” after Gary Vogt
- Page 3, line 4: change “of” to “if”
- Page 3, line 5: delete the word “legal”
- Page 3, line 31: delete “Expense money was being borrowed from the local bank.”
- Page 4, line 17: change “Chairman Saunders explained used trucks are not built to Road Commission plow truck specifications, which require rear power, and said the gearing for over-the-road doesn’t work on plow trucks.” to “Commissioner Ogden explained used trucks may not be built to meet Road Commission needs, which require front power hydraulics, and said the gearing, frame strength and wheel base for over the road doesn’t work on plow trucks with underbody blades.”
- Page 4, line 21: delete the word “plow”
- Page 4, line 21: change “CCRC requires heavier trucks, and DOT has been ticketing overweight Road Commission vehicles.” to “The Road Commission requires heavier trucks.”
- Page 4, line 26: change “coordinate” to “coordinated”
- Page 4, line 32: change “the Road Commission” to “road needs”
- Page 4, line 44: remove the words “next year”
- Page 5, line 9: change “ditching.” to “ditched.”
- Page 5, line 27: change “access to their property.” to “improved access to the west-side of their property.”

VOTE: Ayes – 3  
Nays – 0  
Motion carried.

Moved by Commissioner Ogden and supported by Commissioner Way to adopt the 2001 MERS Retiree Benefit Program “E” 2% increase (see attachment).

VOTE: Ayes – 3  
Nays – 0

Motion carried.

Moved by Commissioner Way and supported by Commissioner Ogden to open 2000 Work-Ready Spray Injection Road Repair Machine and 6000-Gallon Emulsion Storage Tank bids at 10:00 AM Monday, November 27, 2000.

VOTE: Ayes – 3  
 Nays – 0  
 Motion carried.

Mrs. Kondrat presented October 31, 2000 month-end proposed budget, explaining local road maintenance expenditures are closely monitored monthly because approximately 74% of CCRC road miles are local, and MTF local road funds are restricted. The Board discussed possibly having to cap future township share policy funds.

Moved by Commissioner Way and supported by Commissioner Ogden to amend 2000 budget as follows:

Presented November 13, 2000 Shelley Kondrat, Clerk	<b>2000 BUDGET SUMMARY</b>			Page of 1 3
Name of Governmental Unit Charlevoix County Road Commission	Name of Fund Road Fund	Fund No. 201	Budget Year Ending Date: 12-31-00	

REVENUES (AND OTHER SOURCES)		AMOUNT		
DEPARTMENT OR CLASSIFICATION		AMOUNT		
Page No.	ACCOUNT DESCRIPTION	ACTUAL PRIOR YR. 12-31-99	PREVIOUSLY APPROVED BUDGET	RECOMMENDED 12-31-00 BUDGET
2	TRANSPORTATION	3,021,881.70	3,000,000.00	3,000,000.00
2	FEDERAL REVENUE	277,501.34	250,000.00	.00
2	TRUNKLINE MAINTENANCE-PRIMARY	285,000.00	300,000.00	320,000.00
2	COUNTY RAISED REVENUE	753,182.46	250,000.00	666,354.21
2	OTHER RAISED REVENUE	0.00	0.00	0.00
2	INTEREST EARNED	28,485.00	30,000.00	38,500.00
2	SALVAGE SALES	2,585.22	2,000.00	2,056.81
2	GAIN/LOSS-EQUIPMENT DISPOSALS	0.00	0.00	0.00
2	PERMIT FEES	28,000.00	27,000.00	30,000.00
2	OTHER	-9.00	0.00	0.00
TOTAL REVENUES		4,396,626.72	3,859,000.00	4,056,911.02
TOTAL OTHER SOURCES		0.00	0.00	0.00
TOTAL REVENUES AND OTHER SOURCES		4,396,696.72	3,859,000.00	4,056,911.02

EXPENDITURES (AND OTHER USES)		AMOUNT		
DEPARTMENT OR CLASSIFICATION		AMOUNT		
Page No.	ACCOUNT DESCRIPTION	ACTUAL PRIOR YR. 12-31-99	PREVIOUSLY APPROVED BUDGET	RECOMMENDED 12-31-00 BUDGET
3	HEAVY MAINTENANCE	1,074,001.02	1,000,000.00	844,148.74
3	REGULAR MAINTENANCE	2,094,822.84	2,050,000.00	1,850,000.00

3	TRUNKLINE MAINTENANCE-PRIMARY	310,000.00	300,000.00	340,000.00
3	ADMINISTRATIVE EXPENSE (NET)	209,525.00	200,000.00	174,000.00
3	EQUIPMENT EXPENSE (NET)	0.00	0.00	0.00
3	CAPITAL OUTLAY (NET)	633,282.36	300,000.00	296,018.26
3	DISTRIBUTIVE EXPENSE	0.00	0.00	425,000.00
3	OTHER	6,195.00	7,000.00	2,341.15
TOTAL EXPENDITURES		4,327,826.22	3,857,000.00	3,931,508.15
OTHER USES		0.00	0.00	0.00
AMOUNTS NEEDED FOR CONTINGENCIES		0.00	0.00	0.00
TOTAL EXPENDITURES AND OTHER USES		4,327,826.22	3,857,000.00	3,931,508.15

CURRENT ESTIMATED OPERATING SURPLUS (DEFICIT)	125,402.87
ACCUMULATED AVAILABLE UNAPPROPRIATED SURPLUS (DEFICIT) FROM PRIOR YEARS	-86,021.00
PROJECTED SURPLUS AT END OF BUDGET YEAR	39,381.87

VOTE: Ayes – 3  
Nays – 0  
Motion carried.

Moved by Commissioner Way and supported by Commissioner Ogden to designate CCRC manager Patrick Harmon as 2000 Local Task Force Meeting voting delegate.

VOTE: Ayes – 3  
Nays – 0  
Motion carried.

Moved by Commissioner Way and supported by Commissioner Ogden to hold Local Task Force Meeting at 7:00 PM Thursday, December 14, 2000 at the Boyne City Chambers senior citizens center.

VOTE: Ayes – 3  
Nays – 0  
Motion carried.

Mr. Harmon presented Boyne Valley Townships Old Mackinaw Trail survey. Mr. Harmon will paint the road and measure utility pole locations from the existing centerline next week (weather permitting) to see how far the road is off. Boyne Valley Township requested Old Mackinaw Trail be moved onto original section line, which would require relocating some utility poles. He said Old Mackinaw Trail is currently in the road-by-user right-of-way, so Boyne Valley Township would have to pay relocation expenses 100%.

Moved by Commissioner Way and supported by Commissioner Ogden to present \$18.00 Glen's Market gift certificates to employees for Thanksgiving Ham or Turkey.

VOTE: Ayes – 3  
Nays – 0  
Motion carried.

The Board approved request from Mrs. Kondrat for Mr. Harmon, Mr. Vanek and herself to attend GASB34 discussion in Kalamazoo at 10:30 AM December 4, 2000.

The Board approved sending Eveline Township Ferry Road crossing Porter Creek \$15,000.00 statement.

Commissioner Ogden:

- Suggested obtaining Otsego County Road Commission Thumb Lake Road plans for CCRC consultant to coordinate cross-sections during reconstruction.
- Asked if shoulder widening could be reported as Act 51 non-motorized transportation expenses.
- Requested investigating road protection where snowmobile trails cross. Mr. Harmon was impressed by Emmet County Road Commission design to protect road surfaces.

Commissioner Way:

- Asked about centerline painting. Mr. Harmon said the contractor called last Thursday and will be in the area today or tomorrow. Mr. Vanek located Traverse City companies, and will include on future bids.
- Has received public inquiries why Barnard Road guardrail is in one place and not in another. Mr. Vanek explained guardrail installation must meet certain criteria, explaining Road Commission could be held liable if an accident happens where guardrail is placed, but isn't warranted.

Moved by Commissioner Ogden and supported by Commissioner Way to change the 9:00 AM December 11, 2000 Regular Board Meeting to 9:00 AM December 8, 2000 to accommodate full Board attendance.

VOTE: Ayes – 3  
 Nays – 0  
 Motion carried.

Moved by Commissioner Ogden and supported by Commissioner Way to change the 9:00 AM December 25, 2000 Regular Board Meeting to 9:00 AM December 29, 2000 to observe the Christmas holiday.

VOTE: Ayes – 3  
 Nays – 0  
 Motion carried.

Chairman Saunders:

- Received 2 telephone calls from concerned residents regarding road surface damage from Peninsula Road car fire. Mr. Harmon said AMZ machine will repair damaged road surface next year, and the accident report will be obtained to bill the automobile owners insurance company.
- Said Lakeshore Road ditching between Advance and Boyne City is washing-out and caved-in, causing future edge failure.
- Said a Lakeshore Road resident is erecting a retaining wall in the road right-of-way. Mr. Harmon issued permit for work, considering it shoreline protection.

Mr. Vanek gave Huffman Lake Road update, reporting 2000 reconstruction portion would be wrapping-up November 14, 2000, with a 2001 completion date. One area, which requires guardrail, will be staked with temporary delineator posts and reflectors for safety. Mr. Vanek reported M & M Contracting crew is great to work with, but owner is very difficult. Mr. Vanek writes very detailed Individual Daily Reports (IDR) on uncooperative contractor to alert MDOT. Mr. Harmon, Mr. Vanek, NDG project engineer Howard Haselschwardt and the owner met for 2 hours on November 10, 2000, reconciling nothing.

Moved by Commissioner Ogden and supported by Commissioner Way to pay bills totaling \$251,682.14.

VOTE: Ayes – 3  
 Nays – 0  
 Motion carried.

11:30 AM-2000 Evangeline Township Annual Meeting, attended by CCRC foreman Ron Willis and Evangeline Township clerk Josette Lory (see individual minutes). The Evangeline Township Annual Meeting adjourned at 12:10 PM.

Moved by Commissioner Way and supported by Commissioner Ogden to honor Mr. Harmon request to enter closed session at 12:10 PM to discuss union negotiations.

VOTE: Ayes – 3  
 Nays – 0  
 Motion carried.

Re-entered regular session at 12:55 PM.

Moved by Commissioner Way and supported by Commissioner Ogden to adjourn at 12:55 PM.

VOTE: Ayes – 3  
Nays – 0  
Motion carried.

## **OCTOBER 23, 2000**

Chairman Saunders called the meeting to order at 9:00 AM.

Chairman Saunders, Commissioners Way and Ogden, Patrick Harmon and Shelley Kondrat attended. James Vanek overseeing Huffman Lake Road reconstruction and was unable to attend.

Moved by Commissioner Way and supported by Commissioner Ogden to approve October 10, 2000 regular meeting minutes as presented.

VOTE: Ayes – 3  
Nays – 0  
Motion carried.

9:30 AM-Boyne Mountain General Manager Ed Grice and H&D, Inc. construction foreman Mike Skop arrived. Mr. Grice presented and explained Boyne USA Boyne Mountain Road and Cliffdweller Drive temporary relocation proposed changes. Due to the Mountain Grand Lodge construction, a temporary main entrance involving both roads is required. The permanent main entrance requiring Brown Road relocation will coincide with the Mountain Grand lodge grand opening, reaching completion within the next 2 years. Mr. Harmon sees no problem with the proposed temporary roadway other than the private landowner, Bobby Leathermann. Mr. Leathermann shall supply a support letter to the Road Commission, signed by any adult living in his household, and by anyone who owns the property on Cliffdweller Drive. Also, Mr. Harmon must receive consent from Boyne Valley Township before approving Boyne Mountain permit application. The Board determined there was no need for a public hearing, but Boyne USA must supply the Road Commission with before and after 66' rights-of-way legal surveys deeded to the Road Commission. Also temporary and permanent roads must be built to CCRC specifications, and funded 100% by Boyne USA.

Mr. Grice said Boyne USA plans to build a new golf course next spring, hoping the Road Commission and Boyne Valley Township could foresee upgrading Deer Lake Road since growth will generate extra funds. Commissioner Ogden explained Road Commissions receive no personal property taxes, relying solely on gas and weight taxes. Mr. Harmon estimated Deer Lake Road reconstruction at \$500,000.00 and feels it would qualify for Economic Development Funds due to creating new jobs.

10:00 AM-Public Hearing for Norwegian Road right-of-way proposed abandonment. No public attended, and no written comments were received.

After discussion, the Board adopted the following Resolution.

### **ABANDONMENT RESOLUTION**

Commissioner Ogden moved to adopt the following **Resolution**, supported by Commissioner Way.

**WHEREAS**, a petition to abandon and discontinue described Norwegian Road portion, South Arm Township, Charlevoix County, has been received:

All that portion of the County Road right-of-way being located on the Westerly 33' of the Southwest quarter of the Southwest Quarter of Section 35, Town 32 North, Range 7 West, being bordered on the south by the south line of said Section 35 (also being the Charlevoix County line), and being bordered to the north by the north line of the Southwest Quarter of the Southwest quarter, and being approximately 1320' feet in length, more or less, or .25 of a mile.

**AND ALSO,**

All that portion of the County Road right-of-way being located on the Easterly 33' of the Southeast quarter of the Southeast Quarter of Section 34, Town 32 North, Range 7 West, being bordered on the south by the south line of said

Section 34 (also being the Charlevoix County line), and being bordered to the north by the north line of the Southeast Quarter of the Southeast quarter, and being approximately 1320' feet in length, more or less, or .25 of a mile.

**AND, WHEREAS**, each owner and occupant of land abutting described road portion has been formally notified of abandonment proceedings,

**AND, WHEREAS**, the Road Commission Board has determined the herein described road is a dead end road, there is no record of this road segment connecting to any other road, is impassable to vehicular traffic, and is unused.

**THEREFORE, BE IT RESOLVED**, pursuant to MCL 224.18(5), the Road Commission Board, Charlevoix County, Michigan, resolves to absolutely abandon and discontinue described Charlevoix County road portion as a certified county road commencing October 23, 2000. A true resolution copy shall be recorded with the Charlevoix County Register of Deeds, with the South Arm Township Clerk and with the proper highway authorities.

**CLERK'S CERTIFICATION**

I hereby certify the Charlevoix County Road Commission Board adopted this abandonment **Resolution** October 23, 2000 with the following vote:

AYES: SAUNDERS, WAY, OGDEN

NAYS: -NONE-

\_\_\_\_\_  
Shelley Kondrat, Clerk

10:30 AM-Road Commission attorney Joel Wurster arrived and presented Grand Traverse Band of Ottawa and Chippewa Indian Tribe maintenance contract draft, which follows the Benzie County Road Commission contract with the Native Americans. Mr. Wurster changed the contract language to read that any disputes would be heard in Charlevoix County Circuit Court, not in tribal court. The contract shall be renewed annually, with termination only between April 1<sup>st</sup> and June 30<sup>th</sup> each year, in which the Road Commission must give the tribal council 90 days advance written notice. Mr. Wurster pointed out paragraph 8, in which the tribal council agrees to indemnify 100% of CCRC expenses, but does not waiver governmental immunity. Mr. Harmon explained the Road Commission no-fault insurance covers CCRC equipment, but not liability for any personal injuries on federally owned tribal roads. Mr. Wurster explained the US government owns the roads, but holds them in trust for the tribe. The Road Commissions insurance company (Michigan County Road Commission Self-Insurance Pool) advised the Road Commission be underwritten on the tribal insurance, with a \$1,000,000.00 "each occurrence" minimum. The tribal council has supplied liability insurance to Mr. Harmon, who said the subdivision roads were built to national specifications and are not closed to the public since the federal government owns the land.

Moved by Commissioner Ogden and supported by Commissioner Way to approve the proposed contract between the Charlevoix County Road Commission and the Grand Traverse Band of Ottawa and Chippewa Indian Tribe with regard to street maintenance on the Bureau of Indian Affairs Route 0400, located within the east ½ of the southwest ¼ of the southeast ¼ of Section 32, T33N R7W, Eveline Township, beginning October 25, 2000 and ending October 24, 2001.

VOTE: Ayes – 3  
Nays – 0  
Motion carried.

Mr. Harmon informed the Board that, on October 12, 2000, he received a letter copy dated September 13, 2000 regarding the Main Street project grant addressed to St. James Township supervisor Don Vyse. He said St. James Township engineer Gary Vogt (Moore & Bruggink, Inc.) began surveying today and Beaver Island garage leadman Joe Timsak will accompany him. Mr. Harmon wasn't informed of the 7:00 PM October 25, 2000 town meeting until October 23, 2000, adding he was informed Charlevoix County would administer the grant funds. The Board directed Mr. Harmon to arrange a 10:00 AM November 13, 2000 conference including the State of Michigan, the MEDC staff, St. James Township representative(s), Engineer Gary Vogt, the Road Commission Board, Manager, Engineer and Clerk to discuss Main Street grant and project BEFORE reconstruction commences.

**The Road Commission shall:**

- Enter into ALL contract(s) establishing project payments by whom, to whom, for what; and shall include who is liable for payment if ADDITIONAL COSTS ARE INCURRED.
- Be given copies of ALL contract(s) BEFORE Main Street project begins.

- Be included and advised on ALL Main Street grant activity, variations and/or project changes.
- Be included and advised of ALL Main Street project reconstruction activity, progress and/or changes.
- Be timely advised of ALL Main Street project meetings.
- Receive ALL Main Street project correspondence.
- Be given ALL current Main Street project activity updates.

Northwest Design Group Engineer Howard Haselschwardt and CCRC Engineer Jim Vanek shall review ALL Main Street project proposed plans and CCRC attorney Joel Wurster shall review ALL paperwork.

Moved by Commissioner Way and supported by Commissioner Ogden to purchase a special occasions tape recorder with no dollar limit.

VOTE: Ayes – 3  
 Nays – 0  
 Motion carried.

11:00 AM-Charlevoix County Commissioner Carl Price arrived. Chairman Saunders feels County Commissioner Phil Johnson became inappropriately hostile at a recent Charlevoix County Board Meeting. Chairman Saunders doesn't agree Charlevoix County has the "worst roads around," as Commissioner Johnson stated. Chairman Saunders is preparing a project list and costs completed since he joined the Road Commission Board in 1989. Chairman Saunders originally joined the Road Commission Board with a special interest for the townships, and at which time:

- Employees were being laid off.
- \$36,000.00 was owed to the Charlevoix County Board, and he helped initiate the \$1,000.00 per month for 36 months payback plan.
- Townships were paying 100% plus 7% overhead for all local road projects and, along with Eveline Township supervisor Dave Willson, were successful in having the 7% overhead waived.

Currently the Charlevoix County Road Commission:

- Pays 100% engineering costs.
- Has township share policies:
  - Gravel and Re-seal Policies-Road Commission pays labor, equipment and fringes; respective township pays for materials used.
  - Pavement Policy-Road Commission pays for 3<sup>rd</sup> inch pavement layer; respective township pays the balance.

Chairman Saunders quoted the "County Road Commissions" informational booklet:

Challenges Although the gasoline tax increase — passed by the Michigan Legislature in 1997 — certainly helped fund long-overdue construction and maintenance on Michigan's county road system, Michigan still ranks close to the bottom third in state motor fuel tax rates. In fact, in 1998 Michigan was only 42<sup>nd</sup> in per-capita road funding.

Studies by Washington, D.C.-based The Road Information Program (TRIP) found that lack of funding for Michigan's county road and bridge system had resulted in unmet needs totaling almost \$9 billion.

Consider the following:

- Almost three-fourths of Michigan's paved county roads are in need of repair;
- Half of Michigan's county roads are unpaved;
- Almost 40 percent of bridges in the county road system are rated deficient and in need of repair;
- Michigan bridges are deteriorating: 39 percent are listed as deficient or closed because of functional or structural limitations.
- In the last decade, Vehicle Miles of Travel (VMT) on Michigan's county roads increased by almost 50 percent, causing more wear and tear on our roads. However, funding for the same roads has remained steady, which creates a significant gap between road needs and funding.

The same TRIP report estimated that road and bridge projects would require approximately \$900 million more per year over ten years. The County Road Association of Michigan supports long-term infrastructure investments over short-term financing.

Chairman Saunders told Commissioner Price this because he feels the Board is doing the best job they can do, and wished to defend the Road Commission Board. He, Commissioner Johnson and Mr. Harmon met after said county meeting and felt Commissioner Johnson had a new understanding after the facts were explained to him.

Regarding Road Commission used equipment purchase, Commissioner Ogden explained used trucks may not be built to meet Road Commission needs, which require front power hydraulics, and said the gearing, frame strength and wheel base for over the road doesn't work on plow trucks with underbody blades. He supported purchasing Peterbilt trucks, explaining Ford parts are unavailable because Ford sold-out to Sterling, a Canadian factory. The Road Commission auditor said trucks should be replaced every 8 years when they are fully depreciated. The Road Commission requires heavier trucks.

The Board updated Commissioner Price on Main Street project, St. James Township, Beaver Island (see above). The Road Commission wants to make sure the county understands contract terminology, including but not limited to: "timely completion" and "liquidated damages," AND payments coordinated with work completed. Mr. Harmon reiterated importance of Road Commission reconstruction design input, and being updated with ANY project activities and/or changes.

Commissioner Price informed all present the countywide road mileage forum would probably be scheduled for December 2000. All present agreed public education on all aspects of road needs is the most important factor.

Mr. Harmon explained the maintenance contract with the Grand Traverse Band of Ottawa and Chippewa Indians to Commissioner Price.

12:35 PM-recessed for lunch — 1:25 PM-resumed meeting

Mr. Harmon presented the "Rolling Pothole Filler Machine" information and explained inventor Ronald Hesse, Jr. requested letter supporting machine so he can approach investors.

Mr. Harmon explained Wildwood Harbor radio tower electrical services come out of the building roof, which leaks. He met with Consumers Energy, who can install underground lines and trim trees, then Hunt Roofing can replace the flat roof with pliable rubber. Mr. Harmon said the Charlevoix County Transit and the Boyne City Public School System use the tower and plan to financially assist the Road Commission next summer to enclose the building and tower with fencing.

Mrs. Kondrat presented information explaining the MERS 2<sup>nd</sup> quarter statement, stating it costs \$430.00 for a B3 upgrade actuary report. Mr. Harmon explained fact-finding procedures, informing the Board the fact-finder has been assigned and will possibly be here in December for negotiation review.

Mr. Harmon stated Huffman Lake Road project dirt work started today and will be completed by November 15, 2000. The contractor understands his responsibility to fund any winter preservation, and paving completion in May or June of 2001. Mr. Harmon stated Ferry Road crossing Porter Creek final inspection is 1:30 PM Tuesday, October 24, 2000 with MDOT engineer Judy Browning, who will access liquidated damages and must sign-off for final contractor payment.

