

2009 CHARLEVOIX COUNTY ROAD COMMISSION MINUTES

PLEASE SCROLL DOWN TO VIEW PREVIOUS DATES

DECEMBER 30, 2009

Chairman Way opened the meeting at 9:00 AM.

Chairman Way, Commissioners Ogden & Saunders, County ~~Commissioners Shirley Roloff &~~ Commissioner Ron Reinhardt, CCRC manager Patrick Harmon, CCRC shop foreman Mick Luchenbill and CCRC clerk Shelley Kondrat attended, along with Bay Township residents Robert Taylor & Roger Conaway, and Eveline Township resident Bob Noll.

Commissioner Saunders moved to approve December 14, 2009 meeting minutes as presented, seconded by Commissioner Ogden.

➤ VOTE: Ayes – 3 Nays – 0 Motion carried.

Mr. Taylor:

- Stated that over the years townships have assumed financing primary road reconstruction due to inadequate Road Commission funding.
- Feels the Charlevoix County Board of Commissioners should use their fund balance to pay for road improvements rather than parks and recreation needs.
- Recommended the County Board aid food banks and homeless county residents.
- Talked to MDOT representative who explained there may be millions of federal dollars available to local government because MDOT doesn't have the required matching funds. Mr. Harmon explained CCRC is preparing to seek any unappropriated federal funds. Commissioner Ogden added the countywide road millage could be very useful as match money if and when this happens (i.e. \$7 million in federal funds would require \$1.5 million in matching funds...this could reconstruct many miles). Mr. Conaway and Mr. Noll agree with Mr. Taylor.

Commissioner Reinhardt explained part of the fund balance Mr. Taylor referred to was specifically earmarked when the taxpayers voted (i.e. Grandvue Medical Care Facility, Commission on Aging, recycling program, road millage). He added the County Board purchased Road Commission equipment in the past and recently paid \$60,000 toward Road Commission winter salt.

Commissioner Ogden moved to accept the Fiscal Year January 1 to December 31, 2009 Recommended Year-end Budget proposed by the Clerk as follows, seconded by Commissioner Saunders.

| | | |
|----------------------------------------------------------------|---------------------------------------------|--------------------------------------|
| Presented 12/30/09 Shelley Kondrat, Clerk | 2009 BUDGET SUMMARY (PROPOSED FINAL) | Page of 1 3 |
| Name of Governmental Unit Charlevoix County Road Commission | Name of Fund Road Fund | Fund No. 201 |
| | | Budget Year Ending Date: 12-31-09 |

FISCAL YEAR JANUARY 1 TO DECEMBER 31, 2009

| REVENUES (AND OTHER SOURCES) | | AMOUNT | | |
|------------------------------|-------------------------------|---------------------------------|---------------------|-----------------------------|
| DEPARTMENT OR CLASSIFICATION | | | | |
| Page No. | ACCOUNT DESCRIPTION | ESTIMATED PRIOR YEAR (12-31-08) | PREVIOUSLY APPROVED | RECOMMENDED 12-31-09 BUDGET |
| 2 | TRANSPORTATION | 3,054,167.05 | 3,340,160.15 | 3,365,160.15 |
| 2 | FEDERAL & STATE REVENUE | 0.00 | 977,093.75 | 979,536.35 |
| | ECONOMIC DEVELOPMENT FUND | 0.00 | 0.00 | 0.00 |
| 2 | TRUNKLINE MAINTENANCE-PRIMARY | 608,651.09 | 380,000.00 | 390,000.00 |
| 2 | COUNTY RAISED REVENUE | 1,981,059.98 | 2,443,356.75 | 2,431,460.45 |
| 2 | OTHER RAISED REVENUE | 188,752.00 | 294,595.16 | 354,595.16 |
| 2 | INTEREST EARNED | 33,399.87 | 6,800.00 | 6,800.00 |
| 2 | SALVAGE SALES | 4,828.54 | 1,701.65 | 1,713.04 |

| | | | | |
|----------------------------------|-------------------------------|--------------|--------------|--------------|
| 2 | EQUIPMENT RETIREMENT | 0.00 | 0.00 | 14,171.10 |
| 2 | GAIN/LOSS-EQUIPMENT DISPOSALS | 1,728.30 | 143,985.00 | 129,813.90 |
| 2 | PERMIT FEES | 28,624.00 | 14,513.50 | 15,033.50 |
| 2 | OTHER | 944.10 | 112.42 | 159.99 |
| TOTAL REVENUES | | 5,902,154.93 | 7,602,318.38 | 7,688,443.64 |
| TOTAL OTHER SOURCES | | 0.00 | 0.00 | 0.00 |
| TOTAL REVENUES AND OTHER SOURCES | | 5,902,154.93 | 7,602,318.38 | 7,688,443.64 |

| EXPENDITURES (AND OTHER USES) | | | | |
|--------------------------------------|-------------------------------|---------------------------------|---------------------|-----------------------------|
| DEPARTMENT OR CLASSIFICATION | | AMOUNT | | |
| Page No. | ACCOUNT DESCRIPTION | ESTIMATED PRIOR YEAR (12-31-08) | PREVIOUSLY APPROVED | RECOMMENDED 12-31-09 BUDGET |
| 3 | HEAVY MAINTENANCE | 2,028,610.02 | 4,307,911.99 | 4,410,656.19 |
| 3 | REGULAR MAINTENANCE | 3,362,212.51 | 2,175,000.00 | 2,406,000.00 |
| 3 | TRUNKLINE MAINTENANCE-PRIMARY | 546,948.62 | 340,000.00 | 390,000.00 |
| 3 | ADMINISTRATIVE EXPENSE (NET) | 368,587.45 | 261,700.00 | 281,700.00 |
| 3 | EQUIPMENT EXPENSE (NET) | -275,710.19 | 160,000.00 | 5,000.00 |
| 3 | CAPITAL OUTLAY (NET) | -458,378.70 | 2,386.70 | 146,876.22 |
| 3 | DISTRIBUTIVE EXPENSE | 0.00 | 0.00 | 0.00 |
| 3 | OTHER | 0.00 | 0.00 | 0.00 |
| TOTAL EXPENDITURES | | 5,572,269.71 | 7,246,998.69 | 7,640,232.41 |
| OTHER USES | | 0.00 | 0.00 | 0.00 |
| AMOUNTS NEEDED FOR CONTINGENCIES | | 0.00 | 0.00 | 0.00 |
| TOTAL EXPENDITURES AND OTHER USES | | 5,572,269.71 | 7,246,998.69 | 7,640,232.41 |

| | |
|-------------------------------------------------------------------------|-----------|
| CURRENT ESTIMATED OPERATING SURPLUS (DEFICIT) | 48,211.23 |
| ACCUMULATED AVAILABLE UNAPPROPRIATED SURPLUS (DEFICIT) FROM PRIOR YEARS | 0.00 |
| PROJECTED SURPLUS AT END OF BUDGET YEAR | 48,211.23 |

➤ VOTE: Ayes – 3 Nays – 0 Motion carried.

Commissioner Saunders moved to accept the Fiscal Year January 1 to December 31, 2010 Budget listed below as recommended by the Clerk, seconded by Commissioner Ogden.

| | | | | |
|----------------------------------------------------------------|------------------------------------------|-----------------|-----------------------------------|-------------|
| Presented 12/30/09 Shelley Kondrat, Clerk | 2010 RECOMMENDED BEGINNING BUDGET | | | Page 1 of 3 |
| Name of Governmental Unit Charlevoix County Road Commission | Name of Fund Road Fund | Fund No. 201 | Budget Year Ending Date: 12-31-10 | |

FISCAL YEAR JANUARY 1 TO DECEMBER 31, 2010

| REVENUES (AND OTHER SOURCES) | | | | |
|-------------------------------------|-------------------------------|---------------------------------|---------------------|-----------------------------|
| DEPARTMENT OR CLASSIFICATION | | AMOUNT | | |
| Page No. | ACCOUNT DESCRIPTION | ESTIMATED PRIOR YEAR (12-31-09) | PREVIOUSLY APPROVED | RECOMMENDED 12-31-10 BUDGET |
| 2 | TRANSPORTATION | 3,365,160.15 | 0.00 | 3,203,750.00 |
| 2 | FEDERAL & STATE REVENUE | 979,536.35 | 0.00 | 340,911.00 |
| | ECONOMIC DEVELOPMENT FUND | 0.00 | 0.00 | 0.00 |
| 2 | TRUNKLINE MAINTENANCE-PRIMARY | 390,000.00 | 0.00 | 400,000.00 |

| | | | | |
|----------------------------------|-------------------------------|--------------|------|--------------|
| 2 | COUNTY RAISED REVENUE | 2,431,460.45 | 0.00 | 800,000.00 |
| 2 | OTHER RAISED REVENUE | 354,595.16 | 0.00 | 1,100,000.00 |
| 2 | INTEREST EARNED | 6,800.00 | 0.00 | 7,000.00 |
| 2 | SALVAGE SALES | 1,713.04 | 0.00 | 2,000.00 |
| 2 | EQUIPMENT RETIREMENTS | 14,171.10 | 0.00 | 0.00 |
| 2 | GAIN/LOSS-EQUIPMENT DISPOSALS | 1,713.04 | 0.00 | 0.00 |
| 2 | PERMIT FEES | 15,033.50 | 0.00 | 21,339.00 |
| 2 | OTHER | 159.99 | 0.00 | 0.00 |
| TOTAL REVENUES | | 7,688,443.64 | 0.00 | 5,875,000.00 |
| TOTAL OTHER SOURCES | | 0.00 | 0.00 | 0.00 |
| TOTAL REVENUES AND OTHER SOURCES | | 7,688,443.64 | 0.00 | 5,875,000.00 |

| EXPENDITURES (AND OTHER USES) | | AMOUNT | | |
|--------------------------------------|-------------------------------|---------------------------------|---------------------|-----------------------------|
| DEPARTMENT OR CLASSIFICATION | | AMOUNT | | |
| Page No. | ACCOUNT DESCRIPTION | ESTIMATED PRIOR YEAR (12-31-09) | PREVIOUSLY APPROVED | RECOMMENDED 12-31-10 BUDGET |
| 3 | HEAVY MAINTENANCE | 4,410,656.19 | 0.00 | 2,240,911.00 |
| 3 | REGULAR MAINTENANCE | 2,406,000.00 | 0.00 | 2,410,000.00 |
| 3 | TRUNKLINE MAINTENANCE-PRIMARY | 390,000.00 | 0.00 | 400,000.00 |
| 3 | ADMINISTRATIVE EXPENSE (NET) | 281,700.00 | 0.00 | 281,700.00 |
| 3 | EQUIPMENT EXPENSE (NET) | 5,000.00 | 0.25 | 17,389.00 |
| 3 | CAPITAL OUTLAY (NET) | 146,876.22 | 0.00 | -400,000.00 |
| 3 | DISTRIBUTIVE EXPENSE | 0.00 | 0.00 | 925,000.00 |
| 3 | OTHER | 0.00 | 0.00 | 0.00 |
| TOTAL EXPENDITURES | | 7,640,232.41 | 0.00 | 5,875,000.00 |
| OTHER USES | | 0.00 | 0.00 | 0.00 |
| AMOUNTS NEEDED FOR CONTINGENCIES | | 0.00 | 0.00 | 0.00 |
| TOTAL EXPENDITURES AND OTHER USES | | 7,640,232.41 | 0.00 | 5,875,000.00 |

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

➤ VOTE: Ayes – 3 Nays – 0 Motion carried.

Commissioner Saunders moved 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 as necessary for the fiscal year ending December 31, 2009, seconded by Commissioner Ogden.

➤ VOTE: Ayes – 3 Nays – 0 Motion carried.

Commissioner Ogden moved, seconded by Commissioner Saunders, to comply with Public Act 2 of 1968, as amended:

1. Patrick Harmon, Manager, is designated Chief Administrative Officer, and Shelley Kondrat, Clerk, is designated Financial Officer.
2. Any change to an established budget must have Board approval.

MOTION APPROVED by roll call vote:

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

Commissioner Ogden moved to transfer \$45,427 from the Construction Fund to the General Fund for contract engineering for the following projects: Peninsula Road (South Arm Township), Bear River Road, Boyne City-Charlevoix Road, River Road, Peninsula Road (Eveline Township), Jaquay Road and Holy Island Bridge replacement, seconded by Commissioner Saunders.

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

Commissioner Reinhardt noted slag is working well on snowy, gravel roads.

Recessed at 9:40 AM; resumed at 9:50 AM.

Mr. Luchenbill:

- Suggested CCRCs 1986 model 644D John Deere loader (equipment #164) be replaced (new loader cost estimate: \$180,000 to \$200,000-based on the model 950 Caterpillar).
- Explained CCRCs 1976 model M65 Fiat-Allis Grader (equipment #074) wheel spindle broke off and there was literally no replacement part in the United States. Todd's Welding in Kalkaska built an exact replica, but Mr. Luchenbill suggested replacing this smaller grader used for shoulder maintenance (new grader cost estimate with attachments: \$120,000). The Fiat-Allis could possibly be traded-in, or Mr. Luchenbill could attempt to find a sufficient used grader and sell the Fiat-Allis. The Board will revisit equipment purchases in the spring after winter expenditures are tabulated, but directed Mr. Luchenbill to prepare specifications for a loader now.

Mr. Conaway asked if leasing would be an option. Mr. Harmon answered yes, but leasing costs are much higher than purchasing equipment with the guaranteed buy back program, which is in the county's best interest.

Mr. Harmon:

- Presented the Michigan County Road Commission Self Insurance Pool (MCRCSIP) "The Pool Cue" December 17, 2009 newsletter.
- Presented Karen Ferguson December 28, 2009 FOIA email requesting information about Norwood Limestone Quarry, LLC, Norwood Township.
- Will attend the 7PM January 11, 2010 public hearing regarding the Norwood Limestone Quarry, LLC.
- Discussed December 28, 2009 Gary Abbot email, which reads "I am a resident of Norwood Twp. and live on Lakeshore Drive in Clipperview Subdivision. Our road material from Mr. Wynkoop is unacceptable. I hope that this can be resolved in 2010 and I think it would be a huge mistake to use the same material on any other roads. This is not road gravel that I have seen on any other gravel road." Mr. Harmon said the gravel met specifications.
- Presented new safety footwear reimbursement form for employees to submit.
- Said the 3-year union contract was ratified December 24, 2009.

Mrs. Kondrat

- Explained CCRC owes MDOT approximately \$36,000 from the 2008 audit (estimated: \$10,000 from equipment rental rates and \$25,000 from equipment profit). She reminded all present CCRC 2009 equipment rental rates were set 15% lower than the Schedule C rates, and the 2010 rates will be as well.
- Said CCRC auditors Fred Gardner and Brett Luplow will conduct the 2009 audit beginning April 19, 2010. Also, the 2009 brochure is being prepared.

Commissioner Ogden:

- Requested Peninsula Road (Eveline Township) grade inspection update. Mr. Harmon said the state hired consultant made a few adjustments and recommended several changes, which are being corrected by Northwest Design Group (NDG) engineer Lucas Porath. Mr. Harmon feels the County Road Steering Committee should hold a January 2010 meeting before the April 2010 bid letting. He explained the engineers estimate is \$172,000 above the \$340,911 allocated stimulus money, which means countywide road millage funds will be necessary to complete the project.
- Asked if Ironton garage part time truck driver is working out. Mr. Harmon said he is doing well, completing his route in less than 8 hours. Mr. Harmon added the contractor plowing the streets of Ironton is doing well also.

Commissioner Ogden moved to pay bills totaling \$120,273.11, seconded by Commissioner Saunders.

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

Chairman Way adjourned at 10:40 AM.

DECEMBER 14, 2009

Chairman Way opened the meeting at 9:00 AM.

Chairman Way, Commissioners Ogden & Saunders, County Commissioners Shirley Roloff, Ron Reinhardt & Shirlene Tripp, CCRC manager Patrick Harmon, CCRC staff engineer James Vanek and CCRC clerk Shelley Kondrat attended, along with Bay Township resident Bob Taylor.

Commissioner Saunders moved to approve November 23, 2009 meeting minutes as corrected, seconded by Commissioner Ogden.

Page 1, line 23: change "loose" to "lose"

➤ VOTE: Ayes – 3 Nays – 0 Motion carried.

Mr. Taylor:

- Complimented CCRC's snow removal to date; all present agreed road conditions were well maintained during last weeks storm.
- Felt the December 10, 2009 Parks and Recreation Committee meeting regarding the proposed Boyne City-Charlevoix Road non-motorized trail went well.

Mr. Harmon presented the Grand Traverse Band of Ottawa and Chippewa Indians 2009-2010 snow removal contract (Eveline Township) for CCRC Board to sign.

Mrs. Kondrat presented and explained 2009 Budget Summary (Amendment 4) for approval.

Commissioner Ogden moved to accept the Clerks Fiscal Year January 1 to December 31, 2009 Recommended Budget Amendment 4, seconded by Commissioner Saunders.

| | | | | |
|----------------------------------------------------------------|------------------------------------------|-----------------|--------------------------------------|-------------|
| Presented 12/14/09 Shelley Kondrat, Clerk | 2009 BUDGET SUMMARY (AMENDMENT 4) | | | Page 1 of 3 |
| Name of Governmental Unit Charlevoix County Road Commission | Name of Fund Road Fund | Fund No. 201 | Budget Year Ending Date: 12-31-09 | |

FISCAL YEAR JANUARY 1 TO DECEMBER 31, 2009

| REVENUES (AND OTHER SOURCES) | | AMOUNT | | |
|----------------------------------|-------------------------------|---------------------------------|---------------------|-----------------------------|
| DEPARTMENT OR CLASSIFICATION | | AMOUNT | | |
| Page No. | ACCOUNT DESCRIPTION | ESTIMATED PRIOR YEAR (12-31-08) | PREVIOUSLY APPROVED | RECOMMENDED 12-31-09 BUDGET |
| 2 | TRANSPORTATION | 3,054,167.05 | 3,300,000.00 | 3,340,160.15 |
| 2 | FEDERAL & STATE REVENUE | 0.00 | 996,538.05 | 977,093.75 |
| | ECONOMIC DEVELOPMENT FUND | 0.00 | 0.00 | 0.00 |
| 2 | TRUNKLINE MAINTENANCE-PRIMARY | 608,651.09 | 380,000.00 | 380,000.00 |
| 2 | COUNTY RAISED REVENUE | 1,981,059.98 | 2,202,121.77 | 2,443,356.75 |
| 2 | OTHER RAISED REVENUE | 188,752.00 | 255,981.10 | 294,595.16 |
| 2 | INTEREST EARNED | 33,399.87 | 7,050.00 | 6,800.00 |
| 2 | SALVAGE SALES | 4,828.54 | 250.00 | 1,701.65 |
| 2 | GAIN/LOSS-EQUIPMENT DISPOSALS | 1,728.30 | -132,265.00 | 143,985.00 |
| 2 | PERMIT FEES | 28,624.00 | 25,000.00 | 14,513.50 |
| 2 | OTHER | 944.10 | 1,000.00 | 112.42 |
| TOTAL REVENUES | | 5,902,154.93 | 7,035,675.92 | 7,602,318.38 |
| TOTAL OTHER SOURCES | | 0.00 | 0.00 | 0.00 |
| TOTAL REVENUES AND OTHER SOURCES | | 5,902,154.93 | 7,035,675.92 | 7,602,318.38 |

| EXPENDITURES (AND OTHER USES) | | AMOUNT | | |
|-----------------------------------|-------------------------------|---------------------------------|---------------------|-----------------------------|
| DEPARTMENT OR CLASSIFICATION | | AMOUNT | | |
| Page No. | ACCOUNT DESCRIPTION | ESTIMATED PRIOR YEAR (12-31-08) | PREVIOUSLY APPROVED | RECOMMENDED 12-31-09 BUDGET |
| 3 | HEAVY MAINTENANCE | 2,028,610.02 | 3,893,957.73 | 4,307,911.99 |
| 3 | REGULAR MAINTENANCE | 3,362,212.51 | 2,641,150.00 | 2,175,000.00 |
| 3 | TRUNKLINE MAINTENANCE-PRIMARY | 546,948.62 | 380,000.00 | 340,000.00 |
| 3 | ADMINISTRATIVE EXPENSE (NET) | 368,587.45 | 280,900.00 | 261,700.00 |
| 3 | EQUIPMENT EXPENSE (NET) | -275,710.19 | -167,655.25 | 160,000.00 |
| 3 | CAPITAL OUTLAY (NET) | -458,378.70 | -605.80 | 2,386.70 |
| 3 | DISTRIBUTIVE EXPENSE | 0.00 | 0.00 | 0.00 |
| 3 | OTHER | 0.00 | 0.00 | 0.00 |
| TOTAL EXPENDITURES | | 5,572,269.71 | 7,027,746.68 | 7,246,998.69 |
| OTHER USES | | 0.00 | 0.00 | 0.00 |
| AMOUNTS NEEDED FOR CONTINGENCIES | | 0.00 | 0.00 | 0.00 |
| TOTAL EXPENDITURES AND OTHER USES | | 5,572,269.71 | 7,027,746.68 | 7,246,998.69 |

| | |
|-------------------------------------------------------------------------|------------|
| CURRENT ESTIMATED OPERATING SURPLUS (DEFICIT) | 355,319.69 |
| ACCUMULATED AVAILABLE UNAPPROPRIATED SURPLUS (DEFICIT) FROM PRIOR YEARS | 0.00 |
| PROJECTED SURPLUS AT END OF BUDGET YEAR | 355,319.69 |

➤ VOTE: Ayes – 3 Nays – 0 Motion carried.

Mr. Harmon:

- Informed all present the 2009 Local Task Force Meeting will be 7:00 PM Thursday, December 17, 2009 at Boyne City Hall Auditorium, and presented the Charlevoix County balance sheet from MDOT representative Susan Richardson (the numbers haven't changed from last year).
- Said if MDOT cannot pay the 20% local (future) match required for federal funds, local units of government may have access to these federal funds if they possess match money. If so, several Charlevoix County road millage projects may be eligible for completion sooner than expected. For example, if Charlevoix County is awarded \$7 million in federal funds, the local match would be \$1.5 million. The only problem would be to have road projects engineered to MDOT 3R guidelines at a minimum and ready for bid letting in a very short time period. Mr. Harmon noted this possibility wouldn't happen until 2011, and the Steering Committee would have to prioritize roads.
- Reported State Legislators have a bill before them increasing the diesel tax to \$0.19 (a 4-cent increase). If approved, the extra revenue would not be distributed through the MTF formula; instead, the revenue would be used to fund the State and Local bridge program.

Commissioner Roloff:

- Requested Highridge Court encroachment update (Port of St. James Association, Peaine Township, Beaver Island). Mr. Harmon informed Mr. McBride by email the encroaching property owner is currently building a pole barn to store his items.
- Said the Parks & Recreation Committee (Committee) members decided to restart from "square one" regarding the proposed Boyne City-Charlevoix Road non-motorized trail. The Committee met at 6:00 PM Thursday, December 10, 2009 with interested parties. Five groups were organized to develop ideas, and many approaches were discussed. Commissioner Roloff said the December 10th meeting was a great beginning for future discussions/ideas.

Mr. Vanek reported Peninsula Road (South Arm Township) American Recovery and Reinvestment Act (ARRA) project grade inspection is 1PM Wednesday, December 16, 2009 in CCRC Boardroom.

Recessed at 10:30 AM; resumed at 10:45 AM.

Commissioner Ogden moved to change regular 9:00 AM December 28, 2009 meeting to 9:00 AM December 30, 2009 to allow year-end financial preparation, seconded by Commissioner Saunders.

➤ VOTE: Ayes – 3 Nays – 0 Motion carried.

Commissioner Ogden moved to elect CCRC manager Patrick Harmon voting member for 1:00PM January 7, 2010 SAFETEA-LU Sub-Task Force 10-A Meeting at the Antrim County Road Commission located at 319 E. Lincoln Street in Mancelona, seconded by Commissioner Saunders.

➤ VOTE: Ayes – 3 Nays – 0 Motion carried.

