

Mason, Michigan  
April 13, 2009

The Board of Ingham County Road Commissioners met for a regular meeting on Monday, April 13, 2009, at 6:00 P.M. in the Board Room of the Road Commission's Austin E. Cavanaugh Administration Building located at 301 N. Bush Street, Mason, Michigan.

Present: Joseph A. Guenther, Chair, Shirley M. Rodgers, Vice Chair, Thomas M. Mitchell, Member, James Dravenstatt-Moceri, Member, and Norman L. Gear, Member.

Also Present: William M. Conklin, Managing Director, James L. Charles, Interim Director of Operations, Robert H. Peterson, Director of Engineering, and James M. Benjamin, Director of Operations.

Others Present: Will Comstock, Western District employee, Dale Arnett, Eastern District Supervisor, Duane Yerks, Fleet Manager, Roberto Guevara, Metro District Supervisor, Francisco J. Llinas, Permit Department Supervisor, Patricia Llinas, and Kelly Rankin-Gomez, Engineering-Permits Secretary.

Absent & Excused: Deborah L. Bellows, Secretary to the Board, and Tina M. Henry, Director of Finance.

Chair Joseph A. Guenther called the meeting to order and led with the Pledge of Allegiance.

#### AGENDA ITEM #3 – LIMITED PUBLIC COMMENT.

1. Francisco J. Llinas, Permits & Development Supervisor for the Ingham County Road Commission. Mr. Llinas expressed his disappointment over the recent filling of the Director of Operations position, stating he fell to second place after two interviews. He indicated he felt he was as qualified, if not more so, than the other internal candidate chosen for the job.

2. John Lopez, retired Road Commission Western District Supervisor. Mr. Lopez stated his opinion regarding the recent filling of the Director of Operations position. He said he was not happy about it.

#### AGENDA ITEM #4 – CONSENT ITEMS.

Moved by Commissioner Mitchell and Supported by Commissioner Rodgers, that the following agenda items be approved under consent:

- A. Agenda Item #5 – Minutes of the Meeting of March 30, 2009.
- B. Agenda Item #6 – Routine and/or special permits.
- C. Agenda Item #8A – Accounts Payable.

5 yes, 0 no. Motion carried unanimously.

#### Agenda Item #5 – Minutes.

Moved by Commissioner Mitchell and Supported by Commissioner Rodgers, that the minutes of the meeting of March 30, 2009, be approved as presented. 5 yes, 0 no. Motion carried unanimously.

#### Agenda Item #6 – Routine Permits.

Moved by Commissioner Mitchell and Supported by Commissioner Rodgers, that routine permits be approved as follows:

09-0102	09-0100	09-0101	09-0103	09-0105	09-0106
09-0107	09-0108	09-0109	09-0110	09-0111	09-0112
09-0113	09-0114				

5 yes, 0 no. Motion carried unanimously.

Agenda Item #8A – Accounts Payable.

Moved by Commissioner Mitchell and Supported by Commissioner Rodgers, that the accounts payable for the two week period from March 16-29, 2009, be approved as follows: check numbers #92824 through #92901, totaling \$279,790.95. 5 yes, 0 no. Motion carried unanimously.

AGENDA ITEM #7 – MANAGING DIRECTOR REPORTS.

A. Small Urban Area Stimulus Funding. Managing Director Bill Conklin reported on the Small Urban Area Stimulus Funding for the Williamston Road project. He stated that the Road Commission, the City of Williamston, and the Village of Webberville will be dividing the \$115,000.00 available by population in the Small Urban Area. Thus, the Road Commission's share is 20%, or \$23,000.00. This method of splitting the funding was agreed to by all parties, i.e., City of Williamston, Village of Webberville, Williamstown Township, and the Road Commission.

B. Four 10-hour Work Schedule. Mr. Conklin stated that all three bargaining units have requested working the four 10-hour work days this year. He said he would recommend approval of the work schedule, noting that the office employees will be staggering their schedules so that the office is open and the phones are answered five days a week.

Moved by Commissioner Rodgers and Supported by Commissioner Dravenstatt-Mocerri, that the Board approves the four 10-hour work schedule for all Road Commission employees beginning May 4, 2009, and running through September 4, 2009, with the understanding that office employees will be staggering their work schedule between Monday through Thursday, or Tuesday through Friday, so that the office will be open and the phones will be answered five days a week. 5 yes, 0 no. Motion carried unanimously.