Commissioner Ogden informed Commissioner Price a countywide road mileage wouldn't solve the Road Commissions equipment problem, hoping the County Board continues future equipment purchase financial support.

Mr. Harmon informed all present the union members voted to have Korthase Insurance Company handle the Road Commission 457-Plan implementation; he will call Bill Korthase.

Commissioner Ogden said M66 ditching needs "tidied-up," and requested the Road Commission take extra time to preserve well-manicured lawns whenever and wherever ditched. This Road Commission "good neighbor" gesture shows quality workmanship.

Mr. Harmon stated the Road Commission has received no further information regarding North Shore Drive reconstruction, Norwood Township.

Mr. Harmon said liquidated damages shall be charged to C.H. Smith, Inc. for Behling Road project. He stated Mr. Smith already tried to "double dip" the Road Commission, but Mr. Vanek keeps excellent records and caught the duplicate charges. Mr. Harmon informed Mr. Smith there would not be one cent paid until the Road Commission had the actual bond hard copy.

Commissioner Way said Ferry Road gravel addition looks good.

Mr. Harmon explained the expense to upgrade the Road Commission brine operation. He feels the Road Commission should take annual bids the end of February or the first of March, then let townships schedule brining with the contractor and pay them directly.

Chairman Saunders inquired about Ferry Road barricade relocation. Mr. Harmon said it has been relocated nearer the swamp, giving the Dvoracek brothers improved access to the west side of their property.

Chairman Saunders inquired about the Bingham Road culvert project. Mr. Harmon informed all present the timber box culvert has arrived, but the project won't be done until 2001 due to DEQ/DNR involvement.

Chairman Saunders inquired if all Sexual Harassment requirements have been met. Mr. Harmon said the Sexual Harassment policy was adopted 2-3 years ago, and CCRC labor attorney Michael Kluck has trained all CCRC employees.

Moved by Commissioner Ogden and supported by Commissioner Way to pay bills totaling \$81,090.28.

VOTE: Ayes – 3  
Nays – 0  
Motion carried.

Moved by Commissioner Way and supported by Commissioner Ogden to adjourn at 3:10 PM.

VOTE: Ayes – 3  
Nays – 0  
Motion carried.

## **OCTOBER 10, 2000**

Chairman Saunders called the meeting to order at 9:00 AM.

Chairman Saunders, Commissioners Way and Ogden, Patrick Harmon, James Vanek and Shelley Kondrat attended, along with Eveline Township resident Chuck Hall, H&D, Inc. representative John Pemberton (for Don Griffin) and Eveline Township assessor Dave Willson.

Moved by Commissioner Ogden and supported by Commissioner Way to approve September 25, 2000 regular meeting minutes with the following changes:

Page 2, line 1: remove "the legal survey shows"  
Page 2, line 1: change "deeded right-of-way." to "residents preferred alignment."

VOTE: Ayes - 3  
Nays - 0  
Motion carried.

Moved by Commissioner Way and supported by Commissioner Ogden to approve September 25, 2000 Peaine Township and St. James Township annual meeting minutes with the following changes:

Page 1, line 12: change "is" to "it"  
Page 1, line 25: remove "been"  
Page 1, line 31: change "is" to "it"  
Page 1, line 36: change "1X" to "once"

VOTE: Ayes - 3  
Nays - 0  
Motion carried.

Mr. Hall owns property on Shaw Road east of M66, and questioned the recent Lake Charlevoix access survey. He said property owners on both sides are adamantly against Shaw Road improvements for Lake Charlevoix access, and

explained it is not a visible road to the lake. Mr. Harmon said Shaw Road to Lake Charlevoix is on the certification map, and explained Eveline Township surveyed all lake-end roads to protect possible future public access areas. He assured Mr. Hall there are no foreseeable plans to develop a public access at this time, explaining the survey mainly resolves future encroachment problems and attempts to privatize lake access sites. Commissioner Ogden explained property involved in lake-end abandonments first revert to the respective township, then to the DNR, and finally to the land owner(s); adding it would not be to the land owners advantage to petition for abandonment. He explained local road fund restrictions, and townships basically having to fund improvements 100%.

9:30 AM-Mr. Pemberton explained future Hudson Township gravel pit site and proposed access drive off Camp Ten Road to keep heavy equipment off newly paved Woodward Road hill. He requested a letter supporting said gravel pit. The Board instructed Mr. Harmon to send a letter to Hudson Township and H&D, Inc. supporting proposed gravel pit and access.

Mr. Vanek said Ironton Street reconstruction and Ferry Road project crossing Porter Creek are completed, and Peninsula Road was paved October 9, 2000. Mr. Willson is happy with 2000 Eveline Township projects and has received many positive comments. He thanked the Road Commission.

10:00 AM-Used equipment bid opening, attended by Mark Crosby.

<u>BIDDER</u>	<u>1974 FRUEHAUF TRAILER</u>	<u>1980 FORD TRUCK</u>
Mark Crosby	\$2,800.00	\$ 375.00
Boyne Valley Hydroseed	\$1,260.00	\$1,260.00
All-Phase Excavating	-NO BID-	\$ 935.00
Dick Hollopeter (10-10-00)	\$4,038.00	-NO BID-
Steve Crandell	\$2,090.00	-NO BID-
Sam Stanaback	\$3,590.00	\$ 300.00
Richard Bradley	\$ 201.00	\$ 855.00
Dick Hollopeter (10-04-00)	\$3,550.00	-NO BID-
Joseph Smith	\$1,125.00	\$ 800.00
David Fink	\$2,200.00	\$ 253.00
Mattson Logging, Inc.	\$1,410.00	-NO BID-

Mr. Harmon shall contact high bidders.

10:30 AM-Grand Traverse Band of Ottawa and Chippewa Indians representatives Bill Rastetter (phone: 1-231-228-6300 & fax: 1-231-271-7600) and Darrell Wright, and CCRC attorney Joel Wurster arrived. Mr. Rastetter explained East Jordan school buses cannot enter newly constructed Wa-Ba-Noong Road and Zha-wa-noong Road off Ranney Road until the Road Commission contracts to maintain said roads. Current options would include a maintenance contract, or CCRC certifying and dedicating said roads into the Charlevoix County road system. Mr. Harmon feels a maintenance contract would be in the best public interest. Mr. Rastetter explained Benzie CRC and Emmet CRC 3-year renewable contracts for Native American owned roads. Commissioner Ogden said the Board can agree to a maintenance contract today, but the roads must be built to CCRC specifications if jurisdiction is requested. Mr. Harmon called East Jordan School Superintendent Chip Hanson to explain maintenance agreement. Mr. Hanson said school bus pick-up would begin Thursday, October 12, 2000. Mr. Rastetter explained CCRC would be underwritten on Tribal insurance, which covers liability, plus workman's compensation, holiday pay, "almost anything you can think of." The Board directed Mr. Harmon to contact Michigan County Road Commission Self-Insurance Pool Representative Tom Brouwer to inquire if Road Commission insurance covers Road Commission vehicles on private roads with a maintenance contract. Mr. Wurster shall draft a proposed written agreement to be discussed at the October 23, 2000 regular board meeting, but a contract will not be signed until liability concerns and funding is understood and agreed upon, (Benzie CRC adds 10% overhead on all labor, equipment and materials).

Mr. Wurster stated Horton Creek meanders off the original, dedicated right-of-way, but is now a "road-by-user." Natural Beauty Westside Road, Peaine Township, Beaver Island, is being logged in the road right-of-way without a permit or a public hearing. Mr. Wurster said the remedy is to have 5 Peaine Township freeholders and/or 10 Peaine Township landowners submit a complaint to the Charlevoix County Prosecutor, and suggested Mr. Harmon call CRAM regarding public hearing legality for work with-in the right-of-way by a landowner or by the Road Commission. He feels the Road Commission reads the Natural Beauty Status different than an individual landowner.

Mr. Vanek said H&D, Inc. would take Old US31 Road core samples and send Mr. Vanek results. He informed all present Behling Road and Wilson Road projects are well underway by C.H. Smith, Inc.

Recessed at 12:15 PM for lunch.

Resumed at 1:15 PM.

Moved by Commissioner Ogden and supported by Commissioner Way authorizing CCRC manager Patrick Harmon to sign extended State Maintenance agreement for the fiscal year October 1, 2000 through September 30, 2001.

VOTE: Ayes - 3  
Nays - 0  
Motion carried.

Mr. Harmon and Commissioner Ogden shall attend South Arm Township October 11, 2000 7:00 PM meeting to explain road wedging.

1:45 PM-Dana and Mark Dvoracek (547-4871 or 547-4122) arrived and asked why they weren't notified of Ferry Road barricade replacement. Mr. Harmon presented December 14, 1999 notification letter copy sent to Dvoracek attorney Thomas M. Schraw, informing him of barricade replacement in original location. Mark Dvoracek asked why the barricade couldn't be moved 300' towards the swamp so they can access their property on the existing logging road they cut to a full 100' width. Mr. Harmon stated the DEQ doesn't want the barricade in the swamp. Dana and Mark Dvoracek claim they used to access property in question from the eastside of Ferry Road through the swamp, but the excavator removed the corduroy logs, making the road virtually impassable. Mr. Harmon said the excavator only removed the fill that had been put into the swamp. Dana Dvoracek stated they cannot develop said property because there is no access. Mr. Harmon and CCRC foreman Melvyn Thayer will meet with Dana and Mark Dvoracek to view the area, and Mr. Harmon will present a report to the Board at their October 23, 2000 regular meeting.

Moved by Commissioner Way and supported by Commissioner Ogden to pay bills totaling \$54,568.32.

VOTE: Ayes - 3  
Nays - 0  
Motion carried.

Moved by Commissioner Ogden and supported by Commissioner Way to adjourn at 2:30 PM.

VOTE: Ayes - 3  
Nays - 0  
Motion carried.

## **SEPTEMBER 25, 2000**

Chairman Saunders called the meeting to order at 9:30 AM.

Chairman Saunders, Commissioners Way and Ogden, County Commissioner Shirley Roloff, Patrick Harmon, James Vanek and Shelley Kondrat attended, along CCRC Beaver Island garage leadman Joe Timsak, Peaine Township supervisor John Works, St. James Township supervisor Don Vyse, clerk Jean Palmer, and treasurer Jim Wojan, and several residents (see sign-in sheet).

Moved by Commissioner Way and supported by Commissioner Ogden to approve September 11, 2000 regular meeting minutes with the following corrections:

Page 1, line 47: after "opening" add "(following prices are per ton)."  
Page 2, line 9: after "discretion." add "to ensure material purity and timely delivery."

VOTE: Ayes - 3  
Nays - 0  
Motion carried.

Moved by Commissioner Way and supported by Commissioner Ogden to amend quantity from 3,000 cyd. to 2,000 cyd. in Ironton garage ice control sand September 11, 2000 motion.

VOTE: Ayes - 3  
Nays - 0  
Motion carried.

Shelley Kondrat presented updated budget summary and a 3-month estimated cash flow budget, recommending no budget changes at this time. She presented Midwest Micro Sales computer proposal to Board, explaining memory needs for the "main" CCRC computer and internet access, the only acceptable way to send 2000 and beyond Act51 Reports to MDOT. After discussion, the Board made the following motion:

Moved by Commissioner Ogden and supported by Commissioner Way to purchase computer from the general fund for the Road Commission Clerk as specified in Midwest Micro Sales proposal for \$2,042.00.

VOTE: Ayes - 3  
Nays - 0  
Motion carried.

Mr. Vanek stated:

- Ferry Road crossing Porter Creek will be opening end of this week, and October 6 completion date may be met.
- Huffman Lake Road pre-construction meeting with CCRC, Northwest Design Group president Howard Haselschwardt, and M&M Excavating will be the end of this week or the first of next week.
- Sackrider Construction began Peninsula Road project today.
- Ironton Village Streets reconstruction is completed and satisfactory with Mr. Vanek, Mr. Harmon and Eveline Township supervisor Dan Skrzeczkoski.

Mr. Harmon presented Emmet CRC Engineer-Manager Brian Gutowski letter regarding the January 11, 2001 Rural Task Force Meeting. There will be more ISTEAs available, which MDOT representative Susan Richardson will explain at said meeting.

Mr. Harmon presented MERS 2nd quarter report, pointing-out fund reduction due to B3 window opening for September 1 through December 31, 1998 retirees. It was noted the interest was a negative number; Shelley Kondrat will inquire and report to Board at October 10, 2000 Board Meeting.

Mr. Harmon presented seasonal Horton Creek Road letter from Al Robinson, neighbor to Mr. Cadarette who has begun excavation for his home without a Bay Township zoning permit. And Bay Township ordinance currently states there must be a 65' setback. There are several new homes on seasonal Horton Creek Road, and it meanders off the residents preferred alignment. The residents are requesting the road be moved to the proper location. Commission Ogden stated this is currently a "road by user," which is shown in its present location on the current certification map. Mr. Cadarette has already dug a hole for his basement and is within 20-30 of the road from his front door. He said he'd take CCRC to court if the road isn't moved to its proper location. The Board directed Mr. Harmon to get a legal opinion from CCRC attorney Joel Wurster.

Mr. Vanek reported:

- Friday (09/22/00) was the Behling Road completion date for C.H. Smith. One undercut required additional material removal, so a day or two grace will be subtracted from liquidated damages. There are still several uncompleted undercuts, so the project will probably be completed 2 ½-3 weeks late.
- C.H. Smith must still manufacture 2,000 cyd. 23A at Sutliff Pit.
- Pleasant Valley Road looks good, but 2 corrections are required before completed.
- Wilson Township supervisor Todd Sorenson approved additional Pleasant Valley hill repair, which is still 10% under the estimate.
- MDOT prefers the "No Parking" signs on M66 by the "castle" remain because the castle is for sale, and it may be used commercially and still require signs. Also, MDOT sign placement is quite time consuming.

10:00 AM-Ironton Garage Ice Control Sand bid opening:

<u>CONTRACTOR</u>	<u>PRICE PER CUBIC YARD</u>	<u>TOTAL BID AMOUNT</u>
H&D, Inc.	\$4.58	\$9,160.00

Moved by Commissioner Ogden and supported by Commissioner Way to accept H&D, Inc. bid as low bidder (the only bidder) for 2,000 cyd. Ice Control Sand delivered to the Ironton Garage at \$4.58/cyd.-totaling \$9,160.00.

VOTE: Ayes - 3  
Nays - 0  
Motion carried.

Mr. Harmon reported:

Bay Township hasn't accepted or declined Allied Land Service Wildwood Harbor Walloon Lake boat launch bid. Bay Township may request rebidding.

Norwood Township hasn't responded to North Shore Drive bids, and contractor award/rejection letters must be sent soon. The brine vendor may not be able to supply a tanker next year. A decision must be made next season if CCRC purchases brine tank for approximately \$140,000.00 (accommodating 80,000 gallons), or if CCRC will take bids and brine application will be 100% contracted and billed directly to townships.

Moved by Commissioner Way and supported by Commissioner Ogden to pay bills totaling \$160,263.60.

VOTE: Ayes - 3  
Nays - 0  
Motion carried.

Moved by Commissioner Ogden and supported by Commissioner Way to adjourn at 10:15 AM.

VOTE: Ayes - 3  
Nays - 0  
Motion carried.

## **SEPTEMBER 11, 2000**

Chairman Saunders called the meeting to order at 9:00 AM.

Chairman Saunders, Commissioners Way and Ogden, County Commissioner Carl Price, Patrick Harmon and Shelley Kondrat attended, along with Charlevoix Area Hospital representative Roger Sievertson, and Evangeline Township residents Sandra Enbody and Dennis Kruzel.

Moved by Commissioner Ogden and supported by Commissioner Way to approve August 28, 2000 regular meeting minutes with the following corrections:

Page 1, line 43: change "2002" to "2003"  
Page 1, line 48: change "millage" to "mileage"  
Page 1, line 50: delete the word "at" after "to reach the level it should be"  
Page 1, line 51: change "sheriff department" to "state police"  
Page 2, line 3: change "legislatures" to "legislators"  
Page 2, line 6: change "due to low funds." to "because of limited funds."  
Page 2, line 42: add the word "elevation" after "bridge super"  
Page 3, line 4: change "were opened" to "to be opened"  
Page 3, line 8: change "strike" to "reject"  
Page 3, line 9: change "strike" to "reject" in both places

VOTE: Ayes - 3  
Nays - 0  
Motion carried.

Mrs. Enbody stated George Austin Cadwell owned and platted Springwater Beach and Cadwell's addition to Springwater Beach, and had designated parks and 30' roadways for Lake Charlevoix public access in 1938 or 1939. She said the roads haven't been properly maintained and there are now some encroachments, including a septic tank. Mrs. Enbody presented the plat showing areas of concern. She and Mr. Kruzel would like lake accesses and roads opened so the public doesn't lose what was designated by Mr. Cadwell. Mr. Harmon explained Brooks Street is on certification map and is maintained by the Road Commission; but other streets are not on the certification map and are not Charlevoix County Road Commission responsibility. He suggested the heirs approach the Evangeline Township Board, and questioned who holds enforcement power over designated roads and accesses. Mr. Harmon suggested the residents have a legal survey done and photograph stake locations; but perhaps encroaching landowners have made plat changes

through circuit court. Mrs. Enbody stated she has plat approval by county judge, clerk and treasurer, but no proof township or Road Commission accepted roads. She invited the Road Commission Board, along with Mr. Harmon and Mr. Vanek to attend Evangeline Township meeting tonight.

Mr. Sievertson said Charlevoix Area Hospital has an acute need for more parking and requested angle parking on west-side of Park Avenue, Charlevoix Township, which would average 8' from the existing road edge. He reported the speed limit is currently 25 mph, adding they are planning a building demolition in 2-3 years and then will have room for safer angle parking. The Board approved angle parking as long as 8' average from pavement edge is maintained and proper detailed plans received by the Road Commission. Mr. Harmon requested himself or CCRC road foreman be on-site when restoration work to correct previous bore is done under Park Avenue; Mr. Sievertson agreed, and will have contractor bore 36" below the road.

10:00 AM ~ 2000-2001 Bulk Rock Salt bid opening (following prices are per ton).

<u>VENDOR</u>	<u>BOYNE CITY BIDS</u>	<u>IRONTON BIDS</u>
Detroit Salt Company	\$30.50 early-Boyne City \$32.81 late-Boyne City	\$30.50 early-Ironton \$32.81 late-Ironton
Morton Salt Company	\$31.76 early-Boyne City \$35.68 late-Boyne City	\$32.25 early-Ironton \$35.25 late-Ironton

<u>VENDOR</u>	<u>BOYNE CITY BIDS</u>	<u>IRONTON BIDS</u>
IMC Salt Incorporated	\$28.42 early-Boyne City \$37.81 late-Boyne City	\$28.42 early-Ironton \$37.81 late-Ironton
Cargill Salt Company	\$30.75 early-Boyne City \$32.75 late-Boyne City	\$30.75 early-Ironton \$32.75 late-Ironton

Moved by Commissioner Way and supported by Commissioner Ogden to accept all 2000-2001 Bulk Rock Salt bids, and authorized the manager to order at his discretion to ensure material purity and timely delivery.

VOTE: Ayes – 3  
Nays – 0  
Motion carried.

10:15 AM-Fred Siegwart arrived to discuss Lakeshore Drive proposed reconstruction, Norwood Township. He said the special assessment will raise \$38,500.00 and asked if the Road Commission could assist to save this project. Mr. Harmon informed him of the 3rd inch asphalt policy if there is township participation and all engineering costs. Commissioner Ogden noted bid specifications reflected minimum design to insure lowest cost.

Mr. Siegwart asked why Road Commission won't do ditching, since it is presently required without reconstruction; and stated guardrail is required in reconstruction, so why isn't it required now? Commissioner Ogden explained risk management present requirements and increased vehicle speeds after paving and widening a road by 12". Mr. Siegwart requested core samples to determine if 4" gravel is really required. Mr. Harmon and Mr. Vanek have done borings and recommend the 4" gravel addition to create a solid base. Mr. Siegwart inquired why slope restoration is required. Mr. Harmon explained Soil and Water Conservation and the state require slope restoration. He pointed out DEQ Part 91 entitled "Soil Erosion and Sedimentation Control", and explained CCRC would be breaking county ordinance and state law for non-compliance.

After discussion, Mr. Harmon quoted triple-seal would cost approximately \$15,000.00, compared to \$38,000.00 asphalt bid, but asphalt longevity is much better and more cost effective. He added triple-seal on a gravel road doesn't qualify for the re-seal policy, but if Norwood Township participated, the 4" gravel addition would qualify for the gravel policy.

10:30 AM-Eveline Township supervisor Dan Skrzeczkoski arrived.

- Reported Eveline Township would not pay Ironton Street bill to Sackrider until large rocks mixed with topsoil are removed from residents lawns and guardrail is placed by Second Street culvert. Mr. Vanek said Sackrider is aware of

problems and will correct; also Manthei Development is ready to complete ditching on Washington Street reconstruction project.

- Requested boat launch sign relocation on Washington Street because many people continue straight ahead into private driveway and have a hard time turning around. Mr. Harmon will have the DNR call Mr. Skrzeczkoski regarding relocation.
- Asked about Peninsula Road progress. Mr. Vanek reported project should begin this week.
- Reported talk with Wilson Township supervisor Todd Sorensen. They both would like to see Marshall Road repaired and understand resident complaints, and would like to hold forum including CCRC, City of Boyne City, Eveline Township Board and Wilson Township Board.
- Requested Ferry Road update. Mr. Vanek explained Ferry Road crossing Porter Creek project is behind approximately 4 weeks; the contractor is already in liquidated damages at \$450.00 per calendar day.
- Asked about Sanderson Road gravel project, and was informed it would begin when Ferry Road in Advance is open to through traffic.
- Asked about Ridge Road lake access at Lake Shore Drive, stating Mr. Jimmy Stackus went to court and had the road end description changed on his deed and the subdivision is call "Leeward Knolls". Mr. Harmon said the Road Commission never had right-of-way to the lake, and gave all information to Mr. Skrzeczkoski.
- Requested basic road facts letter from the Road Commission (i.e. policies, how roads are constructed...gravel addition, re-seal, reconstruction). Chairman Saunders advised Mr. Skrzeczkoski township share policies are subject to change on a yearly basis, and Act51 mandates only 10% of local MTF funds can be spent on local road reconstruction, and only with a 50/50 township match.

Mr. Vanek reported H & D, Inc. started Pleasant Valley Road project, Wilson Township. C.H. Smith, Inc. hasn't started Behling Road project.