Commissioner Ogden:

- Asked if the streets of Ironton contracted snowplowing is satisfactory; Mr. Harmon said CCRC Ironton garage foreman Darcy Phelps praises the contractor. Mr. Vanek added there has been no response from CCRCs informational letter to residents.
- Asked if the Teamsters State, County and Municipal Workers-Local Union No. 214 signed the seasonal/part-time truck driver and seasonal construction inspector agreement letter; Mr. Harmon said not yet.
- Asked if any employees have shown interest in the seasonal construction inspector position; Mr. Harmon said only one. Commissioner Ogden suggested Mr. Harmon order an extra 2003 Standard Specifications for Construction book for this position, and offered to help train employees in the paper work as well as the field work.

Commissioner Saunders moved to pay bills totaling \$37,911.55, seconded by Commissioner Ogden.

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

Chairman Way adjourned at 11:05 AM.

NOVEMBER 23, 2009

Chairman Way opened the meeting at 9:00 AM.

Chairman Way, Commissioners Ogden & Saunders, County Commissioners Shirley Roloff & Ron Reinhardt, CCRC manager Patrick Harmon, CCRC staff engineer James Vanek and CCRC clerk Shelley Kondrat attended, along with Bay Township resident Bob Taylor and Charlevoix County Road Steering Committee Vice-Chair Ken Allen.

Commissioner Saunders moved to approve November 9, 2009 meeting minutes as corrected, seconded by Commissioner Ogden.

Page 3, line 120: change "2090" to "2009"
Page 4: line 153: change "3-feet" to "12-feet"
Page 4, line 154: change "2-inch" to "12-feet"
Page 4, line 154: change "centerline" to "northbound lane"

➤ VOTE: Ayes – 3 Nays – 0 Motion carried.

Mr. Taylor:

- Stated the November 25, 2009 Charlevoix County Board of Commissioners Meeting has been changed from 7:00 PM to 6:00 PM.
- Stated the November 30, 2009 7:00 PM Parks & Recreation Committee meeting has been changed to 6:00 PM December 10, 2009.
- Said landowners will ~~lose~~ lose property if proposed non-motorized trail (trail), separate from the roadway but still within the 99-foot limits of the Boyne City-Charlevoix Road right-of-way is allowed. Commissioner Roloff (chair of the Parks & Recreation Committee) explained the County Board will not let private property be taken from landowners. Basically, the trail issue will be "recreated", with everything coordinated and all affected residents kept informed. Mr. Taylor remains upset over County Planner Larry Sullivan proposed trail and grant application. Mr. Harmon reaffirmed CCRC said the right-of-way cannot be used for the trail, it is specifically for lane widening, passing lanes, underground utilities, etc. The only trail option is basically 5-foot shoulders on either side of the road.

Mr. Allen:

- Feels Boyne City-Charlevoix Road reconstruction shouldn't be placed on hold awaiting the trail; Chairman Way and Mr. Harmon said this road reconstruction will begin in spring 2010 (plans are almost ready for bidding). It will be built to CCRC 28-foot wide standards (12-foot lanes with 2-foot paved shoulders) from Nelson Road to approximately Sumner Road. Mr. Allen suggested the countywide road millage pay for 5-foot shoulders on either side for the trail; all

present said this millage is exclusively for road projects, not non-motorized trails. Commissioner Reinhardt said, though the County Board may assist the Road Commission with equipment and salt purchases (because these are countywide needs), they would probably never approve the matching funds required for the trail (approximately \$150,000 local match).

- Complimented River Road project (Melrose Township) and requested striping; Mr. Vanek said not until spring 2010 due to CCRC current finances.

Mr. Harmon presented Mark Cornwell proposal to, "Complete a thorough inventory of existing winter maintenance practices, analyze findings, and create a recommendations report designed to attain a documented 10% reduction of annual road salt use for the 2009/2010 winter season based on the agencies computed 10 year average. For example, a 10% reduction of a 10 year average of 6000 tons would be 600 tons at a nominal cost of \$50.00 per ton which would result in a potential savings of \$30,000." All present agreed CCRC should not accept this proposal (which has a fee attached), but instead, do salt reduction analysis "in-house".

Mrs. Kondrat noted this week's financial statement general fund balance is a negative \$101,771.03, and there is another estimated \$50,000 payroll this week again. She suggested the Board transfer \$100,000 from the Equipment Fund to supplement the General Fund.

Commissioner Ogden moved to borrow \$100,000 from the Equipment Fund and transfer it to supplement the General Fund, seconded by Commissioner Saunders.

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

Chairman Way thanked Commissioners Roloff and Reinhardt for supporting the \$60,000 financial assistance toward CCRC 2009-2010 winter salt purchase. Chairman Way, Mr. Harmon and Mrs. Kondrat know of no other county boards who assist their road commissions financially.

Commissioner Roloff:

- Asked if Mr. Harmon contacted Mr. McBride regarding Highridge Court encroachments (Port of St. James Association, Peaine Township, Beaver Island). Mr. Harmon will call Mr. McBride today; the Highridge Court property owner called Mr. Harmon and stated he has removed all encroaching logs and has started his pole barn, to which he will move all remaining encroachments (by winter 2010).
- Requested CCRC Beaver Island garage update; Mr. Harmon doesn't know when it will be built, especially with CCRC's current financial situation. He said Mr. Wojan on the island estimated CCRC's four current lots/buildings to be worth \$80,000; all present feel this water view property is worth more. Chairman Way said the Board has borrowed \$550,000 from its other funds to date (including the Building and Grounds Fund) to supplement the General Fund. If road commission funding continues to plunge, it is doubtful CCRC can pay this back.

Recessed at 10:10 AM; resumed at 10:20 AM.

Chairman Way said the Ironton Ferry will shut down for the season at 10:30 PM Wednesday, November 25, 2009.

Commissioner Ogden moved to enter closed session at 10:25 AM to discuss CCRC attorney Joel Wurster legal opinion, seconded by Commissioner Saunders.

➤ VOTE: Ayes – 3 Nays – 0 Motion carried.

Re-entered regular session at 10:45 AM.

Mr. Vanek:

- Said, due to their road millage not passing, Norwood Township officials have decided to build their dead-end, low-volume roads to the new 20-foot local road standards. Commissioner Saunders read, "On a local road certified for year round maintenance, where new pavement is to be placed over an existing gravel surface, pavement width shall be a minimum 22-foot wide, 3-inches depth. However, on deadend, low traffic volume roads where the DNR/DEQ will not issue a permit due to wetland restrictions or where the roadway has insufficient width to construct adequate shoulders, the Road Commission will allow the pavement width requirement to be reduced to 20-feet." This is an excerpt from CCRCs new Policy #2009-3 entitled "Pavement Requirements for Existing Local Roads." All agree the 20-foot width doesn't apply to the local roads the township plans to pave, since there is adequate existing shoulder width to construct 22' pavement.
- Mr. Vanek, Mr. Harmon and DEQ representative met last Friday to view proposed Lake Shore Drive project (south of Norwood Village, Norwood Township). Only two small areas are wetlands requiring a permit; Mr. Vanek will apply for

a permit this winter. This permit is good for five years and won't be mitigated because the area is less than 1/3 of an acre.

Commissioner Ogden:

- Requested Beach Drive update (Charlevoix Township); Mr. Harmon has heard nothing.
- Asked if winter 2009-2010 snowplowing contractor letter for Village of Ironton residents and Eveline Township officials is complete; Mr. Vanek is working on it. Mr. Harmon and CCRC road foreman Darcy Phelps will meet with contractor this week to view roads and explain snowplow needs.

Commissioner Saunders attended MDOT meeting in Gaylord discussing how Road Commissions can run more effectively as funding decreases; one subject was doing road preservation rather than road reconstruction. Mr. Harmon noted spring/summer/fall maintenance is as important as winter maintenance, so winter expenses will have to be cut to assure funding available off-winter seasons. Commissioner Reinhardt feels Afton stone application cuts costs tremendously; Mr. Harmon said more townships have been requesting Afton stone application.

Chairman Way asked if applications were received for the seasonal/part-time truck driver positions; Mr. Harmon said twelve persons have applied.

Commissioner Saunders moved to pay bills totaling \$276,935.14, seconded by Commissioner Ogden.

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

Chairman Way adjourned at 11:12 AM.

NOVEMBER 9, 2009

Chairman Way opened the meeting at 9:00 AM.

Chairman Way, Commissioners Ogden & Saunders, County Commissioners Shirley Roloff, Ron Reinhardt & Shirlene Tripp, CCRC Manager Patrick Harmon, CCRC Staff Engineer James Vanek and CCRC Clerk Shelley Kondrat attended, along with CCRC road foremen Randy Thompson & Darcy Phelps, CCRC retirees Lester McGeorge, Bob Hammerberg, Bill Ealy, Melvyn Thayer, Jim McCarry, Walter Olson & Clark Rouse, Bay Township resident Bob Taylor, Top of Michigan Trails Council representative John Kurtz, and Eveline Township supervisor John Vron dran.

Commissioner Saunders moved to approve October 26, 2009 meeting minutes as presented, seconded by Commissioner Ogden.

- VOTE: Ayes – 3 Nays – 0 Motion carried.

Commissioner Ogden moved to approve October 20, 2009 South Arm and Melrose Township annual meeting minutes; October 22, 2009 Hudson and Eveline Township annual meeting minutes; and October 27, 2009 Evangeline, Norwood and Hayes Township annual meeting minutes as presented, and Marion Township annual meeting minutes as corrected, seconded by Commissioner Saunders.

Marion Township annual meeting minutes correction:

Page 1, line 19: add "(cleared and brushed)" after "mowed"

- VOTE: Ayes – 3 Nays – 0 Motion carried.

Mr. Taylor reminded all present of the Parks and Recreation meeting at 9:00 AM Monday, November 30, 2009 to discuss the non-motorized trail (the trail) along Boyne City-Charlevoix Road. He feels the Road Commission should proceed with Boyne City-Charlevoix Road reconstruction from Nelson Road to Sumner Road. Mr. Harmon said this 28-foot wide paved project (12-foot driving lanes and 2-foot paved shoulders) is scheduled for 2010, regardless of the trail outcome. Mr. Taylor said CCRC shouldn't be included in the trail anyway because they build roads; this is a County Board decision.

Mrs. Kondrat stated Michigan Employee Retirement System (MERS) adoption of program "E" benefits for retirees requires CCRC be 80% funded, which CCRC isn't. To be 80% funded would cost CCRC an additional \$419,216 paid to MERS before December 31, 2009. She noted CCRC opted in January 2009 to pay an additional 5% each month to increase their percentage funded, but this may take 4-5 years before CCRC is 80% funded. Mrs. Kondrat explained CCRC doesn't have the funds available, mainly because CCRCs income decreases each year.

Mr. Rouse feels this is unfair to CCRC retirees; Chairman Way requested suggestions as to how CCRC could save money. Mr. Rouse said CCRC manager, staff engineer and shop foreman should leave their company vehicles at the garage to conserve fuel. Commissioner Ogden explained they are each on-call 24/7. Mr. Olsen asked how much it costs to drive a pickup truck from CCRC Boyne City garage to Central Lake and back every day. Mr. Harmon repeated the shop foreman is on call 24/7, plus the pickup was a package deal with the shop foreman's last raise (part of his compensation package). He occasionally reports to the Ironton garage or the Ironton Ferry in the morning before getting to the shop. Mr. Olson said he was a mechanic and a truck driver and often the foremen would call him to report for a job or to cut a tree, etc. without the foremen reporting to work.

Mr. McGeorge pointed out that:

- "The southwest corner of Barber Road and Rogers Road intersection channels water into the roadway since electrical lines were buried in the area."
- "A "Hidden Drive" sign has been lying in Korthase Road ditch on the hill before Bill Korthase farm forever."
- "Though primary Deer Lake and Boyne City-East Jordan Roads are kept snowplowed and intersections are cleared in the wintertime, primary Korthase Road is usually snowplowed as a local road (the center is run and the shoulders are usually forgotten)." Commissioner Reinhardt said CCRC Korthase Road is snowplowed before Antrim CRC portion 85% of the time. Mr. McGeorge argued, "Antrim CRC normally doubles their portion, including the shoulders."

Commissioner Ogden moved to transfer \$11,307 from the Insurance Fund to pay for 2009 3rd quarter premium statement, seconded by Commissioner Saunders.

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

Commissioner Ogden moved to adopt the following Policy, seconded by Commissioner Saunders.

POLICY TITLE:

INDEX NO.: #2009-3

PAVEMENT REQUIREMENTS FOR EXISTING LOCAL ROADS

**CHARLEVOIX COUNTY ROAD COMMISSION
ADOPTED: NOVEMBER 09, 2009**

POLICY STATEMENT

A policy to establish requirements for new pavement placed on existing gravel roads on Charlevoix County's local road system. Policy #2009-3 does not apply to newly constructed roads by developer, or to private roads intersecting public roads (see policy #77-5 [and subsequent revisions] and policy #2005-2).

On a local road certified for year round maintenance, where new pavement is to be placed over an existing gravel surface, pavement width shall be a minimum 22-feet wide, 3-inches depth. However, on deadend, low traffic volume roads where the DNR/DEQ will not issue a permit due to wetland restrictions or where the roadway has insufficient width to construct adequate shoulders, the Road Commission will allow the pavement width requirement to be reduced to 20-feet.

➤ Roll Call VOTE: Ayes – Saunders, Way Nays – Ogden Motion carried.

I certify this is a true Policy copy adopted by the Charlevoix County Road Commission Board at their November 9, 2009 regular meeting.

Shelley Kondrat, Clerk

Mr. Vrondran said, due to this new policy, there are many deadend and lake end roads whose residents will demand their roads be paved, and the townships can't afford to pave them all. He added Eveline Township will first pave through roads that benefit the most traffic. Mr. Harmon said Sanderson Road south 20-foot paving would necessitate tree removal, culvert lengthening/replacement and road base widening (this swampy section would require a DNR/DEQ permit). He added Sanderson Road has had gravel and stone applied and is much improved over the past 10 years; Mr. Vrondran agreed.

Upon reviewing contracted snowplowing bids, Mr. Harmon suggested CCRC award low bidder Paul Grapp Excavating for Eveline Township Unit #3 only (\$135/per time), and hire two or three temporary truck drivers for 2009-10 winter, The Board agreed. Mr. Harmon will assure contractor and temporary drivers understand their services may not always be required due to low snow volume and CCRC employees managing all of the routes. Commissioner Ogden recommended

a cell phone requirement for contactor and temporary truck drivers. Mr. Phelps noted temporary truck drivers will be trained to run the loader, which is relatively easy.

Commissioner Ogden moved to award Unit 3, 1.61 miles in Eveline Township to low bidder Paul Grapp Excavating for \$135/per contract plowing unit for the ~~2009~~ 2009-2010 winter season. If Mr. Grapp does not accept the partial bid award, the Board will award it to second low bidder Hilltop, Inc. for \$150/per plowing. The manager is also directed to advertise for two or three temporary truck drivers, seconded by Commissioner Saunders.

➤ VOTE: Ayes – 3 Nays – 0 Motion carried.

Mr. Thompson presented pictures of newly constructed Bear River Road, showing shoulder washout near US-131 intersection. Commissioner Ogden had strongly recommended Northwest Design Group (NDG) engineer Lucas Porath include concrete curb and gutter down the hill near this intersection, but NDG constructed open ditch and gravel shoulders, instead.

Recessed at 10:15 AM; resumed at 10:30 AM.

Commissioner Roloff:

- Feels CCRC employees and the public don't understand high costs to run the Road Commission, and they usually don't consider Beaver Islands high costs (fuel, heat, light, materials, equipment, phone, etc.).
- Noticed water being retained on the Recycling pad located at CCRC Boyne City garage; Mr. Harmon replied only when paper gets stuck in the drain holes.

Commissioner Tripp said the Villa Road name sign at US-31 intersection is lying in the ditch; Mr. Harmon will inform road foreman Darcy Phelps.

Mr. Harmon:

- Explained September 2009 Michigan Transportation Funds (MTF) receipt being down 11%-13% from September 2008 for all County Road Commissions; diesel fuel is down because there are fewer delivery vehicles because businesses are closing or relocating out of state; gasoline is down because there is less public travel.
- Feels CCRC should reduce salt usage during the 2009-2010 winter season, mainly doing hill, curve and intersection applications. And slag application works well on gravel roads (Commissioner Reinhardt agrees). Mr. Harmon said possibly there will be more material saved for the 2010-2011 winter season, in case it increases another 10%-15% next year.
- Presented River Road new pavement sample, explaining there is an approximate ~~3-foot~~ 12-feet long, ~~2-inch~~ 12-feet wide "dip" in the ~~centerline~~ northbound lane just north of Clarion Road. NDG engineer Howard Haselschwardt, Mr. Vanek and Mr. Harmon did on-site review and will attempt to place a drainage tube under the pavement. If this doesn't work, the contractor will saw cut the pavement in spring 2010, build up the base, and repave.

Mr. Vanek said Hilltop, Inc. didn't finish Ice Control Sand production at Sutliff Pit by the completion date; they will be assessed liquidated damages.

Commissioner Ogden moved to pay bills totaling \$91,519.21, seconded by Commissioner Saunders.

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

Commissioner Ogden moved to pay MDC Contracting River Road invoice totaling \$350,000 (this is pass through money – it was electronically deposited into CCRC General Fund from the Bureau of Indian Affairs), seconded by Commissioner Saunders.

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

Chairman Way adjourned at 11:35 AM.

OCTOBER 26, 2009

Chairman Way opened the meeting at 9:00 AM.

Chairman Way, Commissioners Ogden & Saunders, County Commissioners Shirley Roloff, Ron Reinhardt & Shirlene Tripp, Patrick Harmon, James Vanek and Shelley Kondrat attended, along with Bay Township resident Bob Taylor, Top of Michigan Trails Council (TMTC) representatives John Kurtz & Max Putters (who is also retired Emmet County planner), Hayes Township resident Sam Williamson and Hilltop, Inc. owner Rob Moblo.

Commissioner Saunders moved to approve October 13, 2009 regular meeting minutes as corrected, seconded by Commissioner Ogden.

Page 1: delete lines 44-47 (duplicated in lines 15-18)

➤ VOTE: Ayes – 3 Nays – 0 Motion carried.

Commissioner Saunders moved to approve October 19, 2009 Chandler, Charlevoix and Wilson Township annual meeting minutes as presented, seconded by Commissioner Ogden.

➤ VOTE: Ayes – 3 Nays – 0 Motion carried.

Mr. Kurtz said TMTC suggests CCRC reconstruct Boyne City-Charlevoix Road with 2-3 foot shoulders and let TMTC manage construction of the proposed non-motorized trail (the trail), separate from the roadway but still within the 99-foot limits of the Boyne City-Charlevoix Road right-of-way. TMTC will contact each landowner and apply for grants. Mr. Harmon said the County Board has the final say if there will be a trail and where the trail will be located (since the Board will be providing the local funding). The County Board has already authorized Northwest Design Group (NDG) to engineer the 5-foot paved shoulders on each side of the roadway. Mr. Harmon said he and NDG engineer Howard Haselschwardt are on the October 28, 2009 County Board Agenda to discuss the application process.

Mr. Putters displayed a chart entitled “Top of Michigan Trails Council, Benefits of Off-Road-Shoulder Non-motorized Trail”, as follows:

- Public Safety
- Widest Range of Users
- Outdoor Exercise
- Reduce Some Vehicle Use
- Local Business Support
- Beautification
- Trail Network
- Grant Funding
- Long Term Investment

Mr. Putters said TMTC realizes the entire trail cannot be detached from the roadway due to obstructions, but desires it separated where possible. He noted Boyne City-Charlevoix Road has 99-foot right-of-way, which is enough room to build an off-road trail. Mr. Harmon explained easement language restricts the right-of-way use to “highway purposes only”; Commissioner Ogden said CCRC suggested Mr. Kurtz investigate the restrictive “for highway purposes only” terminology on the easements. Mr. Kurtz noted utilities are allowed in county road rights-of-way; Mr. Harmon explained there is a separate statute allowing utilities in road rights-of-way. Mr. Kurtz also doesn’t want road reconstruction postponed while waiting for the trail grant.

Mr. Taylor feels if TMTC had originally discussed the trail with property owners, there wouldn’t be so much opposition. He said Boyne City-Charlevoix Road has ample room for a trail along the shoulder (24-foot roadway with 5-foot shoulders on each side) without removing trees and disturbing wetlands.

Commissioner Ogden suggested the trail be built as 5-foot shoulders from Nelson Road through Horton Bay; then TMTC can concentrate on trail construction from Horton Bay to US-31, where a detachment is more feasible.

Commissioner Roloff invited TMTC representatives to the November 30, 2009 Parks and Recreation Committee (PRC) meeting. She said PRC also wishes to see every property owner contacted; everyone should be working together to get the trail built, whether detached or attached to the roadway.

Mr. Williamson questioned Mr. Harmons comments at recent Charlevoix County Board meeting regarding an application to the state for 5-foot paved shoulders. Mr. Harmon explained the attached trail (estimated to cost \$350,000) may be approved for Enhancement funds, which require at least a 20% local match (though the average match is 35%). Mr. Harmon and Mr. Haselschwardt feel the grant would be expedited if the application shows a 40% local match, and if a complete packet is sent initially (including support letters). Mr. Kurtz asked where the estimated \$140,000 would come from; Mr. Harmon said foundations, organizations, townships, etc. Mr. Williamson asked if the state has width requirements for attached trails; Mr. Harmon said it is 5-foot minimum on each side of the road. The main downfall with an Enhancement grant is the project must be paid in full, and the Enhancement grant reimburses the federal portion (administered through the state) upon completion of the project audit. Mr. Williamson feels an attached trail will be dangerous, especially if drivers try to use the shoulder to pass on the right; Commissioner Ogden said edge line “rumble strips” could be used as a preventive measure.

Recessed at 9:52 AM; resumed at 10:00 AM.

Commissioner Saunders moved to enter closed session to discuss labor negotiations with labor attorney via telephone, seconded by Commissioner Ogden.

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

Re-entered open meeting at 10:25 AM.

Commissioners Reinhardt and Roloff, and Mr. Harmon, received phone calls from Eveline Township resident Bob Noll requesting dead end Sanderson Road be paved 20-feet wide over the existing gravel surface from the current pavement at Hemingway Point Condominiums entrance to the seasonal road sign. This request stems from relaxing CCRCs specified paving width from 22-feet for Lake Shore Drive south of Norwood Village. Commissioner Ogden asked that Commissioners Way and Saunders present revised specifications at the November 9th Board meeting.

Commissioner Roloff requested Highridge Court encroachment update (Port of St. James Association, Peaine Township). Mr. Harmon said property owner is building a pole barn to store his encroaching possessions; he has the building permit and the materials are being shipped to Beaver Island tomorrow.

Mr. Harmon:

- Said Michigan Transportation Funds (the road commission's main income source) are predicted to be down 5% again in 2010 (for the 3rd year in a row), and 2009-10 winter salt prices have increased to \$299,000 from the 2008-09 winter season (over 21%). Possibly only hills, curves and intersections will be salted, and if the upcoming winter is harsh, spring/summer 2010 routine maintenance may be restricted.
- Presented Travis Martin fax requesting CCRC snowplow seasonal Indian Point Road on Beaver Island. The Board said it is CCRC policy not to snowplow seasonal roads.

10:30 AM-open bids for contract snowplow on specified subdivision streets for the 2009-2010 winter season.

| CONTRACTOR | UNIT #1 (Charlevoix Twp) | UNIT #2 (Hayes Twp) | UNIT #3 (Eveline Twp) |
|-----------------------|-------------------------------------|--------------------------------|----------------------------------|
| Tri-County | NO BID | \$298 per | NO BID |
| Paul Grapp Excavating | \$485 per | NO BID | \$135 per |
| Hughes Excavating | \$875 per | NO BID | NO BID |
| Hilltop, Inc. | \$600 per | \$400 per | \$150 per |

Mr. Vanek will prepare bid tabulations for commissioners to review.

Mrs. Kondrat noted this week's financial statement general fund balance is a negative \$53,090.30, and there is another estimated \$50,000 payroll this week. She suggested the Board either discontinue special fund deposits for October, November & December 2009, or transfer \$100,000 from one of the funds to the General Fund. Mrs. Kondrat said another upcoming expense which may require a fund transfer is the (early) county winter salt, to be delivered in November.

Commissioner Saunders moved to transfer \$100,000 from the Equipment Fund to supplement the General Fund, seconded by Commissioner Ogden.

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

Commissioner Ogden noted Senate Bill 876 would (if passed) require state and local governments to project service life of road preservation/prevention projects (see copy attached).