C. ICRC Newsletter. Mr. Conklin reviewed the draft of the second issue of the ICRC Newsletter. Commissioner Rodgers indicated she had a couple edits. The Board authorized the Newsletter to be released.

D. Gilbert County Drain Assessment. Mr. Conklin reviewed the Gilbert County Drain Assessment and the result of his phone conversations with other entities.

E. Use of Other Legal Services. Mr. Conklin requested authorization to use other legal services when he deems it necessary based on knowledge and expertise of a specific area. He recommended using Attorney Larry Salstrom, who used to work for the Road Commission and is extremely knowledgeable in road and drain law. Commissioner Rodgers stated she would have preferred this be a regular agenda item with advance notice as there was nothing in the agenda packet to back this request up. Chair Guenther stated that he had requested the Managing Director to put this request on the Director reports for this meeting.

RESOLUTION AUTHORIZING USE OF THE SERVICES OF ATTORNEY LARRY A. SALSTROM FOR LEGAL MATTERS AT THE DISCRETION OF THE MANAGING DIRECTOR.

RESOLUTION #033-09

Moved by Commissioner Mitchell and Supported by Commissioner Dravenstatt-Moceri. Commissioner Guenther, yes, Commissioner Rodgers, no, Commissioner Mitchell, yes, Commissioner Gear, yes, Commissioner Dravenstatt-Moceri, yes. 4 yes, 1 no. Resolution carried unanimously.

BE IT RESOLVED that upon recommendation of the Managing Director, the Board authorizes utilizing the services of Attorney Larry A. Salstrom for various legal matters at the discretion of the Managing Director. Mr. Salstrom has a wide expertise of road and drain law issues and, based on his history with the Road Commission, Mr. Salstrom's services would be beneficial from time to time.

F. Construction Public Hearings. Mr. Conklin clarified with the Board that due to the potential confusion caused by having one public hearing for both the 2009-2010 proposed construction projects, and the long range projects (2010 through 2035), combined with different publication requirements, two separate dates have been set. The Act 150 public hearing for the proposed 2009 and 2010 construction projects is now scheduled to be held on May 26<sup>th</sup> at 6:30 pm. The public informational meeting for the long range projects will be held May 11<sup>th</sup> at 6:30 pm. The Board agreed to the change.

AGENDA ITEM #9A – LOCAL BRIDGE PROGRAM APPLICATION PRIORITIES.

Director of Engineering Bob Peterson explained that Local Bridge Program applications are due June 1, 2009, to MDOT for fiscal year 2012. As part of the application process, a certified resolution, signed and dated, from the governing board supporting the project and a priority list for the applications must be submitted. He indicated we are limited to five applications per call. He said he recommends the following bridges, in this order:

1. Willoughby Road bridge over Sycamore Creek located in Alaiedon Township. This structure, slated for complete replacement, was converted to a one lane bridge because of its condition, and is currently posted for 19 tons, 22 tons, and 30 tons.
2. Van Atta Road bridge over the Red Cedar River located in Meridian Township. This structure, slated for complete replacement, was converted to a one lane bridge because of its condition, and is currently posted for 30 tons, 35 tons, and 38 tons.
3. Columbia Road bridge over the Grand River located in Aurelius Township. This structure, slated for rehabilitation, is currently posted for 42 tons, 56 tons, and 65 tons.
4. Zimmer Road bridge over the Red Cedar River located in Williamstown Township. This structure, slated for rehabilitation, is currently posted for 42 tons, 52 tons, and 64 tons.
5. Noble Road bridge over Doan Creek located in Leroy Township. This structure, slated for complete replacement, was converted to a one lane bridge because of its condition, and is currently posted for 26 tons, 38 tons, and 54 tons.

Mr. Peterson stated that he proposes rehabilitation work on both the Columbia Road bridge and the Zimmer Road bridge. The rehabilitation work would consist of salvaging the existing concrete foundation and abutment elements and replacing the superstructure (beams, deck and railings). All five of these structures, with the same priorities, were submitted for funding last year. None of them were chosen for funding and Mr. Peterson recommended submitting them again this year to see if we get funding for any of them in the near future.

RESOLUTION APPROVING RECOMMENDATION FOR LOCAL BRIDGE PROGRAM APPLICATION PRIORITIES.

RESOLUTION #034-09

Moved by Commissioner Rodgers and Supported by Commissioner Mitchell. 5 yes, 0 no. Resolution carried unanimously.