Mr. Harmon informed all present MDOT opened Huffman Lake Road bids on Friday, September 8, 2000. The high bid from Payne and Dolan was a little over \$400,000.00 and the low bid from M&M Construction was \$355,021.30 (H&D, Inc. listed as the paving contractor). Economic Development Funds do not cover engineer inspections.

Recessed at 12:10 PM. Resumed at 12:55 PM.

Moved by Commissioner Way and supported by Commissioner Ogden to open 3,000 cubic yards ice control sand delivered to the Ironton garage bids at 10:00 AM September 25, 2000.

VOTE: Ayes – 3  
Nays – 0  
Motion carried.

Mr. Harmon presented proposed Road Commission equipment needs letter, which will be presented to the Charlevoix County Commissioners at their regular September 13, 2000 meeting at 9:30 AM.

Mr. Harmon said CCRC Ice Ban will be spread on main primary roads and high traffic paved local roads for 2000-2001 winter.

Upon investigation, Mr. Harmon recommended the Road Commission continue roadside mowing since privatizing is very expensive.

Mr. Harmon reported the Michigan County Road Commission Self-Insurance Pool, the County Road Association of Michigan and the Charlevoix County Sheriff Department recommend ORV/ATV vehicles not be allowed on road rights-of-way due to very high liability risks.

Moved by Commissioner Ogden and supported by Commissioner Way to change the 9:00 AM Monday, October 9, 2000 regular meeting to 9:00 AM Tuesday, October 10, 2000 to reflect the Columbus Day holiday.

VOTE: Ayes – 3  
Nays – 0  
Motion carried.

Moved by Commissioner Way and supported by Commissioner Ogden to open used equipment bids at 10:00 AM October 10, 2000.

VOTE: Ayes – 3  
Nays – 0  
Motion carried.

Moved by Commissioner Ogden and supported by Commissioner Way to set public hearing for Steve Bartlett proposed Norwegan Road right-of-way abandonment at 10:00 AM October 23, 2000.

VOTE: Ayes – 3  
Nays – 0  
Motion carried.

Commissioner Ogden:

- Suggested Mr. Vanek contact the testing division of Oakland County Road Commission if he needs assistance in testing winter salt.
- Asked about plowing Indian reservations. Mr. Harmon stated the reservations attorney called and discussed public road dedication. The attorney hasn't re-contacted Mr. Harmon, so research is presently on hold.
- Recommended curve widening in future construction projects if possible.

All present agreed to hold Annual Township Meetings on October 24, October 26, and October 30, 2000 at 7:00 PM, 8:00 PM and 9:00 PM.

Mr. Harmon stated the County Task Force Meeting is the end of October 2000. He will attempt to schedule the Local Task Force Meeting scheduled October 4<sup>th</sup> or 11th, 2000 at 7:00 PM.

Moved by Commissioner Way and supported by Commissioner Ogden to hold September 25, 2000 regular meeting at 9:30 AM at Peaine Township Hall, Beaver Island.

VOTE: Ayes – 3  
Nays – 0  
Motion carried.

Moved by Commissioner Ogden and supported by Commissioner Way to pay bills totaling \$111,900.60.

VOTE: Ayes – 3  
Nays – 0  
Motion carried.

Moved by Commissioner Way and supported by Commissioner Ogden to adjourn at 2:40 PM.

VOTE: Ayes – 3  
Nays – 0  
Motion carried.

## **AUGUST 28, 2000**

Chairman Saunders called the meeting to order at 9:00 AM.

Chairman Saunders, Commissioners Way and Ogden, County Commissioner Carl Price, Patrick Harmon, James Vanek and Shelley Kondrat attended, along with several Marshall Road Eveline and Wilson Township residents, several Shadow Trails Evangeline and Melrose Township residents, and Petoskey News-Review reporter Fred Gray.

Moved by Commissioner Way and supported by Commissioner Ogden to approve August 14, 2000 regular meeting minutes with the following corrections:

- Page 1, line 28: after Poole, add "and change "Caldwell" to "Coldwell"  
Page 1, line 38: change "minimum of \$30.00 per pay OR \$8,000.00" to "\$30.00 minimum per pay OR \$8,000.00 maximum per year"  
Page 4, line 27: change "\$58,595.00" to \$398,313.75"  
Page 4, line 42: after layer, add "mixed with topsoil"  
Page 5, line 35: change from "3" to "2"

Unscheduled Marshall Road Eveline and Wilson Township residents (see sign-in sheet) comments. They expressed many concerns about Marshall Road condition, which requires constant attention. They pointed-out Marshall Road has no decent base, and alternates between blacktop and gravel, a very dangerous situation. Mr. Harmon stated reconstruction requires participation from both townships; Eveline Township agreed to participate, but Wilson Township has other priorities. Mr. Harmon informed the residents that townships are responsible for local road reconstruction, and the people must take this to the township boards. He said another option would be to set-up a special assessment through their respective township. Commissioner Ogden explained the possible future countywide road millage, which would reconstruct prioritized roads. Commissioner Price explained gas tax and license plate renewals alone fund roads; personal property taxes do not aid roads whatsoever. The Board explained how the gas tax is collected and distributed. With rising costs and not being increased for nearly 15 years, the road fund cannot recover. Also by law, local road reconstruction cannot exceed 10% of the local road maintenance funds received.

The Marshall Road residents asked if grants were available. Chairman Saunders explained grant types and why Marshall Road doesn't qualify. Commissioner Way said Shadow Trails residents are scheduled at 9:30 AM to discuss the poor road condition, and the Road Commission can't even secure funds for this primary road.

9:30 AM-Shadow Trails Evangeline and Melrose Township residents arrived (see sign-in sheet). They feel they pay their taxes and Shadow Trails deplorable condition should be repaired. Mr. Harmon said the estimate to reconstruction Shadow Trails is \$425,000.00, which doesn't include Fineout Creek culvert (estimated at \$150,000.00). The Board explained roads are funded only by gas tax and license plate renewals made within the county; personal property taxes do not fund roads. Between 1984 and 1998, the gas tax was not increased at all, so the raise in 1998 was not enough to fund all necessary road repairs.

Mr. Harmon said the ISTE funding is already allocated through 2003. Chairman Saunders explained strings attached to ISTE funding, and Shadow Trails not qualifying. The Road Commissions meet with State Senators and Representatives, making them aware of road funding problems, but it is very difficult to raise taxes with an anti-tax governor. Mr. Harmon explained Shadow Trails was built years ago and can't withstand heavy vehicles currently using it (i.e. buses, garbage trucks). He explained the county task force receives funding based on mileage and population (population only includes primary home residents) and how decisions are voted upon. Mr. Harmon said the County Road Association of Michigan (CRAM) figures the gas tax would have to be raised \$0.25 to reach the level it should be if the State would have increased the gas tax between 1984 and 1998 to keep up with inflation. He explained funds are distributed to administrative, state police, DNR, etc. off the top and subtracted from the total before the Road Commission share is allocated. Chairman Saunders feels the gas tax is the fairest way since everyone using the roads would fund road repairs.

The Board asked if any resident would be opposed to a countywide road millage, which would have a prioritized road list. Mr. Harmon explained townships govern special assessments and township raised road taxes their residents vote in. He added our Senator and Representatives represent 11 counties, while larger downstate counties have 2 or 3 Senators and Representatives representing each of them. Also, some Shadow Trails residents can't vote in Charlevoix County because it is not their primary residence, but Commissioner Ogden said letters could still be written to legislators because they are Charlevoix County property owners. Commissioner Ogden said unless funding qualifications change, answers would remain the same. Chairman Saunders explained Road Commission cost sharing policies for township aid (i.e. gravel, re-seal and asphalt), but said policies are approved on a year-to-year basis because of limited funds.

One resident:

- Requested Shadow Trails Road name signs be replaced with properly spelled road name signs.
- Requested sand removal from roadway on curve near Conkle Stub.
- Requested trimming tree limbs covering warning signs
- Thanked Charlevoix County for clearing snow off US131 before Emmet County did last winter.

10:30 AM-Norwood Township North Lake Shore Drive bid opening, attended by H & D, Inc. representative Matt Levasseur, Manthei Development, Inc. representative Tom DeFer and Norwood Township resident Fred Siegart (Engineer's Estimate: \$77,005.00).

<u>CONTRACTOR</u>	<u>AMOUNT</u>
Manthei Development, Inc.	\$75,912.25
Sackrider Construction, L.L.C.	\$84,202.40
H & D, Inc.	\$86,723.00

Mrs. Kondrat presented Governmental Accounting Standards Board (GASB) response to Finance and Human Resource Committee GASB34 infrastructure requirement concerns.

Moved by Commissioner Ogden and supported by Commissioner Way to transfer \$134,825.48 from the Re-Seal Fund to the General Fund for Boyne Valley Township and Hudson Township Thumb Lake Road re-seal.

VOTE: Ayes - 3  
Nays - 0  
Motion carried.

Moved by Commissioner Way and supported by Commissioner Ogden to open 2000-2001 Bulk Rock Salt bids at 10:00 AM September 11, 2000.

VOTE: Ayes – 3  
Nays – 0  
Motion carried.

Mr. Vanek presented Boyne U.S.A. expansion plans including Brown Road relocation, Boyne Valley Township. Mr. Vanek, Mr. Harmon and Boyne Valley Township supervisor Leonard Zakrzewski met August 25, 2000 to discuss relocation. Mr. Vanek used the laser, and all agreed bridge super elevation is a problem because it goes the wrong way and falls 20" from one side to the other. They will meet with Boyne U.S.A. and their engineers to discuss bridge super, and to assure public road to affected private residence, which requires deeded 66' right-of-way. It is understood Boyne USA shall meet all Road Commission policies and fund the project 100%.

Commissioner Price reported Charlevoix County Board is gathering countywide millage information on countywide millages and will inform Road Commission, cities and villages of meeting. Mr. Harmon will request all information from CRAM and forward to Commissioner Price.

Mr. Harmon informed all present International truck #33 and Ford truck #32 require expensive repairs for winter 2000-2001 use (approximately \$10,000.00).

Boyne Valley Township took bids to manufacture 23A gravel at Hunt's pit, which was awarded to C.H. Smith, Inc. The Board chose to have CCRC Engineer do required testing to assure gravel meets MDOT 23A gravel specifications before applying to county roads. Mr. Harmon shall hold a pre-manufacturing meeting to verify Boyne Valley Township and C.H. Smith, Inc. understand specifications (via addendum) and to secure a designated Boyne Valley Township contact person to stop production if test does not meet CCRC specifications.

Mr. Vanek reported Hudson Township Huffman Lake Road bids to be opened by MDOT September 8, 2000. He reported Ferry Road crossing Porter Creek reconstruction contractor is very good, but is progressing slowly...Lansing may have to deal with liquidated damages.

Mr. Harmon reported the union filed for fact-finding and Mr. Kluck has responded to the petition. Mr. Kluck informed Mr. Harmon the union may reject 1 of the 3 State assigned fact-finders, and CCRC may reject 1. The remaining person will do fact-finding and make a recommendation. Said procedure may take 90-120 days, so realistically nothing may happen before December of 2000, after which neither side has to accept the recommendation, which would lead to negotiations reverting to square one.

Mr. Harmon reported he continues to do research on ORV/ATV using road rights-of-way.

Mr. Harmon contacted Clinton County Road Commission Managing Director Mike Nobach regarding contracted roadside mowing. He informed Mr. Harmon their Road Commission prefers this method and offered bid specification assistance. Mr. Harmon suggested separate bids for each side of the county to award bids to two different contractors. A new mower purchase is approximately \$60,000.00 to \$65,000.00. Mrs. Kondrat will present primary grass control expenditures to date at September 11, 2000 regular meeting.

Chairman Saunders inquired about:

1. Status of Wilson Road and Pleasant Valley Road reconstruction? H & D, Inc. will contact Mr. Vanek this week.
2. Lake 26 Road septic problems-are resolved.
3. Old31 edge failure-H&D, Inc. representatives Glen Hodgkiss and John Pemberton inspected and will do soil borings and pavement core samples for further investigation.

Moved by Commissioner Way and supported by Commissioner Ogden to pay bills totaling \$151,437.05.

VOTE: Ayes – 3  
Nays – 0  
Motion carried.

Mr. Harmon reported:

1. He and Mr. Vanek performed Black Road, Marion Township soil borings and prepared estimate. Marion Township has now hired Northwest Design Group to redo soil borings.
2. Shadow Trails crossing Fineout Creek; contract soil borings out to determine what base is and how thick muck is for possible future timber box culvert replacement. Unfortunately, said culvert is too short to qualify for critical bridge funds.

Moved by Commissioner Ogden and supported by Commissioner Way to adjourn at 12:45 PM.

VOTE: Ayes – 3  
Nays – 0  
Motion carried.

## **AUGUST 14, 2000**

Chairman Saunders called the meeting to order at 9:00 AM.

Chairman Saunders, Commissioners Way and Ogden, County Commissioner Carl Price, Patrick Harmon, James Vanek and Shelley Kondrat attended, along with Bay Township residents Bob Taylor and Helen Bergmann, Hayes Township supervisor Tim Boyko, Eveline Township clerk Don Hayden, Hudson Township resident Doris Glazier and Comprehensive Financial Services, Inc. representative John T. Walters.

Moved by Commissioner Ogden and supported by Commissioner Way to approve April 11, April 24, May 08, July 10 and July 24, 2000 closed meeting minutes as presented.

VOTE: Ayes – 3  
Nays – 0  
Motion carried.

Moved by Commissioner Ogden and supported by Commissioner Way to approve July 20, 2000 special meeting minutes as presented.

VOTE: Ayes – 3  
Nays – 0  
Motion carried.

Moved by Commissioner Way and supported by Commissioner Ogden to approve July 24, 2000 minutes with the following corrections:

- Page 2, line2: add "s" to Banker
- Page 2, line 16: change "alligator roads" to "roads with alligator cracks"
- Page 4, line 6: delete "e" from Poole

VOTE: Ayes - 3  
Nays - 0  
Motion carried.

Mr. Walters explained Comprehensive Financial Services, Inc. is an advisor for the Safeco 457 plan, who represents Gladwin, Gratiot, Clare, Roscommon, Oscoda, Otsego and Wexford County Road Commissions, with Wexford CRC participating 100%. He is also currently advising Cheboygan and Jackson County Road Commissions. Mr. Walters explained each account is individual, and there is a \$30.00 minimum per pay OR \$8,000.00 maximum per year, plus a \$30.00 yearly administrative fee if individual account is under \$50,000.00. He added CCRC is only responsible for the \$200.00-\$400.00 implementation fee. Mr. Walters will send master plan documents and sample resolution for CCRC attorney and Board review.

Mr. Taylor commended CCRC on Eagle Island Road corner extension and re-seal project, and requested line markings be centered on existing pavement. Mr. Harmon stated monument box placed around survey stakes to avoid being covered by tar and chip.

Mr. Boyko:

- Requested H&D, Inc. commitment date for Old 31 repair warranty work.
- Stated Hayes Township intends to strongly support redesigning Boyne City-Charlevoix Road and US31 intersection because many Hayes Township residents utilize this dangerous intersection. The State won't consider installing a stoplight, which would solve the problem.
- Feels "No Passing on Shoulder" advisory signs should be installed on Old 31 for the Murray Road intersection.
- Hayes Township residents requested a speed advisory sign for the Burgess Road curve between US31 and Old 31, near the railroad crossing. Mr. Harmon explained laws to set speed limits are basically the same, with the only difference being townships can request speed studies.
- Quarterline Road and Boyne City-Charlevoix Road intersection has a water problem. Mr. Harmon received \$68,000.00 skip paving estimate through that area, but funds are currently unavailable.
- Hayes Township shall give CCRC project list so Mr. Vanek can review individually.
- Can US31 viaduct be removed? Mr. Harmon shall research possibilities.
- Informed all present of county summit (including County Board, Road Commission, Townships, Cities and Villages) regarding countywide road millage, with plan being simply spelled-out. Chairman Saunders stated Road Commission fuel tax share went from 39.1% to 37.8%, and recent raised fuel price taxes are non-road revenue. Mr. Boyko feels legislators and the general public require "road funding" education to understand road fuel tax increase is fairest road funding technique.

10:00 AM-Bay Township Walloon Lake Wildwood Drive boat launch bid opening.

<u>CONTRACTOR</u>	<u>BID AMOUNT</u>	<u>COMPLETION DATE</u>
Allied Land Services (Levering)	\$12,505.00	November 3, 2000

Mr. Harmon and Mr. Vanek shall investigate Allied Land Services and report to Bay Township and CCRC Board. Mrs. Bergmann inquired if CCRC could do project and at what cost? Mr. Harmon stated CCRC cost too high, but Mr. Vanek ordering cement slabs direct to save overhead, with cost being additional to bid. The contractor will dredge and furnish stone, and install the delivered slabs.

Mr. Vanek informed Mr. Hayden Peninsula Road project would begin upon completion of Ironton Street reconstruction projects. Mr. Hayden said there is a "Dead End Road" sign on M66 for Sequanota Road, which isn't a dead end road. Mr. Hayden reported township has hired Ferguson & Chamberlain Associates, Inc. to survey and record all Eveline Township lake accesses and mark with concrete posts. Mr. Harmon stated South Arm Township also surveyed all of their township lake accesses, and recommended Eveline Township take pictures and video of each access since posts can easily be moved or removed.

Mrs. Bergmann asked if Boyne City-Charlevoix Road has 100' right-of-way and if septic tanks can be placed in the right-of-way. Mr. Harmon said the right-of-way is 99', explaining only variation is through Horton Bay Village and by the Undine Cemetery. He said septic tanks aren't supposed to be in the right-of-way, but each individual case is different, adding resident must receive zoning board approval.

Mrs. Glazier supports 4-wheelers being allowed on Charlevoix County road rights-of-way, just like snowmobiles. Cheboygan County allows this, and they are sending her a Cheboygan CRC ordinance copy, which she will forward to CCRC for Board consideration. Mr. Harmon will also request information from the County Road Association of Michigan (CRAM) and the Michigan County Road Commission Self-Insurance Pool (MCRCSIP). Mrs. Glazier has driven through Hansen Road and complimented the improvement. Mr. Harmon said the road name and seasonal road signs would be placed, adding road isn't impacting the Hanson property.

**RESOLUTION**

Moved by Commissioner Ogden to adopt the following **Resolution**, supported by Commissioner Way.

**WHEREAS**, the Charlevoix County Road Commission Board intends to adopt a cafeteria plan within the Internal Revenue Code Section 125 context for the eligible Charlevoix County Road Commission employees benefit.

**AND WHEREAS**, the Charlevoix County Road Commission Board and the Charlevoix County Road Commission union employees agree the cafeteria plan is not a bargaining issue. A letter of understanding to this effect is on file at the Charlevoix County Road Commission, signed by Teamsters State, County and Municipal Workers Local 214 business representative, Butch Carmien.

**NOW, THEREFORE, BE IT RESOLVED**, the Charlevoix County Road Commission Board adopts the Flexible Benefits Plan (consisting of the flexible benefits plan document, the Adoption Agreement, and component benefit plans and Policies) for eligible Charlevoix County Road Commission employees effective August 1, 2000.

**BE IT FURTHER RESOLVED**, the Charlevoix County Road Commission Board may, without a further Resolution, execute the Adoption Agreement and any related documents or amendments which may be necessary or appropriate to adopt the plan or maintain its compliance with applicable federal, state and local law.

Resolution adopted by the following voice vote:

AYES - Saunders, Way, Ogden  
NAYS - None

I certify this is a true **Resolution** copy adopted at the August 14, 2000 Charlevoix County Road Commission regular meeting.

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Shelley Kondrat, Clerk

Moved by Commissioner Ogden and supported by Commissioner Way to elect Wayne Saunders as the September 6, 2000 County Road Association Self-Insurance Fund voting delegate.

VOTE: Ayes – 3  
Nays – 0  
Motion carried.

Moved by Commissioner Ogden and supported by Chairman Saunders to elect Doug Way as the September 6, 2000 County Road Association Self-Insurance Fund alternate voting delegate.

VOTE: Ayes – 3  
Nays – 0  
Motion carried.

Regarding North Lake Shore Drive reconstruction, Chairman Saunders wants Norwood Township to understand the 3" pavement policy pertains only to direct township funded projects. Mr. Harmon stated Norwood Township public hearing to implement special assessment is still required, which may take 60 days, and normally contractor bids are good for only 45 days. A 60-day guaranteed bid price shall be added to bid package.

Moved by Commissioner Ogden and supported by Commissioner Way to open Norwood Township North Lakeshore Drive reconstruction bids at 10:30 AM August 28, 2000.

VOTE: Ayes – 3  
Nays – 0  
Motion carried.

Mr. Harmon presented and explained St. James Township Main Street Michigan Economic Development Corporation (MEDC) MDOT information. The Road Commission will be involved with the bid process, but funding will be similar to 1999 Skop Road project. Mr. Harmon has requested written confirmation project is 100% funded, but has only received June 28, 2000 correspondence copy to St. James Township supervisor Don Vyse, authorizing \$800,000.00 towards project and notification of a special meeting in the near future. MDOT Lansing representative Lisa Green informed Mr. Harmon the Road Commission and St. James Township need \$600,000.00 match money for this \$1.4 million project. Mr.

Harmon informed her if match money is required, the project won't go through. He added if 100% MEDC funding approved, the money would be received by and administered through Charlevoix County.

Moved by Commissioner Ogden and supported by Commissioner Way authorizing the chairman and the manager to sign Huffman Lake Road MDOT contract #00-5394 (job #51683), Hudson Township.

VOTE: Ayes – 3  
Nays – 0  
Motion carried.

Commissioner Price has received complaints on roadside mowing and Boyne City-Charlevoix Road re-seal. Chairman Saunders stated County Commissioner Jim Behling and residents have expressed displeasure with Road Commission performance, so Chairman Saunders drove roads and feels most areas are improved. Chairman Saunders said holes should have been filled before re-sealing for a smoother surface; Mr. Harmon agreed. Mr. Harmon said Dura Patch machine would have helped, adding Behling Road and Thumb Lake Road used Dura Patch machine before re-seal, and surfaces are better.

Commissioner Price stated Nelson Road end, Evangeline Township directional "Park Here" signs would be placed upon receipt. Mr. Harmon is awaiting DNR Lansing response relinquishing their rights to Nelson Street portion, though area residents are not supporting proposed abandonment.