Commissioner Ogden moved to pay bills totaling \$165,830.34, seconded by Commissioner Saunders.

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

Chairman Way adjourned at 11:30 AM.

OCTOBER 13, 2009 (moved from October 9, 2009 to observe Columbus Day)

Chairman Way opened the meeting at 9:00 AM.

Chairman Way, Commissioners Ogden & Saunders, County Commissioners Shirley Roloff & Ron Reinhardt, Patrick Harmon and James Vanek attended, along with Norwood Township supervisor Frank Hamilton & resident Tim Boyko, and Bay Township residents Roger Conaway & Bob Taylor.

Commissioner Saunders moved to approve September 28, 2009 meeting minutes as presented, seconded by Commissioner Ogden.

➤ VOTE: Ayes – 3 Nays – 0 Motion carried.

Mr. Boyko:

- Asked if Mr. Harmon and Mr. Vanek have reviewed the townships request to relax CCRC pavement width standards on some dead end roads in their township. Mr. Harmon reviewed a September 28, 2009 Michigan County Road Commission Self-Insurance Pool (MCRCSIP) letter from administrator Fred Haring regarding potential increased liability exposure due to relaxing the Road Commissions local road pavement width specifications.
- The Road Commissions pavement width policy exceeds the American Association of State Highway and Transportation Officials (AASHTO) Guidelines for Geometric Design of Very Low-Volume Local Road (Average Daily Traffic ≤ 400 vehicles per day) and feels the 22-FT pavement width is arbitrary and not appropriate in all situations. Road width designs should be context sensitive.

Mr. Hamilton:

- Presented Norwood Township proposed 1-mil road millage to be placed on the November 2009 ballot; approximately \$49,419 would be raised the first year.
- Various counties bordering Charlevoix County have adopted AASHTO's Very Low-Volume standards and/or a version of MDOT's standards for low volume roads.
- Would like the Board to make a decision on their request to relax the 22-FT pavement width requirement.

Commissioner Roloff noted she has reviewed the roads Norwood Township is discussing (Lake Shore Drives north and south of Clipperview, and from Lake Street south to Antrim County line). All are dead end roads she feels every policy cannot be applied in every situation.

Mr. Harmon stated Lakeshore Drive, from Clipperview north approximately 2,000-FT, along with Lakeshore Drive south of Clipperview and Lakeshore Drive from Lake Street south 850-FT can accommodate the 22-FT pavement width. Commissioner Ogden suggested paving the portion of Lakeshore Drive, from Lake Street south, that can accommodate the 22-FT pavement width and see how the residents that live there like it.

~~Mr. Harmon reviewed the September 28, 2009 Michigan County Road Commission Self-Insurance Pool (MCRCSIP) letter from administrator Fred Haring regarding potential increased liability exposure due to relaxing the Road Commissions local road pavement width specification. (Please note: this sentence was a repeat of lines 15 through 18 above).~~

Commissioner Ogden moved to relax the Road Commissions local road 22-FT pavement width requirements, seconded by Commissioner Saunders.

➤ Roll Call VOTE: Ayes – Saunders, Way Nays – Ogden Motion carried.

Recessed at 9:48 AM; resumed at 9:55 AM.

Commissioners Saunders and Way discussed revising the previous motion to only include dead-end roads; the Board will review this further at their next meeting.

Mr. Taylor:

- Reviewed the County Commissioners September 23, 2009 meeting minutes. He feels:
 - a) Several property owners that attended the meeting support the 5-FT paved shoulders on each side of the Boyne City-Charlevoix Road.
 - b) The County Commissioners accepted Northwest Design Group (NDG) proposal for \$4,300 to provide grant application assistance for a Transportation Enhancement Grant to add 5-FT bicycle lanes along Boyne City-Charlevoix Road.
 - c) Feels the Road Commission should apply for Transportation Enhancement Grant funds, and the grant application submitted by the County Planning Commission should be withdrawn.
 - d) Would like Mr. Harmon to attend the County Commissioners meeting on Wednesday to discuss applying for grant funds.

Mr. Harmon said the Boyne City-Charlevoix Road reconstruction bid (if it includes the bike path) cannot be let until the Enhancement Grant is approved. The Enhancement Grant funds require a minimum 20% local match, but Mr. Harmon feels committing to a larger local match would increase the probability of successfully obtaining the grant (possibly nothing less than a 45% local match). Harmon also stated the estimated \$350,000 to construct the 5-FT paved shoulders must be funded upfront; the Road Commission doesn't have the financial means to fund this project. MDOT reimbursement would not be received until after they review and determine all project documentation is complete.

Mr. Conaway reviewed Act 451 of 1994, known as the Natural Resource and Environmental Protection Act, as it related to public recreational facilities connecting cities and villages. Mr. Conaway feels that the cities need to have non-motorized facilities built before the Boyne City-Charlevoix Road path is constructed.

The Board authorized the Manager to contact Northwest Design Group and notify them to proceed with their proposal to apply for Enhancement Grant funds for the 5-FT paved shoulders along Boyne City-Charlevoix Road.

Mr. Harmon reviewed Northwest Design Groups Peninsula Road Rehabilitation status report as follows:

- Soil borings complete.
- Environmental clearance requests sent.
- Program application complete.
- Pavement design complete (asphalt wedge & overlay proposed).
- Preliminary plan documents prepared and sent to MDOT on October 5, 2009.
- Proposed February 5, 2010 MDOT bid letting.
- Estimated project costs exceed American Recovery and Reinvestment (Stimulus) funds by \$171,392.
- Mr. Harmon suggested using county wide road millage funds to cover the estimated balance.

Commissioner Ogden moved to open the 2009-2010 winter season contract snow plowing bid for specified subdivision streets at 10:30AM October 26, 2009, seconded by Commissioner Saunders (this is a new and as yet untried procedure to maintain public service with current limited funding).

➤ VOTE: Ayes – 3 Nays – 0 Motion carried.

Commissioners Roloff and Saunders, Mr. Harmon and Mr. Vanek will attend the November 3, 2009 37th District Quarterly Meeting.

Commissioner Roloff:

- Received another email from Mr. McBride on Beaver Island stating Highridge Court property owner hasn't removed all of his encroachments. Roloff asked Mr. Harmon to contact Mr. McBride.

Mr. Harmon:

- Presented proposed snow plowing Master List (for proposed contracted subdivision streets) showing all roads and mileage for each unit.
- Distributed upcoming annual township meeting schedule.
- Distributed revised financial statement, which includes today's bills.
- Discussed Clerk Shelley Kondrats memorandum regarding General Fund month end balance. With two more paydays in October totaling approximately \$100,000, the general fund will only have an estimated \$25,300 to pay October 26, 2009 accounts payable bills.
- Discussed employee request to drop the dental insurance coverage and subsequently stopping the dental insurance payroll deduction from his check. Mr. Harmon explained the dental insurance coverage is part of the overall health insurance package and cannot be dropped. A letter will be send to the employee stating the payroll dental deduction will continue, as per the Union Contract.

Mr. Vanek gave River Road update stating the paving is complete and gravel shoulders will be placed next week, weather depending.

Commissioner Ogden:

- Requested Beach Drive update. Mr. Harmon stated he has not heard yet if the Michigan Supreme Court will hear the plaintiffs appeal.
- Suggested informing Charlevoix, Hayes and Eveline townships that the Road Commission is bidding out snow plowing services in various subdivisions within their townships.

Commissioner Saunders felt we should work with the townships and not against them regarding the 22-FT pavement width issue and feels the motion passed today should have specified dead-end roads. This issue will be discussed further at the October 26 meeting.

Commissioner Ogden moved to pay bills totaling \$89,887.34, seconded by Commissioner Saunders.

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

Chairman Way adjourned at 12:03 PM.

SEPTEMBER 28, 2009

Chairman Way opened the meeting at 9:00 AM.

Chairman Way, Commissioners Ogden & Saunders, County Commissioners Shirley Roloff & Ron Reinhardt, Patrick Harmon, James Vanek and Shelley Kondrat attended, along with Norwood Township supervisor Frank Hamilton & residents Bill Gnodtke & Tim Boyko, Bay Township residents Roger Conaway & Bob Taylor and Eveline Township supervisor John Vron dran.

Commissioner Saunders moved to approve September 14, 2009 meeting minutes as corrected, seconded by Commissioner Ogden.

Page 2, line 58: delete "is" after "Horton Bay"
Page 3, line 117: replace "cannot afford it" with "chooses not to fund it"
Page 3, line 131: add "CRAM" before "negotiating committee"
Page 5, line 209: add "(on the hill)" after "US131 intersection"
Page 5, line 220: replace "Jaquay" with "Miles"
Page 5, line 221: replace "Miles" with "Jaquay"

➤ VOTE: Ayes – 3 Nays – 0 Motion carried.

Mr. Hamilton:

- Met with Commissioners Roloff, Way & Saunders and Mr. Harmon on September 14, 2009 to view various Norwood Township roads.
- Said Norwood Township will propose a 1-mil road millage on November 2009 ballot.
- Appreciates Road Commission efforts, but again requested CCRC relax their width requirements from 22-feet to 18-feet for Lake Shore Drive south. He feels AASHTO 18-foot standards for low volume roads would be effective on this .64-mile dead-end road. Mr. Gnodtke added AASHTO standards for low volume roads are 400 or less vehicles per day.

Mr. Gnodtke:

- Talked with Emmet CRC engineer-manager Brian Gutowski, who stated Emmet CRC has adopted an MDOT version of the AASHTO policy, giving more flexibility to designs and allowing 18-foot wide roadways for less traveled roads (i.e. the Carp Lake area).
- Stated Lakeshore Drive south widening would require tree removal, and there may be wetland problems.

Mr. Boyko:

- Asked if Mr. Harmon and Mr. Vanek would review the latitude to relax CCRC standards on some roads in their jurisdiction and make a recommendation to the CCRC Board. He feels the 22-foot pavement width is a standard that isn't always feasible, adding Lake Shore Drive south and Lake Shore Drive north of Clipperview Road would be exceptions to this rule. Commissioner Ogden said other townships have requested the same width relaxation and have been denied by CCRC Board.

Mr. Gnodtke:

- Stated Norwood Township is a poor township; 1-mil only yields \$45,000-\$47,000 per year.
- Noted five "wish-list" projects will cost \$575,000. If the proposed 5-year road millage passes, it would only pay to pave Flag Road 24-feet, and Lake and Gennet Roads 22-feet.
- Would like to have Cedar View seal coated rather than asphalted.

Mr. Hamilton said timing is critical because they are very serious about completing projects. They are even considering special assessment districts.

Commissioner Roloff noted the Lake Shore Drives (south and north of Clipperview) are dead end roads and feels every policy cannot be applied in every situation. She would like the CCRC Board to seriously consider Norwood Townships requests.

Commissioner Reinhardt agrees with relaxing the standards in certain situations, noting this should be a township decision. He said Wilson Township would like to seal coat Barber Road 18-feet.

Mr. Boyko feels using AASHTO and MDOT standards won't compromise safety; adding township money should not be spent foolishly (i.e. widening a short, dead-end road).

Mr. Gnodtke would like to see roads asphalted because seal coat isn't as effective. He asked when CCRC would make a decision.

Mr. Taylor:

- Attended the County Parks and Recreation public hearings. He feels:
 - e) CCRC shouldn't allow the proposed non-motorized trail, separated from the roadway but still within the 99-foot limits of the Boyne City-Charlevoix Road right-of-way, but instead allow 5-foot paved shoulders on either side of the roadway. Several property owners do not support the separate trail.
 - f) Northwest Design Group (NDG) \$4,300 estimate to engineer 5-foot paved shoulders should be accepted by the Charlevoix County Board.
 - g) The grant application submitted by the Planning Commission should be withdrawn.
 - h) The Charlevoix County Board should have held the public hearings and submitted the grant application, rather than the Planning Committee.

Mr. Harmon said the 5-foot paved shoulders require a 30%-35% local match, and the estimated \$350,000 must be paid upfront; MDOT reimbursement will not be received until after their project review. Also, Boyne City-Charlevoix Road reconstruction bid cannot be let until the 5-foot shoulder Enhancement Grant is approved.

Mr. Conaway asked what the proposed cost is for Boyne City-Charlevoix Road reconstruction. Mr. Harmon answered \$1.3 million from Youngs State Park to Sumner Road.

Recessed at 10:20 AM; resumed at 10:30 AM.

Commissioner Saunders moved to authorize Board Chairman Doug Way and Manager Patrick Harmon to sign maintenance contract #2009-0516 between the Charlevoix County Road Commission and the Michigan Department of Transportation, seconded by Commissioner Ogden.

➤ VOTE: Ayes – 3 Nays – 0 Motion carried.

Commissioner Ogden moved to accept the Clerks Fiscal Year January 1 to December 31, 2009 Recommended Budget Amendment 3 as follows, seconded by Commissioner Saunders.

| | | | | |
|----------------------------------------------------------------|------------------------------------------|-----------------|--------------------------------------|------------------------|
| Presented 09/28/09 Shelley Kondrat, Clerk | 2009 BUDGET SUMMARY (AMENDMENT 3) | | | Page 1 of 3 |
| Name of Governmental Unit Charlevoix County Road Commission | Name of Fund Road Fund | Fund No. 201 | Budget Year Ending Date: 12-31-09 | |

FISCAL YEAR JANUARY 1 TO DECEMBER 31, 2009

| REVENUES (AND OTHER SOURCES) | | | | |
|------------------------------|-------------------------------|---------------------------------|---------------------|-----------------------------|
| DEPARTMENT OR CLASSIFICATION | | AMOUNT | | |
| Page No. | ACCOUNT DESCRIPTION | ESTIMATED PRIOR YEAR (12-31-08) | PREVIOUSLY APPROVED | RECOMMENDED 12-31-09 BUDGET |
| 2 | TRANSPORTATION | 3,054,167.05 | 2,926,000.00 | 3,300,000.00 |
| 2 | FEDERAL & STATE REVENUE | 0.00 | 1,337,449.05 | 996,538.05 |
| | ECONOMIC DEVELOPMENT FUND | 0.00 | 0.00 | 0.00 |
| 2 | TRUNKLINE MAINTENANCE-PRIMARY | 608,651.09 | 380,000.00 | 380,000.00 |
| 2 | COUNTY RAISED REVENUE | 1,981,059.98 | 1,701,591.64 | 2,202,121.77 |

| | | | | |
|----------------------------------|-------------------------------|--------------|--------------|--------------|
| 2 | OTHER RAISED REVENUE | 188,752.00 | 255,981.10 | 255,981.10 |
| 2 | INTEREST EARNED | 33,399.87 | 27,500.00 | 7,050.00 |
| 2 | SALVAGE SALES | 4,828.54 | 3,500.00 | 250.00 |
| 2 | GAIN/LOSS-EQUIPMENT DISPOSALS | 1,728.30 | -132,265.00 | -132,265.00 |
| 2 | PERMIT FEES | 28,624.00 | 25,000.00 | 25,000.00 |
| 2 | OTHER | 944.10 | 1,000.00 | 1,000.00 |
| TOTAL REVENUES | | 5,902,154.93 | 6,525,756.79 | 7,035,675.92 |
| TOTAL OTHER SOURCES | | 0.00 | 0.00 | 0.00 |
| TOTAL REVENUES AND OTHER SOURCES | | 5,902,154.93 | 6,525,756.79 | 7,035,675.92 |

| EXPENDITURES (AND OTHER USES) | | AMOUNT | | |
|-----------------------------------|-------------------------------|---------------------------------|---------------------|-----------------------------|
| DEPARTMENT OR CLASSIFICATION | | ESTIMATED PRIOR YEAR (12-31-08) | PREVIOUSLY APPROVED | RECOMMENDED 12-31-09 BUDGET |
| Page No. | ACCOUNT DESCRIPTION | | | |
| 3 | HEAVY MAINTENANCE | 2,028,610.02 | 3,435,155.07 | 3,893,957.73 |
| 3 | REGULAR MAINTENANCE | 3,362,212.51 | 2,425,000.00 | 2,641,150.00 |
| 3 | TRUNKLINE MAINTENANCE-PRIMARY | 546,948.62 | 380,000.00 | 380,000.00 |
| 3 | ADMINISTRATIVE EXPENSE (NET) | 368,587.45 | 254,700.00 | 280,900.00 |
| 3 | EQUIPMENT EXPENSE (NET) | -275,710.19 | -665,905.25 | -167,655.25 |
| 3 | CAPITAL OUTLAY (NET) | -458,378.70 | -605.80 | -605.80 |
| 3 | DISTRIBUTIVE EXPENSE | 0.00 | 800,000.00 | 0.00 |
| 3 | OTHER | 0.00 | 0.00 | 0.00 |
| TOTAL EXPENDITURES | | 5,572,269.71 | 6,628,344.02 | 7,027,746.68 |
| OTHER USES | | 0.00 | 0.00 | 0.00 |
| AMOUNTS NEEDED FOR CONTINGENCIES | | 0.00 | 0.00 | 0.00 |
| TOTAL EXPENDITURES AND OTHER USES | | 5,572,269.71 | 6,628,344.02 | 7,027,746.68 |

| | |
|-------------------------------------------------------------------------|----------|
| CURRENT ESTIMATED OPERATING SURPLUS (DEFICIT) | 7,929.24 |
| ACCUMULATED AVAILABLE UNAPPROPRIATED SURPLUS (DEFICIT) FROM PRIOR YEARS | 0.00 |
| PROJECTED SURPLUS AT END OF BUDGET YEAR | 7,929.24 |

➤ VOTE: Ayes – 3 Nays – 0 Motion carried.

Commissioner Saunders moved to accept Policy #2009-2 entitled “Authorization to Pay Contractor on Township Funded Projects”, seconded by Commissioner Ogden, as reads below:

POLICY TITLE: AUTHORIZATION TO PAY CONTRACTOR ON TOWNSHIP FUNDED PROJECTS **INDEX NO.:** 2009-2

CHARLEVOIX COUNTY ROAD COMMISSION
ADOPTED: SEPTEMBER 28, 2009

POLICY STATEMENT

The Road Commissioner clerk and manager are authorized to approve and make payments to the contractor for township funded road projects for the amount received from the township for same project.

The clerk or manager shall document and explain all such payments covered under this policy (#2009-2) to the Road Commissioners at their next scheduled Board meeting.

The foregoing authorizations are for expenditures applicable to the general fund only.

➤ VOTE: Ayes – 3 Nays – 0 Motion carried.

I certify this is a true Policy copy adopted by the Charlevoix County Road Commission Board at their September 28, 2009 regular meeting.

(signature on file)
Shelley Kondrat, Clerk

Commissioner Roloff:

- Received an email from Mr. McBride on Beaver Island stating Highridge Court property owner hasn't removed all of his encroachments.
- Noticed Old Dixie Highway in Norwood Township has weeds growing through the pavement.
- Requested the CCRC Board make a decision as to the Norwood Township request.

Commissioner Ogden moved to change their recently rescheduled Board meeting from 9:00 AM Friday, October 9, 2009 to 9:00 AM Tuesday, October 13, 2009 to observe Columbus Day and to allow manager attendance, seconded by Commissioner Saunders.

➤ VOTE: Ayes – 3 Nays – 0 Motion carried.

Mr. Harmon presented the 2009 Blue Cross Blue Shield of Michigan (BCBSM) employee benefits health care report from Korthase Flinn Insurance & Financial Services representative Jennifer Evans. The report compares 2008 to 2009, and also compares BCBSM to Priority Health.

Mr. Vanek gave River Road update.

Commissioner Ogden:

- Presented proposed 2009 Contract Snowplowing bid documents; Mr. Harmon and Mr. Vanek will add subdivision maps. Commissioner Ogden also feels an explanation letter should be sent to each subdivision residence.
- Noted Better Road magazine article suggesting longitudinal joints be used in reconstruction; CCRC has done this for years.

Commissioner Saunders feels CCRC should work with townships on width relaxation, rather than working against them. Chairman Way said CCRCs current policy states 22-foot width minimum on paved, local roads. He feels CCRC should prepare a policy regarding "short, dead end" roads. Commissioner Ogden does agree with changing the specifications. The Board will make a decision at their October 13, 2009 meeting.

Commissioner Ogden moved to pay bills totaling \$88,587.73, seconded by Commissioner Saunders.

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

Chairman Way adjourned at 12:15 PM.

SEPTEMBER 14, 2009

Chairman Way opened the meeting at 9:00 AM.

Chairman Way, Commissioners Ogden & Saunders, County Commissioners Shirley Roloff & Ron Reinhardt, Patrick Harmon, James Vanek and Shelley Kondrat attended, along with County Road Steering Committee Vice-Chairman Ken Allen, Bay Township resident Bob Taylor, City of Charlevoix resident John Kurtz, Road Commission employees John Fratrick, Vern Kassuba, Randy Thompson, Tom Webb & Kurt Kleinschrodt, Charlevoix County Planner Larry Sullivan, J&N Construction representative Ken Payton, Hilltop, Inc. representative Rob Moblo and Super M Excavating representative Mario Suarez.

Commissioner Saunders moved to approve August 24, 2009 meeting minutes as presented, seconded by Commissioner Ogden.

➤ VOTE: Ayes – 3 Nays – 0 Motion carried.

Mr. Harmon presented County Road Association Self-Insurance Fund Award Certificates to Mr. Thompson and Mr. Webb for working at the Charlevoix County Road Commission more than 25 years with no lost time accidents. Mr. Thompson and Mr. Webb both praised CCRC's current safety program and employee cooperation.

Mr. Allen:

- Complimented Bear River Road and River Road project. Mr. Harmon said River Road undercut was much deeper and longer than expected; he will present the overage expense at the next Board meeting, which he will also share with County Board Chairman Chris Christensen.
- Asked if Boyne City-Charlevoix Road would be partially reconstructed this year. Mr. Harmon stated bids will be let in 2009 for May 2010 reconstruction.

Mr. Kurtz said Top of Michigan Trails Council obtained an attorney, who has been discussing the proposed non-motorized trail, separated from the roadway but still within the 99-foot limits of the Boyne City-Charlevoix Road right-of-way with CCRC attorney Joel Wurster. The group:

1. Is checking if the original grant application can be amended, or if a new grant application must be submitted.
2. Is compiling a list of all Boyne City-Charlevoix Road property owners from the Boyne City limits into Horton Bay (using information from the Charlevoix County Register of Deeds). These property owners will be invited to a late September or early October 2009 meeting to view proposed plans. Mr. Kurtz noted the non-motorized trail (if off-road is approved) will have to travel on the road shoulder in certain areas.
3. Is investigating if easement wordage can be changed from "for highway usage only" to wordage that would allow non-motorized trails as well.
4. Wants to work with everyone involved to get the non-motorized trail completed.

Mr. Harmon feels an off-road non-motorized trail from Boyne City to Youngs State Park would be workable, but construction would be difficult from the park to Horton Bay.

Mr. Sullivan:

- Noted he does not represent the Frye Foundation, as stated on page 2, line 57 of August 10, 2009 CCRC Board minutes.
- Said there will be a meeting in late September or early October so affected property owners can view and discuss proposed plans for the non-motorized trail, separated from the roadway but still within the 99-foot limits of the Boyne City-Charlevoix Road right-of-way. Commissioner Ogden feels the trails council should first investigate if property owners can legally modify "for highway purposes only" easement language. Mr. Sullivan feels only two property locations will be affected by the proposed trail from Boyne City limits to west of Sumner Road (running along the south side of Boyne City-Charlevoix Road). Through Horton Bay ~~is~~ would have to be on the road shoulder(s), but the speed limit is 35mph and safer for non-motorized travel.

Mr. Kassuba:

- Thanked the Board and Mr. Harmon for their time this morning and proposed the union contract (which expires 12/31/09) be extended for 3-years without any changes because they realize Road Commission funding is declining. If accepted (by the Board and the union), the Road Commission would save negotiating attorney fees and employee wages (he figures \$23,000-\$30,000). Commissioner Way said the union agent should send something in writing, which will be reviewed by CCRC labor attorney Michael Kluck.
- Feels at least one Road Commissioner should attend negotiations, such as Commissioner Ogden does at safety meetings. He claims it would benefit the union and the CCRC.

Mr. Taylor:

Feels there are many complicated issues along this proposed trail affecting more than just two property owners as Mr. Sullivan stated. He will attend the next County Board meeting and ask:

- a) Whose name will these properties be in (if easements can be reworded)?
- b) Who will control these properties?
- c) Who will pay the taxes?
- d) Who will be liable in the event of legal action?
- e) How will this affect the Road Commissions responsibilities?
- f) What affect will this have on the County Land Bank Program?
- g) Will eminent domain be utilized in acquiring the properties?