BE IT RESOLVED that upon recommendation of the Director of Engineering and concurrence by the Managing Director, the Board authorizes and supports the submission of applications for Local Bridge Program funding for the replacement and/or rehabilitation of the following structures (in order of priority):

1. The Willoughby Road Bridge over Sycamore Creek located in Alaiedon Township, Ingham County, Michigan. Application for Local Bridge Program funds will be submitted to the Michigan Department of Transportation. The Ingham County Road Commission will provide the local matching funds required for the replacement of the structure. Identification of the bridge is: MDOT Bridge ID 33301H00008B010, Structure No. 3890. Sections 7 and 18 of Alaiedon Township, Ingham County, Michigan.
2. The VanAtta Road Bridge over the Red Cedar River located in Meridian Charter Township, Ingham County, Michigan. Application for Local Bridge Program funds will be submitted to the Michigan Department of Transportation. The Ingham County Road Commission will provide the local matching funds required for the replacement of the structure. Identification of the bridge is: MDOT Bridge ID 33310H00023B010, Structure No. 3909. Section 36 of Meridian Charter Township, Ingham County, Michigan.
3. The Columbia Road Bridge over the Grand River located in Aurelius Township, Ingham County, Michigan. Application for Local Bridge Program funds will be submitted to the Michigan Department of Transportation. The Ingham County Road Commission will provide the local matching funds required for the replacement of the structure. Identification of the bridge is: MDOT Bridge ID 33200021000B010, Structure No. 3862. Sections 6 and 7 of Aurelius Township, Ingham County, Michigan.
4. The Zimmer Road Bridge over the Red Cedar River located in Williamstown Township, Ingham County, Michigan. Application for Local Bridge Program funds will be submitted to the Michigan Department of Transportation. The Ingham County Road Commission will provide the local matching funds required for the replacement of the structure. Identification of the bridge is: MDOT Bridge ID 33316H00033B010, Structure No. 3924. Section 27 of Williamstown Township, Ingham County, Michigan.
5. The Noble Road Bridge over Doan Creek located in Leroy Township, Ingham County, Michigan. Application for Local Bridge Program funds will be submitted to the Michigan Department of Transportation. The Ingham County Road Commission will provide the local matching funds required for the replacement of the structure. Identification of the bridge is: MDOT Bridge ID 33307H00007B010, Structure No. 3899. Sections 8 and 17 of Leroy Township, Ingham County, Michigan.

AGENDA ITEM #9B – INTERAGENCY AGREEMENT WITH LANSING TOWNSHIP WEST SIDE WATER FOR THE 2009 WAVERLY ROAD IMPROVEMENT PROJECT.

Director of Engineering Bob Peterson reviewed his recommendation for this item, reminding the Board that the Road Commission is scheduled to reconstruct Waverly Road between St. Joseph Street and Barton Street this year. The Road Commission has partnered with Lansing Township West Side Water to install new water main from St. Joseph Street to Michigan Avenue and from Saginaw Street to Willow Street. Construction Bids are scheduled to be opened during the May 1, 2009, MDOT bid letting.

Mr. Peterson said that the water main installation is funded by State Revolving Fund monies that have been secured by Lansing Township West Side Water. The responsibilities for inspection, administration and paying for the water main work is outlined in the proposed inter-agency agreement between the Road Commission and Lansing Township West Side Water. He stated that the Road Commission's road project uses Urban STP funding over two fiscal years. The portion from Michigan Avenue to Barton Street uses 2009 funds while the St. Joseph Street to Michigan Avenue portion uses 2010 funds. Mr. Peterson said we packaged the 2009 and 2010 projects together to obtain efficiency, economy of scale, and to inconvenience the public once, rather than in two consecutive years.

Mr. Peterson continued that the Road Commission's Sign and Signal Shop will be performing the project's signal modification work. Essentially, the materials and the employee's wages will be paid using federal money while performing the signal work for the project.

Mr. Peterson explained that this project will involve multiple funding sources and project numbers. As such, the MDOT contract on the agenda for approval, in Exhibit 1, can be somewhat hard to understand. Mr. Peterson urged that when reading through the contract, one must keep in mind that Exhibit 1 assumes the water main costs are part of the requesting party's (ICRC) share and that the 2010 funding does not exist until October 1, 2009, the start of the State of Michigan's 2010 fiscal year.