Commissioner Price stated the County Board may propose a county-wide road millage, and will hold a forum with the Road Commission, the Township Boards and City & Village Officials when the time comes. Mr. Harmon stated primary roads are CCRC responsibility, but reconstruction funding isn't available. Primary Shadow Trails, River Road, Springvale Road, Thumb Lake Road and Ferry Road (Marion Township) are in dire need of reconstruction. (Reconstruction estimates are: Shadow Trails approx. 2-mile from Ellis Road to South Shore Road-\$398,313.75, not including culvert replacement; Shadow Trails culvert did not qualify for Critical Bridge grant, Dam Road and Bear River Road culverts did; Springvale Road 1320'-\$70,000.00 to \$80,000.00; Black Road 932'-\$58,090.00.

Mr. Harmon stated both CCRC mowing tractors need replacement, they are old and the hydraulics continually go out. Due to the downtime, the crew cannot keep-up with necessary roadside mowing. Commissioner Way suggested the manager compare privatized roadside mowing to equipment purchase. Mr. Harmon stated a new turn-key unit would be approximately \$65,000.00-\$70,000.00.

Chairman Saunders again stated County Commissioner Jim Behling:

- Expressed displeasure in how Road Commission is being run.
- Viewed Korthase Road with Phil Johnson and said foot-deep holes were re-sealed without being filled-in.
- Asked about Jerry Matelski private road culvert...Chairman Saunders explained culvert policy.
- Feels road edge break-up wouldn't be happening if proper shoulder work were performed. Mr. Harmon said most problems are due to road being built too thin and too narrow, and thin gravel layer mixed with topsoil under hard surface.
- Said gravel roads are a problem because nobody ever taught Lester McGeorge how to run a motor grader properly.

Moved by Commissioner Ogden and supported by Commissioner Way to reduce future suggested MDOT Schedule C equipment rates by 10% for all CCRC equipment beginning 01-01-2001. This practice shall be reviewed when the 2001 Charlevoix County Road Commission State Audit Report is completed.

VOTE: Ayes – 3  
Nays – 0  
Motion carried.

Moved by Commissioner Way and supported by Commissioner Ogden to transfer \$99,373.00 from the Equipment Fund to the General Fund to pay Michigan Cat for the new 140H Caterpillar Motor Grader.

VOTE: Ayes – 3  
Nays – 0  
Motion carried.

Moved by Commissioner Ogden and supported by Commissioner Way to pay bills totaling \$216,674.50.

VOTE: Ayes - 3  
Nays - 0  
Motion carried.

Commissioner Way unable to attend remainder of meeting due to prior obligation.

Recessed for lunch at 12:15 PM. Resumed at 1:00 PM.

Mr. Harmon presented Charlevoix County residents James A. Gengle and Barbara Gill complaint letter regarding Boyne City-Charlevoix Road incident and explained temporary summer employee was cause of complaint.

Mr. Harmon explained Boyne USA request to relocate Brown Road. Boyne USA shall fund 100%...CCRC and Boyne Valley Township shall have no financial obligation. Mr. Harmon and Mr. Vanek shall review final plans and present to Board.

Mrs. Kondrat presented Governmental Accounting Standards Board letter from Finance and Human Resource members regarding GASB 34 infrastructure requirements, but not addressing standards and guidelines. Said reporting directly affects Counties (bond ratings, etc.) being Road Commissions are county entities.

Mrs. Kondrat presented budget update, explaining Camp Pellston MDOT charges being collected through State Maintenance Contract, and higher administrative expenses will be offset by distributive accounts at year-end.

Moved by Commissioner Ogden and supported by Chairman Saunders to adjourn at 2:35 PM.

VOTE: Ayes: 2  
Nays: 0  
Absent: 1  
Motion carried.

## **JULY 24, 2000**

Chairman Saunders called the meeting to order at 9:00 AM.

Chairman Saunders, Commissioners Way and Ogden, County Commissioner Carl Price, Patrick Harmon, James Vanek and Shelley Kondrat attended, along with Eveline Township clerk Don Hayden.

Moved by Commissioner Way and supported by Commissioner Ogden to approve July 10, 2000 regular meeting minutes with the following corrections:

Page 3, line 36: add "Oregon Department of Transportation" before ODOT  
Page 3, line 57: change "taken care" to "processed"

VOTE: Ayes - 3  
Nays - 0  
Motion carried.

Moved by Commissioner Ogden and supported by Commissioner Way to approve permit to close Boyne City-Charlevoix Road from Horton Bay North Road to just west of the bridge for Horton Bay Annual Labor Day Bridge Walk September 4, 2000 beginning at dusk and being closed for approximately one (1) hour.

VOTE: Ayes - 3  
Nays - 0  
Motion carried.

The Board postponed North Lake Shore Drive reconstruction bid letting until Special Assessment District (S.A.D.) is arranged by Norwood Township, because S.A.D. arrangements are a long process and bid specifications require a completion date. CCRC attorney Joel Wurster informed Mr. Harmon CCRC has no authority to set-up Special Assessment Districts (S.A.D.), and suggested townships hire an expert when forming an S.A.D. He and Mr. Harmon will get policy language implemented regarding township obligations to set-up an S.A.D. for funding to be in place before

project bid dates are scheduled. The wording "THIS PROJECT IS NOT FUNDED AT THIS TIME AND MAY OR MAY NOT BE RECONSTRUCTED" shall be added to applicable future reconstruction bid specifications in bold, red letters.

Moved by Commissioner Ogden and supported by Commissioner Way to postpone setting bid date for North Lake Shore Drive reconstruction, Norwood Township, pending legal opinion.

VOTE: Ayes – 3  
Nays – 0  
Motion carried.

Mr. Harmon reported June 2000 CCRC DEQ audit requires CCRC to adopt DEQ Operating Procedure Part 91, "Soil Erosion and Sedimentation Control" of the Natural Resources and Environmental Protection Act, 1994 P.A. 451 and must be included in every future reconstruction bid specification. "All work shall conform to Charlevoix County soil erosion and sedimentation control or the DEQ/DNR policy, whichever has the highest standards" shall also be added.

Moved by Commissioner Ogden and supported by Commissioner Way to adopt Operating Procedure, Part 91 entitled "Soil Erosion and Sedimentation Control" of the Natural Resources and Environmental Protection Act, 1994 P.A. 451, as amended (copy attached), effective July 24, 2000, and numbered CCRC Policy #00-1.

VOTE: Ayes – 3  
Nays – 0  
Motion carried.

Mr. Harmon explained quit claim right-of-way deed proposed by CCRC attorney Joel Wurster for Parcel C, Lake 26 Road, Marion Township. He said August 1990 Board motion allowed drain fields in lots A, B, and C Lake 26 Road right-of-way, pending quit claim right-of-way deed, but landowner failed to file paperwork. Mr. Harmon explained the present, pending sale by Coldwell-Bankers, which originated issue.

Moved by Commissioner Ogden and supported by Commissioner Way authorizing the manager to send Joel Wursters Lake 26 Road right-of-way proposed letter to required individuals.

VOTE: Ayes – 3  
Nays – 0  
Motion carried.

All present discussed Road Repair Machine and Emulsion Storage Tank purchases (approximately \$80,000.00, not including electrical from building to tank, the pad and tank placement), with a 45-60 day delivery. The Board postponed purchase until funding is in place and suggested possible spring of 2001 purchase so the 1-year warranty can be fully utilized. Mr. Harmon, Chairman Saunders and County Commissioner Price observed Emmet CRC Dura Patcher, which is used almost every non-rainy work day spring through fall. Chairman Saunders said patches last longer and roads with alligator cracks can be repaired.

Mr. Vanek explained the Porter Creek contractor didn't get all of the paperwork to MDOT on time, so the bid was awarded Wednesday, July 19, 2000. The contractor tried to get a completion date extension, but was denied. Mr. Vanek and Northwest Design Group (NDG) will do staking on Tuesday, July 25, 2000 and the contractor should begin mid-week.

Commissioner Price received telephone call requesting him to attend an Evangeline Township meeting regarding Nelson Road end. Mr. Harmon informed Commissioner Price the past landowner and the State of Michigan agreed to sign a quit claim right-of-way deed so CCRC could abandon it and Evangeline Township could have jurisdiction and extend Kim Park. He told the present landowner he couldn't plant grass in the right-of-way, and informed him the public can park at the road end. Mr. Harmon stated a State Police Traffic Control Order (TCO) is required to place "no parking" signs.

Commissioner Price said Gerry Matelski attended County Board meeting regarding private Maple Lane, Chandler Township. The Board instructed Commissioner Price to investigate the ditching and culvert requirement. Mr. Harmon explained Chandler Township supervisor Dennis Howard originally requested ditching on Magee Road because there was only a country curb present and water ran into private Maple Lane. At that time Mr. Matelski stated he would get a permit and install a culvert to coincide with the ditching because private Maple Lane runs downhill from Magee Road. Later Mr. Matelski asked Mr. Harmon if CCRC would install the culvert if he purchased it and Mr. Harmon told him no. Mr. Harmon wouldn't have had the ditching done if the culvert wasn't going to be installed...it defeats the purpose. He doesn't feel the culvert is Road Commission responsibility since it isn't done for any other residents. Mr. Harmon agreed to touch-up area after culvert installation to redirect water.

Mr. Hayden stated material being placed in dangerous area on Ferry Road shoulder has huge pieces (3' wide and very thick) and wonders about the danger when they are thrown in the winter. Mr. Harmon said the Road Commission would

remove the chunks, explaining it was the only available material. He added C.H. Smith Company will be running said material through their crusher at Sutliff Pit and will mix it with 23A road gravel for safer consistency.

Mr. Skrzeczkoski informed Mr. Vanek Eveline Township wishes to award Peninsula Road reconstruction bid to Sackrider Construction.

Moved by Commissioner Way and supported by Commissioner Ogden to award Peninsula Road reconstruction project A459.006-023 bid to Sackrider Construction as low bidder at \$124,925.00.

VOTE: Ayes – 3  
 Nays – 0  
 Motion carried.

Mr. Vanek presented Wildwood Drive boat launch proposed bid specifications and requested bid date acceptance date set for 10:00 AM August 14, 2000. CCRC policy #00-01 will be added to the specifications. Concrete slabs will be purchased directly from Cheboygan Concrete Company to save money and will deliver to site.

Moved by Commissioner Ogden and supported by Commissioner Way to open Walloon Lake Wildwood Drive boat launch bids (completion date November 3, 2000) at 10:00 AM August 14, 2000, with Bay Township funding project 100%.

VOTE: Ayes – 3  
 Nays – 0  
 Motion carried.

Shelley Kondrat explained proposed budget amendment is mainly to show distribution expense as a separate line item.

Moved by Commissioner Way and supported by Commissioner Ogden to amend 2000 budget as follows:

Presented July 24, 2000 Shelley Kondrat, Clerk	<b>2000 BUDGET SUMMARY</b>			Page of 1 3
Name of Governmental Unit Charlevoix County Road Commission	Name of Fund Road Fund	Fund No. 201	Budget Year Ending Date: 12-31-00	

REVENUES (AND OTHER SOURCES)		AMOUNT		
DEPARTMENT OR CLASSIFICATION				
Page No.	ACCOUNT DESCRIPTION	ACTUAL PRIOR YR. 12-31-99	PREVIOUSLY APPROVED BUDGET	RECOMMENDED 12-31-00 BUDGET
2	TRANSPORTATION	3,021,881.70	3,000,000.00	3,000,000.00
2	FEDERAL REVENUE	277,501.34	250,000.00	250,000.00
2	TRUNKLINE MAINTENANCE-PRIMARY	285,000.00	300,000.00	300,000.00
2	COUNTY RAISED REVENUE	753,182.46	250,000.00	250,000.00
2	OTHER RAISED REVENUE	0.00	0.00	0.00
2	INTEREST EARNED	28,485.00	30,000.00	27,000.00
2	SALVAGE SALES	2,585.22	2,000.00	2,000.00
2	GAIN/LOSS-EQUIPMENT DISPOSALS	0.00	0.00	0.00
2	PERMIT FEES	28,000.00	27,000.00	25,000.00
2	OTHER	-9.00	0.00	0.00
TOTAL REVENUES		4,396,626.72	3,859,000.00	3,854,000.00
TOTAL OTHER SOURCES		0.00	0.00	0.00
TOTAL REVENUES AND OTHER SOURCES		4,396,696.72	3,859,000.00	3,854,000.00

EXPENDITURES (AND OTHER USES)		AMOUNT		
DEPARTMENT OR CLASSIFICATION		AMOUNT		
Page No.	ACCOUNT DESCRIPTION	ACTUAL PRIOR YR. 12-31-99	PREVIOUSLY APPROVED BUDGET	RECOMMENDED 12-31-00 BUDGET
3	HEAVY MAINTENANCE	1,074,001.02	1,000,000.00	900,000.00
3	REGULAR MAINTENANCE	2,094,822.84	2,050,000.00	1,835,000.00
3	TRUNKLINE MAINTENANCE-PRIMARY	310,000.00	300,000.00	300,000.00
3	ADMINISTRATIVE EXPENSE (NET)	209,525.00	200,000.00	175,000.00
3	EQUIPMENT EXPENSE (NET)	0.00	0.00	0.00
3	CAPITAL OUTLAY (NET)	633,282.36	300,000.00	300,000.00
3	DISTRIBUTIVE EXPENSE	0.00	0.00	340,000.00
3	OTHER	6,195.00	7,000.00	4,000.00
TOTAL EXPENDITURES		4,327,826.22	3,857,000.00	3,854,000.00
OTHER USES		0.00	0.00	0.00
AMOUNTS NEEDED FOR CONTINGENCIES		0.00	0.00	0.00
TOTAL EXPENDITURES AND OTHER USES		4,327,826.22	3,857,000.00	3,854,000.00

ESTIMATED REVENUES IN EXCESS OF EXPENDITURES	0.00
CURRENT ESTIMATED OPERATING SURPLUS (DEFICIT)	0.00
ACCUMULATED AVAILABLE UNAPPROPRIATED SURPLUS (DEFICIT) FROM PRIOR YEARS	
PROJECTED SURPLUS AT END OF BUDGET YEAR	68,800.50

VOTE: Ayes – 3  
Nays – 0  
Motion carried.

Commissioner Ogden reported discussion at Michigan County Road Commission Self-Insurance Pool (MCRCSIP) Seminar July 19 & 20, 2000 included discrimination lawsuits and garage fires. Suggestions were made to carefully monitor possible lawsuit issues and to camcord Road Commission assets (keeping copy on-site and copy off-site). Lawsuits have also been ongoing regarding overhanging tree limbs on roads and sight distance problems...signing is very important for all situations, the more the better. MCRCSIP auditor reported they are in good financial condition and commended MCRCSIP for keeping a good fund balance due to investment decisions. MCRCSIP sends personnel to Road Commission sites for inspections and to inform them what has to be done to keep claims down.

Moved by Commissioner Ogden and supported by Commissioner Way to pay bills totaling \$137,863.72.

VOTE: Ayes - 3  
Nays - 0  
Motion carried.

Mr. Harmon requested closed session to discuss union negotiations.

Moved by Commissioner Ogden and supported by Commissioner Way to enter closed session at 11:35 AM to discuss union negotiations.

VOTE: Ayes – 3  
Nays – 0  
Motion carried.

Regular session resumed at 12:05 PM.

Moved by Commissioner Ogden and supported by Commissioner Way to pay C.H. Smith Company, Inc. final Erickson Road bill pending engineers examination and approval.

VOTE: Ayes – 3  
Nays – 0  
Motion carried.

Moved by Commissioner Ogden and supported by Commissioner Way authorizing Mr. Harmon to set-up 457 plan logistics and implement cafeteria plan, contingent upon union letter of understanding stating both plans are not part of the current or pending union contract.

VOTE: Ayes – 3  
Nays – 0  
Motion carried.

Moved by Commissioner Way and supported by Commissioner Ogden to adjourn at 12:20 PM.

VOTE: Ayes - 3  
Nays - 0  
Motion carried.

## **JULY 10, 2000**

Chairman Saunders called the meeting to order at 9:00 AM.

Chairman Saunders, Commissioners Way and Ogden, Patrick Harmon, James Vanek and Shelley Kondrat attended, along with Eveline Township supervisor Dan Skrzeczkoski and clerk Don Hayden.

Moved by Commissioner Ogden and supported by Commissioner Way to approve June 26, 2000 minutes with the following corrections:

Page 2, line 38: change "a set amount per occurrence is good to have." to "the deductible per loss occurrence should be thoroughly understood."

VOTE: Ayes - 3  
Nays - 0  
Motion carried.

Mr. Skrzeczkoski requested list of CCRC administrative contact information, Eveline Township road map breaking down mileage, paved/gravel roads, primary/secondary roads, and division by east side and west side of Lake Charlevoix.

Mr. Skrzeczkoski inquired into Ironton project progress. Mr. Vanek talked with Ben Sackrider on Friday, July 07, 2000, who was very apologetic. He informed Mr. Vanek there were major sewer line problems at another job, and Ironton project would start this week.

Wayne Boss telephoned Mr. Harmon reporting North Lake Shore Drive project is currently on hold. Mr. Vanek chose to complete almost finished bids for possible future use and presented for Board approval. Special assessment district was discussed and all present felt it should be set-up and administered by the individual township. Mr. Skrzeczkoski said the Michigan Township Association (MTA) has all information townships require for organizing a special assessment district.

Mr. Harmon reported Boyne City street superintendent Denny Jason requested to purchase 2,000 cyd 23A manufactured gravel. The Board agreed to sale to keep good working relationship with Boyne City, but stated this would be a "one-time-deal" due to gravel becoming scarce.

Chairman Saunders, Mr. Harmon and CCRC shop foreman Mick Luchenbill will go to Emmet CRC at 1:00 PM Tuesday July 11, 2000 to view Dura-Patcher with Emmet CRC engineer-manager Brian Gutowski.

Mr. Harmon reported CCRC Peterbilt was stopped by State Police Officer. The truck inspection was fine, but it was overloaded by 11,000 lbs. The officer issued only a warning, and will bring his scales to CCRC Boyne City garage and weigh each CCRC truck unloaded and loaded for future knowledge.

Mr. Vanek stated Northwest Design Group (NDG) Engineer Howard Haselschwardt would arrive at 11:00 AM to discuss Ferry Road over Porter Creek and Huffman Lake Road projects.

Mr. Vanek reported the Ironton Ferry dredging permit was approved. Chairman Saunders informed of weed problem, which may be treatable.

Mr. Vanek presented Wilson Township revised private road design showing site location, typical cross section and 66' road right-of-way for Board review. The Board stated it is township responsibility to keep all newly constructed private road engineering records in the event CCRC is ever petitioned to accept as a certified county road.

Chairman Saunders inquired about the Bingham Road timber box culvert project. Mr. Vanek said Mr. Welch is working with him on this, and the culvert is ordered and should be here in August. Chairman Saunders inquired about Black Road reconstruction. Mr. Harmon has heard nothing from the township, but realizes the road breaks-up at spring thaws. Chairman Saunders informed all present Gerry Matelski is attending the next Charlevoix County Commissioner meeting regarding private Maple Lane (see June 26, 2000 regular meeting minutes, page1, lines 35-42).

9:45 AM ~ Peninsula Road reconstruction bid opening, Eveline Township, attended by Manthei Development representative Josh Manthei, H&D, Inc. representative Matt Levasseur and C.H. Smith representative Steve Smith. Engineer estimate is \$119,280.00; completion date is October 13, 2000.

<u>CONTRACTOR</u>	<u>BID AMOUNT</u>
Sackrider Construction, Inc.	\$113,775.00
H & D, Inc.	\$117,150.00
C.H. Smith Co., Inc.	\$118,965.00
Manthei Development Co., Inc.	\$124,925.00

Mr. Vanek stated he would draw-up bid tabulations and send copy to all contractors.

Mr. Skrzeczkoski thanked CCRC Board for keeping Ferry Road crossing Porter Creek open during reconstruction. He stated Eveline Township meets 7:00 PM Wednesday, July 12, 2000, so Peninsula Road bid tabulations and engineer's estimate to wedge Lake Shore Drive from Boyne City city limits to Whiting County Park will be hand delivered to Mr. Skrzeczkoski and Mr. Hayden.

Chairman Saunders called the Annual Snowmobile Hearing to order at 10:00 AM. Charlevoix County Sheriff George Lasater attended.

Sheriff Lasater presented Charlevoix County sheriff department 1999 annual report, stating page 14 lists statistics. He pointed-out personal injury accidents have increased by 7 from 1998, and stated all statistics are on reported incidents only. Mr. Harmon reported two 1999 snowmobile/plow truck incidents which left employees very shaken up. Sheriff Lasater stated 3 snowmobiles were donated to the sheriff department last year, 1 is on Beaver Island and 2 are on each mainland side. He said the DNR Snowmobile grant was approved, but the Charlevoix County Board approved only one full-time winter snowmobile officer, who can only be in one place at a time. Sheriff Lasater said the accident burden rests on the snowmobile owner, but the car owner, the Road Commission and the Sheriff Department are sure to be sued. Sheriff Lasater feels common sense is to not allow snowmobiles on road rights-of-way, but then there would be a lot of enforcement problems, adding neighboring counties should have like rules. The Board favors renewing the policy, but will continue to be aware of law enforcement problems. Sheriff Lasater will continue to request required enforcement tools from the Charlevoix County Board, restating one officer cannot touch the problems, especially with the DNR no longer patrolling.

Moved by Commissioner Ogden and supported by Commissioner Way that Charlevoix County Road Commission shall allow snowmobiles on road rights-of-way for a 12-month period, meeting Michigan State statutes and penalties as listed below:

Sec. 82119. A person shall not operate a snowmobile upon a public highway, land used as an airport or street, or on a public or private parking lot not specifically designated for the use of snowmobiles except under the following conditions and circumstances:

(a) A snowmobile may be operated on the right-of-way of a public highway, except a limited access highway, if it is operated at the extreme right of the open portion of the right-of-way and with the flow of traffic on the highway. However, a snowmobile may be operated on the right-of-way of a public highway against the flow of traffic if the right-of-

way is a snowmobile trail designated by the department in the plan developed pursuant to section 82106(2) and is approved by the state transportation department and the department. Snowmobiles operated on the right-of-way of a public highway, as provided in this subdivision, shall travel single file and shall not be operated abreast except when overtaking and passing another snowmobile. In the absence of a posted snowmobile speed limit, a snowmobile operated on the right-of-way of a public highway, as provided in this subdivision, shall be limited to the speed limit posted on the public highway.