He noted long distance bicyclists will continue to use road shoulders to avoid stopping at every crossroad and driveway on off-road trails. He hopes the County Board will assist in getting funding to build the non-motorized trail along the

shoulder. Also the pathway will have maintenance problems (such as the off-road trail along US31), whereas it wouldn't if built on the road shoulder.

Commissioner Ogden moved to award Kuzmik Road (#076.3-008.008), Bingham Road (#076.3-008.009) and Woodin Road (#076.3-008.010) Afton stone placement bids (Hudson Township) to low bidder Poquette Leasing Company, Inc. for \$109,268.00, seconded by Commissioner Saunders.

➤ VOTE: Ayes – 3 Nays – 0 Motion carried.

Mr. Harmon said Hudson Township requested Bows Lake Road gravel application as well; quotes will be taken for this project.

Commissioner Ogden moved to set the 2009 Annual Township meetings for October 19th, 20th, 26th & 27th, 2009 at 6PM, 7PM & 8PM, seconded by Commissioner Saunders.

➤ VOTE: Ayes – 3 Nays – 0 Motion carried.

Commissioner Saunders moved to change the 9:00 AM Monday, October 12, 2009 regular meeting to 9:00 AM Friday, October 9, 2009 to observe Columbus Day, seconded by Commissioner Ogden.

➤ VOTE: Ayes – 3 Nays – 0 Motion carried.

Mr. Harmon:

- Presented Northwest Design Group (NDG) \$4,300 proposal to engineer bicycle lanes along Boyne City-Charlevoix Road shoulders from Nelson Road to Horton Bay (approximately 2.75 miles, 5-feet wide on each side, costing approximately \$350,000, of which an eligible Transportation Enhancement Grant would cover 60%-80%). Mr. Harmon feels the Road Commission should request no action be taken on this proposal until October 26, 2009. This is to honor Mr. Kurtz request so the Trails Council attorney can further examine the restricted deed language and title search of affected property along the proposed trail. Also, NDG and local match funding must be established; the Road Commission ~~cannot afford it~~ chooses not to fund it.
- Presented Talking Points for Senate Bill 758 (sponsored by Senator Jason Allen and Representative Rhett Jones) from the County Road Association of Michigan (CRAM). It would abolish county drain commissioners if the drain commissioner agreed, and the responsibilities would be given to road commissions. Though Mr. Harmon feels this bill will pass, he knows the possible additional expense would be strenuous for CCRC.
- Said there is a bill just introduced to exempt utility company sub-contractors from meeting frost law requirements, such as utility companies already are.
- He noted 2009-10 winter salt prices have increased to \$299,000 from the 2008-09 winter season (over 21%). Mr. Harmon will direct foremen to closely monitor salt usage this coming winter season. Discussion about Ice Ban and/or mineral brine being mixed with winter salt works better during lower temperatures, and less salt is used, and are low corrosive inhibitors.
- Presented MDOT 3-year contract, which the CRAM negotiating committee agrees with. Mr. Harmon and Mrs. Kondrat will insert proper information and present for signatures at next Board meeting.
- Thanked Commissioner Roloff for the introduction speech at last weeks Northern Michigan Road Commission Conference at Boyne Mountain.

Commissioner Roloff:

- Said all County Commissioners toured Beaver Island and questioned why newer trucks are at the Beaver Island garage. Mr. Harmon said the two trucks are 2005 models; the reason is it is very costly to send mechanics if the trucks break down.
- Thanked the Road Commission for use, once again, of their Boyne City garage for their hazardous waste pickup. The CCRC employee on duty was very helpful (Ken Glazier).
- Received complaints CCRC was working on Barnard Road last Sunday, wasting money. Mr. Harmon stated the overband crack seal contractor was working for a set bid price.

Recessed at 10:15 AM; resumed at 10:30 AM.

10:30 AM – open ice control sand bids.

4,500 tons ice control sand delivered to CCRC Ironton garage:

CONTRACTOR:
Hilltop, Inc.

PER TON:
\$3.77

TOTAL BID:
\$16,965.00

| | | |
|--------------------------|--------|-------------|
| J&N Construction | \$3.94 | \$17,730.00 |
| Drenth Brothers, Inc. | \$4.15 | \$18,675.00 |
| Rieth-Riley Construction | \$5.20 | \$23,400.00 |

13,000 tons ice control sand production at CCRC Sutliff Pit, Boyne City:

| <u>CONTRACTOR:</u> | <u>PER TON:</u> | <u>TOTAL BID:</u> |
|--------------------------|-----------------|-------------------|
| Hilltop, Inc. | \$1.17 | \$15,210.00 |
| Sackrider Construction | \$1.29 | \$16,640.00 |
| Super M Excavating | \$1.75 | \$22,750.00 |
| C.H. Smith, Inc. | \$1.82 | \$23,660.00 |
| Rieth-Riley Construction | \$1.84 | \$23,920.00 |

Commissioner Saunders moved to award to low bidder Hilltop, Inc. 4,500 tons ice control sand delivered to CCRC Ironton garage for total \$16,965 (\$3.77 per ton), seconded by Commissioner Ogden.

➤ VOTE: Ayes – 3 Nays – 0 Motion carried.

Commissioner Ogden moved to award to low bidder Hilltop, Inc. 13,000 tons ice control sand produced at CCRC Sutliff Pit for total \$15,210 (\$1.17 per ton), seconded by Commissioner Saunders.

➤ VOTE: Ayes – 3 Nays – 0 Motion carried.

Mr. Harmon:

- Presented the 2008 No Lost Time Accident plaque CCRC received from the County Road Association Self-Insurance Fund at last weeks meeting.
- Noted he and Mrs. Kondrat will attend an all-day MDOT meeting in Lansing September 17th to discuss Asset Management, road certification process, Act51 reporting, etc.

Mr. Vanek:

- Reported River Road undercut issues, which will cost more than estimated (approximately \$20,000-\$25,000). Matchett and Beck Roads will be paved this Thursday and Friday. All other projects are complete.
- Said overband crack fill on county primary and local roads was done before completion date.
- Said Evangeline Township will be sending check for Addis Road and Clute Road projects and requested authorization to pay contractor when money received.

Commissioner Ogden moved to authorize the manager and the clerk to pay the Addis Road and Clute Road contractor upon receipt of Evangeline Township payment (Melrose Township portion was already received), seconded by Commissioner Saunders.

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

Commissioner Ogden moved to transfer \$81,620 from the Preventive Maintenance Fund to the General Fund to pay Applied Pavement Markings for county primary and local road overband crack fill, seconded by Commissioner Saunders.

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

Commissioner Ogden:

- Said to make more frequent bores on future projects if muck is found during soil borings.
- Had encouraged NDG engineer Lucas Porath to make liberal use of concrete curbs during Bear River Road project at US131 intersection (on the hill), but it wasn't done. He wants to make sure shoulders are maintained following heavy rains so the pavement won't wash out.
- Asked if Peninsula Road (proposed ARRA project in South Arm Township) design work is complete; Mr. Harmon said NDG will finish this week and send plans to Lansing.

Commissioner Saunders moved to pay bills totaling \$184,123.55, seconded by Commissioner Ogden.

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

Commissioner Ogden moved to pay Payne & Dolan, Inc. \$474,483.74 for ~~Jaquay~~ Miles Road paving, South Arm Township (\$154,295.44) and ~~Miles~~ Jaquay Road paving, Wilson Township (\$320,188.30), seconded by Commissioner Saunders.

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

11:55 AM – Chairman Way, Commissioner Saunders, Mr. Harmon and Mr. Vanek are viewing various Norwood Township roads with Norwood Township officials.

Chairman Way adjourned at 2:05 PM.

AUGUST 24, 2009

Chairman Way opened the meeting at 9:00 AM.

Chairman Way, Commissioners Ogden & Saunders, County Commissioners Shirley Roloff & Ron Reinhardt, Patrick Harmon and Shelley Kondrat attended, along with City of Boyne City residents Donna Moll, Bob Wallenberg, John McClorey, Hugh Conklin, Michael Sheean (also North Country Bicycle Club president) & Jim Baumann (also Boyne City Chamber of Commerce director), City of Charlevoix residents John Kurtz, Rich Hodgson, Jerry Corley & Larry Sullivan (also Charlevoix County planner), Bay Township residents Ken Koss, Bob Taylor & Steve Van Dam (also Bay Township planning commission member), Evangeline Township residents Howard Newkirk & Arch Wright, Eveline Township supervisor John Vron dran, Norwood Township supervisor Frank Hamilton & residents Bill Gnodtke, Denny Way, Wayne Wynkoop & Tim Boyko, Wilson Township resident Paul Serrais and Poquette Leasing representative Jerry Gravedoni. (James Vanek was absent – overseeing paving project).

Commissioner Saunders moved to approve August 10, 2009 meeting minutes as presented, seconded by Commissioner Ogden.

➤ VOTE: Ayes – 3 Nays – 0 Motion carried.

Regarding the proposed non-motorized trail, separate from the roadway but still within the 99-foot limits of the Boyne City-Charlevoix Road right-of-way:

- Mr. Sheean said the separate path would be a great opportunity to provide a safe pathway for residents and tourists (walkers, joggers, roller bladers, cyclists, etc.). Phase I would connect Boyne City to Horton Bay; Phase II would connect Horton Bay to the Little Traverse wheelway along US31.
- Mr. Kurtz serves on the Char-Boyne Trail Committee (“the committee”) and noted they spent \$52,980 for engineering studies based on a 2006 Charlevoix County Road Commission CCRC resolution supporting a separate path. The committee chose one of four trail plans presented and have since raised all but \$20,000 of the \$1.4 million total cost. He added the Federal enhancement grant must be acted on within the next 60 days. Commissioner Ogden said CCRC supported Mr. Sullivan’s original separate path proposal before they were aware that Boyne City-Charlevoix Road right-of-way releases restricted usage to highway purposes only. Mr. McClorey asked if a separate path could be built without CCRC recommendation; Commissioner Ogden said only by obtaining right-of-way. Mr. Van Dam did research and found three definitions stating “a highway could include a multi-purpose trail”. Mr. Wallenberg asked what ownership the state or other counties had on their bike paths; Commissioner Ogden said it depends on the transfer of property rights; the committee could research this. Mr. Kurtz asked if the committee’s attorney could talk to CCRC attorney; the Board approved.
- Mr. Bauman conducted an online survey (846 addresses on the Chambers mailing list), the majority prefers a separate path, stating it “would be safer”, “an asset to local residents”, “add quality of life by encouraging a healthier lifestyle”, and “would increase tourism”. Mr. Bauman said the county shouldn’t “throw away” acquired funding. Commissioner Ogden said CCRC is in the road business, not the bike path business. Commissioner Reinhardt noted the possibility that several acres of farmland could be eliminated, affecting many farmers’ only source of income; people’s property rights should be protected.
- Mr. Wright is a lakeside property owner who supports the off-road pathway, which will cut through his property, though he does want to view plans before construction. Commissioner Roloff is concerned because the committee hasn’t talked to or presented plans to the affected landowners, the County Board, or the Parks & Recreation Committee. Mr. Sullivan said current plans are preliminary due to locating the exact right-of-way.
- Mr. Taylor presented a draft letter he wrote to the County Board. In the past, he provided CCRC and the County Board with paperwork opposing the separate path, including letters from affected property owners who don’t want their yards, porches, buildings, etc. destroyed. He is an advocate for people’s rights; currently he is trying to save private property. He read an excerpt from his draft letter, basically stating 5-foot shoulders would be more cost effective and economical, affecting fewer trees, wetlands, and other plant-life.
- Mr. Koss supports the separate path and believes only 1% of cyclists (high-speed) would continue to use the roadway; he believes the vast majority would prefer to use the separate path. Mr. Hodgson stated 1% of CCRC Michigan Transportation Funds (MTF) has to be used for non-motorized trails; Commissioner Ogden agreed.

- Mr. Harmon said CCRC is not opposed to a bike path; CCRC encourages townships to pave roads wider to reduce edge failure and for pedestrian use. CCRC continues to borrow money from special funds to pay ordinary expenses; any legal expenditure takes away from road maintenance. Mr. McClorey asked if 5-foot shoulders would be marked; Commissioner Ogden said the shoulder will be striped and possibly signed. Mr. Serrais feels this would be very dangerous. Mr. Harmon recommended the committee hold public hearings, inviting all adjacent property owners. Mr. Kurtz hopes to resolve mis-information given to adjacent property owners

Recessed at 10:00 AM; resumed at 10:10 AM.

Mr. Gnodtke stated Norwood Township Board passed a resolution to request a 5-year road millage on a special November 2009 election ballot; 1 mil raises only \$42,000-\$44,000 per year in their small township. He feels Norwood Township has been "good neighbors" to CCRC, spending \$367,000 since 2001 improving primary roads CCRC couldn't fund.

Mr. Gnodtke once again (see previous minutes), requested CCRC lower their local road paving width to 18-feet for Lake Shore Drive (south). He read an excerpt from the American Association of State Highway and Transportation Officials (AASHTO) national guidelines, in which the design for very low-volume local roads (less than 400 vehicles per day) only requires an 18-foot width. He noted this dead end road services only residences and has little heavy truck traffic; Mr. Boyko added this is a non-connector road, a "glorified driveway".

Commissioner Ogden offered to explain 22-foot widths to residents because CCRC will not relax their standards. Mr. Boyko doesn't understand this logic; other counties use AASHTO standards on such roads, which are safe and convenient. He feels the 18-foot width would be practical, warranted and cost-effective.

10:30 AM – opened Kuzmik Road (#076.3-008.008), Bingham Road (#076.3-008.009) and Woodin Road (#076.3-008.010) Afton stone bids:

| <u>CONTRACTOR:</u> | <u>BID AMOUNT:</u> |
|----------------------------------|--------------------|
| Poquette Leasing Company, Inc. | \$109,268.00 |
| Rieth-Riley Construction Company | \$112,083.75 |

Back to Norwood Township discussion, Commissioner Ogden asked if a better gravel surface would satisfy residents; Mr. Gnodtke is uncertain, but feels vehicle speeds wouldn't increase too much if paved. Mr. Harmon said speeds increased on newly paved Addis Road and other newly paved roads...he receives many complaints. Mr. Boyko restated Lake Shore Drive is a non-connector, dead end, 0.64 mile road and has had only one accident in the past 10-years; safety issues are not a problem. He requested CCRC adopt the AASHTO standards on low volume roads as other Michigan county road commissions have done; the Board declined.

Mr. & Mrs. Wynkoop offered to donate 2,000 cyd. 23A manufactured gravel from their pit to CCRC, with the understanding 1,000 cyd. would be used in Norwood Township; the Board thanked Mr. & Mrs. Wynkoop for their generous offer.

Commissioner Ogden moved to award Miles Road north wedge, widen and overlay project #A489.014-007 (South Arm Township) to low bidder Payne & Dolan, Inc. for \$96,482.50, seconded by Commissioner Saunders.

➤ VOTE: Ayes – 3 Nays – 0 Motion carried.

Commissioner Saunders moved to award Matchett Road and Beck Road wedge, widen and overlay project #A489.009-024 – Option 1 (Marion Township) to low bidder Payne & Dolan, Inc. for \$170,955.00, seconded by Commissioner Ogden.

➤ VOTE: Ayes – 3 Nays – 0 Motion carried.

Commissioner Ogden moved to set 10:30 AM September 14, 2009 bid opening date to produce 13,000 tons ice control sand at CCRC Sutliff Pit, Boyne City and 4,500 tons ice control sand delivered to CCRC Ironton garage, seconded by Commissioner Saunders.

➤ VOTE: Ayes – 3 Nays – 0 Motion carried.

Commissioner Roloff presented Department of Natural Resource (DNR), Forest, Mineral and Fire Management (FMFM) letter from Chief Lynne Boyd to Daniel Wardlow regarding Mr. Wardlow's displeasure with the state timber sale on Camp 3 Trail, Beaver Island. She stated FMFM manager Bill Sterrett will make arrangements to meet with Mr. Wardlow when the sale contract ends to ensure property is restored.

Mr. Harmon:

- Reported the County Road Association Self Insurance Fund (CRASIF) Board of Trustees authorized a \$1 million members' equity refund; checks should arrive before September 1st.
- Explained River Road undercut was deeper than expected, increasing the cost by \$6,000-\$8,000.
- Reported Mr. Vanek is currently at Bear River Road paving project; restoration is complete, and the top course and gravel shoulder are being placed.
- Reported Miles Road is complete except for restoration.
- Reported Jaquay Road, Addis Road, Clute Road and Shadow Trails projects are complete.
- Reported Rieth-Riley Construction Company has St. Louis Club Road base prepped to wedge and overlay this week.

Commissioner Ogden moved to allow Mr. Harmon, Mr. Thompson and Mr. Luchenbill to attend the September 30th-October 2nd, 2009 Superintendent's Annual Seminar in Sault Ste. Marie, seconded by Commissioner Saunders.

➤ VOTE: Ayes – 3 Nays – 0 Motion carried.

Commissioner Ogden moved to pay bills totaling \$292,920.15, seconded by Commissioner Saunders.

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

Chairman Way adjourned at 11:55 AM.

AUGUST 10, 2009

Chairman Way opened the meeting at 9:00 AM.

Chairman Way, Commissioners Ogden & Saunders, County Commissioners Shirley Roloff & Shirlene Tripp, Patrick Harmon, James Vanek and Shelley Kondrat attended, along with CCRC attorney Joel Wurster, Charlevoix County Planner Larry Sullivan, Bay Township residents Bob Taylor, Roger Conaway, Steve Van Dam (also Bay Township Planning Commission member), and Uta & Monika Dubravec, Evangeline Township resident Britt Andersson, Eveline Township resident Denny Jason, Norwood Township resident Denny Way (also County Road Steering Committee member), City of Boyne City resident Michael Sheean, Reith-Riley Construction, Inc. representative Vince Carpenter, Payne & Dolan, Inc. representative Roger Perttu, Petoskey News-Review reporter Steve Zucker and publisher & freelance writer B.J. Hetler.

Commissioner Saunders moved to approve July 27, 2009 meeting minutes as presented, seconded by Commissioner Ogden.

➤ VOTE: Ayes – 3 Nays – 0 Motion carried.

Commissioner Ogden moved to approve July 27, 2009 closed session meeting minutes as presented, seconded by Commissioner Saunders.

➤ VOTE: Ayes – 3 Nays – 0 Motion carried.

Mr. Van Dam asked if the Board was going to make a decision today regarding the proposed non-motorized trail, separated from the roadway but still within the 99-foot limits of the Boyne City-Charlevoix Road right-of-way. He didn't want to be redundant, so he awaited comments until after Board discussion.

Mrs. Dubravec resides in Villa De Charlevoix and opposes the proposed non-motorized trail location, though she does support it along Boyne City-Charlevoix Road shoulder. She feels the money spent on said trail should rather be spent to upgrade Boyne City-Charlevoix Road; Mrs. Andersson agrees. Denny Way informed all present Boyne City-Charlevoix Road reconstruction is a lengthy project and will be constructed in phases.

Denny Way requested ORV Ordinance information; do townships have a say in what roads are used in their particular township? Commissioner Roloff said townships can implement roads added/deleted from ORV use one year after the ordinance was passed.

Mr. Wurster gave a quick review regarding Boyne City-Charlevoix Road right-of-way usage for a non-motorized trail. Commissioner Ogden read last two sentences of the August 10, 2009 letter to Larry Sullivan from the Road Commission Board and Manager, as follows: "Accordingly, the Road Commission finds it advisable to support right-of-way usage for

non-motorized purposes only along paved shoulders of the road to be reconstructed along this route. We therefore recommend that continued planning for a proposed bike path incorporate this new information and corresponding limitation.”

Mr. Taylor feels the letter should be directed to Charlevoix County Board Chairman Chris Christensen and other Board members, who are ultimately responsible for the proposed non-motorized trail; Mr. Sullivan is only the County Planner. Commissioner Roloff said the County Board will make the final decision, but Mr. Sullivan is in charge of bike path proposals and updates the Board regularly; and the Board is aware residents oppose a separate trail.

Mr. Wurster said deeded property has more latitude than right-of-way releases; future bike paths proposals on other county roads will be considered individually. Mr. Sullivan asked if fiber optic cable would be allowed in Boyne City-Charlevoix Road right-of-way; Mr. Wurster said there are separate public utility laws for local government franchise.

Mr. Conaway asked why Mr. Sullivan (who represented the Frye Foundation as well) didn't check the deeds at the beginning and save the four or five years of wasted time. Mr. Sullivan said he will from this point forward.

Mr. Van Dam informed all present the \$1.3 million grant for the proposed separate trail only required \$53,000 in matching funds. He believes if the separate trail is not built, this \$1.3 million is forfeited by Charlevoix County because it cannot be used to improve roadways, only to build non-motorized trails. He wants people to realize these are dollars the county is surrendering. Mr. Taylor said there are other grants available as well for non-motorized trails running along road shoulders. Mr. Conaway said the state has a different standing as well; the non-motorized trail along US31 was feasible due to wider right-of-way and homes built farther from the roadway.

Mr. Sullivan pointed out the County Board had agreed to maintain a separate trail, now the Road Commission will be responsible. Commissioner Ogden agreed, explaining according to Act51, CCRC must spend 1% per year of MTF for non-motorized travel facilities, averaged over a ten-year period.

Mr. Harmon and Mr. Vanek inspected Pincherry Road relocation project; it is complete and there are no issues other than two soft spots, which Rieth-Riley may have to correct. He presented the following resolution:

RESOLUTION TO AUTHORIZE RELEASE OF ESCROW DEPOSITS

Commissioner Ogden moved to adopt the following Resolution to Authorize Release of Escrow Deposits (“Resolution Authorizing Release”), seconded by Commissioner Saunders.

On September 22, 2008, the Charlevoix County Road Commission Board adopted a Resolution of Abandonment (“Resolution of Abandonment”), concerning a portion of the existing Pincherry Road public right-of-way, located in the Southeast ¼ of Section 12, Hayes Township. This abandonment is part of the relocation of the portion of Pincherry Road that is the subject of the Resolution of Abandonment.

On May 26, 2009, the Charlevoix County Road Commission Board adopted an Amendment to Resolution of Abandonment (“First Amendment”). This First Amendment extended the deadline for the satisfaction of the conditions of the Resolution of Abandonment to July 31, 2009.

On July 27, 2009, the Charlevoix County Road Commission Board adopted a Second Amendment to Resolution of Abandonment (“Second Amendment”). This Second Amendment extended the deadline for the satisfaction of the conditions of the Resolution of Abandonment to August 24, 2009.

It now appears as if all conditions of the Resolution of Abandonment, as amended by the First Amendment and Second Amendment, have been satisfied.

Now, therefore, it is resolved by the County Road Commission Board of Charlevoix County, Michigan, that the Road Commission Manager is hereby authorized to sign and provide a Notice to Escrow Agent to Release Escrow Deposits, in accordance with the provisions of the Escrow Agreement entered into by the Road Commission and Rieth-Riley Construction Company, Inc., dated October 14, 2008. This signature shall be provided upon receipt and satisfactory review by the Manager and Road Commission counsel of an updated title commitment for the Relocated Roadway, in accordance with Section 4 (d) of the Escrow Agreement.

CLERK'S CERTIFICATION

I hereby certify this Resolution Authorizing Release was adopted by the Charlevoix County Road Commission at a regular meeting held on August 10, 2009, and that the vote was as follows:

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

Shelley Kondrat, Clerk

Mr. Harmon presented Court of Appeals denial to reconsider their Beach Drive decision; there are now 42 days from Thursday, August 6, 2009 for the plaintiffs to appeal to Supreme Court, who will decide if they want to hear it.

Commissioner Ogden moved to transfer \$12,690.11 from the Construction Fund to the General Fund for Holy Island Bridge replacement project contract engineering, local match payment & electrical installation, as well as Bear River Road, Boyne City-Charlevoix Road & River Road reconstruction projects contract engineering, seconded by Commissioner Saunders.

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

Commissioner Saunders moved to transfer \$2,528.42 from the Equipment Fund to the General Fund to pay Truck & Trailer Specialties of Boyne Falls for the new 2009 PACAL scarifier blade & tips (Equipment #582) , seconded by Commissioner Ogden.