(b) A snowmobile may be operated on the roadway or shoulder when necessary to cross a bridge or culvert if the snowmobile is brought to a complete stop before entering onto the roadway or shoulder and the driver yields the right-of-way to an approaching vehicle on the highway.

(c) In a court action in this state where competent evidence demonstrates that a vehicle that is permitted to be operated on a highway pursuant to the Michigan vehicle code, Act No. 300 of the Public Acts of 1949, being sections 257.1 to 257.923 of the Michigan Compiled Laws, is in a collision with a snowmobile on a roadway, the driver of the snowmobile involved in the collision shall be considered prima facie negligent.

(d) A snowmobile may be operated across a public highway other than a limited access highway, at right angles to the highway, for the purpose of getting from 1 area to another when the operation can be done in safety and another vehicle is not crossing the highway at the same time in the same general area. An operator shall bring his or her snowmobile to a complete stop before proceeding across the public highway and shall yield the right-of-way to all oncoming traffic.

(e) Snowmobiles may be operated on a highway in a county road system that is not normally snowplowed for vehicular traffic and on the plowed right-of-way or shoulder when no right-of-way exists on a snowplowed highway in the county road system, outside the corporate limits of a city or by the county road commission having jurisdiction. Upon the request of a county road commission that has designated all county roads outside the corporate limits of a city or village for snowmobile use, the state transportation department shall erect at county road commission expense and shall maintain, in accordance with the Michigan manual of uniform traffic control devices standards, the basic snowmobile sign unit together with a supplemental panel stating "permitted on right-of-way or shoulder of all Charlevoix County roads - Act 74 of P.A. 1968" at the county line on all state trunk line highways and county roads.

(f) A duly constituted law enforcement officer of a local unit of government or the state may authorize use of a snowmobile on a public highway or street within his or her jurisdiction when an emergency occurs and conventional motor vehicles cannot be used for transportation due to snow or other extreme highway conditions.

(g) A snowmobile may be operated on a highway or street for a special event of limited duration conducted according to a prearranged schedule only under permit from the governmental unit having jurisdiction. The event may be conducted on the frozen surface of public waters only under permit from the department.

(h) A city or village by ordinance may designate 1 or more specific public highways or streets within its jurisdiction as egress and ingress routes for the use of snowmobiles. A city or village acting under the authority of this subdivision shall erect and maintain, in accordance with the Michigan manual of uniform traffic control devices standards, a sign unit giving proper notice of the designation.

VOTE: Ayes - 3  
Nays - 0  
Motion carried.

The snowmobile meeting ended at 10:20 AM.

Commissioner Ogden requested July 2000 Better Roads magazine, page 27 entitled "Team Management: Oregon Department of Transportation (ODOT) project managers will issue report cards to contractors" be put in file for future reference.

Mrs. Kondrat, upon discussion with Fred Gardner, CPA, recommended billing up to 10% administrative fee on the Main Street, St. James Township reconstruction project, for administrative expenses.

Charlevoix County Commissioner Carl Price entered at 10:45 AM.

Mr. Harmon presented Road Commission August 13, 1990 minutes (see attachment), and doesn't believe the Road Commission ever received the deeded right-of-way for Lot 8 and Lots A, B and C, Lake 26 Road, Marion Township.

Helen Norman from Caldwell-Bankers in Charlevoix contacted Mr. Harmon because she has sold said property and feels original owner didn't get deeds processed, and Mr. Harmon feels it is the property owners responsibility to give CCRC quit claim deed for legal right-of-way. The Board instructed Mr. Harmon to have attorney Joel Wurster review quit claim deed upon receipt. Mr. Harmon will visit him on July 12, 2000 to discuss proper procedure. The Boards agree unanimously not to sign-off right-of-way.

Commissioner Price inquired about Gerry Matelski complaint. Mr. Harmon explained summer of 1999 request by Chandler Township supervisor Dennis Howard to ditch Magee Road by private Maple Lane. Mr. Harmon agreed, but informed him the property owner would be responsible for the driveway tile. Mr. Harmon informed Mr. Matelski at that time he would have to apply for a driveway permit and would be financially responsible for the culvert and installation, to which Mr. Matelski agreed. Mr. Matelski then asked Mr. Harmon if CCRC would install culvert if it was on-site, and Mr. Harmon told him no. Mr. Matelski attended the June 25, 2000 regular CCRC meeting and accused CCRC of installing driveway culverts for Mr. Harmons relatives during 1999 Cobb Road gravel project, which CCRC did not. He also accused the Road Commission of leaving equipment at private homes for individuals to use in the evenings and on weekends, which CCRC did not. Mr. Harmon stated former CCRC Engineer-Manager Irv Sturm replaced Ken Howard's driveway culvert about 20 years ago when CCRC damaged it during a ditch cleaning. Mr. Harmon reported only Mr. Matelski and one other property owner fund Maple Lane maintenance, while several other landowners use Maple Lane but share no financial obligation.

11:00 AM-NDG representative Howard Haselschwardt to present Huffman Lake Road and Porter Creek reconstruction project updates attended by Hudson Township supervisor Terry Erber.

Mr. Haselschwardt presented engineer's \$569,909.47 estimate and explained final Huffman Lake Road approximately 2-mile reconstruction plans. He stated the budget is only \$350,000.00 (\$200,000.00 STP funds and \$150,000.00 Hudson Township funds). NDG submitted the final plans to MDOT on Friday, July 7, 2000. The final signed Mylar copies with any changes are required by NDG no later than July 21, 2000 to be received in Lansing by the July 24, 2000 deadline.

Mr. Haselschwardt presented Project Budget Analysis suggestion for discussion with all present. All agreed Mr. Haselschwardt and Mr. Vanek should redesign project to submit by July 24, 2000 to Lansing.

Moved by Commissioner Ogden and supported by Commissioner Way to review and sign Huffman Lake Road project papers at 7:00 PM Thursday, July 20, 2000.

VOTE: Ayes – 3  
Nays – 0  
Motion carried.

Mr. Haselschwardt reported Porter Creek project pre-construction meeting was held and the job is still not officially awarded. The engineers estimate was \$273,000,00 and the bid was \$270,000.00, including the temporary road. The contractor is planning to start Monday, July 17, 2000, if the bid is awarded.

Mr. Haselschwardt, as a resident, sent a letter regarding proposed Whippoorwill Subdivision, a single-family residential project, Old Orchard Road. He would like to see the sanitary sewer installed down the road center rather than the proposed road edge, because it would force several large tree and several residential landscape removals. Mr. Harmon said Oscar Stroud does not want to see this newly built road torn-up. Mr. Harmon stated the developer would be responsible to restore Old Orchard Road to its original condition. Commissioner Saunders highly suggested a required bond for road repair. Mr. Harmon said a lift station would solve the problem, but Charlevoix would not allow another lift station that they would have to maintain and operate. Mr. Harmon reported a permit application has not been received by CCRC to date.

Mr. Vanek said C.H. Smith is placing seed and mulch on Erickson Road today, and H & D, Inc. is completing Woodward Road paving project. C.H. Smith impressed H & D, INC. with Erickson Road grade preparation.

Moved by Commissioner Ogden and supported by Commissioner Way to pay bills totaling \$137,973.91.

VOTE: Ayes - 3  
Nays - 0  
Motion carried.

Commissioner Price will also attend Emmet CRC Dura-Patcher demonstration July 11, 2000.

Recessed at 12:15 PM.  
Resumed at 1:10 PM.

Mr. Harmon has 11:00 AM July 11, 2000 appointment with a Xerox representative because the current lease is up and the present copier requires replacement.

Moved by Commissioner Way and supported by Commissioner Ogden authorizing Chairman Saunders to attend September 20-22, 2000 MERS Annual Meeting and appointing, as voter delegates, Chairman Saunders as Officer Delegate and Patrick Harmon as Officer Alternate.

VOTE: Ayes – 3  
Nays – 0  
Motion carried.

Mr. Harmon requested closed session to discuss union negotiations.

Moved by Commissioner Ogden and supported by Commissioner Way to enter closed session to discuss union negotiations at 1:15 PM.

VOTE: Ayes - 3  
Nays - 0  
Motion carried.

Re-entered regular session at 1:40 PM.

Moved by Commissioner Way and supported by Commissioner Ogden to adjourn at 1:40 PM.

VOTE: Ayes - 3  
Nays - 0  
Motion carried.

## **JUNE 26, 2000**

Chairman Saunders called the meeting to order at 9:00 AM.

Chairman Saunders, Commissioners Way and Ogden, Patrick Harmon, James Vanek and Shelley Kondrat attended, along with Bay Township residents David Fick & Helen Bergmann, Chandler Township resident Gerry Matelski, Eveline Township supervisor Dave Willson & clerk Don Hayden, and Petoskey News-Review reporter Dan Duggan.

Moved by Commissioner Ogden and supported by Commissioner Way to approve June 12, 2000 minutes with the following corrections:

Page 1, line 29: change "project should be completed late this season." to "reseal would be done on existing paved portion."

Page 1, line 34: change "meeting" to "hearing"

Page 2, line 20: change "proceed with disbursement" to "distribute letter"

Page 2, line 23: change "and explained Eastwood Road end photos" to "photos to explain Eastwood Road end certification"

VOTE: Ayes - 3  
Nays - 0  
Motion carried.

Mr. Fick read DEQ letter portions regarding permit #98-05-0356 for Wildwood Drive lake ending launch site improvement. Mr. Harmon was informed 1½ weeks ago by fund administrator that \$2,200.00 federal grant couldn't be used for said project, and Bay Township informed him June 8, 2000 they will fund the entire project. Bids must now be taken since

dredging is required and CCRC doesn't possess the proper equipment. Mr. Fick requested a completion date. Mr. Harmon informed him said project shall be done this year, but cannot commit to a date. Mr. Fick asked why this project has been delayed, while others are pushed through quickly, and he really wants this recreational facility available for public use a.s.a.p.

Mr. Harmon presented August 24, 1998 minute copies regarding Road Commission Board final Sumner Road Lake Charlevoix ending position to Mrs. Bergmann. She continues to feel CCRC should place gravel on the 22' wide roadbed because the resident is encroaching. The Board re-stated to Mrs. Bergmann the court order is very restrictive and the DNR won't allow erosion into any lake.

Mr. Matelski said CCRC ditched Magee Road and now water washes-out private Maple Lane consistently, which accesses 13 properties. He asked why Magee Road wasn't ditched on the other side and requested CCRC place a culvert on Maple Lane. Mr. Harmon explained the Road Commission only places culverts during complete reconstruction. Mr. Matelski said CCRC ditched Cobb Road and installed private driveway culverts. Mr. Harmon informed him CCRC did not install or fund Cobb Road driveway culverts, to which Mr. Matelski requested proof of who paid for said culverts. Mr. Harmon said Chandler Township supervisor Dennis Howard requested Magee Road ditching at that location. At that time, Mr. Matelski wished to personally place a driveway culvert on private Maple Lane.

Mr. Hayden requested Ironton Street update. Mr. Harmon stated H & D, Inc. are on shutdown June 30-July 5, but paving will be completed right after that. Mr. Willson requested Lake Shore Drive reconstruction estimate from Boyne City limits to Whiting County Park, which Mr. Vanek will prepare.

Mr. Vanek reported Wilson Township supervisor Todd Sorenson and board recommended Behling Road and Wilson Road bids be awarded to high bidder H & D, Inc. for \$167,658.30, but will go along with CCRC awarding to low bidder C.H. Smith, Inc. for \$146,475.00.

Moved by Commissioner Ogden and supported by Commissioner Way to award Behling Road and Wilson Road reconstruction project to low bidder C.H. Smith, Inc. for \$146,475.00 contingent upon Wilson Township signed contract, and to award Pleasant Valley Road reconstruction project to low bidder H & D, Inc. for \$115,960.70 contingent upon Wilson Township signed contract.

VOTE: Ayes - 3  
Nays - 0  
Motion carried.

Moved by Commissioner Way and supported by Commissioner Ogden to open Peninsula Road reconstruction bids, Eveline Township at 9:45 AM July 10, 2000.

VOTE: Ayes - 3  
Nays - 0  
Motion carried.

The Board discussed Norwood Township facsimile transmittal requesting CCRC to set-up a special assessment district with Clipperview residents for North Lakeshore Drive project. The Board directed Mr. Harmon to get information from CRAM and neighboring Road Commissions regarding special assessment district arrangements. Mr. Harmon feels a special assessment district should be set up through the township with an attorney. Mr. Vanek presented \$63,605.00 engineers estimate for Lake Shore Drive North reconstruction and paving, Norwood Township.

Mr. Harmon reported contract mediation study is scheduled for Thursday, June 29, 2000.

Mr. Vanek requested North Lakeshore Drive survey for legal road right-of-way before reconstruction and paving begins. The Board wishes to have survey done after bids are opened and township approves bid, and a completion date cannot be set because a special assessment district may take time to arrange.

Mr. Vanek stated Melrose Township requested Fourth Street improvement to prevent erosion into Walloon Lake. The Road Commission has obtained a special USDA-Natural Resources Conservation service grant for said project, with Melrose Township funding any balance. USDA representatives and Mr. Vanek did on-site inspection, determining survey must be obtained for legal right-of-way as next step because some tree removal may be required.

Mr. Vanek stated Wilson Township requires new private roads to meet CCRC specifications and receive CCRC approval before construction begins. He presented private gravel road drawings for Board review and stated he has given Fred Welch, P.E. a CCRC typical road cross section copy.

Commissioner Ogden recently attended Northern Michigan Road Commission seminar and heard Mackinaw CRC manager Craig Kelso speak regarding their recent garage fire. He stressed the importance of knowing every individual

item a Road Commission possesses, adding video taping is very worth while and the deductible per loss occurrence should be thoroughly understood.

Chairman Saunders asked for patching machine update. Mr. Harmon said Mr. Luchenbill has received Dura-Patcher specifications and is putting them into CCRC format. Mr. Harmon will maybe set something up after July 4<sup>th</sup> for Board to view Emmet CRC patching machine in process.

Moved by Commissioner Way and supported by Commissioner Ogden to pay bills totaling \$173,174.28.

VOTE: Ayes - 3  
Nays - 0  
Motion carried.

Moved by Commissioner Ogden and supported by Commissioner Way to adjourn at 11:50 AM.

VOTE: Ayes - 3  
Nays - 0  
Motion carried.

## **JUNE 12, 2000**

Chairman Saunders called the meeting to order at 9:00 AM.

Chairman Saunders, Commissioners Way and Ogden, County Commissioner Carl Price, Patrick Harmon, James Vanek and Shelley Kondrat attended, along with Norwood Township supervisor Wayne Boss and Bay Township residents Robert Taylor and Helen Bergmann.

Moved by Commissioner Ogden and supported by Commissioner Way to approve May 30, 2000 regular meeting minutes as presented.

VOTE: Ayes - 3  
Nays - 0  
Motion carried.

Bob Taylor asked about Sumner Road Lake Charlevoix public access status. He would like the issue settled so Bay Township can pursue public access improvements. Mr. Harmon read Judge Pajtas ruling stating boat launching, parking, picnicking, sunbathing, turn-around, etc. are excluded. The turn-around is for Road Commission use only, not the public at large. The Board directed Mr. Harmon to research minutes for the Road Commissions position, status & legalities, and present at June 26, 2000 regular meeting.

9:30 AM-Mr. Boss readdressed Lake Shore Drive reconstruction, Norwood Township. He would like the Road Commission Board to reconsider the road width policy, stating 22' wide roadbed really isn't necessary on certain county roads. Commissioner Ogden informed him the Board is very firm on said policy and won't change their mind, but suggested triple seal coat over existing gravel road.

Mr. Boss stated Warner Road is in very poor condition. Mr. Harmon suggested reverting it to gravel.

Mr. Taylor feels Eagle Island Road re-seal should be done on original roadbed due to road edging towards his property through the years. The survey proves this, and he wants it corrected before the re-seal project is done. Mr. Harmon said re-seal would be done on existing paved portion.

Mr. Taylor requested Wildwood Harbor boat ramp construction status. Mr. Harmon has conferred with Mr. Chipman, who requested completion, adding cement slabs must be ordered.

Moved by Commissioner Way and supported by Commissioner Ogden to hold annual snowmobile hearing at 10:00 AM Monday, July 10, 2000.

VOTE: Ayes – 3  
Nays – 0  
Motion carried.

Mr. Vanek presented correct certificate of survey for Deer Meadows Court construction, Wilson Township. Management will issue permit to proceed.

10:00 AM-Open Pleasant Valley Road wedging bids attended by H&D, Inc. representative Matt LaVasseur.

<u>CONTRACTOR</u>	<u>TOTAL BID PRICE</u>
H&D, Inc.	\$115,960.70

10:15 AM-Open Behling Road and Wilson Road reconstruction bids attended by H&D, Inc. representative Matt LaVasseur, C.H. Smith, Inc. representative Steve Smith & Manthei Development Corporation representative Didi.

<u>CONTRACTOR</u>	<u>TOTAL BID PRICE</u>
C.H. Smith, Inc.	\$146,475.00
Manthei Development Corporation	\$166,908.75
H&D, Inc.	\$167,658.30

Mr. Vanek will give Wilson Township supervisor Todd Sorenson bid tabulations for June 13, 2000 board review.

Mr. Harmon presented and explained diagram for processing road gravel on Howard Road private property, Chandler Township. He suggested \$0.60/cyd royalty due to gravel probably requiring clay hauled-in for mix. The Board instructed Mr. Harmon to proceed at his discretion.

Mr. Harmon presented Dura Patcher comparisons, noting Emmet CRC uses a 2-man crew plus 1 flagman for liability. The Dura Patcher can now be bought with an attached arrow board for approximately \$2,500.00 additional. Mr. Harmon also recommends 6,000 gallon heated storage tank due to vendors charging trucking fees if Road Commission cannot purchase full tanker. Commissioner Ogden said cost comparison is necessary for future performance audit. The Board directed management to pursue Dura Patcher specifications if financially able to purchase in 2000.

All present discussed Public Act51 study committee final report.

Mr. Harmon and Mr. Vanek presented copy of notice letter to C.H. Smith Company, Inc. informing him completion date for producing 10,000 cyd. of 23A aggregate at Sutliff Pit wasn't met. Future bid specifications shall contain liquidated damages.

The Board and Mr. Harmon discussed Mr. Klucks suggested Road Commission Board employee response letter to the April 27, 2000 special meeting. The Board directed Mr. Harmon to distribute letter to all CCRC employees.

Mr. Harmon presented photos to explain Eastwood Road end certification, Melrose Township. The Board is aware this Eastwood Road portion is not a county road and is not Road Commission jurisdiction. The Sheriff Department agrees this is a civil matter and informed the landowner.

Mr. Vanek stated MDOT opened Porter Creek bids Friday, June 09, 2000. Northwest Design Group (NDG) engineers estimate was \$273,989.00 and low bidder was Cal Excavating Company from Suttons Bay area at \$269,990.59. NDG engineer Howard Haselschwardt shall contact Mr. Vanek to set pre-construction meeting.

Mr. Vanek presented \$637,467.00 Huffman Lake Road NDG engineer's estimate. STP funds are \$200,000.00 and Hudson Township funds are \$146,000.00, leaving a \$291,467.00 balance. Mr. Harmon will notify Hudson Township supervisor, Terry Erber.

Moved by Commissioner Ogden and supported by Commissioner Way to pay bills totaling \$72,717.50.

VOTE: Ayes - 3  
Nays - 0  
Motion carried.

Moved by Commissioner Way and supported by Commissioner Ogden to adjourn at 2:20 PM.

VOTE: Ayes - 3  
Nays - 0  
Motion carried.

**MAY 30, 2000**

Chairman Saunders called the meeting to order at 9:00 AM.

Chairman Saunders, Commissioners Way and Ogden, County Commissioner Carl Price, Patrick Harmon, James Vanek and Shelley Kondrat attended, along with Performance Engineering representative Chuck Stein and Norwood Township supervisor Wayne Boss and residents Fred Siegwart and Jim Morrison.

Moved by Commissioner Way and supported by Commissioner Ogden to accept May 8, 2000 regular meeting minutes with the following corrections:

Page 2, line 14: change "accepting" to "awarding"

VOTE: Ayes – 3  
Nays – 0  
Motion carried.

The Board and Mr. Stein discussed Whippoorwill Site Condo Plans, Charlevoix Township. Mr. Stein said Performance Engineering is project engineer and Manthei Development is project contractor. Mr. Harmon said permit application is the next step.

Moved by Commissioner Ogden and supported by Commissioner Way to appoint Chairman Saunders as voting delegate and Commissioner Ogden as alternate voting delegate at July 19, & 20, 2000 Michigan County Road Commission Self-Insurance Pool annual meeting workshop.

VOTE: Ayes – 3  
Nays – 0  
Motion carried.

Mr. Vanek received fax from Marion Township clerk Wilson Boss requesting Pops Road triple seal bid awarded to Fahrner Asphalt Sealers, Inc.

Moved by Commissioner Ogden and supported by Commissioner Way to award Pops Road triple-seal bid to Fahrner Asphalt Sealers, Inc. for \$26,473.53.

VOTE: Ayes – 3  
Nays – 0  
Motion carried.

Mr. Boss and Mr. Siegwart are representing Clipperview homeowners association with regards to Lake Shore Drive reconstruction. Mr. Boss stated Whitmere Drive is 20' wide going into Clipperview Subdivision, and with Lake Shore Drive being a dead-end road and Norwood Township having very, very little money, a 20' width is adequate. He said Marion Township reconstructed existing roadbeds, but Mr. Vanek pointed-out said roads were re-sealed, not paved. Mr. Siegwart feels Lake Shore Drive roadbed is good, but there may be some drainage issues. Mr. Vanek agreed ditching is required where Lake Shore Drive meets Clipperview Drive to get water to cross tile for proper drainage. Chairman Saunders stated school buses, garbage trucks, etc. will break-off edges. Mr. Boss said no matter what the road width is, the edges will break-off unless there are paved shoulders. Commissioner Ogden is not in favor of relaxing present CCRC specifications, adding risk management and CCRC liability issues being high priority, and feels extra 10% paving costs would be well spent. Mr. Boss said additional ditching and gravel would cost quite a bit more, which the association cannot fund.

9:30 AM–open M66 wedging and re-paving near Ironton, bid(s).

**Contractor: H&D, Inc. Total Bid Amount: \$46,495.00**

Moved by Commissioner Ogden and supported by Commissioner Way to accept and award H&D, Inc. \$46,495.00 low bid for M66 wedging and re-paving near Ironton, pending M.D.O.T. approval. No work shall be done until Contractor receives "Notice to Proceed."

VOTE: Ayes – 3  
Nays – 0  
Motion carried.