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

Commissioner Ogden moved to transfer \$11,307 from the Insurance Fund to the General Fund to pay the County Road Association Self-Insurance Fund (CRASIF) second quarterly premium statement, seconded by Commissioner Saunders.

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

Commissioner Saunders moved to open Kuzmik Road, Bingham Road and Woodin Road Afton stone application bids (Hudson Township) at 10:30 AM Monday, August 24, 2009, seconded by Commissioner Ogden.

➤ VOTE: Ayes – 3 Nays – 0 Motion carried.

Commissioner Roloff:

- Feels Charlevoix County Road Steering Committee members deserve something for their efforts and should be paid per diem or mileage; she will present this to the County Board.
- Visited Beaver Island with Mr. Harmon Wednesday, August 5, 2009. They viewed Highridge Court and the property owner hasn't removed any of the encroachments. If he hasn't removed them by Labor Day, Mr. Harmon will send a letter. If that doesn't work, Mr. Harmon will involve CCRC attorney Joel Wurster.
- Attended St. James Township August 5, 2009 meeting, where the Road Commission and Sheriff Department presented outgoing supervisor Don Vyse with appreciation awards.

Mr. Harmon stated the Road Commission was served with a lawsuit from a June 23, 2009 motorcycle accident on Slashing Road; the sheriff department UD10 states the driver was driving too fast for conditions.

Mr. Vanek stated:

- Bear River Road is in its second week of reconstruction; crushing and shaping is completed, as is the undercut by US131. There was a spring, so edge drains were placed and are working properly. Curbing will be poured next week and paving will be done the following week.
- Tri-County postponed River Road reconstruction until Bear River Road reconstruction is complete because residents are detouring down River Road.
- Miles Road is wedged and the overlay will be placed Wednesday. Mr. Vanek talked to Mr. Perttu about graveling shoulders sooner after paving. In some cases, it has been weeks; otherwise their workmanship is fine. Mr. Vanek may add liquidated damages to future bid documents to ensure shoulder placement is done in a timely manner.

Commissioner Ogden:

- Asked if Peninsula Road (South Arm Township) preliminary plans are complete; Mr. Vanek said Northwest Design Group (NDG) has completed the soil borings and continue to work on the design. NDG realizes the GI is due this fall with a 2009 bid opening.
- Requested status of flooding problems at Ferry Road and Sequanota Road intersection; Mr. Harmon hasn't heard anything else from the property owner.

Mr. Conaway talked to Sheriff Schneider 6 weeks ago, who said Ferry Road is the safest road for a bike path; a bridge where the Ironton Ferry is would solve problems as well.

Recessed at 10:25 AM; resumed at 10:30 AM.

10:30 AM: Road project bid openings:

Miles Road north wedge, widen and overlay project #A489.014-007, South Arm Township (engineer's estimate: \$129,000):

| <u>CONTRACTOR:</u> | <u>BID:</u> |
|----------------------------------|--------------|
| Payne & Dolan, Inc. | \$ 96,482.50 |
| Rieth-Riley Construction Company | \$110,819.00 |

Matchett Road and Beck Road wedge, widen and overlay project #A489.009-024, Marion Township (Option 1 has no engineer's estimate, but includes an undercut on Matchett Road; Option 2 engineer's estimate is \$181,500 for paving only):

| <u>CONTRACTOR:</u> | <u>OPTION 1:</u> | <u>OPTION 2:</u> |
|----------------------------------|------------------|------------------|
| Payne & Dolan, Inc. | \$170,955.00 | \$154,838.75 |
| Rieth-Riley Construction Company | \$186,275.00 | \$168,843.75 |

Commissioner Saunders moved to pay bills totaling \$48,168.95, seconded by Commissioner Ogden.

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

Chairman Way adjourned at 10:40 AM.

JULY 27, 2009

Chairman Way opened the meeting at 9:00 AM.

Chairman Way, Commissioners Ogden & Saunders, County Commissioners Shirley Roloff & Ron Reinhardt, Patrick Harmon and Shelley Kondrat attended, along with CCRC attorney Joel Wurster, Bay Township residents Bob Taylor, Roger Conaway, Gerald Troop, Cheryl Matthews and Richard (also Villa De Charlevoix Association president) & Christine Brown, Evangeline Township resident Leonard Brooks, Melrose Township road committee chairman Errol Lee and resident Karen Colburn. (James Vanek was absent – overseeing paving project).

Commissioner Saunders moved to approve July 13, 2009 meeting minutes as corrected, seconded by Commissioner Ogden.

Page 1, line 37: add "be" after "rapidly"
Page 5, line 172: add "on Miles Road north" after "estimate"

➤ VOTE: Ayes – 3 Nays – 0 Motion carried.

Mr. Brown is a Villa De Charlevoix resident as well as the association president. He stated there are 157 property owners, ½ being year-round residents. He reported the residents very much oppose the proposed non-motorized trail, separated from the roadway but still within the 99-foot limits of the Boyne City-Charlevoix Road right-of-way. It would disrupt private property, such as Mr. Conaway's, by removing trees and encroaching into yards. Mr. Harmon presented several email letters opposing the trail as well. Mr. Brown added Villa De Charlevoix residents would support a non-motorized trail incorporated with the Boyne City-Charlevoix Road shoulder.

Mr. Conaway went to the Register of Deeds and found language stating the larger 99-foot of right-of-way in question consisted of releases to the Road Commission for "highway purposes only", and the Register of Deeds said this wordage cannot be changed (Commissioner Ogden stated this release information was valuable to CCRC). Mr. Conaway checked six other releases in which the language was identical, and he believes all the Boyne City-Charlevoix Road right-of-way purchased by the Road Commission in the 1950's would contain the same wordage restrictions.

Commissioner Ogden explained the proposed non-motorized trail is in the early stages of development; Charlevoix County planner Larry Sullivan just recently filed the grant application. Mr. Harmon said not many people support this

proposed trail; most wish it to be placed along the shoulders. CCRC attorney Joel Wurster will be in later today to discuss the Boyne City-Charlevoix Road right-of-way issue in closed session.

Commissioner Roloff chairs the Parks and Recreation committee and will report these concerns listed above.

Mr. Taylor noted the Evangeline Township Board already approved supporting the trail and the Bay Township Board is leaning toward it. Mr. Taylor further stated Bay Township supervisor Larry Moeschke wouldn't accept the opposing letters from Bay Township residents. Mr. Taylor questioned if CCRC knows where Boyne City-Charlevoix Road right-of-way is 66' and where it is 99' feet wide. He is also concerned about who will pay the 20% match? He doesn't feel the taxpayers should.

Mrs. Colburn thanked Mr. Harmon and CCRC for placing 25 mph signs throughout Springbrook Hills Subdivision; the residents greatly appreciate it.

Commissioner Ogden moved to appoint Commissioner Saunders as voting delegate and Commissioner Ogden as alternate voting delegate at the September 9, 2009 County Road Association Self-Insurance Fund (CRASIF) meeting, seconded by Commissioner Saunders.

➤ VOTE: Ayes – 3 Nays – 0 Motion carried.

Commissioner Ogden moved to transfer \$50,000 from the Buildings and Grounds Fund to supplement the General Fund, seconded by Commissioner Saunders.

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

Commissioners Roloff, Ogden, Saunders, Mr. Harmon and Mrs. Kondrat will attend the August 4, 2009 37th District Quarterly Meeting.

Mr. Harmon reported St. James Township supervisor Don Vyse is retiring; Richard Speck will replace him.

Commissioner Roloff:

- Will visit Beaver Island tomorrow. Mr. Harmon requested she view Highridge Court (Port of St. James Association, Peaine Township) to assure Kirk McBride is removing his right-of-way encroachments.
- Said new recycling bin pavement near CCRC Boyne City garage looks really nice.

Commissioner Ogden moved to award Maple Grove Road Afton stone placement project #076.3-007.7 (Hayes Township), Option #2, to low bidder Poquette Leasing for \$60,632 based on township concurrence at their July 13, 2009 meeting, seconded by Commissioner Saunders.

➤ VOTE: Ayes – 3 Nays – 0 Motion carried.

Commissioner Ogden moved to open Miles Road north paving bids (South Arm Township) at 10:30 AM Monday, August 10, 2009, seconded by Commissioner Saunders.

➤ VOTE: Ayes – 3 Nays – 0 Motion carried.

Mr. Harmon explained Marion Township Board chose to wedge, widen and overlay Matchett Road rather than the cold in-place recycling.

Commissioner Saunders moved to open Matchett Road wedge, widen and overlay project bids (Marion Township) at 10:30 AM Monday, August 10, 2009, seconded by Commissioner Ogden.

➤ VOTE: Ayes – 3 Nays – 0 Motion carried.

Mr. Harmon:

- Said Rieth-Riley is dissatisfied they weren't awarded the Addis Road paving project (Melrose Township) since they were low bidder by \$800. They may take this to court and request a stop work order due to not being awarded the low bid. Mr. Lee explained Melrose Township Board chose Payne and Dolan, Inc. because they are paving Addis Road in Evangeline Township and if there is a joint failure where the two projects meet, only one contractor is involved. Plus, it is least disruptive for the residents. Reasons are noted in Melrose Township minutes.
- Said Bear River Road reconstruction began today.

Commissioner Ogden said Jaquay Road pavement looks great; Mr. Harmon said the asphalt tonnage may exceed the original estimate. Commissioner Ogden instructed Mr. Harmon to make sure snowplow drivers don't peel off tip-up curbs through the curve section; Mr. Harmon said delineator markers will be installed to guide the drivers.

Commissioner Ogden moved to pay bills totaling \$141,055.94, seconded by Commissioner Saunders.

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

Recessed at 10:27 AM; resumed at 10:38 AM.

Mr. Harmon said Pincherry Road relocation and paving project (Hayes Township) completion date by Rieth-Riley Construction, Inc. expires July 31, 2009. They paved Pincherry Road this morning, but require another extension to complete roadside issues.

SECOND AMENDMENT TO RESOLUTION OF ABANDONMENT

Commissioner Ogden moved to adopt the following Second Amendment to Resolution of Abandonment ("Second Amendment"), seconded by Commissioner Saunders.

On September 22, 2008, the Charlevoix County Road Commission Board adopted a Resolution of Abandonment ("Resolution") concerning a portion of the existing Pincherry Road public right-of-way, located in the Southeast ¼ of Section 12, Hayes Township. This abandonment is part of a proposed relocation of the portion of Pincherry Road that is the subject of the Resolution.

On May 26, 2009, the Charlevoix County Road Commission Board adopted an Amendment to Resolution of Abandonment ("First Amendment"). This First Amendment extended the deadline for the satisfaction of the conditions of the Resolution to July 31, 2009.

The relocated portion of Pincherry Road was paved on July 27, 2009, although the completion of remaining issues with the road will occur beyond the deadline of July 31, 2009, that was previously established by the First Amendment. Due to this, the Charlevoix County Road Commission Board has been asked to again extend the deadline for the satisfaction of the conditions of the Resolution, to August 24, 2009.

Now, therefore, it is resolved by the Road Commission Board of Charlevoix County, Michigan, to amend the prior Resolution of Abandonment, dated September 22, 2008, and the First Amendment dated May 26, 2009, to extend the date for the satisfaction of conditions from July 31, 2009, to August 24, 2009. This Amendment shall be attached to the Resolution and the First Amendment as an indication of the Road Commission's further extension of this date.

Except as amended by this Second Amendment, all provisions and conditions of the Resolution, as previously amended by the First Amendment, shall remain in full force and effect.

CLERK'S CERTIFICATION

I hereby certify this Second Amendment to Resolution of Abandonment was adopted by the Charlevoix County Road Commission Board at its July 27, 2009 regular meeting by the following voice vote:

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

Shelley Kondrat, Clerk

Commissioner Ogden moved to enter closed session at 10:40 AM to review CCRC attorney Joel Wurster written legal opinion on the Beach Drive matter (Charlevoix Township) and to discuss BC-Charlevoix Road rights-of-way issue (Bay, Evangeline and Hayes Townships), seconded by Commissioner Ogden.

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

Re-entered regular session at 11:40 AM.

Mr. Taylor restated all information he feels is pertinent to a decision in the proposed non-motorized trail within Boyne City-Charlevoix Road right-of-way to Mr. Wurster. He and Mr. Conaway have generated many reasons through research why this trail shouldn't be allowed as proposed, adding most residents oppose it. He claims the grant application sent in by

Charlevoix County planner Larry Sullivan is full of incorrect information. Mr. Harmon said the Road Commission Board will decide what extent the right-of-way may be used at the August 10, 2009 meeting.

Mr. Taylor reminded Mr. Harmon the deeds state the property was given for highway purposes only. And he noted, when Boyne City-Charlevoix Road was a two-track, people built and planted outside the right-of-way. But these same buildings/plantings moved into road right-of-way when the 66' and 99' extensions were obtained. He concludes that most residents would support a wider shoulder for bicyclists.

Chairman Way adjourned at 11:55 AM.

JULY 13, 2009

Chairman Way opened the meeting at 9:00 AM.

Chairman Way, Commissioners Ogden & Saunders, County Commissioners Shirley Roloff & Ron Reinhardt, Patrick Harmon, James Vanek and Shelley Kondrat attended, along with Bay Township residents Bob Taylor, Thomas J. Scott & Roger Conaway, Eveline Township supervisor John Vron dran, Melrose Township Road Committee Chairperson Errol Lee, Reith-Riley Construction, Inc. representative Eric Rhadigan and Payne & Dolan, Inc. representative Roger Perttu.

Commissioner Saunders moved to approve June 22, 2009 meeting minutes as corrected, seconded by Commissioner Ogden.

Page 1, line 16: add "He also presented a right-of-way release dated 1958 (that he feels could be typical throughout the length of the Boyne City-Charlevoix Road) that restricts usage to "Highway purposes", which in his opinion excludes a "bike path".

Page 2, line 54: change "Commissioner Ogden moved to award Wilson Township Hall parking lot 23A Afton stone application project to low bidder Poquette Leasing for \$4,560.00 contingent upon CCRC receiving Wilson Township approval, seconded by Commissioner Saunders." to "Commissioner Ogden moved to award Marshall Road 23A Afton stone project to low bidder Rieth-Riley Construction Company for \$34,937.50 contingent upon CCRC receiving Eveline and Wilson townships approval, seconded by Commissioner Saunders."

➤ VOTE: Ayes – 3 Nays – 0 Motion carried.

Mr. Taylor presented several letters from Bay Township residents opposing the township funding a portion of the proposed non-motorized trail along Boyne City-Charlevoix Road (BC-Chx Rd.); they requested this issue be on a future ballot. Susan Maiorana correspondence states, "the proposed trail will invade citizens private property, will require repeated stops and starting, and most avid bikers they know, would just continue down the shoulder of the road (for safety)." David L. Helder writes, "With the number of driveways, and very limited visibility, it's nearly impossible to ride the path. So for the majority of users, the trail is unusable (because avid bicyclists travel 15 to 25 mph.)." Mr. Taylor added the proposed path will cross busy BC-Chx Rd. several times, and the thin asphalt will rapidly be destroyed, which brings up the question of who will provide maintenance.

Mr. Taylor recommended a survey to verify BC-Chx Rd right-of-way. He spoke to Charlevoix County prosecuting attorney John Jarema, who is familiar with the maintenance, but not the liability. Mr. Taylor and Mr. Conaway will attend the next Internal Review Board meeting for further information.

Commissioner Roloff said she will not support the proposed non-motorized trail until Boyne City-Charlevoix Road reconstruction is complete, and also not until the Road Commission Board approves it. Commissioner Reinhardt feels wider shoulders would be best and asked if the grant money would cover this; also wider shoulders would help preserve the roadway. Mr. Harmon stated he doesn't want to see it marked as a bike path if the shoulders are widened. Mr. Conaway suggested a bicycle license for maintenance, and suggested 4-5 feet shoulders with "ribbons" cut into the pavement between the shoulder and the bike path (people are going to ride bikes on the shoulder no matter what). He also suggested the possibility of placing the trail along the old railroad beds; Mr. Harmon said this is now mostly private property. Mr. Conaway suggested legislation requiring bicycle licenses to ride on county roads.

Mr. Taylor presented Charlevoix County Board minute excerpts showing proposed bike path acceptance (construction, maintenance and liability). Mr. Scott will inform his neighbors in Villa De Charlevoix subdivision about the proposed trail (for more opposition); he requested a copy of the information Mr. Taylor has; Mr. Taylor said Mr. Scott could obtain it from the county for a small fee.

Commissioner Ogden moved to transfer \$11,307 from the Insurance Fund to the General Fund for 2009 CRASIF First Quarter Premium Statement #CRA0000860, seconded by Commissioner Saunders.

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

Commissioner Saunders moved to transfer \$9,686.18 from the Construction Fund to the General Fund for Holy Island Bridge MDOT Invoice #AP 316817, seconded by Commissioner Ogden.

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

Commissioner Ogden moved to delegate Commissioner Saunders as voting delegate and Commissioner Ogden as alternate voting delegate at the September 10, 2009 Northern Association of Road Commissions (NMARC) Annual Business meeting, seconded by Commissioner Saunders.

➤ VOTE: Ayes – 3 Nays – 0 Motion carried.

Commissioner Ogden moved to allow Boyne City-Charlevoix Road closure September 7, 2009 for “Horton Bay Bridge Walk” from 9:00 to 10:00 PM (Sheriff Schneider has approved closure and will provide necessary manpower and traffic control), seconded by Commissioner Saunders.

➤ VOTE: Ayes – 3 Nays – 0 Motion carried.

Commissioner Saunders moved to accept the Clerks Fiscal Year January 1 to December 31, 2009 Recommended Budget Amendment 2 as follows, seconded by Commissioner Ogden.

| | | | | |
|----------------------------------------------------------------|------------------------------------------|-----------------|--------------------------------------|-------------|
| Presented 07/13/09 Shelley Kondrat, Clerk | 2009 BUDGET SUMMARY (AMENDMENT 2) | | | Page 1 of 3 |
| Name of Governmental Unit Charlevoix County Road Commission | Name of Fund Road Fund | Fund No. 201 | Budget Year Ending Date: 12-31-09 | |

FISCAL YEAR JANUARY 1 TO DECEMBER 31, 2009

| REVENUES (AND OTHER SOURCES) | | AMOUNT | | |
|----------------------------------|-------------------------------|---------------------------------|---------------------|-----------------------------|
| DEPARTMENT OR CLASSIFICATION | | AMOUNT | | |
| Page No. | ACCOUNT DESCRIPTION | ESTIMATED PRIOR YEAR (12-31-08) | PREVIOUSLY APPROVED | RECOMMENDED 12-31-09 BUDGET |
| 2 | TRANSPORTATION | 3,054,167.05 | 2,926,000.00 | 2,926,000.00 |
| 2 | FEDERAL & STATE REVENUE | 0.00 | 1,224,625.75 | 1,337,449.05 |
| | ECONOMIC DEVELOPMENT FUND | 0.00 | 0.00 | 0.00 |
| 2 | TRUNKLINE MAINTENANCE-PRIMARY | 608,651.09 | 380,000.00 | 380,000.00 |
| 2 | COUNTY RAISED REVENUE | 1,981,059.98 | 1,931,299.54 | 1,701,591.64 |
| 2 | OTHER RAISED REVENUE | 188,752.00 | 110,920.00 | 255,981.10 |
| 2 | INTEREST EARNED | 33,399.87 | 27,500.00 | 27,500.00 |
| 2 | SALVAGE SALES | 4,828.54 | 3,500.00 | 3,500.00 |
| 2 | GAIN/LOSS-EQUIPMENT DISPOSALS | 1,728.30 | -132,265.00 | -132,265.00 |
| 2 | PERMIT FEES | 28,624.00 | 25,000.00 | 25,000.00 |
| 2 | OTHER | 944.10 | 1,000.00 | 1,000.00 |
| TOTAL REVENUES | | 5,902,154.93 | 6,497,580.29 | 6,525,756.79 |
| TOTAL OTHER SOURCES | | 0.00 | 0.00 | 0.00 |
| TOTAL REVENUES AND OTHER SOURCES | | 5,902,154.93 | 6,497,580.29 | 6,525,756.79 |

| EXPENDITURES (AND OTHER USES) | | AMOUNT | | |
|-------------------------------|--|--------|--|--|
| DEPARTMENT OR CLASSIFICATION | | AMOUNT | | |

| Page No. | ACCOUNT DESCRIPTION | ESTIMATED PRIOR YEAR (12-31-08) | PREVIOUSLY APPROVED | RECOMMENDED 12-31-09 BUDGET |
|-----------------------------------|-------------------------------|---------------------------------|---------------------|-----------------------------|
| 3 | HEAVY MAINTENANCE | 2,028,610.02 | 3,580,459.34 | 3,435,155.07 |
| 3 | REGULAR MAINTENANCE | 3,362,212.51 | 2,425,000.00 | 2,425,000.00 |
| 3 | TRUNKLINE MAINTENANCE-PRIMARY | 546,948.62 | 380,000.00 | 380,000.00 |
| 3 | ADMINISTRATIVE EXPENSE (NET) | 368,587.45 | 254,700.00 | 254,700.00 |
| 3 | EQUIPMENT EXPENSE (NET) | -275,710.19 | -665,905.25 | -665,905.25 |
| 3 | CAPITAL OUTLAY (NET) | -458,378.70 | -605.80 | -605.80 |
| 3 | DISTRIBUTIVE EXPENSE | 0.00 | 800,000.00 | 800,000.00 |
| 3 | OTHER | 0.00 | 0.00 | 0.00 |
| TOTAL EXPENDITURES | | 5,572,269.71 | 6,773,648.29 | 6,628,344.02 |
| OTHER USES | | 0.00 | 0.00 | 0.00 |
| AMOUNTS NEEDED FOR CONTINGENCIES | | 0.00 | 0.00 | 0.00 |
| TOTAL EXPENDITURES AND OTHER USES | | 5,572,269.71 | 6,773,648.29 | 6,628,344.02 |

| | |
|-------------------------------------------------------------------------|-------------|
| CURRENT ESTIMATED OPERATING SURPLUS (DEFICIT) | -102,587.23 |
| ACCUMULATED AVAILABLE UNAPPROPRIATED SURPLUS (DEFICIT) FROM PRIOR YEARS | 0.00 |
| PROJECTED SURPLUS AT END OF BUDGET YEAR | -102,587.23 |

➤ VOTE: Ayes – 3 Nays – 0 Motion carried.

Mr. Harmon presented Appellate Court judgment (published June 23, 2009) for Beach Drive (Charlevoix Township), in favor of the defendants. The plaintiffs will now, more than likely, file with the Supreme Court.

Mr. Lee asked if River Road contract was awarded; Mr. Vanek said yes, but the pre-construction meeting needs to be scheduled.

Commissioner Reinhardt said the power company cleared the ditch along his property and the visibility is greatly improved.

Commissioner Roloff praised the new pavement at CCRC Boyne City garage recycling bins.

Mr. Vanek said Mountain Road and Peninsula Road paving projects are completed. Jaquay Road trenching and ditching will begin tomorrow with paving next week, followed by Clute Road wedge & overlay, then Addis Road wedge & overlay, then Shadow Trails wedge & overlay.

Recessed at 10:10 AM; resumed at 10:30 AM.

10:30 AM – opened the following bids:

Addis Road paving project #A489.010-016, Melrose Township (engineer's estimate: \$76,630):

| | |
|----------------------------------------|--------------------|
| <u>CONTRACTOR:</u> | <u>BID AMOUNT:</u> |
| Rieth-Riley Construction Company, Inc. | \$61,190.00 |
| Payne & Dolan, Inc. | \$61,990.00 |

Maple Grove Road gravel application project #A459.007-004, Hayes Township (no engineer's estimate: none requested):

| | | |
|----------------------------------|-------------|---------------------|
| <u>CONTRACTOR:</u> | <u>23A:</u> | <u>Afton Stone:</u> |
| Rieth-Riley Construction Company | \$42,380.00 | \$69,420.00 |
| Poquette Leasing Company, Inc. | \$42,484.00 | \$60,632.00 |
| MDC, Inc. | \$52,000.00 | \$93,340.00 |

Descriptions for various used vehicle/equipment (the Road Commission offered the equipment for sale on a bid basis – see page 6 for bids):

- ITEM #1:** Equipment # 020: 1985 Ford I-9000 tandem axle dump truck.
Minimum bid: \$ 4,500.00
- ITEM #2:** Equipment # 032: 1985 Ford I-9000 tandem axle cab and chassis.
Minimum bid: \$ 2,000.00
- ITEM #3:** Equipment # 026: 1989 International S2500 tandem axle truck.
Minimum bid: \$ 6,000.00
- ITEM #4:** Equipment # 013: 1990 GMC 2500 4X4 extended cab short box pickup truck.
Minimum bid: \$ 750.00
- ITEM #5:** Equipment #317: 1991 Swenson UNI-VEE 12' frame mount sander w/cab shield.
Minimum bid: \$ 750.00
- ITEM #6:** Removed from CCRC (approx. 1993) Gallion model 502F, 10-12 yd dump body.
Minimum bid: \$ 200.00

| BIDDER--- | Kevin Swanson | Richie Gillespie |
|-----------|---------------|------------------|
| ITEM #1 | No Bid | \$4,676.00 |
| ITEM #2 | No Bid | \$2,009.00 |
| ITEM #3 | No Bid | No Bid |
| ITEM #4 | No Bid | No Bid |
| ITEM #5 | No Bid | No Bid |
| ITEM #6 | \$300.00 | No Bid |

The Board directed the manager to contact the bidders and make all arrangements necessary to sell the equipment.

Commissioner Ogden moved to award Addis Road paving project #A489.010-016, Melrose Township, to the bidder Melrose Township chooses contingent upon township letter of authorization, seconded by Commissioner Saunders.

➤ VOTE: Ayes – 3 Nays – 0 Motion carried.

Mr. Harmon:

- And Mr. Vanek attended Federal Highway and MDOT Stimulus Funds seminar; many requirements have been changed and/or added (i.e. 2 separate federal audits at project completion as well as the usual MDOT audit). He requested Northwest Design Group (NDG) prepare the Peninsula Road bid proposal (South Arm Township) due to the many complicated requirements; the Board approved.
- Recommended Charlevoix Township should decide what policy to implement for the existing Beach Drive docks if the Appellate Court decision stands.

Mr. Harmon said Bob Christensen (South Arm Township supervisor) requested a wedge and overlay estimate on Miles Road north (not through the swamp), then another estimate to undercut and pave through the swampy area.

Mr. Lee asked if M75 damage was patched in Walloon Village; Mr. Harmon said not to date, though MDOT Traverse City TSC Mary Lajko gave Walloon Lake Water Systems owner Dennis Hass a July 10th completion date.

Commissioner Saunders moved to pay bills totaling \$102,195.52, seconded by Commissioner Ogden.

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

Chairman Way adjourned at 11:30 AM.

JUNE 22, 2009

Chairman Way opened the meeting at 9:00 AM.

Chairman Way, Commissioners Ogden & Saunders, County Commissioners Shirley Roloff & Ron Reinhardt, Patrick Harmon, James Vanek and Shelley Kondrat attended, along with Bay Township residents Bob Taylor and Roger Conaway.

Commissioner Saunders moved to approve June 8, 2009 meeting minutes as presented, seconded by Commissioner Ogden.

➤ VOTE: Ayes – 3 Nays – 0 Motion carried.

Mr. Taylor presented information regarding the proposed non-motorized trail in Boyne City-Charlevoix Road right-of-way, to which he is opposed. He explained there are many areas the proposed trail would encroach on residents' property, passing very close to their homes, and the trail would have to cross the road in several areas...at least three times in Horton Bay. He feels the trail would be an unnecessary liability for the County and the Road Commission. He also presented a right-of-way release dated 1958 (that he feels could be typical throughout the length of the Boyne City-Charlevoix Road) that restricts usage to "Highway purposes", which in his opinion excludes a "bike path".

Mr. Taylor continued the grant application contains incorrect information. Commissioner Roloff said the County Commissioners have seen nothing on paper to date showing the proposed trail location, and the County Commissioners don't want it constructed until the Boyne City-Charlevoix Road is reconstructed.

Mr. Harmon sent CCRC Attorney Joel Wurster release copies & information for legal opinion.

Commissioner Ogden moved to award the following bids, seconded by Commissioner Saunders.

Addis Road wedge and overlay project, Evangeline Township portion (#A489.005-010) to low bidder Payne & Dolan, Inc. for \$11,344.30, and Melrose Township portion (#A489.010-014) to low bidder Payne & Dolan, Inc. for \$71,934.20 (totaling \$83,278.50).

Clute Road wedge and overlay project, Evangeline Township portion (#A489.005-011) to low bidder Payne & Dolan, Inc. for \$29,211.00, and Melrose Township portion (#A489.010-015) to low bidder Payne & Dolan, Inc. for \$53,364.00 (totaling \$82,575.00).

Shadow Trails wedge and overlay project # A459.010-007, Melrose Township, to low bidder Payne & Dolan, Inc. for \$37,900.00.

Miles Road wedge and overlay project #A459.014-013, South Arm Township, to low bidder Payne & Dolan, Inc. for \$157,190.60.

➤ VOTE: Ayes – 3 Nays – 0 Motion carried.

Commissioner Ogden moved to award the River Road reconstruction project #A459.010-006, Melrose Township, to low bidder Tri-County Excavating, Inc. for \$505,981.10 contingent upon County Board authorization of \$255,981.10 loan to finish the project, seconded by Commissioner Saunders.

➤ VOTE: Ayes – 3 Nays – 0 Motion carried.

~~Commissioner Ogden moved to award Wilson Township Hall parking lot 23A Afton stone application project to low bidder Pequette Leasing for \$4,560.00 contingent upon CCRC receiving Wilson Township approval, seconded by Commissioner Saunders.~~ Commissioner Ogden moved to award Marshall Road 23A Afton stone application project to low bidder Rieth-Riley Construction Company for \$34,937.50 contingent upon CCRC receiving Eveline and Wilson townships approval, seconded by Commissioner Saunders.

➤ VOTE: Ayes – 3 Nays – 0 Motion carried.

Recessed at 10:10 AM; resumed at 10:20 AM.

Commissioner Saunders moved to open the following bids at 10:30 AM July 13, 2009, seconded by Commissioner Ogden.

- ◆ Addis Road paving project (.5 mile, Melrose Township).
- ◆ Maple Grove Road 23-A gravel application project (Hayes Township).
- ◆ CCRC Used vehicle/equipment sales.

➤ VOTE: Ayes – 3 Nays – 0 Motion carried.

Commissioner Reinhardt:

- Received a call from Boyne Valley Township supervisor Leonard Zakrzewski stating the township has put their road project on hold because the water park is requesting tax relief from the tax tribunal because their operation costs exceed their income. If granted, the township will lose about \$40,000, and Boyne Falls Public School would lose over \$200,000.
- Said the state is trying to make counties, cities, school districts, etc. combine services (that may presently be duplicate) to save money.

Commissioner Roloff:

- Said property owner proposing Highridge Court abandonment (Port of St. James Association, Peaine Township) will be contacting Circuit Court soon.
- Asked if Mr. Harmon and Mr. Vanek were accompanying Charlevoix County GIS coordinator Brian Kelly to Beaver Island to map all road names. Mr. Kelly has not contacted them yet.
- Asked if CCRC Boyne City garage recycling area paving has been scheduled. Mr. Vanek reported they are pouring curbs today, but will require a 5-day notice before remainder of paving so bins can be moved.

Mr. Harmon:

- Will attend MDOT meeting at Grand Traverse CRC tomorrow morning.
- Will attend pre-construction meeting for Charlevoix Township proposed sewer along US31 on Thursday morning.
- Said CCRC Attorney Joel Wurster received call from Mike Levine, requesting Joel attend the next CRAM legal meeting regarding Beach Drive; Mr. Harmon will accompany him.
- Said Beach Drive ruling hasn't been published by the Court of Appeals to date.
- Informed all present Holy Island Bridge dedication is scheduled at 10:00 AM Wednesday, July 1, 2009. Along with township officials and residents, Mr. Harmon will invite Northwest Design Group engineer Howard Haselschwardt to talk about the history and Petoskey News-Review reporter Steve Zucker. Mr. Parish will cut the ribbon.

Mr. Vanek said Mountain and Peninsula Road projects are being graded today; paving is scheduled for Wednesday or Thursday.

Chairman Way will attend the Lake Shore Drive meeting (off Clipperview Road, Norwood Township) on June 27th; Mr. Vanek will provide test results for gravel placed in 2007.

Commissioner Ogden moved to pay bills totaling \$153,033.58, seconded by Commissioner Saunders.

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

Chairman Way adjourned at 11:20 AM.

JUNE 8, 2009

Chairman Way opened the meeting at 9:00 AM.

Chairman Way, Commissioners Ogden & Saunders, County Commissioner Shirley Roloff, Patrick Harmon, James Vanek and Shelley Kondrat attended, along with Bay Township resident Bob Taylor, Melrose Township resident Karen Colburn, Eveline Township supervisor (and Charlevoix Steering Committee Chairman) John Vron dran, Evangeline Township supervisor Doug Shields, Rieth-Riley Construction Inc. representative Mike Skop, Team Elmer's representative Jeff Denise, Payne & Dolan, Inc. representative Roger Perttu, Poquette Leasing representative Jerry Gravedoni and C.H. Smith Construction representative Steve Smith.

Commissioner Saunders moved to approve May 26, 2009 meeting minutes as presented, seconded by Commissioner Ogden.

➤ VOTE: Ayes – 3 Nays – 0 Motion carried.

Mr. Taylor:

- Requested difference between the Concerned Citizens Group and the Road Steering Committee. Mr. Harmon explained the two groups are not affiliated; the Concerned Citizens Group spearheaded educating the public about a countywide road millage, while the County Board appointed Road Steering Committee prioritizes countywide road millage road projects.
- He and others are concerned about the bike path proposal in Boyne City-Charlevoix Road rights-of-way. Commissioner Ogden and Mr. Harmon explained the project will not interfere with residences. Mr. Taylor said County

Chairman Chris Christensen has signed grant paper stating there are no wetlands involved (Mr. Taylor feels this is incorrect), and accepting maintenance and upkeep responsibility.

Mrs. Colburn questioned why other roads were being repaired before Springvale Road, which is in terrible condition and services almost 100 families. She said Springbrook Hills Subdivision residents have formed a road committee to support Springvale Rd. reconstruction through grants, countywide road millage or Melrose Township funds. Mr. Harmon explained townships choose and fund most road projects, though the Steering Committee prioritizes roads funded by the countywide road millage. He added the Steering Committee chose River Road because of its close proximity to the Bear River Road project, and Melrose Township designated \$250,000. And as for their road committee, Mr. Harmon said funds are hard to obtain; Bear River Road tribal funds took four years.

Mr. Harmon noted the Road Commission has given Melrose Township many engineers estimates to repair Hillview Road intersecting Springvale Road, the last being \$180,127.50 in 2008. Mrs. Colburn asked if the Steering Committee will be prioritizing the worst roads first; Mr. Vron dran explained the committee is going to “skip around the county” so all voters can see progress. Mr. Harmon added Peninsula Road improvement will be funded with Federal Stimulus Funds, and South Arm Township is funding Dutchman’s Bay Road improvements in conjunction with the Peninsula Road project.

Commissioner Ogden moved to award Wickersham Road wedge and overlay project #A489.009-023, Marion Township to low bidder Rieth-Riley Construction Company, Inc. for \$121,817.50, seconded by Commissioner Saunders.

➤ VOTE: Ayes – 3 Nays – 0 Motion carried.

Mr. Taylor has observed the Road Commission for many years, and feels CCRC does an outstanding job with the funds received.

Commissioner Ogden moved to award the following overband crack fill projects to low bidder APM for \$81,602.28, seconded by Commissioner Saunders.

Primary Roads:

- ◆ Thumb Lake Road project #A459.002-006 (Boyne Valley Township)
- ◆ Advance Road project #A459.006-033 (Eveline Township)
- ◆ Lake Shore Drive project #A459.006-034 (Eveline Township)
- ◆ Ferry Road east project #A459.006-035 (Eveline Township)
- ◆ Ferry Road west project #A459.006-036 (Eveline Township)
- ◆ Huffman Lake Road project #A459.008-006 (Hudson Township)
- ◆ Thumb Lake Road project #A459.008-007 (Hudson Township)
- ◆ Barnard Road project #A459.009-006 (Marion Township)
- ◆ Springvale Road project #A459.010-005 (Melrose Township)
- ◆ Barnard Road project #A459.011-007 (Norwood Township)
- ◆ Richardson Road project #A459.011-008 (Norwood Township)
- ◆ Boyne City-East Jordan Road project #A459.014-011 (South Arm Township)
- ◆ Rogers Road project #A459.014-012 (South Arm Township)
- ◆ Boyne City-East Jordan Road project #A459.015-009 (Wilson Township)
- ◆ Behling Road project #A459.015-010 (Wilson Township)
- ◆ Wilson Road project #A459.015-011 (Wilson Township)

Local Roads:

- ◆ Erickson Road project #A489.001-025 (Bay Township)
- ◆ Glenwood Road project #A489.005-009 (Evangeline Township)
- ◆ Ranney Road project #A489.006-034 (Eveline Township)
- ◆ South Shore Drive project #A489.010-013 (Melrose Township)
- ◆ Deer Meadows Court project #A489.015-021 (Wilson Township)

➤ VOTE: Ayes – 3 Nays – 0 Motion carried.

Commissioner Saunders moved to transfer \$146,250.16 from the Equipment Fund to the General Fund to pay Zaremba Equipment for equipment for two new trucks (#068 & #069), seconded by Commissioner Ogden.

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

Mr. Harmon:

- Requested permission to take bids for Holy Island Bridge disposal for salvage; the Board approved.
- Ribbon cutting ceremony for Holy Island Bridge was tentatively set for July 1, 2009; a plaque may be presented.
- Requested permission to advertise for truck #020 bids; the Board approved.
- Will attend June 27, 2009 Clipperview Subdivision meeting with Chairman Way to discuss resident Lake Shore Drive complaints that road is too muddy. Mr. Vanek said 23A gravel placed in 2007 met MDOT specifications.
- Attended Appellate Court with CCRC attorney Joel Wurster regarding Beach Drive; there should be a decision sometime in August.

Recessed at 10:20 AM; resumed at 10:30 AM.

10:30 AM: Road project bid openings:

Marshall Road Afton stone application, Eveline and Wilson Townships (#076.3-006.20 and #076.3-015.17 respectively); (engineer's estimate: \$21,125 per township, totaling \$42,250):

| <u>CONTRACTOR:</u> | <u>BID AMOUNT:</u> |
|----------------------------------|--------------------|
| Rieth-Riley Construction Company | \$ 34,937.50 |
| Poquette Leasing Company, Inc. | \$ 39,715.00 |

Wilson township hall parking lot Afton stone application (contractor will direct bill the township):

| <u>CONTRACTOR:</u> | <u>BID AMOUNT:</u> |
|----------------------------------|--------------------|
| Poquette Leasing Company, Inc. | \$ 4,560.00 |
| Rieth-Riley Construction Company | \$ 6,750.00 |

Addis Road wedge and overlay project, Evangeline Township (#A489.005-010) and Melrose Township (#A489.010-014); (engineer's estimate: \$16,200 and \$106,760 respectively, totaling \$122,960):

| <u>CONTRACTOR:</u> | <u>BID AMOUNT:</u> |
|----------------------------------|--------------------|
| Payne & Dolan, Inc. | \$ 83,278.50 |
| Rieth-Riley Construction Company | \$ 92,772.00 |

Clute Road and Fineout Road wedge and overlay projects, Evangeline & Melrose Townships (#A489.005-011 and #A489.010-015 respectively); (engineer's estimate: \$39,931.25 and \$70,643.75 respectively, totaling \$110,575.00):

| <u>CONTRACTOR:</u> | <u>BID AMOUNT:</u> |
|----------------------------------|--------------------|
| Payne & Dolan, Inc. | \$ 82,575.00 |
| Rieth-Riley Construction Company | \$ 90,072.50 |

River Road reconstruction project #A459.010-006, Melrose Township (engineer's estimate: \$703,472.25):

| <u>CONTRACTOR:</u> | <u>BID AMOUNT:</u> |
|----------------------------------------|--------------------|
| Tri-County Excavating, Inc. | \$505,981.10 |
| Payne & Dolan, Inc. | \$512,083.30 |
| Rieth-Riley Construction Company, Inc. | \$514,891.01 |
| Team Elmer's | \$547,494.50 |

Shadow Trails wedge and overlay project # A459.010-007, Melrose Township (engineer's estimate: \$52,100):

| <u>CONTRACTOR:</u> | <u>BID AMOUNT:</u> |
|----------------------------------------|--------------------|
| Payne & Dolan, Inc. | \$37,900.00 |
| Rieth-Riley Construction Company, Inc. | \$43,785.00 |

Miles Road wedge and overlay project #A459.014-013, South Arm Township (engineer's estimate: \$200,656.25):

| <u>CONTRACTOR:</u> | <u>BID AMOUNT:</u> |
|----------------------------------------|--------------------|
| Payne & Dolan, Inc. | \$157,190.60 |
| Rieth-Riley Construction Company, Inc. | \$167,618.00 |

Mr. Vanek reported Consumer's Energy quoted \$4,300 to connect Beaver Island Bridge 4" conduit from their transformer 120-feet through already buried conduit to the meter base. Consumer's Energy Boyne City representative Bill Kaiser will call Mr. Vanek with explanation.

Commissioner Ogden reminded Mr. Vanek to begin Peninsula Road project bid documents, soil borings to show progress.

Chairman Way asked if DuraPatcher is being used steadily; Mr. Harmon said yes.

Commissioner Ogden moved to pay bills totaling \$249,667.44, seconded by Commissioner Saunders.

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

Chairman Way adjourned at 11:00 AM.

MAY 26, 2009

Chairman Way opened the meeting at 9:00 AM.

Chairman Way, Commissioners Saunders & Ogden, County Commissioners Shirley Roloff, Ron Reinhardt & Shirlene Tripp, Patrick Harmon, James Vanek and Shelley Kondrat attended, along with Petoskey News-Review Reporter Steve Zucker.

Commissioner Saunders moved to approve May 11, 2009 meeting minutes as corrected, seconded by Commissioner Ogden.

- Page 1, line 20: change "Funds" to "Fund"
- Page 1, line 21: change "only source of funding are" to "main revenue source is"
- Page 1, line 45: change "enter" to "entrance"
- Page 2, line 47: delete "; East Jordan Plastics will be collecting plastic flower pots to recycle"
- Page 2, line 84: change "or it won't be accepted" to "to qualify for acceptance"
- Page 3, line 93: change "towards" to "toward"
- Page 3, line 99: change "imbalanced" to "excessive"
- Page 3, line 100: change "allowing water to seep through, heaving and cracking the cement" to "causing early surface deterioration"
- Page 3, line 101: "change" Aggregate" to "Silica"

➤ VOTE: Ayes – 3 Nays – 0 Motion carried.

Commissioner Ogden moved to accept the Clerks Fiscal Year January 1 to December 31, 2009 Recommended Budget Amendment 1 as follows, seconded by Commissioner Saunders.

| | | | | |
|----------------------------------------------------------------|------------------------------------------|-----------------|-----------------------------------|-------------|
| Presented 05/26/09 Shelley Kondrat, Clerk | 2009 BUDGET SUMMARY (AMENDMENT 1) | | | Page 1 of 3 |
| Name of Governmental Unit Charlevoix County Road Commission | Name of Fund Road Fund | Fund No. 201 | Budget Year Ending Date: 12-31-09 | |

FISCAL YEAR JANUARY 1 TO DECEMBER 31, 2009

| REVENUES (AND OTHER SOURCES) | | AMOUNT | | |
|------------------------------|-------------------------------|---------------------------------|---------------------|-----------------------------|
| DEPARTMENT OR CLASSIFICATION | | AMOUNT | | |
| Page No. | ACCOUNT DESCRIPTION | ESTIMATED PRIOR YEAR (12-31-08) | PREVIOUSLY APPROVED | RECOMMENDED 12-31-09 BUDGET |
| 2 | TRANSPORTATION | 3,054,167.05 | 2,926,000.00 | 2,926,000.00 |
| 2 | FEDERAL & STATE REVENUE | 0.00 | 879,264.75 | 1,224,625.75 |
| | ECONOMIC DEVELOPMENT FUND | 0.00 | 0.00 | 0.00 |
| 2 | TRUNKLINE MAINTENANCE-PRIMARY | 608,651.09 | 380,000.00 | 380,000.00 |
| 2 | COUNTY RAISED REVENUE | 1,981,059.98 | 81,000.00 | 1,944,676.54 |
| 2 | OTHER RAISED REVENUE | 188,752.00 | 0.00 | 469,392.25 |
| 2 | INTEREST EARNED | 33,399.87 | 27,500.00 | 27,500.00 |
| 2 | SALVAGE SALES | 4,828.54 | 3,500.00 | 3,500.00 |

| | | | | |
|----------------------------------|-------------------------------|--------------|--------------|--------------|
| 2 | GAIN/LOSS-EQUIPMENT DISPOSALS | 1,728.30 | -132,265.00 | -132,265.00 |
| 2 | PERMIT FEES | 28,624.00 | 25,000.00 | 25,000.00 |
| 2 | OTHER | 944.10 | 1,000.00 | 1,000.00 |
| TOTAL REVENUES | | 5,902,154.93 | 4,190,999.75 | 6,869,429.54 |
| TOTAL OTHER SOURCES | | 0.00 | 0.00 | 0.00 |
| TOTAL REVENUES AND OTHER SOURCES | | 5,902,154.93 | 4,190,999.75 | 6,869,429.54 |

| EXPENDITURES (AND OTHER USES) | | AMOUNT | | |
|-----------------------------------|-------------------------------|---------------------------------|---------------------|-----------------------------|
| DEPARTMENT OR CLASSIFICATION | | ESTIMATED PRIOR YEAR (12-31-08) | PREVIOUSLY APPROVED | RECOMMENDED 12-31-09 BUDGET |
| Page No. | ACCOUNT DESCRIPTION | | | |
| 3 | HEAVY MAINTENANCE | 2,028,610.02 | 1,006,805.00 | 3,580,459.34 |
| 3 | REGULAR MAINTENANCE | 3,362,212.51 | 2,425,000.00 | 2,425,000.00 |
| 3 | TRUNKLINE MAINTENANCE-PRIMARY | 546,948.62 | 380,000.00 | 380,000.00 |
| 3 | ADMINISTRATIVE EXPENSE (NET) | 368,587.45 | 254,700.00 | 254,700.00 |
| 3 | EQUIPMENT EXPENSE (NET) | -275,710.19 | -665,905.25 | -665,905.25 |
| 3 | CAPITAL OUTLAY (NET) | -458,378.70 | -9,600.00 | -605.80 |
| 3 | DISTRIBUTIVE EXPENSE | 0.00 | 800,000.00 | 800,000.00 |
| 3 | OTHER | 0.00 | 0.00 | 0.00 |
| TOTAL EXPENDITURES | | 5,572,269.71 | 4,190,999.75 | 6,773,648.29 |
| OTHER USES | | 0.00 | 0.00 | 0.00 |
| AMOUNTS NEEDED FOR CONTINGENCIES | | 0.00 | 0.00 | 0.00 |
| TOTAL EXPENDITURES AND OTHER USES | | 5,572,269.71 | 4,190,999.75 | 6,773,648.29 |

| | |
|-------------------------------------------------------------------------|-----------|
| CURRENT ESTIMATED OPERATING SURPLUS (DEFICIT) | 95,781.25 |
| ACCUMULATED AVAILABLE UNAPPROPRIATED SURPLUS (DEFICIT) FROM PRIOR YEARS | 0.00 |
| PROJECTED SURPLUS AT END OF BUDGET YEAR | 95,781.25 |

➤ VOTE: Ayes – 3 Nays – 0 Motion carried.

Commissioner Ogden moved to delegate Commissioner Saunders as voting delegate and Commissioner Ogden as alternate voting delegate at the July 16, 2009 Michigan County Road Commission Self-Insurance Pool's (MCRCSIP) Annual Business meeting, seconded by Chairman Way.

➤ VOTE: Ayes – 3 Nays – 0 Motion carried.

Commissioner Saunders moved to transfer \$23,618.29 from the Construction Fund to the General Fund for contract engineering on Holy Island Bridge replacement project, Boyne City-Charlevoix Road reconstruction project, and Ellsworth Road reconstruction project, as well as River Road soil borings, seconded by Commissioner Ogden.