Mr. Siegwart talked with Jerroll Drenth, who quoted \$9,000.00 for 4" gravel application. Mr. Siegwart asked where slope restoration would be. Mr. Vanek said after trenching, restoration must be done to restore original condition. Mr. Siegwart said CCRC 22' wide estimate is not within the special assessment budget they had planned. Commissioner Ogden advised not to reduce pavement width in present CCRC specifications. Mr. Morrison feels present 20' roadbed is well packed and 1' addition on each side would be more apt to break-off. Mr. Boss feels the more improvement you do, the more your liability risk is. The Board will discuss subject later in today's meeting.

10:00 AM-Porter Creek public hearing attended by NDG representative Howard Haselschwardt, Eveline Township clerk Don Hayden, business owner Pete Palajac, Jr. and residents Ed and Sally Pasque.

Mr. Haselschwardt commended Mr. Vanek on his P/R work with desired contractors and explained:

- Ferry Road crossing Porter Creek final plans.
- MDOT bid procedures and opening June 9, 2000 in Lansing.
- MDOT requiring about 1 month to review.
- Pre-construction meeting being held as soon as possible after bid opening.
- Contractor having 10 days to begin after "Notice to Proceed."
- Easements being secured.
- Temporary road restriction to local traffic.
- Delivery trucks and semi-trucks being detoured.
- Ferry Road and Advance Road intersection visibility being improved.
- \$273,000.00 final engineers estimate.
- \$250,000.00 Federal grant, with \$200,000.00 ceiling and 20% local match.
- Funding by Federal, CCRC and Eveline Township.
- Project totally completed by October 1, 2000.

Mr. Price and Mr. Hayden were given plan copies to present to their respective boards.

Public hearing closed at 10:20 AM.

Moved by Commissioner Ogden and supported by Commissioner Way authorizing the chairman and the manager to sign Ferry Road crossing Porter Creek MDOT contract, Eveline Township.

VOTE: Ayes – 3  
Nays – 0  
Motion carried.

Mr. Vanek presented Deer Meadows Court construction plans, Wilson Township, for Board discussion. Legal description is incomplete, but shall be resolved and re-discussed at June 12, 2000 regular meeting.

Mr. Vanek presented Wilson Township various projects for Board discussion. Commissioner Ogden will review with Mr. Vanek.

Moved by Commissioner Way and supported by Commissioner Ogden to open Behling Road and Wilson Road reconstruction bids at 10:15 AM June 12, 2000.

VOTE: Ayes – 3  
Nays – 0  
Motion carried.

Moved by Commissioner Way and supported by Commissioner Ogden to open Pleasant Valley Road wedding bids at 10:00 AM June 12, 2000.

VOTE: Ayes – 3  
Nays – 0  
Motion carried.

Mr. Harmon reported mid-May MIOSHA inspection.

Mr. Harmon received permission from Howard Road, Chandler Township private property owner for CCRC gravel processing; test holes shall be dug this week. Mr. Harmon said Sutliff Pit gravel would be sufficient only for 2000 township gravel contracts.

Mr. Vanek reported Erickson Road progress and has eased public concerns expressed at hearing.

Mr. Vanek has talked with several Shadow Trails residents, with the majority agreeing grinding and converting to gravel would be better than present condition.

Mr. Harmon gave union negotiation update to all present.

Mr. Harmon received confirmation from Andy Irwin, MDOT-Lansing, that St. James Township Main Street reconstruction grant for \$782,512.00 was approved, with \$711,375.00 guaranteed. Some cosmetic items were removed to lower costs, but township may apply for enhancement grant to complete removed items.

Recessed at 12:00 for lunch. Resumed at 12:50 PM.

Chairman Saunders received call from resident Charlie Bergmann concerning edges cracking on Old 31 recent reconstruction project. Mr. Vanek is meeting with Jim Pemberton (H&D, Inc.) for on-site review.

All present discussed Lake Shore Drive reconstruction and paving from Clipperview Road 2200' north. The Board strongly supports the present policy and specifications, leaving triple-seal as the only other project option. The Board directed Mr. Harmon to convey their decision to Wayne Boss.

Moved by Commissioner Ogden and supported by Commissioner Way to pay bills totaling \$177,854.84.

VOTE: Ayes – 3  
Nays – 0  
Motion carried.

The Board requested the manager to contact Michael Kluck for advice on properly answering employees concerns from the April 27, 2000 special meeting.

Moved by Commissioner Way and supported by Commissioner Ogden to adjourn at 1:55 PM.

VOTE: Ayes – 3  
Nays – 0  
Motion carried.

## **MAY 8, 2000**

Chairman Saunders called the meeting to order at 9:00 AM.

Chairman Saunders, Commissioners Way and Ogden, Patrick Harmon, James Vanek and Shelley Kondrat attended.

Moved by Commissioner Ogden and supported by Commissioner Way to approve April 24, 2000 regular meeting minutes as presented.

VOTE: Ayes – 3  
Nays – 0  
Motion carried.

Moved by Commissioner Way and supported by Commissioner Ogden to approve April 27, 2000 special meeting minutes with the following corrections:

Page 1, line 21: change "declined" to "denied"  
Page 1, line 53: change "bid" to "big"  
Page 2, line 8: change "err" to "error"

Page 2, line 43: change "impressionable" to "impressive"  
Page 3, line 6: delete "telling"  
Page 3, line 14: change "work" to "world"  
Page 3, line 36: change "bid" to "big"  
Page 3, line 39: change "ship" to "slip"  
Page 3, line 44: delete "consider a"  
Page 4, line 5: change "seems" to "seem"  
Page 4, line 33: change "haven't discussed" to "haven't been discussed"  
Page 4, line 33: add additional sentences to paragraph, reading "Commissioner Ogden asked Mr. Kondrat if any of the disciplinary notices handed-out were in violation of the contract. Mr. Kondrat said no."  
Page 4, line 35: change "an easy damage" to "easily damaged."  
Page 5, line 12: change "Well" to "Wells"  
Page 5, line 16: change "use" to "us"

VOTE: Ayes – 3  
Nays – 0  
Motion carried.

Mr. Harmon presented letter and petition from "Owners of Eleven Homes at the North End of Sequanota Road on Lake Charlevoix." Mr. Vanek said Afton stone was placed summer of 1998 on this Sequanota Road portion, as current petition is requesting. The Board instructed Mr. Harmon to send written response telling homeowners local roads are township funded, so they should contact Eveline Township regarding further reconstruction.

Mr. Harmon requested closed session to discuss current labor negotiations.

Moved by Commissioner Ogden and supported by Commissioner Way to enter closed session to discuss current labor negotiations at 9:20 AM.

VOTE: Ayes – Saunders, Way, Ogden  
Nays – 0  
Motion carried.

Moved by Commissioner Ogden and supported by Commissioner Way to enter open session at 9:55 AM.

VOTE: Ayes – Saunders, Way, Ogden  
Nays – 0  
Motion carried.

10:00 AM-Pops Road triple seal bid opening, Marion Township:

**CONTRACTOR**  
**BID AMOUNT**  
**COMPLETION DATE**

Fahrner Asphalt Sealers  
\$26,473.53  
September 1, 2000

H & D, Inc.  
\$33,784.00  
September 1, 2000

H & D, Inc. Note:  
all prep and blade wok to be performed by others

10:15 AM- CCRC used equipment sale bid opening.

<b>ITEM NO. 1</b> <b>ITEM NO. 2</b> <b>ITEM NO. 3</b>
---

**ITEM NO. 4**

**ITEM NO. 5**

Kevin Blaisdell

\$500.00

\$150.00

-NO BID-

-NO BID-

\$100.00

Dan Bajko

\$527.00

-NO BID-

-NO BID-

-NO BID-

-NO BID-

Moved by Commissioner Ogden and supported by Commissioner Way for manager to use his discretion in the Road Commission's best interest in accepting CCRC used equipment bids.

VOTE: Ayes – 3  
Nays – 0  
Motion carried.

Mr. Harmon requested closed session to discuss current labor negotiations via telephone with Mr. Kluck.

Moved by Commissioner Ogden and supported by Commissioner Way to enter closed session to discuss current labor negotiations at 10:25 AM.

VOTE: Ayes – Saunders, Way, Ogden  
Nays – 0  
Motion carried.

Moved by Commissioner Ogden and supported by Commissioner Way to enter open session at 11:25 AM.

VOTE: Ayes – Saunders, Way, Ogden  
Nays – 0  
Motion carried.

Mr. Harmon presented and explained Ballard's Plumbing and Heating final payment information and amount, stating the system passed county inspection.

Moved by Commissioner Ogden and supported by Commissioner Way to pay Ballard's Plumbing and Heating \$20,187.00 final payment.

VOTE: Ayes – 3  
Nays – 0  
Motion carried.

Mr. Harmon reported Critical Bridge Fund match is 95%-5%, and Mr. Vanek was successful in placing Springvale Road crossing Bear River (blacktop portion) on the Critical Bridge list. Mr. Vanek attempted Critical Bridge Funds for Shadow Trail crossing Fineout Creek, but found it lacked a few feet to qualify. Mr. Harmon and Mr. Vanek are meeting with group regarding Shadow Trail crossing Fineout Creek grant and will inform Board.

Recessed at 12:10 PM for lunch. Resumed at 1:00 PM.

Mr. Harmon stated Jeff Hunt from Traverse City TSC said MDOT has extra money available through the State Maintenance Contract, and there is an M66 section, south of Ironton Village, requiring skip paving. Mr. Hunt and Mrs. Rasch said CCRC must open bids, award bid, send with signed form 426 to Jeff Hunt, who will send to Lansing for MDOT approval. Mr. Vanek pointed-out special notice to bidder. MDOT would like May 30, 2000 bid opening date.

Moved by Commissioner Way and supported by Commissioner Ogden to accept bids 9:30 AM May 30, 2000 for 2500 feet of wedging and 36A top course paving on M-66 near the Village of Ironton with a July 28, 2000 completion date.

VOTE: Ayes – 3  
Nays – 0  
Motion carried.

Mr. Vanek stated Ferry Road crossing Porter Creek bid letting is June 9, 2000 at MDOT-Lansing.

Moved by Commissioner Ogden and supported by Commissioner Way to pay bills totaling \$64,882.35.

VOTE: Ayes – 3  
Nays – 0  
Motion carried.

Commissioner Ogden asked about:

- Wilson Road at BC-EJ Road backfill. Mr. Harmon said contractor or CCRC would complete job.
- Erickson Road public hearing drainage questions. Mr. Vanek hasn't investigated yet.
- Is there a law requiring public hearings for reconstruction?
- Sexual Harassment policy requirements removed from agenda pending list? Mr. Harmon said 2 employees still require training.
- Nelson Road end removal from agenda pending list? Mr. Harmon will investigate, but heard home sold and may be a dead issue.
- Brine tank decision removed from agenda pending list? Mr. Harmon said no, CCRC needs to make a final decision.
- CCRC having an "officially adopted" safety policy? Mr. Vanek said no, but the Board can adopt the County Road Association Self-Insurance Fund Workers' Compensation Program Safety Manual. The Board directed Mr. Harmon and Mr. Vanek to investigate if this is in the Road Commissions best interest and report to Board.

Commissioner Way commended Mick Luchenbill for preparing Ironton Ferry to begin running before schedule. Chairman Saunders said Ironton Ferry employee Bob Curtiss also worked very hard for this accomplishment.

The Board discussed the April 27, 2000 special meeting. They will have a draft letter for review in the May 30, 2000 board packet.

Moved by Commissioner Ogden and supported by Commissioner Way to adjourn this meeting at 1:45 PM.

VOTE: Ayes - 3  
Nays - 0  
Motion carried.

## **APRIL 24, 2000**

Chairman Saunders called the meeting to order at 9:00 AM.

Chairman Saunders, Commissioners Way and Ogden, Patrick Harmon, James Vanek and Shelley Kondrat attended.

Moved by Commissioner Ogden and supported by Commissioner Way to approve April 11, 2000 regular meeting minutes with the following corrections:

Page 1, line 5: change "will keep" to "recorded"

Page 1, line 21: change "CRA" to "Conservation Resource Alliance"

Page 2, line 43: change "turning bad section of Peninsula Road back" to "reverting bad section of Peninsula Road"

Page 3, line 5: add "MCRCSIP" before "liability"

Page 3, line 12: change "construction" to "annual material"

Page 3, line 33: add "to discuss current union negotiations" to end of sentence

VOTE: Ayes – 3  
Nays – 0

Motion carried.

Mr. Harmon explained current Hanson Road encroachments in Hudson Township, and recommended property owner proposed road realignment. The Board concurred.

Moved by Commissioner Way and supported by Commissioner Ogden to accept CCRC used equipment bids at 10:15 AM Monday, May 8, 2000.

VOTE: Ayes – 3  
Nays – 0  
Motion carried.

Chairman Saunders gave April 18-20, 2000 Highway Program Financing seminar preview, which Mr. Harmon, Mr. Vanek and Shelley Kondrat also attended.

Mr. Harmon presented approved Wildwood Harbor radio tower registration. He shall give copy to Charlevoix County Transit and Boyne City Public Schools, fellow tower users.

Mr. Harmon reported CCRC employees completed mandatory Sexual Harassment training Monday, April 17, 2000.

Moved by Commissioner Ogden and supported by Commissioner Way to award Ironton Street reconstruction bids to Sackrider Construction Company and Manthei Development Corporation, the two individual low bidders.

VOTE: Ayes – 3  
Nays – 0  
Motion carried.

10:00 AM Erickson Road reconstruction public hearing attended by Bay Township supervisor Allie "Bud" Chipman and residents Neal Hoaglund, Helen Bergmann, Ruth Leist, Clayton Boone, Peter A. Crandall, Shane Baxter, Dave Hardy, Russell G. Smith, Dennis W. Luce and Martha Luce.

Mr. Harmon outlined public hearing procedures. Mr. Vanek explained 3 major proposed reconstruction phases and highlights, adding Erickson Road will be open to traffic throughout reconstruction, with possible inconvenient waiting time only when hill is cut down. Completion date is July 28, 2000.

Mr. Harmon read written responses from Shane & Christine Baxter, Scott & Tysh Snyder, Christopher & Grace Elkins, and James & Joan Shepherd, all supporting Erickson Road reconstruction (copies in Erickson Road project file).

Mr. Hardy has several safety factor concerns and wants project reconstructed correct the first time.

Mrs. Leist & Mrs. Bergmann questioned project legality since CCRC doesn't have property easement, adding Erickson Road is a user road. Mr. Harmon stated a 1998 Supreme Court ruled road agencies have assumed 66' right-of-way on all public roads, and any road maintained by the Road Commission for at least 10 years is an assumed county road.

Mr. Vanek explained drainage near Mr. Boone's property and stated his large maple trees shall remain untouched, and assuring CRC is responsible for culvert maintenance. Mr. Vanek said driveway approaches and erosion control on banks are included in reconstruction costs.

Mr. Smith requested a set speed limit. Mr. Harmon explained state police procedure is dictated by state statute. Mr. Hoaglund will contact sheriff department regarding additional traffic control. He and his wife Laurie are equally concerned with speeding traffic and requested sign placement (i.e. Children Playing, Deer Crossing, etc.). Mr. Harmon gave "Facts About Controlling Traffic" handouts to attendees (see attachment), explaining advisory signs are often ignored by drivers, who cannot be cited. Mr. Chipman suggested a concentrated Sheriff Department road program, but law enforcement cannot be available 24-hours a day.

Mrs. Luce inquired about increased drainage on seasonal portion. Mr. Vanek said there would only be a noticeable difference during excessive rains, adding water would drain to the right while her driveway is on the left.

Public hearing closed at 10:15 AM.

Chairman Saunders had discussion at Traverse City Commissioners Seminar with Berrien CRC regarding AMZ patching. He was enthusiastically informed AMZ patches last at least 3 times longer than cold patch by hand and less material is

used. The Board instructed Mr. Harmon to do comparison cost estimate between hiring contractor and CCRC crews doing with self-owned machine.

Mr. Harmon recommended CCRC "Public Hearing" policy for any road reconstruction, tree removal, widening, realignment, etc. The Board instructed Mr. Harmon to present proposed policy at future meeting, incorporating funding explanation. Mr. Harmon will obtain "road law" regarding public hearings.

Mrs. Kondrat explained cash flow budget presented April 11, 2000 and advised Board to be conservative when contemplating 2000 equipment purchases. The Board instructed her and Mr. Harmon to do cost estimate for equipment purchases. Mr. Harmon stated he and Mr. Luchenbill have concluded trucks are highest priority, and will begin writing single-axle truck specifications without a sander.

Moved by Commissioner Way and supported by Commissioner Ogden to pay bills totaling \$206,438.38.

VOTE: Ayes – 3  
Nays – 0  
Motion carried.

Mr. Harmon requested closed session to discuss union negotiations.

Moved by Commissioner Ogden and supported by Commissioner Way to enter closed session at 10:35 AM.

VOTE: Ayes – 3  
Nays – 0  
Motion carried.

Moved by Commissioner Ogden and supported by Commissioner Way to enter open session at 12:53 PM.

VOTE: Ayes – 3  
Nays – 0  
Motion carried.

Moved by Commissioner Way and supported by Commissioner Ogden to adjourn at 12:53 PM.

VOTE: Ayes – 3  
Nays – 0  
Motion carried.

## **MARCH 27, 2000**

Chairman Saunders called the meeting to order at 9:00 AM.

Chairman Saunders, Commissioners Way and Ogden, County Commissioner Carl Price, Patrick Harmon, James Vanek and Shelley Kondrat attended, along with Eveline Township Supervisor Dave Willson.

Moved by Commissioner Ogden and supported by Commissioner Way to approve March 13, 2000 regular meeting minutes as corrected:

Page 2, lines 11 & 12: change "mileage" and "mileages" to "millage" and "millages"

VOTE: Ayes – 3  
Nays – 0  
Motion carried.

Mr. Harmon stated Eveline Township Board chose to award complete Ironton Street project bid to Sackrider Construction. Commissioner Ogden stated Drenth Brothers was overall low bidder and questioned why they weren't chosen. Mr. Willson said Drenth Brothers Mountain Road and Phelps Road past reconstruction weren't satisfactory, and Eveline Township Board voted unanimously for Sackrider Construction; choosing one contractor for project coordination. Mr. Willson will hold a special Eveline Township Board meeting for reconsideration. Mr. Harmon stated Mr. Vanek would be on-site testing gravel and workmanship.

Mr. Willson requested Porter Creek reconstruction update. Mr. Vanek said Road Commission and Pasque grading easement agreement needs signatures, but property owners are in question for the northwest corner of Porter Creek and Ferry Road. Mr. Willson will check plat and contact Mr. Vanek.

Mr. Willson asked if Phelps, Peninsula and Bracey Roads would be improved. Mr. Harmon said he and Mr. Vanek are currently inspecting roadwork required.

Moved by Commissioner Ogden and supported by Commissioner Way to accept Maple Lane as private road name in Chandler Township to satisfy Equalization Department requirements.

VOTE: Ayes – 3  
 Nays – 0  
 Motion carried.

Moved by Commissioner Way and supported by Commissioner Ogden to accept Al Sadowski Excavating quote for Pasque grading easement during Porter Creek reconstruction.

VOTE: Ayes – 3  
 Nays – 0  
 Motion carried.

The Board directed Mr. Vanek to prepare engineers estimate for Ferry Road wedging at both Ironton Ferry ramps.

Mr. Harmon stated Charlevoix County Recycling Committee member Michelle Hewitt requested placing two 30-yard dumpsters on Boyne City garage Road Commission property for their recycling program. Mr. Harmon will contact Tom Brouwer regarding CCRC relinquishing liability.

10:00 AM-Tandem Drive Grader bid opening attended by CCRC Mechanic Foreman Mick Luchenbill, AIS representative Mark Kelso, Rush Equipment representative Bud Klooster and Michigan Cat representative Vern Bauer. (See explanation of numbers listed under make and model on "YEAR 2000 WORK-READY TANDEM DRIVE MOTOR GRADER PROPOSAL FORM" attached).

DESCRIPTION	MICHIGAN CATERPILLAR	AIS	AIS (Alternate Bid)	RUSH EQUIPMENT
<b>MAKE &amp; MODEL</b>	Cat 140 H Year 2000	Champion 720A-VHP Series VI - Year 2000	Champion 720A-VHP Series V - Year 1999	John Deere 770CH Year 2000
<b>1)</b>	\$146,102.00	\$138,895.00	\$112,400.00	\$134,750.00
<b>2)</b>	\$ 2,480.00	INCLUDED	\$ 4,500.00	\$ 7,500.00
<b>3)</b>	\$115,500.00	\$ 87,895.00	N/A	NO BID
<b>4)</b>	\$ 33,082.00	\$ 51,000.00	\$116,900.00	\$142,240.00
<b>5)</b>	\$ 3,000.00	\$ 3,400.00	N/A	\$ 2,500.00
<b>6)</b>	\$ 2,791.00	\$ 2,495.00	N/A	-0-
<b>7)</b>	\$ 38,873.00	\$ 56,895.00	\$116,900.00	\$144,750.00
<b>8)</b>	\$ 52,000.00	\$ 52,000.00	\$ 52,000.00	\$ 62,000.00
<b>9)</b>	\$ (13,127.00)	\$ 4,895.00	\$ 64,900.00	\$ 82,750.00
<b>10)</b>	70-90 days after bid award	60-90 days after bid award	10 days after bid award	60 days after bid award
<b>11)</b>	1 Year-2000 Hour <u>entire unit</u> 4 Year-6000 Hour Powertrain	6 Year-8000 Hour <u>Powertrain</u> Standard machine warranty 6 months parts & labor	5 Year-7500 Hour <u>Powertrain</u> Standard machine warranty 6 months parts & labor	Full machine for 12 months from date of delivery
<b>12)</b>	Refer to bid sheet	Refer to bid sheet	Refer to bid sheet	Refer to bid sheet
<b>13)</b>	Refer to bid sheet	Refer to bid sheet	Refer to bid sheet	Refer to bid sheet
<b>14)</b>	Refer to bid sheet	Refer to bid sheet	Refer to bid sheet	Refer to bid sheet

10:15 AM-Construction Material bid opening, attended by Drenth Brothers representative Al Veenstra, Michigan Aggregate representative Chris Peters, Thompson-McCully Oil Company representative Ron Warden, St. Regis Culvert

representative Chris Mooney, Beckman representative Ron Brouwer, Premarc Corp. representative Gary Perkins, Liquid Dustlayer representative John Schemke, Jensen Bridge representative Bob Orr, and Poquette Aggregate representative Jerry Gravedoni, (see attached bid tabs).