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

Commissioner Ogden moved to open the following bids at 10:30 AM Monday, June 8, 2009, seconded by Commissioner Saunders.

- ◆ Marshall Road Afton stone application, Eveline and Wilson Townships (#076.3-006.20 and #076.3-015.17 respectively).
- ◆ Addis Road wedge and overlay, Evangeline and Melrose Townships (#A489.005-010 and #A489.010-014 respectively).
- ◆ Clute Road and Fineout Road wedge and overlay projects, Evangeline & Melrose Townships (#A489.005-011 and #A489.010-015 respectively).
- ◆ River Road reconstruction project, Melrose Township (#A459.010-006).

- Said a Beaver Island resident feels a logger using Camp 3 Road should pay for restoration. Mr. Harmon said CCRC receives state forest funds to repair roads damaged by logging operations; he will send the resident a letter of explanation.
- Requested Highridge Court proposed abandonment update (Port of St. James Association, Peaine Township). Mr. Harmon said resident petitioning Circuit Court owns all property abutting right-of-way, and has agreed to CCRC turn around in the abandonment language.

Mr. Harmon noted Beach Drive (Pine Point Subdivision – Charlevoix Township) court date is 11:30 AM June 3, 2009 at the Court of Appeals in Lansing; he will accompany CCRC Attorney Joel Wurster to the hearing.

Mr. Vanek reported Holy Island bridge replacement is complete and the residents are pleased; MDOT final inspection is Wednesday, May 27, 2009.

Commissioner Ogden:

- Asked if Bear River Road Bureau of Indian Affairs letter was received; Mr. Vanek said no, but will investigate.
- Asked if CCRC safety meeting is 8:00 AM Thursday, May 28, 2009; Mr. Harmon said yes.
- Presented the 2009 township cost-share letter, funding engineering and gravel policy. The Board and manager signed the letters.

Recessed at 10:10 AM; resumed at 10:30 AM.

10:30 AM: Open overband crack fill bids for:

Primary Roads:

- ◆ Thumb Lake Road project #A459.002-006 (Boyne Valley Township)
- ◆ Advance Road project #A459.006-033 (Eveline Township)
- ◆ Lake Shore Drive project #A459.006-034 (Eveline Township)
- ◆ Ferry Road east project #A459.006-035 (Eveline Township)
- ◆ Ferry Road west project #A459.006-036 (Eveline Township)
- ◆ Huffman Lake Road project #A459.008-006 (Hudson Township)
- ◆ Thumb Lake Road project #A459.008-007 (Hudson Township)
- ◆ Barnard Road project #A459.009-006 (Marion Township)
- ◆ Springvale Road project #A459.010-005 (Melrose Township)
- ◆ Barnard Road project #A459.011-007 (Norwood Township)
- ◆ Richardson Road project #A459.011-008 (Norwood Township)
- ◆ Boyne City-East Jordan Road project #A459.014-011 (South Arm Township)
- ◆ Rogers Road project #A459.014-012 (South Arm Township)
- ◆ Boyne City-East Jordan Road project #A459.015-009 (Wilson Township)
- ◆ Behling Road project #A459.015-010 (Wilson Township)
- ◆ Wilson Road project #A459.015-011 (Wilson Township)

Local Roads:

- ◆ Erickson Road project #A489.001-025 (Bay Township)
- ◆ Glenwood Road project #A489.005-009 (Evangeline Township)
- ◆ Ranney Road project #A489.006-034 (Eveline Township)
- ◆ South Shore Drive project #A489.010-013 (Melrose Township)
- ◆ Deer Meadows Court project #A489.015-021 (Wilson Township)

VENDOR:

APM
 Skop's Asphalt Maintenance
 Fahrner Asphalt Sealers, Inc.
 Scodeller Construction, Inc.

BID AMOUNT:

\$ 81,623.00
 \$ 99,450.00
 \$142,553.00
 \$146,890.00

10:45 AM: CPA Fred Gardner presented CCRC 2009 audited financial statements.

Commissioner Saunders moved to pay bills totaling \$148,925.27, seconded by Commissioner Ogden.

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

Chairman Way adjourned at 11:20 AM.

MAY 11, 2009

Chairman Way opened the meeting at 9:00 AM.

Chairman Way, Commissioner Ogden, County Commissioners Shirley Roloff and Ron Reinhardt, Patrick Harmon, James Vanek and Shelley Kondrat attended, along with Charlevoix Township resident Joan Blanchard, Wilson Township resident Carol Holley, Bay Township resident Bob Taylor, Petoskey News-Review reporter Steve Zucker, Eveline Township supervisor John Vron dran and Payne & Dolan, Inc. representative Roger Perttu. Commissioner Saunders was absent.

Commissioner Ogden moved to approve April 27, 2009 meeting minutes as presented, seconded by Chairman Way.

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

Mrs. Holley requested that her husband (Mickey Holley's) job be reinstated at the Road Commission. Commissioner Ogden stated the Board and manager will review her request and respond in writing.

Regarding 2009 township share policies: Mr. Harmon noted expenses are increasing (i.e. fuel, gravel, ice control sand, winter salt), and Michigan Transportation Funds (MTF), the Road Commissions ~~only source of funding are main revenue source is~~ decreasing each year (down 4% from 2007 to 2008). He recommends, as long as finances remain adequate, to continue providing engineering services at no cost as in the past, and to continue the gravel policy, in which CCRC provides the grader and operator when a township pays for the gravel and its delivery to the jobsite.

Commissioner Ogden moved to award Jaquay Road paving project #A489.015-020, to low bidder Payne & Dolan, Inc. for \$304,168.25, predicated upon receipt of Wilson Township written authorization, seconded by Chairman Way.

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

Mr. Harmon reminded the Board of May 13, 2009 CCRC Annual "All Employee Safety Day"; Otsego County Road Commission is participating this year.

Mr. Vanek presented and explained overband crack fill project bid packet with specifications.

Commissioner Ogden moved to open overband crack fill bids at 10:30 AM Tuesday, May 26, 2009, seconded by Chairman Way.

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

Commissioner Roloff:

- Said signing will be placed at CCRC Boyne City garage recycling area to inform people ~~enter~~ entrance will be closed during paving addition.
- Requested and was authorized to hold the next Recycling Meeting at 8:30 AM May 20, 2009 in the CCRC Boardroom; ~~East Jordan Plastics will be collecting plastic flower pots to recycle.~~
- Said Swanson's called CCRC and were told they weren't eligible to bid on the recycling center paving project located at CCRC Boyne City garage because they weren't State pre-qualified. Neither Mr. Harmon nor Mr. Vanek talked with them; Mr. Harmon will investigate and report.
- Reported June 13, 2009 will be household hazardous waste day at CCRC Iron ton garage; Boyne City garage collection will be in September 2009.

Northwest Design Group (NDG) engineer Lucas Porath informed Mr. Vanek the Bureau of Indian Affairs (BIA) has given verbal authorization to award Bear River Road project.

Commissioner Ogden moved to award Bear River Road reconstruction project # A489.010-011 (US-131 to Sterly Road, Melrose Township) to low bidder MDC Contracting Inc. for \$360,956.37 contingent upon authorization letter from Bureau of Indian Affairs, seconded by Chairman Way.

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

Mr. Vanek:

- Reported Holy Island Bridge is open to traffic; the temporary road is removed and the dredging is complete. Charlevoix Lake level is up, and the waves carry through under the bridge without breaking, as planned and paving will be completed tomorrow.

- 2008 Shadow Trails reconstruction project has spots of pavement segregation and delamination. H&D, Inc. (a Division of Rieth-Riley) will repair at their cost.

Mrs. Kondrat:

- Attended May 5-7, 2009 Finance and Human Resource Seminar; the program included working with databases & Microsoft excel, Act51 Report Program changes, fraud recognition, Accounting Manual updates etc.
- Reported Fred Gardner will present CCRC 2008 Financial Statements May 26, 2009.

Commissioner Ogden:

- Feels industrial driveway(s) on Fair Road should meet CCRC curbing requirements; Mr. Vanek already informed South Arm Township the intersection of M32 must be curbed. Mr. Harmon said South Arm Township holds the deed to this 66' right-of-way roadway. He will remind the township to hire an outside consultant, and to make sure the road is built to CCRC standards ~~or it won't be accepted to qualify for acceptance~~ into the county road system.
- Requested Peninsula Road project specifications be readied soon because the stimulus funds must be obligated in September 2009.
- Inquired as to River Road soil borings through the swamp (just north of Main Street); Mr. Vanek said Northwest Design Group (NDG) engineer Howard Haselschwardt recommends a 750' long, 5 1/2' deep undercut, topped with mesh or fabric, then sand, gravel and finally pavement. South of Main Street there is a 900', shallow area that requires an undercut, as well as various drainage improvements. The engineer's estimate is \$703,472.25, with Melrose Township contributing \$250,000 towards the total. Hopefully the estimate may be lower due to Bear River Road project being so close in proximity.
- Inquired if Mr. Harmon received Norwood Township response to Road Commission April 27, 2009 correspondence stating CCRC will not relax their current road width requirements; Mr. Harmon has not.
- Presented article explaining ~~imbalanced excessive~~ potassium and sodium content in concrete is ~~allowing water to seep through, heaving and cracking the cement~~ causing early surface deterioration; this is called the Alkali-Aggregate Silica Reaction.

Recessed at 10:20 AM, resumed at 10:30 AM.

10:30 AM: Road project bid openings:

St. Louis Club Road wedge and overlay project #A489.001-024, Bay Township (engineer's estimate: \$133,500):

| <u>VENDOR:</u> | <u>BID AMOUNT:</u> |
|----------------------------------------|--------------------|
| Rieth-Riley Construction Company, Inc. | \$109,904.10 |
| Payne & Dolan, Inc. | \$119,887.10 |

Mountain Road project #A489.006-033 and Peninsula Road reconstruction project #A459.006-032, Eveline Township (engineer's estimate: \$242,000):

| <u>VENDOR:</u> | <u>BID AMOUNT:</u> |
|----------------------------------------|--------------------|
| Tri-County Excavating, Inc. | \$159,731.10 |
| Payne & Dolan, Inc. | \$164,906.50 |
| Rieth-Riley Construction Company, Inc. | \$173,216.55 |
| MDC Contracting, LLC | \$176,670.75 |

Burgess Road wedge and overlay project #A489.007-027, Hayes Township (engineer's estimate: \$94,000):

| <u>VENDOR:</u> | <u>BID AMOUNT:</u> |
|----------------------------------------|--------------------|
| Rieth-Riley Construction Company, Inc. | \$76,643.28 |
| Payne & Dolan, Inc. | \$80,688.80 |

Maple Grove Road wedge and overlay project #A459.007-004, Hayes Township (engineer's estimate: Option 1-no estimate; Option 2-\$173,000):

| <u>VENDOR:</u> | <u>OPTION 1:</u> | <u>OPTION 2:</u> |
|----------------------------------------|------------------|------------------|
| Rieth-Riley Construction Company, Inc. | \$166,234.24 | \$140,894.24 |
| Payne & Dolan, Inc. | \$181,372.40 | \$148,261.50 |

Wickersham Road wedge and overlay project #A489.009-023, Marion Township (engineer's estimate: \$143,650):

| <u>VENDOR:</u> | <u>BID AMOUNT:</u> |
|----------------|--------------------|
|----------------|--------------------|

Rieth-Riley Construction Company, Inc. \$121,817.50
Payne & Dolan, Inc. \$124,575.00

Commissioner Ogden moved to pay bills totaling \$27,107.33, seconded by Chairman Way.

➤ Roll call VOTE: Ayes-Ogden, Way Nays-0 Absent-Saunders Motion carried.

Chairman Way adjourned at 10:55 AM.

APRIL 27, 2009

Chairman Way opened the meeting at 9:00 AM.

Chairman Way, Commissioners Ogden & Saunders, County Commissioners Shirley Roloff, Ron Reinhardt, & Shirlene Tripp, Patrick Harmon, James Vanek and Shelley Kondrat attended, along with Eveline Township residents Howard Colthurst & Bob Noll, Bay Township resident Bob Taylor, Payne & Dolan, Inc. representative Roger Perttu, Rieth-Riley Construction, Inc. representative Mike Skop, MDC, Inc. representative Mike McCain and Petoskey News-Review reporter Steve Zucker.

Commissioner Ogden moved to approve April 13, 2009 meeting minutes as corrected, seconded by Commissioner Saunders.

Page 1, line 26: delete "always" before "flooded"
Page 2, line 59: change "exempt" to "excluded"

➤ VOTE: Ayes – 3 Nays – 0 Motion carried.

Mr. Colthurst, regarding Sanderson Road north, Eveline Township:

- Presented Club at Lake Pointe Subdivision (CLP) property owners proposal with pictures (see attached).
- Proposed CCRC fund this paving project request with countywide road millage funds since CLR property owners will pay several thousand dollars a year in township and county road taxes.
- Requested CCRC lower their local road 22' paving specifications for this project due to low traffic usage. Commissioner Ogden explained why CCRC specifications will not be relaxed; Mr. Colthurst, Mr. Noll and Mr. Zucker were given copies of CCRC April 27, 2009 response letter to Norwood Township for similar request.

Commissioner Ogden moved to change 9:00 AM Monday, May 25, 2009 regular meeting to 9:00 AM Tuesday, May 26, 2009 to observe Memorial Day, seconded by Commissioner Saunders.

➤ VOTE: Ayes – 3 Nays – 0 Motion carried.

Commissioner Saunders moved to set 10:30 AM May 11, 2009 bid opening for the following projects, seconded by Commissioner Ogden.

- a.) St. Louis Club Road wedge & overlay, Bay Township. (Job No. A489.001-024)
- b.) Mountain Road reconstruction, Eveline Township. (Job No. A489.006-032)
- c.) Peninsula Road reconstruction, Eveline Township. (Job No. A459.006-33)
- d.) Burgess Road wedge & overlay, Hayes Township. (Job No. A489.007-027)
- e.) Maple Grove Road wedge and overlay, Hayes Township. (Job No. A459.007-004)
- f.) Wickersham Road wedge & overlay, Marion Township. (Job No. A489.009-023)

➤ VOTE: Ayes – 3 Nays – 0 Motion carried.

Commissioner Ogden moved to implement amended Policy #96-4 entitled "Credit Card Policy" to establish \$5,000 credit limit per card, seconded by Commissioner Saunders.

➤ VOTE: Ayes – 3 Nays – 0 Motion carried.

Commissioner Ogden moved to award Boyne City Recycle Center Paving Project Option 1 (a project to pave a 110' x 38' pad in front of the recycle center bins) to low bidder MDC Contracting for \$15,920. The award is contingent upon either a County Board Resolution or a letter from the County Board Chairperson authorizing bid award, seconded by Commissioner Saunders.

➤ VOTE: Ayes – 3 Nays – 0 Motion carried.

Commissioner Roloff, Sheriff Schneider, Chairman Way and Mr. Harmon met with Peaine and St. James Township supervisors on Beaver Island April 23, 2009. Both townships:

- Commended CCRC Beaver Island employees for winter road maintenance.
- Requested road line painting, including fog lines; Mr. Harmon said this is very expensive, but will request quotes.

Mr. Harmon said cold patch is \$106 this year so he requested and received \$53.30/ton hot mix quote from H&D, Inc. Hudson Township pit, so when crew is patching in the area, hot mix will be purchased.

Recessed at 10:20 AM; resumed at 10:30 AM.

10:30 AM – open Jaquay Road Paving project bids (engineers estimate: \$365,000).
Job No. A489.015-020

| <u>CONTRACTOR:</u> | <u>BID:</u> |
|---------------------------|--------------------|
| Payne & Dolan, Inc. | \$304,168.25 |
| Rieth-Riley Construction | \$336,731.50 |
| Team Elmer's | \$373,146.00 |
| Tri-County Excavating | \$375,096.40 |
| MDC Contracting, LLC | \$384,827.45 |

Mr. Harmon said there are many longitudinal pavement cracks throughout the county, including Beaver Island. He is awaiting a hot rubber pour machine rental quote and report, though some will require a contractor.

Mrs. Kondrat reported the 2008 audit with CCRC Auditors Fred Gardner and Brett Luplow went well. Mr. Gardner will present 2008 financial statements to the Road Commission Board at 10:00 AM May 26, 2009.

Mr. Vanek reported Holy Island Bridge temporary road will be removed towards weeks end, and the bridge paving will be completed soon after H&D, Inc. opens their asphalt plant May 11, 2009.

Commissioner Ogden moved to pay bills totaling \$105,419.90, seconded by Commissioner Saunders.

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

Chairman Way adjourned at 11:15 AM.

APRIL 13, 2009

Chairman Way opened the meeting at 9:00 AM.

Chairman Way, Commissioners Ogden & Saunders, County Commissioners Shirley Roloff & Shirlene Tripp, Charlevoix County Drain Commissioner Mark Seelye, Patrick Harmon, James Vanek and Shelley Kondrat attended, along with Charlevoix Township supervisor Dale Glass.

Commissioner Ogden moved to approve March 23, 2009 meeting minutes as presented, seconded by Commissioner Saunders.

➤ VOTE: Ayes – 3 Nays – 0 Motion carried.

Mr. Harmon said Gosling Czubak Engineering Sciences, Inc. March 25, 2009 letter and plans propose two Charlevoix Township sanitary sewer line extensions along US-31 South. They are requesting to open cut Old Norwood Road because the 30" diameter casing for the 15 inch sewer line approximately 9 feet below the road surface would be almost impossible to bore. After discussion, the Board approved the open cut contingent upon pavement replacement at and 50 feet either side of the cut, and to have Gosling Czubak engineer/inspector provide full time inspection and density tests during construction.

All present discussed Attorney Kraag Lieberman March 16, 2009 letter regarding flooding problems at Kim Wells horse farm property at Sequanota Road/ Ferry Road intersection. Mr. Seelye has investigated county and township records, finding nothing in writing that states the drain commission or CCRC have any responsibility at this location. Mr. Seelye

has met with Mrs. Wells to explain lowland property drainage problems, and the Road Commission has done all they can. Commissioner Saunders has lived close to this large watershed area all his life and said it has ~~always~~ flooded across Ferry Road during the spring thaw and heavy rains at this location; Commissioner Tripp remembers this from years back as well. Mark Seelye and Mr. Harmon will meet with the prosecutor (to whom the letter was originally directed) to further discuss the issue.

Commissioner Ogden moved to transfer \$128,976 from the Insurance Fund to the General Fund for 2009-2010 Renewal Invoice #3663, and to authorize the Manager and Clerk to pay Michigan County Road Commission Self Insurance Pool (MCRCSIP) after transfer is complete, seconded by Commissioner Saunders.

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

Commissioner Saunders moved to transfer \$26,376.57 from the Construction Fund to the General Fund for contract engineering for Holy Island Bridge replacement and Boyne City-Charlevoix Road reconstruction, seconded by Commissioner Ogden.

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

Mr. Harmon explained April 2, 2009 Norwood Township email regarding their Resolution No. 3 of 2009 adopted February 16, 2009 and entitled "Resolution Requesting Flexibility of Construction Standards for County Secondary Roads" was sent to several townships, and Wilson Township forwarded it to the Road Commission. After discussion, the Board decided to re-invite the Norwood Township Board to a future CCRC Board meeting to explain once again why CCRC specifications will not be relaxed.

Commissioner Ogden moved to open Jaquay Road Paving project bids at 10:30 AM April 27, 2009, seconded by Commissioner Saunders.

➤ VOTE: Ayes – 3 Nays – 0 Motion carried.

Commissioner Ogden and Mr. Harmon attended April 9, 2009 County ORV public hearing, where the County Board adopted an ORV ordinance effective May 1, 2009. Mrs. Kondrat will post questions on the County Road Association of Michigan (CRAM) listserv regarding signs other counties with an ORV ordinance have posted at the beginning of roads ~~exempt~~ excluded from ORV travel.

Commissioner Roloff, Commissioner Way, Mr. Harmon and Charlevoix County sheriff Don Schneider will meet with Peaine Township supervisor John Gallagher and St. James Township supervisor Don Vyse on Beaver Island April 23, 2009.

Recessed at 10:20 AM; resumed at 10:30 AM.

10:30 AM – open Boyne City Recycle Center Paving Project bids (Option #1 38-FT x 110-FT; Option #2 24-FT x 110-FT):

| <u>CONTRACTOR:</u> | <u>Option 1:</u> | <u>Option 2:</u> |
|--------------------------|------------------|------------------|
| MDC Contracting, LLC | \$15,920.00 | \$13,140.00 |
| Payne & Dolan, Inc. | \$16,496.00 | \$13,786.00 |
| Rieth-Riley Construction | \$16,545.10 | \$14,384.30 |
| Tri-County Excavating | \$18,510.00 | \$15,470.00 |
| Heeres Excavating | \$22,450.00 | \$17,930.00 |

Mr. Harmon noted CCRC will pay for concrete curb & gutter, Type 2B as follows (included in quotes above):

| <u>CONTRACTOR:</u> | <u>Curb & Gutter:</u> |
|--------------------------|---------------------------|
| MDC Contracting, LLC | \$3,220.00 |
| Payne & Dolan, Inc. | \$3,220.00 |
| Rieth-Riley Construction | \$3,187.80 |
| Tri-County Excavating | \$3,220.00 |
| Heeres Excavating | \$4,620.00 |

Commissioner Ogden:

- Requested clerk begin preparing the annual audit flyer, to include information on the countywide road millage, the Holy Island Bridge replacement and the Stimulus Package.

Mr. Harmon:

- Noted the 6:00 PM March 30, 2009 MTA Meeting will be held at the Charlevoix Public Library with State House Representative Kevin Elsenheimer speaking.
- Noted Boyne City Asset Management Meeting is at 6:00 PM April 27, 2009, which conflicts with the MTA meeting. Mr. Vrondran will consider changing the MTA meeting date.

Mr. Vanek reported the Holy Island Bridge superstructure is being shipped today from Alabama and will be on-site Wednesday. Additionally, the North side dredging is completed, inspected and approved; dredging under the bridge is complete, but not inspected and approved; the contractor is currently dredging the south side.

Vice-Chair Ogden suggested that when projects go over the completion date, inspection costs as well as liquidated damages be paid by the contractor.

Recessed at 9:25 AM; resumed at 9:30 AM.

**LOCAL TASK FORCE PUBLIC HEARING
9:30 AM MONDAY, MARCH 23, 2009**

Public Hearing held at 9:30 AM Monday, March 23, 2009 at the Charlevoix County Road Commission Boardroom to select Charlevoix County/City/Village road project(s) and/or Charlevoix County Transit acquisition(s) for proposed \$340,911 Federal Stimulus Funds (FSF), in accordance with the Safe, Accountable, Flexible, and Efficient Transportation Equity Act: A legacy for Users (SAFETEA-LU).

Moderator Mr. Harmon opened the public hearing at 9:30 AM.

ATTENDEES: Charlevoix County Transit representative Ray Leach, Village of Boyne Falls president Bill Carson, Boyne City manager Michael Cain (representing the City of East Jordan as well), Charlevoix City DPW director Pat Elliott, Charlevoix County Road Commission representatives Wayne Saunders, Keith Ogden, Patrick Harmon, James Vanek and Shelley Kondrat (also recording secretary), along with Charlevoix County Commissioners Chris Christensen, Shirlene Tripp, Shirley Roloff & Ron Reinhardt, Charlevoix County Road Steering Committee chairman (& Eveline Township supervisor) John Vrondran & vice-chairman Ken Allen, and Friends of Charlevoix County Roads representatives Jerry Matelski & Bill Nason.

Mr. Harmon presented Charlevoix County road maps with roads qualifying for Federal Stimulus Funds (FSF) highlighted in either "yellow" (rural minor collectors), "green" (rural or urban minor arterial), orange (rural major or urban collector) or red (rural or urban other principal arterial). He explained:

- "Green" and "orange" Charlevoix County roads qualify for local government FSF.
- The Village of Boyne Falls and City of Charlevoix are ineligible because neither have "green" or "orange" roads.
- Projects will be scheduled for 2010 since MDOT bid awards are in October 2009.
- The Local Agency Program must receive engineer's grade inspection packets by December 1, 2009.
- FSF must be obligated by March 2, 2010.
- The State House and the State Senate must pass an appropriations bill before any Federal Stimulus money can be spent. (The State House passed HB 4582 last week).
- Michigan Department of Transportation (MDOT) plans to split Michigan's \$847,205,000 Federal Stimulus Funds (FSF) 75/25 with 25% to local units of government.
- FSF requires no local match.
- Charlevoix County proposed funds are \$340,911, but could increase to no more than \$411,248 if other states decline FSF; both amounts have to be obligated today.
- Complete road list for countywide road millage qualify for FSF.