10:30 AM-Bid opening to sell CCRC owned lowboy trailer and ½ ton pick-up:

<b>1974 FRUEHAUF DETACHABLE LOWBOY TRAILER</b>	
<b>Boyne Valley Hydroseed, Inc.</b>	\$3,260.00
<b>Valley Excavating</b>	\$1,850.00
<b>LaCombe Transportation</b>	\$1,500.00
<b>Mario Suarez</b>	\$1,100.00

<b>1987 DODGE 1/2 TON 2WD PICK-UP</b>	
<b>Jeff Gettel</b>	\$ 351.00
<b>John VanDorn</b>	\$ 250.00

Moved by Commissioner Way and supported by Commissioner Ogden to sell 1987 Dodge ½ ton 2WD pickup to high bidder Jeff Gettel for \$351.00.

VOTE: Ayes – 3  
Nays – 0  
Motion carried.

The Board rejected all 1974 Fruehauf Detachable Lowboy Trailer bids and possible future auctions will be investigated. Mr. Vanek presented and explained engineers estimates for Bear River Road, Shadow Trail, Springvale Road and Black Road. Mr. Harmon feels primary Black Road reconstruction is priority if Marion Township reconstructs local Black Road. He stated Melrose Township does not wish to financially participate in primary road reconstruction. Mr. Harmon, Mr. Vanek and Shelley Kondrat will prepare financial plan and report to Board.

Moved by Commissioner Way and supported by Commissioner Ogden to change regular 9:00 AM Monday, April 10, 2000 meeting to 9:00 AM Tuesday, April 11, 2000.

VOTE: Ayes – 3  
Nays – 0  
Motion carried.

### RESOLUTION

Moved by Commissioner Ogden to adopt the following **Resolution**, supported by Commissioner Way.

**WHEREAS**, the County Road Association Self-Insurance Fund (CRASIF) Trustee Board provides Workers' Compensation coverage to all Michigan County Road Commission members; and

**WHEREAS**, the Charlevoix County Road Commission is a fund member; and

**WHEREAS**, the CRASIF Trustee Board has approved a new Safety Policy and Manual, offered training to all members, and requests all members to adopt Safety Manual as their safety program;

**NOW, THEREFORE, BE IT RESOLVED**, the Charlevoix County Road Commission Board hereby adopts said CRASIF Safety Manual as Charlevoix County Road Commissions Safety Policy/Safety Program; and

**BE IT FURTHER RESOLVED**, Resolution copy be sent to Kenneth J. Cook, CRASIF Secretary-Treasurer, 1600 Autumn Lane, Lansing, MI 48912-4502.

Resolution adopted by the following voice vote:

AYES – Saunders, Way, Ogden  
NAYS – None

I certify this is a true **Resolution** copy adopted at the March 27, 2000 Charlevoix County Road Commission regular meeting.

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Shelley Kondrat, Clerk

Moved by Commissioner Ogden and supported by Commissioner Way to pay bills totaling \$89,057.29.

VOTE: Ayes – 3  
Nays – 0  
Motion carried.

Moved by Commissioner Ogden and supported by Commissioner Way to adjourn at 2:15 PM.

VOTE: Ayes – 3  
Nays – 0  
Motion carried.

## **MARCH 13, 2000**

Chairman Saunders called the meeting to order at 9:00 AM.

Chairman Saunders, Commissioner Ogden, County Commissioner Carl Price, Patrick Harmon, James Vanek and Shelley Kondrat attended, along with Eveline Township Clerk Don Hayden. Commissioner Way was unable to attend.

Moved by Commissioner Ogden and supported by Chairman Saunders to accept February 28, 2000 regular meeting minutes as presented.

Vote: Ayes – 2  
Nays – 0  
Absent - 1  
Motion carried.

Mr. Harmon stated Road Commissions are 100% responsible for weight restriction costs, including road damage, with no compensation from the State of Michigan. He feels Road Commissions should receive overweight/speeding vehicle citation fees collected during seasonal weight restrictions to fund road repairs, which is possible if the County Board supports with a resolution. He is awaiting information from County Road Association of Michigan representative Ron DeCook for presentation at a future Board meeting.

Mr. Harmon presented DNR letter supporting Magee Road abandonment, Hudson Township.

Moved by Commissioner Ogden and supported by Chairman Saunders to open sealed bids, as presented by Shop Foreman Mick Luchenbill, at 10:30 AM March 27, 2000 for sale of CCRC equipment #146~1974 Fruehauf Detachable Lowboy Trailer and CCRC equipment #009~1987 Dodge ½ ton 2WD Pick-up.

VOTE: Ayes – 2  
Nays – 0  
Absent – 1  
Motion carried.

Regarding the Porter Creek project, Mr. Harmon reported Road Commission and Pasques temporary grading easement is nearly complete. Pete Palajac has signed the grading easement agreement, but signed grading easements from two other landowners are pending. DEQ has approved temporary road, and Northwest Design Group (NDG) is preparing final plans. Bid letting will be June or July at MDOT in Lansing, with August or September reconstruction. Mr. Harmon will request MDOT incorporate a bridge contractor, but MDOT has final project classification authority. Mr. Hayden feels September reconstruction would better please the traveling public.

Shelley Kondrat presented and explained Public Act 50 of 1999 reporting requirements to all present, which she has completed and sent to townships.

Mr. Harmon stated, per County Road Association of Michigan (CRAM) representative John Niemela, 1997 Act 51 amendment states road reconstruction does not require competitive bids up to and including \$100,000.00, and Michigan Road laws 1989 amendment states road reconstruction does not require competitive bids up to and including \$20,000.00. He received D & D, Inc. proposals as follow, which will lower by approximately \$6,750.00 by using CCRC flagmen:

**THUMB LAKE ROAD** (County Line to Jenkins Road 3.8 miles): \$19,950.00  
**THUMB LAKE ROAD** (Jenkins Road to U.S. 131 4.9 miles): \$14,250.00  
**CAMP TEN ROAD** (Lalone Rd. to Thumb Lake Rd. 1.58 miles): \$ 8,550.00

10:00 AM-Ironton Street improvement bid opening, attended by Drenth Brothers representative Al Veenstra and Manthei Development representative Tom DeFer.

<u>CONTRACTOR</u>	<u>1ST BID ITEM</u>	<u>2ND BID ITEM</u>	<u>COMPLETION DATE</u>
Drenth Brothers	\$85,952.90	\$27,519.55	September 22, 2000
H & D, Inc.	\$97,864.50	\$28,545.50	September 22, 2000
Manthei Development Co.	\$93,148.50	\$26,745.50	September 22, 2000
Sackrider Construction	\$85,322.00	\$30,657.00	September 22, 2000

All present discussed a countywide road millage probability (approximately \$1.1 million/year per Commissioner Price). Mr. Harmon will discuss successful countywide road millages political campaigning with Allegan CRC and Huron CRC at the CRAM conference next week.

Mr. Harmon presented AST 40,000-gallon brine storage tank installation proposal, which he considered high. The Board stated successful March 27, 2000 brine bidder should supply a storage tanker, since they have for other entities. The steel platform and stair construction estimate is \$5,000.00, and EC&S will send a revised diagram since Mr. Harmon felt the original diagram wasn't clear where the fill-pipe would be located in conjunction with the platform and stairs. He added the DEQ has reviewed and approved proposed plans for future construction when funds available.

Moved by Commissioner Ogden and supported by Chairman Saunders that, due to the emergency situations on Thumb Lake Road and Camp Ten Road failures and possible risk to the motoring public, we authorize the manager to contract D & D Contracting, Inc. for AMZ patching.

VOTE: Ayes – 2  
 Nays – 0  
 Absent – 1  
 Motion carried.

Mr. Vanek and Mr. Harmon met with Bay Township Board, who unanimously agreed to award complete Erickson Road bid to C.H. Smith, Inc.

Moved by Commissioner Ogden and supported by Chairman Saunders to award complete Erickson Road reconstruction project to low bidder C.H. Smith, Inc. at \$87,219.50.

VOTE: Ayes – 2  
 Nays – 0  
 Absent – 1  
 Motion carried.

Per Mr. Vanek, Hudson Township requested H & D, Inc. be awarded Woodward Hill Road paving project bid.

Moved by Commissioner Ogden and supported by Chairman Saunders to award Woodward Road hill paving project to low bidder H&D, Inc. at \$19,481.00.

VOTE: Ayes – 2  
Nays – 0  
Absent – 1  
Motion carried.

Moved by Commissioner Ogden and supported by Chairman Saunders to hold Erickson Road public hearing at 10:00 AM April 24, 2000.

VOTE: Ayes - 2  
Nays – 0  
Absent – 1  
Motion carried.

Shelley Kondrat explained Section 125 necessity due to Road Commission and Teamsters State, County and Municipal Workers Local 214 agreement, ARTICLE 55. HEALTH INSURANCE Section 2. Election for Waiver of Medical Coverage. which the Board supports 100%.

All present discussed Emmet CRC and Ice Ban problem. Mr. Harmon will report Ice Ban representative telephone response to the Board.

Chairman Saunders and Commissioner Ogden will attend May 3, 2000 County Road Association Self-Insurance Fund (CRASIF) Workers Compensation informative meeting.

Mr. Vanek presented Bingham Road timber structure all-inclusive \$2,900.00 engineering proposal from Fred Welch, P.E.

Moved by Commissioner Ogden and supported by Chairman Saunders to accept Fred Welch \$2,900.00 engineering fee to complete engineering on Bingham Road timber structure on Huffman Lake at the Sturgeon River headwaters as submitted in proposal, with firm completion date in contractual obligations.

VOTE: Ayes – 2  
Nays – 0  
Absent – 1  
Motion carried.

Moved by Commissioner Ogden and supported by Chairman Saunders to pay bills totaling \$106,295.15.

VOTE: Ayes – 2  
Nays – 0  
Absent – 1  
Motion carried.

Moved by Commissioner Ogden and supported by Chairman Saunders to adjourn at 12:35 PM.

VOTE: Ayes – 2  
Nays – 0  
Absent – 1  
Motion carried.

## **FEBRUARY 28, 2000**

Chairman Saunders called the meeting to order at 9:00 AM.

Chairman Saunders, Commissioners Way and Ogden, County Commissioner Carl Price, Patrick Harmon, James Vanek and Shelley Kondrat attended, along with Bay Township residents Mrs. Leist and Helen Bergmann.

Moved by Commissioner Way and supported by Commissioner Ogden to approve February 14, 2000 minutes with the following corrections:

- Page 2, line 46: change the 2nd "would" to "might"  
change "the most" to "a"
- Page 2, line 47: change "scrutinize" to "criticize"
- Page 3, line 30: add "estimated" between "an" and "extra"
- Page 3, line 33: change "a \$47,520.00 savings." to "an estimated \$47,520.00 savings if detour is used."
- Page 3, line 38: change "federally funded with a" to "the"
- Page 4, line 27: change "FIA" to "FAA"

VOTE: Ayes - 3  
Nays - 0  
Motion carried.

Mrs. Leist said Erickson Road has not been maintained from Old Horton Bay Road east .73 miles since 1935 and disagrees with the paving project, due to safety factors and her mother fighting for years against Erickson Road improvements. Mr. Harmon said Erickson Road is a county road with a 66' right-of-way and has been on the certification map for years. Mr. Vanek said, according to two-1999 traffic counts, Erickson Road is the highest traveled gravel road in Bay Township.

Moved by Commissioner Ogden and supported by Commissioner Way to recommend County Road Association of Michigan (CRAM) as follows:

REPEAL ALL OF EXISTING SECTION 1, ARTICLE VIII, AND INSERT THE FOLLOWING:

SECTION 1. Each member Road Commission shall pay the Association annual service charges in accordance with the following schedule with revenues defined as the total previous calendar year allocation to the county from the Michigan Transportation Fund:

- (a) For fiscal year beginning April 1, 2000:
  - I. Revenues up to \$1,000,000, multiply amount by 0.00273.
  - II. Revenues from \$1,000,000 up to \$5,000,000, multiply amount minus \$1,000,000 by 0.00112 and add \$2,730.
  - III. Revenues from \$5,000,000 up to \$10,000,000, multiply amount minus \$5,000,000 by 0.00064 and add \$7,210.
  - IV. Revenues from \$10,000,000 up to \$20,000,000, multiply amount minus \$10,000,000 by 0.00048 and add \$10,410.
  - V. Revenues over \$20,000,000, multiply amount minus \$20,000,000 by 0.00032 and add \$15,210.
  - VI. Add \$200 to the result for each member Road Commission receiving revenue from a State Trunkline Maintenance contract.
- (b) For fiscal years beginning April 1, 2001, April 1, 2002 and April 1, 2003, the factor in each category shall be increased by three percent each year.

Does your Commission approve? YES (X) NO ( )

VOTE: Ayes - 3  
Nays - 0  
Motion carried.

Moved by Commissioner Way and supported by Commissioner Ogden to elect Chairman Saunders as the official voting delegate on the CRAM Policies at the Annual Business Meeting at the March 2000 Highway Conference in Lansing

VOTE: Ayes – 3  
Nays – 0  
Motion carried.

The Board agreed to vote for Upper, Northern and Urban nominees and for Jon F. Rice of the Southern for CRAM Association Board.

Commissioner Ogden had suggested changes for Ironton Street bid documents and all present discussed proposed split bid documents are firmer, but after discussion, the Board, Mr. Harmon and Mr. Vanek agreed future road reconstruction shall have one overseeing contractor. Mr. Harmon would like to see reconstructed roads lay through a frost-freeze cycle with next season paving.

Mr. Vanek explained differences in Erickson Road contractor paving estimates. Mr. Harmon and Mr. Chipman talked about splitting \$3,263.02 difference if C.H. Smith is the overseeing contractor. The Board agreed to pay no more than ½ of \$3,263.02.

Moved by Commissioner Ogden and supported by Commissioner Way for CCRC to pay no more than ½ of \$3263.02 if Erickson Road project is awarded to single contractor and project is completed in 2000.

VOTE: Ayes - 3  
Nays - 0  
Motion carried.

Mr. Harmon presented pictures showing spring break-up conditions of local Phelps Road and primary Springvale, Thumb Lake, Camp Ten, Shadow Trails, River (truck route) and Bear River Roads. Tim Murphy and Tom VanEpps met with Mr. Harmon and will meet with D & D Contracting to obtain estimated repair costs to present at March 13, 2000 meeting.

Mr. Harmon stated an AMZ machine costs \$80,000.00. Commissioner Way feels AMZ machine purchase (which is used 12 months of the year) should be higher priority than a new brine tank purchase (which is used only 3-month of the year). Commissioner Ogden disagreed, stating AMZ machine couldn't be used on roads with certain bases.

Mr. Harmon stated Shadow Trails requires a box culvert replacement, Mr. Vanek will have estimates at the March 13, 2000 meeting. The Board instructed Mr. Harmon and Mr. Vanek to prioritize road needs list to present at March 13, 2000 meeting. Recessed discussion at 10:10 AM for the 1999 audit presentation.

10:10 AM-Fred Gardner gave 1999 Road Commission audit report Power Point presentation, attended by Petoskey News-Review reporter Dan Duggan

Mr. Vanek received EC&S brine tank information and is putting in bidding format for possible future use.

NDG Engineer Howard Haselschwardt, Mr. Vanek, Mr. Harmon, Advance Storeowner Pete Palajac and Mr. and Mrs. Pasque met last week. The Advance Store driveway will be more defined with 30' curbing. Mr. Harmon said there is still negotiations with Mr. and Mrs. Pasque regarding the temporary road placement.

Mr. VanEpps informed Mr. Harmon about Governor Englers Build Michigan III Plan, which has a large sum of available money (which any roads qualify for), and is controlled by the legislature. Mr. Vanek will implement grant applications as soon as possible.

Mr. Vanek explained the \$8,000.00 Conservation Resource Alliance and Timber Bridge Fund grant for the 3 culverts on Bingham Road require blueprints to complete the grant application and to receive the DEQ permit, and suggested using Mr. Welch due to his experience.

Mr. Harmon stated if the Charlevoix County Board passes a Charlevoix County weight restriction ordinance in the spring, any ticket money will revert back to the Road Commission; whereas, a current citation is written to the State of Michigan with fees going to libraries. New law exempts milk haulers and agricultural haulers (except forestry) from weight restrictions, but a farmers permit is mandatory, and the Road Commission can require a bond.

Moved by Commissioner Way and supported by Commissioner Ogden to pay bills totaling \$101,354.98.

VOTE: Ayes - 3  
Nays - 0  
Motion carried.

Moved by Commissioner Ogden and supported by Commissioner Way to adjourn at 12:50 PM.

VOTE: Ayes - 3  
Nays - 0  
Motion carried.

## **FEBRUARY 14, 2000**

Chairman Saunders called the meeting to order at 9:00 AM.

Chairman Saunders, Commissioners Way and Ogden, County Commissioner Shirley Roloff, Patrick Harmon, James Vanek and Shelley Kondrat attended.

Moved by Commissioner Way and supported by Commissioner Ogden to approve January 24, 2000 regular meeting minutes with the following corrections:

Page 1, line 55: change "mileages" to "millages"  
Page 2, line 4: change "sheriff department" to "state police"  
Page 2, line 14: change "mileage" to "millage"  
Page 2, line 15: change "mileage" to "millage"  
Page 2, line 26: change "corrections" to "changes"  
Page 2, line 49: change 1/3" to 3<sup>rd</sup>"  
Page 3, line 19: change 1/3" to 3<sup>rd</sup>"  
Page 3, line 20: change 3<sup>rd</sup> to 1/3 of a 3  
Page 4, line 4: remove the word "purchases"

VOTE: Ayes - 3  
Nays - 0  
Motion carried.

Moved by Commissioner Ogden and supported by Commissioner Way to approve John Rowe's permit application request to close Boyne City-Charlevoix Road for July 4<sup>th</sup>, 2000 Horton Bay parade.

VOTE: Ayes – 3  
Nays – 0  
Motion carried.

### **RESOLUTION**

Commissioner Way moved to adopt the following **RESOLUTION**, supported by Commissioner Ogden.

**WHEREAS**, the maintenance, care and responsibility of certain road portions in Charlevoix County under Charlevoix County Road Commission jurisdiction have been discussed by the Charlevoix County Board of Road Commissioners and it appears certain road portion described as follows:

that portion of Rogers Road starting at the intersecting section corners of 28, 29, 32 and 33, thence westerly .76 miles along section line 29 and 32, Wilson Township, T.32N-R.6W.

**AND, WHEREAS**, is not necessary to the traveling public and after discussion determination was made in the public interest and the Charlevoix County Road Commission to decertify said road portion,

**AND, WHEREAS**, an adequate alternative route is available to the traveling public,

**AND, WHEREAS**, after discussing public requirements and the herein described road portion, this Board has determined it is advisable to decertify that portion for the purpose set forth herein and for the public interest,

**NOW, THEREFORE, BE IT RESOLVED**, by the Board of Charlevoix County Road Commissioners, said road portion, in the public interest, be decertified from the county road system as of February 14, 2000.

**BE IT FURTHER RESOLVED**, a notice of this determination be given by the Charlevoix County Board of Road Commissioners Clerk to the proper highway authorities and to the Wilson Township Clerk.

Resolution adopted by the following vote:

YEAS:           Saunders, Way, Ogden  
NAYS:           -NONE-

I certify this to be a true **RESOLUTION** copy made and adopted at the Charlevoix County Road Commission February 14, 2000 regular meeting.

---

Shelley Kondrat, Clerk

**RESOLUTION**

Commissioner Way moved to adopt the following **RESOLUTION**, supported by Commissioner Ogden.

**WHEREAS**, the maintenance, care and responsibility of certain road portions in Charlevoix County under Charlevoix County Road Commission jurisdiction have been discussed by the Charlevoix County Board of Road Commissioners and it appears certain road portion described as follows:

that portion of Ferry Road starting at the intersection of Pops Road and Ferry Road, proceeding westerly on Ferry Road .35 miles, Section 14, Marion Township, T.33N., R.8W.

**AND, WHEREAS**, is not necessary to the traveling public and after discussion determination was made in the public interest and the Charlevoix County Road Commission to decertify said road portion,

**AND, WHEREAS**, an adequate alternative route is available to the traveling public,

**AND, WHEREAS**, after discussing public requirements and the herein described road portion, this Board has determined it is advisable to decertify that portion for the purpose set forth herein and for the public interest,

**NOW, THEREFORE, BE IT RESOLVED**, by the Board of Charlevoix County Road Commissioners, said road portion, in the public interest, be decertified from the county road system as of February 14, 2000.

**BE IT FURTHER RESOLVED**, a notice of this determination be given by the Charlevoix County Board of Road Commissioners Clerk to the proper highway authorities and to the Marion Township Clerk.

Resolution adopted by the following vote:

YEAS:           Saunders, Way, Ogden  
NAYS:           -NONE-

I certify this to be a true **RESOLUTION** copy made and adopted at the Charlevoix County Board of Road Commissioners February 14, 2000 regular meeting.

---

Shelley Kondrat, Clerk

Mr. Harmon presented MDOT federal allocation related letter, stating Mr. Vanek noticed a Marion Center Road funding discrepancy which was brought to MDOT attention, but they have not responded.

Mr. Harmon suggested placing an overlay on rapidly deteriorating Thumb Lake Road until 2003 total reconstruction. He would like to begin engineering this spring in the event funding becomes available sooner, the job would be ready for bid letting. Commissioner Ogden feels the overlay might be a cost effective solution, but the public may not see this and might criticize CCRC if an overlay was placed, only to be torn-up and reconstructed in a couple of years.

Mr. Harmon presented Nackerman Harborfront LLC correspondence and survey blueprint showing problem areas on Frankie Lane, St. James Township, Beaver Island. After discussion, the Board instructed Mr. Harmon to contact Gary

Voogt to possibly include said request in the Main Street reconstruction project, and to send letters to this effect to Nackerman Harborfront LLC.

Moved by Commissioner Way and supported by Commissioner Ogden for Chairman Saunders to sign the 2000 certification map as presented.

VOTE: Ayes – 3  
Nays – 0  
Motion carried.

10:00 AM ~ bid opening for 23A gravel manufactured at Sutliff Pit, attended by Manthei Development Corporation representative Mitch Cunningham.