Mr. Cain noted Charlevoix County cities and village are opposed to FSF project qualifications. Mr. Harmon said Federal and State governments dictated FSF being treated like regular Federal funds, requiring the Local SAFETEA-LU Task Force to earmark the FSF at a public hearing.

Local SAFETEA-LU Task Force voting delegates for March 23, 2009 public hearing:

| | |
|---------------------------------------|------------------|
| Charlevoix County Road Commission | ~ Patrick Harmon |
| Charlevoix County Transit | ~ Ray Leach |
| Charlevoix County Cities and Villages | ~ Mike Cain |
| MDOT | ~ NOT PRESENT |

Mr. Harmon said the Charlevoix County Road Steering Committee suggests completing Peninsula Road wedge, widen and overlay (2.53 miles from Eveline Township line south to the "Y" intersection). Mr. Cain asked why not Boyne City-Charlevoix Road? Mr. Harmon explained Boyne City-Charlevoix Road requires complete reconstruction and only ¾-1 mile of said road could be completed. He added if Peninsula Road is selected, South Arm Township will wedge, widen and overlay Dutchmans Bay Road from Advance Road to Peninsula Road, and Grandvue Medical Care Facility will install a paved walkway behind their building. Mr. Cain asked how long a wedge, widen and overlay lasts; Mr. Harmon answered 20-25 years.

Mr. Cain moved to allocate Federal Stimulus Funds to Peninsula Road wedge, widen and overlay (2.53 miles from Eveline Township line to "Y" intersection), seconded by Mr. Leach.

VOTE: Road Commission ~ AYE Transit ~ AYE
 Cities/Village ~ AYE MDOT ~ Not present Motion carried.

Mr. Harmon explained additional \$70,337 must be allocated as well in the event \$411,248 FSF are received.

Mr. Harmon moved to allocate \$70,337 and any remaining Peninsula Road FSF toward Pleasant Avenue project (City of Boyne City); and if Pleasant Avenue project is canceled, to allocate the same funds to purchase a new bus for Transit, seconded by Mr. Leach.

VOTE: Road Commission ~ AYE Transit ~ AYE
 Cities/Village ~ AYE MDOT ~ Not present Motion carried.

Commissioner Christensen congratulated all entities for working so well together and feels Peninsula Road is a wise choice since it will benefit the entire county.

Mr. Harmon adjourned the public hearing at 10:10 AM.

 Patrick Harmon, CCRC Manager and meeting moderator

 Shelley Kondrat, CCRC Clerk and recording secretary for these March 23, 2009 meeting minutes

Vice-Chair Ogden reconvened the regular Road Commission meeting at 10:05 AM.

Commissioner Saunders moved to pay bills totaling \$177,374.88, seconded by Vice-Chair Ogden.

➤ Roll Call VOTE: Ayes – Ogden, Saunders Absent – Way Nays – 0 Motion carried.

Recessed at 10:15 AM; resumed at 10:30 AM.

10:30 AM: Open Bear River Road rehabilitation project bids (engineers estimate \$428,600; \$350,000 Little Traverse Bay Band of Odawa Indian funds [no local match required], and \$55,000 Melrose Township funds are earmarked for this project).

| <u>CONTRACTOR:</u> | <u>"AS SUBMITTED"</u> | <u>"AS CHECKED"</u> |
|---------------------------|------------------------------|----------------------------|
| MDC Contracting, LLC: | \$360,956.37 | SAME |
| Payne & Dolan, Inc. : | \$365,529.89 | SAME |
| D.J. McQuestion & Sons: | \$365,912.76 | \$369,773.76 |
| Rieth-Riley Construction: | \$367,796.07 | SAME |
| Tri-County Excavating: | \$373,235.96 | SAME |
| Team Elmers : | \$389,710.75 | SAME |

Vice-Chair Ogden informed all present the bid award will be at CCRC April 13, 2009 Board meeting; Mr. Vanek will fax bid tabulations to contractors within two days.

Mr. Harmon reminded the Board once again of the 6:00 PM Thursday, April 9, 2009 Charlevoix County Board public hearing regarding the countywide ORV ordinance at the Charlevoix City Hall.

Vice-Chair Ogden adjourned at 10:45 AM.

MARCH 9, 2009

Vice-Chairman Ogden opened the meeting at 9:00 AM.

Vice-Chairman Ogden, Commissioner Saunders, County Commissioner Ron Reinhardt, Patrick Harmon, James Vanek and Shelley Kondrat attended. Chairman Way was absent.

Commissioner Saunders moved to approve February 23, 2009 meeting minutes as presented, seconded by Vice-Chairman Ogden.

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

Commissioner Saunders moved to accept all 2009 Annual Material bids and that the manager, or his designee, be authorized to purchase from the 2009 bidders list any necessary items; all purchases must be in the Road Commissions best financial interest, seconded by Vice-Chairman Ogden.

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

Mr. Harmon presented McKeough Land Company, Inc. (MLC) general manager Thompson Godfrey March 3, 2009 letter requesting Charlevoix County Road Commission (CCRC) relax policy requiring MLC to build a second access to The Reserve subdivision located at Boyne Mountain Resort. Mr. Harmon explained CCRC policy requires subdivisions with more than 50 lots to have two entryways; the Board agreed policies will not be lessened. Mr. Harmon will have CCRC attorney Joel Wurster draft refusal letter to Mr. Godfrey.

Mr. Vanek said the Holy Island bridge project is progressing well; the steel structure will be delivered towards March month-end. He explained MDOT requires CCRC supply inspector during bridge manufacture and assembly at Contech Company in Fort Payne, Alabama. Northwest Design Group (NDG) found a qualified inspector, costing CCRC approximately \$8,000. Mr. Harmon added MDOT made CCRC remove warranty clause from the original specifications.

Vice-Chairman Ogden requested Bear River Road update. Mr. Vanek said bids will be opened at March 23, 2009 CCRC Board meeting.

Mr. Harmon explained the Local Task Force must hold a public hearing to program Federal Stimulus Funds. Currently, Charlevoix County share is \$340,911, based on Michigan Department of Transportation (MDOT) \$211 million proportion.

Commissioner Saunders moved to hold 9:30 AM Monday, March 23, 2009 public hearing to earmark Task Force stimulus money, seconded by Vice-Chairman Ogden.

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

10:00 AM – proposed motions as follow (Chairman Way voting via telephone):

Commissioner Saunders moved to transfer \$116,335.78 from the Construction Fund to the General Fund for contract engineering for Holy Island Bridge replacement, Bear River Road reconstruction, Boyne City-Charlevoix Road reconstruction and Ellsworth Road reconstruction, seconded by Chairman Way.

➤ VOTE: Ayes – 3 Nays – 0 Motion carried.

Chairman Way moved to transfer \$5,231.10 from the Buildings and Grounds Fund to the General Fund for contract engineering for the proposed Beaver Island garage, seconded by Commissioner Saunders.

➤ VOTE: Ayes – 3 Nays – 0 Motion carried.

Commissioner Saunders moved to transfer \$19,317.00 from the Insurance Fund to the General Fund for County Road Association Self-Insurance Fund Quarterly Premiums, seconded by Chairman Way.

➤ VOTE: Ayes – 3 Nays – 0 Motion carried.

Chairman Way moved to transfer \$212,309.46 from the Equipment Fund to the General Fund for two 2009 International Paystar 5500i cab and chassis, and to authorize the Manager and Clerk to pay Zaremba Equipment, Inc. after transfer is complete and shop foreman verifies equipment specifications have been met, seconded by Commissioner Saunders.

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

Commissioner Saunders moved to transfer \$65,733.00 from the Equipment Fund to the General Fund for the 2009 Volvo G940 Work-ready Tandem-Drive Motor Grader, and to authorize the Manager and Clerk to pay Wolverine Tractor and Equipment Company after transfer is complete and shop foreman verifies equipment specifications have been met, seconded by Chairman Way.

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

Commissioner Saunders moved to pay bills totaling \$52,014.85, seconded by Vice-Chairman Ogden.

➤ Roll Call VOTE: Ayes – Saunders, Ogden Absent – Way Nays – 0 Motion carried.

Mr. Harmon noted the Charlevoix County Board will hold a 6:00 PM Thursday, April 9, 2009 public hearing regarding the countywide ORV ordinance at the Charlevoix City Hall.

Vice-Chairman Ogden adjourned at 10:30 AM.

FEBRUARY 23, 2009

Chairman Way opened the meeting at 9:00 AM.

Chairman Way, Commissioner Ogden, County Commissioners Shirley Roloff and Ron Reinhardt, Patrick Harmon, James Vanek and Shelley Kondrat attended, along with Eveline Township supervisor John Vron dran and Northwest Design Group (NDG) engineers Howard Haselschwardt & Lucas Porath. Commissioner Saunders was absent.

Commissioner Ogden moved to approve February 9, 2009 meeting minutes as corrected, seconded by Chairman Way.

Page 2, page 47: italicize "Capital Currents"

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

The Board agreed to vote for the County Road Association of Michigan Board incumbents.

Mr. Harmon:

- Presented February 6, 2009 Michigan Occupational Safety and Health Administration (MIOSHA) letter stating Iron ton garage November 7, 2008 inspection resulted in no citations.
- Presented survey and explained Peaine Township resident Jon Bonadeo proposed selling CCRC his 2.5 acres (+/-) for future Beaver Island garage.
- Regarding low General Funds, Mr. Harmon noted CCRC must order another 950 tons of backup salt this month (totaling \$46,692.50) to meet the 70% purchase requirement. Also the next MTF check due to arrive March 9 or 10, 2009 must fund three pay periods. He explained CCRC may have to borrow from the Preventive Maintenance Fund.
- Has registered himself, the three foremen and Commissioner Saunders for the April 16, 2009 CRASIF and MCRCSIP safety work shop in St. Ignace.
- Said Michigan State Police Sgt. Hilbourn will attend tonight's MTA meeting to explain A-Z on how speed limits are determined.
- Explained Glennwood Custom Builders may wish to bond Shaw Road .55 mile from M66 to private Sequanota Road to avoid weight restrictions while building home on the private section. He and Mr. Vanek estimated \$42,691.69 to restore the damage to the section of Shaw Road the builder intends to use.

Commissioner Ogden moved to require Glennwood Custom Builders to post a 6 months \$43,000 bond on Shaw Road for .55 mile from M66 to private Sequanota Road. If Glennwood Custom Builders doesn't post the required bond, they must obey the frost laws, seconded by Chairman Way.

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

County Commissioner Reinhardt feels the blue and white Boyne Mountain Road name signs make it seem like a private road rather than a county road. Mr. Harmon allowed the blue and white road signs because Boyne USA paid to have the signs installed. The new signs had to be approved by the Federal Highway Administration and crash tested.

Mr. Vanek said Holy Island bridge east abutments were poured two weeks ago; west abutments are being poured this afternoon. He and Mr. Harmon stated the contractors workmanship and adherence to specifications to date have been excellent.

The Board approved Mrs. Kondrat attending the May 5-7 2009 Finance & Human Resources Seminar in Bay City.

Commissioner Ogden asked if a portion of LaLonde Road is in the City of East Jordan; Mr. Harmon said it is. Commissioner Ogden asked who snowplows this road; Mr. Harmon said whoever gets there first.

Recessed at 10:10 AM; resumed at 10:25 AM.

Commissioner Ogden moved to pay bills totaling \$151,999.52, seconded by Chairman Way.

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

10:30 AM – Bear River Road rehabilitation project public hearing attended by CCRC Chairman Way, Commissioner Ogden, County Commissioners Shirley Roloff and Ron Reinhardt, Patrick Harmon, James Vanek & Shelley Kondrat, Eveline Township supervisor John Vrondran and Northwest Design Group (NDG) engineers Howard Haselschwardt & Lucas Porath. Commissioner Saunders was absent.

Mr. Porath presented and explained Bear River Road rehabilitation project plans, and executive summary, which read:

Scope:

- Construct new pavement with recycled aggregate base. New pavement width – 30’.
- Construct new curbed intersections at US-131 and Maple Hill Road.
- Construct drainage improvements.

Schedule:

- Receive construction bids on March 23, 2009.
- Complete construction by ~~July 31, 2009~~ – after discussion completion date was changed to August 28, 2009.
- Allow detour for not more than 4 weeks (calendar days per Mr. Haselschwardt).

Budget:

- Engineers opinion of probable construction cost = \$428,655.

Start date was set for June 15, 2009 to avoid detour while school is in session. Grading permits from Emmet County Road Commission and Michigan Department of Transportation for intersection improvements are forthcoming.

Public hearing adjourned at 10:49 AM.

Chairman Way adjourned the general meeting at 10:50 AM.

FEBRUARY 9, 2009

Chairman Way opened the meeting at 9:00 AM.

Chairman Way, Commissioner Ogden, County Commissioners Shirley Roloff and Ron Reinhardt, Patrick Harmon, James Vanek and Shelley Kondrat attended, along with Ferguson & Chamberlain Associates, Inc. representative John Ferguson, Barron & Engstrom, P.L.C. attorney Daniel Barron, Melrose Township resident George Whitfield and Eveline Township supervisor John Vrondran. Commissioner Saunders was absent.

Commissioner Ogden moved to accept January 26, 2009 regular meeting minutes as presented, seconded by Chairman Way.

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

Mr. Barron requested Charlevoix County Road Commission (CCRC) indicate that it does not claim interest in the unbuilt portion of Boulder Avenue, which has been laid out in the plat, but apparently never used for street purposes. Mr. Harmon presented letter to Mr. Barron and Mr. Ferguson noting the CCRC does not claim and does not intend to claim any interest in the unbuilt portion of Boulder Avenue. However, the letter is expressly conditioned upon Shirley Ruth LLC, and its successors and assigns in title, claiming no interest adverse to the CCRC with regard to the improved portions of Boulder Avenue and Lakeview Avenue. The letter also states the above Road Commission statement does not constitute a statutory abandonment under Michigan Compiled Law 224.18, or a vacation of any portion of the relevant plat pursuant to the Michigan Land Division Act, Michigan Compiled Laws 560.101, *et seq.*

Mr. Harmon presented 2009 Road Certification Map with no deletions or additions from 2008.

Commissioner Ogden moved to approve 2009 Road Certification Map as presented (which has no changes from 2008), seconded (and subsequently signed) by Chairman Way.

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

Commissioner Ogden moved to open annual material bids at 10:30 AM Thursday, March 5, 2009 (for Monday March 9, 2009 Board presentation), seconded by Chairman Way.

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

Mr. Harmon presented January 7, 2009 letter from MDOT Director Kirk Stuedle, which responded to State Representative Kevin Elsenheimer and State Senator Jason Allen October 6, 2008 letter requesting CCRC County Road C-56 (Boyne City-Charlevoix Road) be designated a state road per House Bill 5808, Section 395 of 2008 PA 275. Mr. Stuedle's letter basically said since Charlevoix County recently passed a countywide road millage with Boyne City-Charlevoix Road slated for reconstruction with said millage, the State isn't interested in obtaining jurisdiction of said road. He added MDOT current policy is to close gaps in the existing trunkline system, plus "swap" trunkline for non-trunkline routes. Mr. Vrondran presented MTA February 2009 issue of *Capital Currents* and his figures (\$21,058,351) to be collected for county roads during the 15-year road millage collection.

Commissioner Ogden moved to change Policy #89-4 entitled "Work Within the Rights-of-Way from November 15 to April 15" as follows, seconded by Chairman Way.

Remove Section 4 in its entirety, which reads: "Company Individual or Organization shall submit Indemnification Agreement releasing Charlevoix County Road Commission from any claims arising out of the work. "This agreement shall be approved prior to any work." (This clause is already covered on the back of the Permit Application in #5 entitled "Indemnification).

And to rename Section 5 to Section 4; and to rename Section 6 to Section 5, due to the removal of Section 4.

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

Commissioner Reinhardt asked if Boyne Mountain Road is a county primary road; Mr. Harmon answered it is, and the small section of Cliffdweller Drive is county local road.

Commissioner Roloff requested bid specifications for paving at the recycling bins located at CCRC Boyne City garage; Mr. Harmon will instruct Mr. Vanek to write specifications to also include curbing the Beardsley Street entrance at CCRC expense.

Mr. Whitfield:

- Praised Mr. Harmon and crew for Whitfield Road 2008-2009 snowplowing.
- Said Mr. LaBell on Howard Street continues to remove the street signs; Mr. Whitfield proposed concreting sign posts into the ground.
- Said he and Leonard Meadows are working on ordinance to protect the seven road ends at Walloon Lake in Melrose Township. Some people are leaving their trash on the ground; Mr. Harmon suggested placing "No Littering" signs with a fine for persons who are caught. Mr. Harmon cautioned on placing "public access" signs because they generate too many vehicles and the sheriff department is called on parking complaints.
- Read State Representative Elsenheimer's letter to the Petoskey News-Review editor regarding rewriting the constitution to increase assessed values by 4.4%. He stated Michigan Legislature is the highest paid only behind California and believes they should cut their salaries and medical insurance before changing the constitution.

Commissioner Ogden moved to pay bills totaling \$130,483.38, seconded by Chairman Way.

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

Chairman Way adjourned at 10:25 AM.

JANUARY 26, 2009

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

Chairman Way, Commissioners Saunders and Ogden, County Commissioner Shirley Roloff, Patrick Harmon and James Vanek attended, along with Northwest Design Group (NDG) engineer Lucas Porath, Little Traverse Bay Band of Odawa Indians Transportation Planner Ben Banfield, Friends of Charlevoix County Roads representatives Ken Allen and Jerry Matelski. Clerk Shelly Kondrat was absent.

Commissioner Saunders moved to approve January 12, 2009 regular meeting minutes as presented, seconded by Commissioner Ogden.

➤ VOTE: Ayes – 3 Nays – 0 Motion carried.

Mr. Porath presented draft Bear River Road Rehabilitation plans (U.S.-131 to Maple Hill Road) and discussed the following:

- Project meets Michigan Department of Transportation 3R Guidelines; hills at each project end have a 40 MPH design speed.
- U.S.-131 intersection will be reconstructed to include left and right turn lanes onto U.S.-131.
- A detour route (U.S.-131 North to Gruler Rd., Gruler Rd. to River, and River Rd. South to Bear River Rd.) is planned due to the subgrade undercut section, which necessitates road closure during construction.
- The \$428,655 estimated project cost exceeds the budget (\$350,000 Bureau of Indian Affairs and approximate \$50,000 from Melrose Township).
- Porath suggested having an alternate pavement thickness bid (3.5-Inch pavement thickness instead of 4-Inches) to reduce the project cost if necessary.

Commissioner Ogden moved to set a 10:30AM, February 23, 2009 Public Hearing for Bear River Road Rehabilitation project #A489.010-011, seconded by Commissioner Saunders.

➤ VOTE: Ayes – 3 Nays – 0 Motion carried.

Commissioner Saunders moved to open Bear River Road rehabilitation project #A489.010-011 bids (Melrose Township) at 10:30AM, March 23, 2009, seconded by Commissioner Ogden.

➤ VOTE: Ayes – 3 Nays – 0 Motion carried.

Mr. Harmon:

- Reviewed January 15, 2009 Michigan Concrete Paving Association letter regarding the use of concrete and other cement-based products for roadway rehabilitation projects.
- Reviewed Public Act 283 of 1909, 224.10 Sec. 10 (3) "Public Highways and Private Roads" regarding hiring professional/consultant services and equipment purchases.
- Chairman Way, County Commissioner Roloff and Mr. Harmon flew to Beaver Island Friday, January 23, 2009:
 - Beaver Island Community Center Main Street snow removal and parking issue is resolved.
 - Presented former Peaine Township Supervisor John Works, Jr. a "Plaque of Appreciation".
 - Reviewed township airport expansion project draft plans, which would require Airport Road relocation.
 - Met with various township officials and discussed the federal stimulus package possibly funding a new road commission garage on Beaver Island.

Ken Allen and Jerry Matelski discussed possible road funding sources using Michigan Department of Transportation (MDOT) Safety Grant Funds and MDOT Small Urban Cluster Funds. Mr. Harmon will review the "Urban Cluster" classification requirements and report. Mr. Vanek stated the Road Commission has been successful in receiving Safety Grant Funds to improve the US-31/Boyne City Road intersection and a bridge replacement project in Advance.

Recessed at 10:45 AM; resumed at 10:55 AM.

Mr. Vanek presented Holy Island Bridge project #A489.006-027 update; contractor removed old bridge last week; which is now at the Ironton garage.

Commissioner Saunders will attend the 2009 County Road Association of Michigan Commissioner's Seminar at the Grayling Ramada Inn (April 6-8); Mr. Harmon will make sure Saunders is registered for the conference.

Mr. Harmon distributed the January 12 & 26, 2009 financial statements, which include today's bills.

Commissioner Ogden moved to pay bills totaling \$172,840.63 (\$112, 601.00 from Jan. 23, 2009 dated check register and \$60,239.63 from Jan. 26, 2009 dated check register), seconded by Commissioner Saunders.

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

Chairman Way adjourned the meeting at 11:45 AM.

JANUARY 12, 2009

Commissioners Saunders, Way and Ogden, County Commissioner Shirley Roloff, Manager Patrick Harmon and Administrative Assistant Ina Heaton attended. Clerk Shelley Kondrat was absent.

Road Commission Manager Patrick Harmon opened the meeting at 9:00 AM and requested 2009 Chairman nominations.

Commissioner Ogden nominated Commissioner Way for 2009 Chairman.

Commissioner Ogden moved to close nominations and cast a unanimous ballot for Commissioner Way for 2009 Chairman, seconded by Commissioner Saunders.

➤ VOTE: Ayes – 3 Nays – 0 Motion carried.

Chairman Way opened the floor for 2009 Vice-Chairman Nominations.

Commissioner Saunders nominated Commissioner Ogden for 2009 Vice-Chairman.

Commissioner Saunders moved to close nominations and cast a unanimous ballot for Commissioner Ogden for 2009 Vice-Chairman, seconded by Chairman Way.

➤ VOTE: Ayes – 3 Nays – 0 Motion carried.

The Board is hereby on record that all meetings will follow Roberts Rules of Order.

Commissioner Saunders moved to accept December 31, 2008 regular meeting minutes as presented, seconded by Commissioner Ogden.

➤ VOTE: Ayes – 3 Nays – 0 Motion carried.

Peter LoDico, Peaine Township Trustee, forwarded Category A – Economic Development Fund request to Mr. Harmon; LoDico's request is for the Road Commission to support the grant application to improve various Beaver Island roads (Including the Kings Highway). Mr. Harmon advised Mr. LoDico that Category A requests must generate permanent jobs, and Harmon further recommended LoDico contact MDOT in Lansing for further details about Category A grants.

Commissioner Roloff plans to go to Beaver Island January 16 or January 23 to meet with new Peaine Township supervisor Mr. Gallagher and to thank previous supervisor John Works for his many years of good service. Manager Harmon and Chairman Way will accompany Commissioner Roloff, and while there will review and correct the Main Street parking problem in front of the new Community Center.

Mr. Harmon provided copies of Performance Engineering's brief proposal and request to perform engineering services for the new Beaver Island garage project. He will review the proposal for suitability to our needs, do price comparisons, and investigate the feasibility and legal requirements of bidding or quoting contracted services.

Recessed at 10:05 AM; resumed at 10:20 AM.

Commissioner Ogden asked about correspondence from the Michigan Townships Association (MTA). Commissioner Saunders stated the next MTA meeting will be held at the Melrose Township Hall January 26, 2009 at 7:00 PM.

The manager and commissioners discussed the status of Fair Road (west of M-32 in South Arm Township). Mr. Harmon explained a Fair Road business (Tom's Diesel) billed South Arm Township (the actual right-of-way owner) for snow plowing this ¼ mile section of road, which is not under Road Commission jurisdiction.

Commissioner Ogden moved to pay bills totaling \$59,961.66, seconded by Commissioner Saunders.

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

Chairman Way adjourned the meeting at 11:05 AM.