<u>CONTRACTOR</u>	<u>10,000 CYD</u>	<u>OPTION 1</u>	<u>OPTION 2</u>
H & D, Inc.	\$2.89/cyd	\$2.89/cyd	\$2.89/cyd
Manthei Development Co.	\$2.93/cyd	\$2.93/cyd	\$2.93/cyd
C.H. Smith Co., Inc.	\$2.63/cyd	\$2.60/cyd	\$2.60/cyd

Drenth Brothers gave optional bid of \$4.90 cyd for 22A or 23A stockpiled at Heeres Pit and hauled by CCRC equipment. The Board will award the bid at the February 28, 2000 regular meeting.

Mr. Willson arrived and stated Eveline Township board requested Ironton Streets bid letting all inclusive except Washington Street 910' from Second Street south separate.

Chairman Saunders said Mr. Willson was strongly concerned with primary Advance Road not being snowplowed until late afternoon...Mr. Willson said problem has been resolved after talk with Mr. Harmon.

10:30 AM ~ Northwest Design Group (NDG) engineers Irv Sturm and Howard Haselschwardt to discuss Porter Creek crossing, attended by Advance Store owner Pete Palajac and residents John Stevens, Hank Ross and Sally and Ed Pasque.

Mr. Haselschwardt presented existing preliminary plans (which will be complete when the GI is done) and the \$220,179.00 engineers estimate (which includes a detour). Mr. Haselschwardt explained an estimated extra \$47,520.00 would be required if project has staged construction. Project completion would be 4-6 weeks with detour; additional construction time would be required without detour. NDG prefers to not see staged construction due to the small structure quality not being as sound, the short time period inconvenience, and an estimated \$47,520.00 savings if detour is used.

Mr. Haselschwardt said a June bid opening is anticipated with the project beginning around August 1<sup>st</sup>, 2000. He praised Mr. Vanek for writing and receiving a \$233,000.00 federal grant, adding the remaining balance will be the 20% local match.

Mr. Haselschwardt explained the replacement culvert structure, to which Mr. Willson said Great Lakes Fisheries (GLF) is opposed to removing the natural plunge pool because of lampreys. Mr. Haselschwardt spoke to GLF, but said the DEQ doesn't like plunge pools and would like them removed statewide, plus the DEQ approved permit is in place for the work engineered to date.

The residents expressed emergency situation concerns. Mr. Haselschwardt explained past practice being 911 dispatch centers being informed of the closure time period, then they work out a contingency plan with all emergency centers involved.

Mr. Harmon and Mr. Sturm suggested acquiring a DEQ permit and a temporary grading easement from Mr. & Mrs. Pasque to place a temporarily road on their property. Said temporary road would cost approximately \$20,000.00-\$25,000.00 for 23A gravel 15 meters wide, 3' diameter temporary culverts with fill across the streambed and clearing, 15-mph posted speed limit, dust control and complete restoration.

Mrs. Pasque is concerned about large tree removal on their property, and is contacting their lawyer because of liability concerns. The Board instructed Mr. Harmon to contact CCRC attorney Joel Wurster also regarding liability. Mr.

Haselschwardt and Mr. Vanek will make a courtesy visit to stake out temporary road and flag trees requiring removal for Mr. & Mrs. Pasque to better view said proposal.

Mr. Palajac would like curb extended on Advance Road south to the alley so traffic cannot cut through his parking lot. Mr. Haselschwardt estimated cost at approximately \$8,000.00 since drainage would be required. He and Mr. Vanek will also make a courtesy visit to discuss possible solutions with Mr. Palajac.

Moved by Commissioner Way and supported by Commissioner Ogden to open Tandem Drive Grader bids with suggested changes at 10:00 AM March 27, 2000.

VOTE: Ayes – 3  
Nays – 0  
Motion carried.

Moved by Commissioner Ogden and supported by Commissioner Way to open construction material bids at 10:15 AM March 27, 2000.

VOTE: Ayes – 3  
Nays – 0  
Motion carried.

Moved by Commissioner Ogden and supported by Commissioner Way to open Ironton Street improvement bids at 10:00 AM March 13, 2000.

VOTE: Ayes – 3  
Nays – 0  
Motion carried.

Mr. Harmon read letter from FAA stating Wildwood Harbor radio tower requires no painting or lights, but he recommended placing a fence around the tower and building, and installing underground wiring. He added Charlevoix County Transit and Boyne City Public Schools have already offered financial participation since they also use the tower. The Board instructed Mr. Harmon to pursue and complete said safety improvements.

Mr. Harmon sent McGee Road packet to Doug Erickson of the DNR, who feels all looks fine, but he must send it through other areas for approval. The Resolution relinquishing their rights should be received by CCRC in 35-45 days.

Moved by Commissioner Way and supported by Commissioner Ogden to pay bills totaling \$74,496.10.

VOTE: Ayes – 3  
Nays – 0  
Motion carried.

Moved by Commissioner Ogden and supported by Commissioner Way to adjourn at 12:45 PM.

VOTE: Ayes – 3  
Nays – 0  
Motion carried.

## **JANUARY 24, 2000**

Clerk Shelley Kondrat called the meeting to order at 9:00 AM.

Temporary Chairman Saunders, Commissioners Way & Ogden, County Commissioner Carl Price, Patrick Harmon, James Vanek and Shelley Kondrat attended, along with South Arm Township resident John Brock.

Commissioner Ogden nominated Commissioner Saunders for 2000 Chairman.

Moved by Commissioner Ogden and supported by Commissioner Way to close nominations and cast a unanimous ballot electing Commissioner Saunders 2000 Chairman.

VOTE: Ayes - 3  
Nays - 0  
Motion carried.

Commissioner Ogden nominated Commissioner Way for 2000 Vice-Chairman.

Moved by Commissioner Ogden and supported by Chairman Saunders to close nominations and cast a unanimous ballot electing Commissioner Way 2000 Vice-Chairman.

VOTE: Ayes - 3  
Nays - 0  
Motion carried.

Moved by Commissioner Way and supported by Commissioner Ogden to approve January 10, 2000 regular meeting minutes with the following corrections:

- Page 1, line 3: Change Commissioners' to Commissioners
- Page 1, line 5: Add "s" to the end of New, to read "News-Review"
- Page 1, line 16: Add "for the January 10, 2000 meeting." to the sentence end.
- Page 2, line 19: Remove "determination was made in the best public interest and the Charlevoix County Road Commission" and add "the Charlevoix County Board of Road Commissioners determined it was in the best public interest"
- Page 2, line 47: Change signature to James G. Vanek, Temporary Clerk.
- Page 3, line 54: Add "might" between the words "rules" and "prohibit."

VOTE: Ayes - 3  
Nays - 0  
Motion carried.

Mr. Brock stated Flagg Road (0.82 miles east of Ranney) was hard surface when he relocated to Northern Michigan, but the Road Commission ground it up, creating a gravel road with awful dust in the summer. He said Flagg Road is much lower now due to grading, making driveways hard to enter and leaving the road mostly sand. Currently large rocks surfacing after grading, and driving conditions are terrible after heavy rains. Mr. Harmon said his on-site review presented a well packed gravel road, but it wasn't done after grading or a heavy rain. He then explained the gravel share policy with townships to Mr. Brock.

Chairman Saunders explained Eveline Township received Native American funding for Ranney Road and feels Mr. Brock should be talking to South Arm Township to pursue same funding. Mr. Brock stated he has approached South Arm Township Board and talked with South Arm Township supervisor Bob Christensen privately, but to no avail. He feels the State should fund road improvements, not the taxpayers. Chairman Saunders stated CCRC receives only gas tax money, with townships receiving property tax money for local road improvements. He said some townships also pass road improvement millages, adding the gravel, re-seal and 1/3-inch asphalt share policies will be reviewed today. Commissioner Ogden explained there wasn't a gas tax increase to maintain road improvements for 14 years, causing lack of funding to Road Commissions to maintain deteriorating road conditions, especially effecting small county Road Commissions. Chairman Saunders said of the \$0.04 gas tax increase, the State kept \$0.01 for the deficit and \$0.005 for bridge repairs, then administrative costs, state police costs, DNR costs, etc. are deducted before Road Commissions receive their 39.1% of the remainder.

Mr. Brock drove Alpena County and noted their gravel roads were hard-packed. Mr. Harmon explained eastern counties have an abundance of limestone, which works especially well on gravel roads, adding Charlevoix County gravel is becoming scarce. Mr. Brock restated Flagg Road is being graded down to nothing but sand and large rocks and insists it needs gravel. Mr. Vanek estimated gravel addition to 0.82 miles at 21' width (approximately 1,603 cyd) at \$9,600.00-\$10,000.00.

Mr. Brock said South Arm Township supervisor Bob Christensen has alluded to the fact of trying to pass a 1% road millage, but he has heard no more about this proposal. Mr. Christensen and South Arm Township trustee Marty Carey have stated to Mr. Harmon they are against a township road millage, but other board members may support it.

Mr. Harmon said CCRC expended funds on Ranney Road improvement engineering and advertisement, but the South Arm Township board declined all bids.

The Board explained Act51 to Mr. Brock and the possible changes, but said there is nothing clearly written to date. The Board and Mr. Harmon reiterated South Arm Township applying for Native American grant, which greatly assisted Ranney Road north reconstruction.

Moved by Commissioner Ogden and supported by Commissioner Way to adopt Mr. Vaneks drawing addition to policy # 81-1 entitled "Two-Way Commercial Driveway," and with the following changes:

- 12' driving lanes
- curb radius 55' on both sides
- include all necessary line painting

VOTE: Ayes – 3  
Nays – 0  
Motion carried.

Mr. Vanek presented July 11, 1973 Charlevoix County Road Commission "Requirements and Specifications for Plat Development and Road Construction" for discussion. He acquired Clinton CRC "1997 Subdivision Control Booklet-Rules for Plat Street Development" for comparison, and has requested copies from Antrim CRC, Otsego CRC, Emmet CRC, etc. for assistance in CCRC booklet corrections and will present proposed updated booklet at a future meeting for Board approval.

Mr. Harmon presented Mary M. Vetting (08945 Mercer Blvd., Charlevoix, MI 49720) information received in January 2000, including September 12, 1995 correspondence, along with photos regarding hazardous mailboxes. Mr. Harmon said Mr. Welch had invited and scheduled Mrs. Vetting to appear at 11:30 AM at the September 28, 1995 CCRC Board meeting, but she failed to attend. He will be receiving CRAM correspondence regarding Road Commission authority on hazardous mailboxes in road rights-of-way and will present to the Board upon arrival.

Mr. Harmon recommended continuing the gravel, re-seal and 3rd" asphalt pavement policies, and funding road project engineering for the year 2000. Mr. Vanek prepared and presented a 1999 road improvement summary showing funds expended.

Mr. Harmon suggested re-sealing Korthase Road and Boyne City-Charlevoix Road portions in 2000, along with re-seal or single overlay hot mix on Thumb Lake Road portions to hold until Thumb Lake Road 2001 reconstruction. Mr. Vanek estimated 1-inch overlay costs at \$70,000.00 for 3 miles.

Moved by Commissioner Way and supported by Commissioner Ogden to offer gravel policy for the year 2000 to Charlevoix County townships, contingent upon gravel availability. CCRC will pay labor, fringes and equipment, while respective township will pay for all materials required. Roads will be done on a "first come, first serve" basis.

VOTE: Ayes - 3  
Nays - 0  
Motion carried.

Moved by Commissioner Way and supported by Commissioner Ogden to offer re-seal policy for the year 2000 to Charlevoix County townships on existing hard surface roads only. CCRC will pay labor, fringes and equipment, while respective township will pay for all materials required. Roads will be done on a "first come, first serve" basis.

VOTE: Ayes - 3  
Nays - 0  
Motion carried.

Moved by Commissioner Way and supported by Commissioner Ogden to offer 3rd" asphalt layer policy for the year 2000 to Charlevoix County townships. CCRC will pay for 1/3 of a 3" asphalt layer, while the respective township will pay for all other expenses.

VOTE: Ayes - 3  
Nays - 0  
Motion carried.

Moved by Commissioner Way and supported by Commissioner Ogden that CCRC will fund all road project engineering for the year 2000.

VOTE: Ayes - 3  
Nays - 0  
Motion carried.

Recessed for break at 10:30 AM.

Resumed at 10:40 AM.

Commissioner Price asked Mr. Harmon:

- Decision on Boyne City garage heating/cooling system? Mr. Harmon said bid awarded to Ballard's Plumbing and Heating (BPH), explaining BPH original bid changes and cost reduction to \$98,885.00 with April 25, 2000 completion date. Mr. Harmon added front office upgrade from residential to commercial would cost approximately \$5,000.00.
- Gravel availability? Mr. Harmon explained ice control sand and gravel production would be done simultaneously in 2000. He is also investigating 2000-2001 gravel production and purchase from Charlevoix County private resident property.

Mr. Harmon stated an LP burner and electronic scales to test CCRC gravel produced by contractors are all CCRC requires for Mr. Vanek to do CCRC gravel testing.

Moved by Commissioner Ogden and supported by Commissioner Way to set up bid opening date for minimum of 10,000 cyd contractor furnished gravel at 10:00 AM Monday, February 14, 2000.

VOTE: Ayes - 3  
Nays - 0  
Motion carried.

Moved by Commissioner Way and supported by Commissioner Ogden to purchase CCRC required gravel testing equipment, spending no more than \$2,000.00.

VOTE: Ayes - 3  
Nays - 0  
Motion carried.

Mr. Harmon explained December 1999 Foreman Duty and Obligation Educational Meeting presented by Michael Kluck to three CCRC foremen, also attended by Mr. Harmon.

Chairman Saunders attended last Parks and Recreation meeting and stated Magee Road engineering completion is necessary for grant application. The Board approved road-engineering completion by Mr. Welch, PE and Wayne Boss for grant application.

Mr. Harmon and Mr. Luchenbill were approached by AIS representative regarding Champion grader purchases, and they visited Antrim CRC who recently purchased a Champion grader and are very satisfied with its performance, along with saving \$45,000.00 over the Caterpillar grader bid. Mr. Harmon said AIS has arranged a bus for January 31-February 1, 2000 to tour Champion factory and testing grounds, encouraging CCRC attendance. Mr. Harmon stated he has already instructed Mr. Luchenbill to write minimum specifications around the 140G Caterpillar grader to allow local dealer participation.

Mr. Vanek presented and explained:

- 1993 & 1999 average daily traffic count comparison graph.
- Mr. Vanek presented Northwest Design Group blueprints for Ferry Road over Porter Creek reconstruction, explaining the approximate 14-mile detour would shorten the construction time. He explained traffic control alone would cost approximately \$20,000.00-\$40,000.00, most of which would be for the traffic control assembly and maintenance if detour isn't implemented. The engineer's estimate is \$220,179.00 with the detour and the 20% local match is approximately \$46,600.00.

Mr. Harmon presented Moore & Bruggink, Inc. Main Street and Michigan Street, Beaver Island, Charlevoix County grant application.

Moved by Commissioner Ogden and supported by Commissioner Way to pay bills totaling \$102,317.67.

VOTE: Ayes - 3  
Nays - 0  
Motion carried.

Moved by Commissioner Ogden and supported by Commissioner Way to adjourn at 12:55 PM.

VOTE: Ayes - 3  
Nays - 0  
Motion carried.

## **JANUARY 10, 2000**

Mr. Vanek called the meeting to order at 9:00 AM.

Commissioners Saunders, Way and Ogden, Charlevoix County Commissioner Carl Price, Patrick Harmon and James Vanek attended, along with Eveline Township Supervisor Dave Willson and Petoskey News-Review reporter Dan Duggan.

Commissioner Ogden nominated Commissioner Saunders as Temporary Chairman.

Moved by Commissioner Ogden and supported by Commissioner Way to close nominations and cast a unanimous ballot electing Commissioner Saunders as Temporary Chairman.

VOTE: Ayes - 3  
Nays - 0  
Motion carried.

The Board appointed Mr. Vanek temporary clerk for the January 10, 2000 meeting.

Moved by Commissioner Ogden and supported by Commissioner Way to postpone electing 2000 Chairman until January 24, 2000 meeting with the permanent clerk present.

VOTE: Ayes - 3  
Nays - 0  
Motion carried.

Moved by Commissioner Way and supported by Commissioner Ogden to approve December 21, 1999 special meeting minutes as presented.

VOTE: Ayes - 3  
Nays - 0  
Motion carried.

Moved by Commissioner Ogden and supported by Commissioner Way to approve December 27, 1999 regular meeting minutes as presented.

VOTE: Ayes - 3  
Nays - 0  
Motion carried.

Mr. Willson approached the Board regarding the proposed reconstruction of Fulsome, Second, Fifth and Washington Streets in Ironton. Commissioner Ogden presented proposed Policy 99-2 (Asphalt Pavement Policy) changes. Commissioner Saunders suggested a 16-foot maximum one-way road width on narrow streets to discourage two-way traffic. Commissioner Ogden brought-up Mr. Skrzeczkoski's suggestion to place guardrail near the Second Street creek crossing; Mr. Vanek will check additional cost.

Moved by Commissioner Way and supported by Commissioner Ogden to adopt Policy 99-2 revision as follows:

"Where the above width requirements for existing local roads in subdivisions can not be accomplished, the affected road may be constructed to a maximum 16-foot roadway width and posted "one-way" at both ends with a 25-MPH speed limit sign."

VOTE: Ayes - 3  
Nays - 0  
Motion carried.

Mr. Willson received several Eveline Township resident comments opposing the Porter Creek Crossing improvement detour, while Mr. Harmon received a positive Eveline Township resident comment. Commissioner Ogden suggested township board decide; Mr. Willson will discuss situation with his board. Mr. Vanek will investigate aluminum culvert staged construction with NDG.

### **RESOLUTION**

Commissioner Way moved for adoption of the following **RESOLUTION**, supported by Commissioner Ogden.

**WHEREAS**, the maintenance, care and responsibility of certain road portions in Charlevoix County under Charlevoix County Road Commission jurisdiction have been discussed by the Charlevoix County Board of Road Commissioners and it appears certain road portions described as follows:

that portion of Flagg Road 0.80 miles (4,192 feet) from Blanchard Road west to McCracken Road, Section 36, Marion Township.

that portion of McCracken Road 0.36 miles (1,886 feet) from Flagg Road north, Sections 35 & 36, Marion Township.

**AND, WHEREAS**, are not necessary to the traveling public and after discussion the Charlevoix County Board of Road Commissioners determined it was in the best public interest to decertify said road portions,

**AND, WHEREAS**, an adequate alternative route is available to the traveling public,

**AND, WHEREAS**, after discussing public requirements and the herein described road portions, this Board has determined it is advisable to decertify said road for the purpose set forth herein and for the best public interest,

**NOW, THEREFORE, BE IT RESOLVED**, by the Board of Charlevoix County Road Commissioners, said road portions, in the best public interest, be decertified from the county road system as of January 10, 2000.

**BE IT FURTHER RESOLVED**, a notice of this determination be given by the Charlevoix County Board of Road Commissioners Clerk to the proper highway authorities and to the Marion Township Clerk.

Resolution adopted by the following vote:

YEAS:           Saunders, Way, Ogden  
NAYS:           -0-

I certify this to be a true **RESOLUTION** copy made and adopted at a regular Charlevoix County Road Commission meeting on January 10, 2000.

\_\_\_\_\_  
James G. Vanek, Temporary Clerk

Commissioner Price said the Road Commission is on the January 26, 2000 Charlevoix County Board agenda at 7:00 P.M. Commissioner Ogden feels the "Year in Review" pamphlet should be presented with the annual report only, adding something centered on equipment would be appropriate for January 26.

Mr. Harmon informed all present the radio tower representatives are still evaluating the radio tower.

Mr. Harmon stated the DEQ is looking at requiring a concrete containment wall surrounding brine tanks instead of a rubber liner, and the DEQ may require a cement pad where the trucks load and unload brine. He feels requirements should be done at time of Boyne City garage brine tank installation.

Bay Township Supervisor Bud Chipman entered and inquired if C.H. Smith Company had responded to splitting the Erickson Road bid. Mr. Harmon and Mr. Vanek informed Mr. Chipman that Mr. Smith has made contact and will split the bid, but had concerns about certain work items if bid was split.

Recessed at 9:50 A.M.  
Resumed at 10:00 A.M.

10:00 A.M. ~ Boyne City Garage heating and cooling bid opening attended by CCRC consultant Roger Grunch, Diversified Mechanical representative Greg Wiseman, John E. Green Company representative Doug Newville, Ballard's Heating & Cooling representative Brad Fleming and Haggard's Plumbing & Heating representative Tim Rainey.

<u>CONTRACTOR</u>	<u>BID AMOUNT</u>
Haggard's Plumbing & Heating:	\$106,900.00
Diversified Mechanical Services:	\$196,560.00
Ballard's Plumbing & Heating:	\$99,885.00
John E. Green Company:	\$129,00.00

Roger Grunch suggested reducing project cost by interviewing the two lowest bidders to make sure they have everything included in their bid. Then possibly:

- extending the completion date,
- getting an itemized materials cost list,
- deleting the hot water heating system and using forced air heat only,

or the Road Commission could purchase the equipment directly.

Mr. Harmon will meet with Ballard's Plumbing and Heating for bid discussion.

Moved by Commissioner Way and supported by Commissioner Ogden to accept Ballard's Plumbing and Heating low bid of \$99,885.00, pending CCRC managers approval.

VOTE: Ayes - 3  
Nays - 0  
Motion carried.

Commissioner Ogden asked about union negotiations. Mr. Harmon stated the union has not scheduled the mediator for a date at this time to continue negotiations. Mr. Harmon stated he and Mike Kluck had a foreman meeting in December regarding their job duties.

Mr. Harmon talked to Mr. Voogt between the holidays and the Category A application hadn't been completed for the Main Street reconstruction project, St. James Township, Beaver Island.

Commissioner Saunders suggested continuing the gravel, pavement and 3rd-inch asphalt policies so as not to take anything away from the townships. The Board decided to review all CCRC policies the end of January.

Commissioner Way asked if CCRC has a policy to sell rocks to contractors. Mr. Harmon stated CCRC doesn't have any extra available, and ACT51 rules might prohibit such sales.

Commissioner Saunders asked if CCRC could legally put up a 25-mph speed limit sign without the State Police doing a speed study. Mr. Vanek informed the board that as long as it is a certified subdivision, the law states that the speed is 25-mph and can be posted without a speed survey.

Moved by Commissioner Ogden and supported by Commission Way to pay bills totaling \$24,169.56.

VOTE: Ayes - 3  
Nays - 0  
Motion carried.

Moved by Commissioner Ogden and supported by Commissioner Way to adjourn at 11:10 AM.

VOTE: Ayes - 3  
Nays - 0  
Motion carried.