Mr. Peterson went on to say that the current federal Transportation Bill expires on September 31, 2009. It is very unlikely that a replacement bill will be ready for passage by the expiration date. The last time a re-authorization was pending, the House and Senate enacted spending extensions that effectively kept the federal transportation program running until the new bill was signed by the President. Mr. Peterson said he wanted to make sure the Board understands that if there is no re-authorization bill for 2010 and beyond, the Road Commission will be on the hook for all of the 2010 Urban STP funds.

Mr. Peterson said the 2010 funding also comes with some difficulties. Since that funding is not assured, MDOT requires a deposit of \$375,000.00 from which they would use to pay project construction costs. The deposit money would then be reimbursed to the Road Commission in October 2009 when fiscal year 2010 funding is available, provided the next federal transportation bill is passed. He said we are working with MDOT to spread out payment of that deposit so that our budget doesn't have to take such a big hit all at once. Mr. Peterson said we have fully budgeted for the \$330,900.00 local match required for this project. It was suggested that a reduced deposit be negotiated with MDOT.

Mr. Peterson recommended approval and execution of both the inter-agency agreement with Lansing Township West Side Water and the construction contract with MDOT.

**RESOLUTION APPROVING AN AGREEMENT FOR REIMBURSEMENT OF WATERMAIN IMPROVEMENTS WITH THE LANSING TOWNSHIP WEST SIDE WATER SYSTEM.**

**RESOLUTION #035-09**

Moved by Commissioner Rodgers and Supported by Commissioner Mitchell. 5 yes, 0 no. Resolution carried unanimously.

BE IT RESOLVED that upon recommendation of the Director of Engineering, the Board approves and authorizes the Chair and Secretary to sign on its behalf, an Inter-Agency Agreement for reimbursement of watermain installation and/or improvements between the Ingham County Road Commission and the Lansing Township West Side Water System, for work along Waverly Road between St. Joseph Street and Barton Drive. It is understood that the estimated total cost to be reimbursed the Road Commission by Lansing Township West Side Water is \$1,118,106.00.

RESOLUTION AUTHORIZING ENTERING INTO A CONTRACT WITH THE MICHIGAN DEPARTMENT OF TRANSPORTATION FOR IMPROVEMENTS ON WAVERLY ROAD LOCATED IN LANSING CHARTER TOWNSHIP AND THROUGH THE CITY OF LANSING.

RESOLUTION #036-09

Moved by Commissioner Rodgers and Supported by Commissioner Mitchell. 5 yes, 0 no. Resolution carried unanimously.

WHEREAS, a Contract has been presented to the Board of Ingham County Road Commissioners for approval by and between the Michigan Department of Transportation (herein referred to as the Department) and the Board of Ingham County Road Commissioners (herein referred to as Requesting Party); and

WHEREAS, in said Contract the Department and the Requesting Party agree to the following improvements:

PART A – STU 33400, JOB #100159, STP 0933(018), HH 5856 – FEDERAL PARTICIPATION.

Hot mix asphalt resurfacing work along Waverly Road from Michigan Avenue northerly to Barton Street, including pavement removal, cold milling, intersection widening, drainage improvements, curb and gutter, sidewalk ramps, traffic signal, and pavement marking work, and all together with necessary related work.

PART B – STU 33400, JOB #100159, STP 0933(018), HH 5856 – NO FEDERAL PARTICIPATION.

Watermain work along Waverly Road from Michigan Avenue northerly to Barton Street, including aggregate base, hot mix asphalt paving up to the base course, curb and gutter, sidewalk, and driveway work, and all together with necessary related work.

PART C – STU 33403, JOB #100184, STP 0933(019), HH 5857 – FEDERAL PARTICIPATION.

Hot mix asphalt resurfacing work along Waverly Road from St. Joseph Street northerly to Michigan Avenue, including pavement removal, cold milling, intersection widening, drainage improvements, curb and gutter, sidewalk ramps, traffic signal, and pavement marking work, and all together with necessary related work.

PART D – STU 33403, JOB #100184, STP 0933(019), HH 5857 – NO FEDERAL PARTICIPATION.

Watermain work along Waverly Road from St. Joseph Street northerly to Michigan Avenue, including aggregate base, hot mix asphalt paving up to the base course, curb and gutter, sidewalk, and driveway work, and all together with necessary related work.

WHEREAS, the Requesting Party is fully cognizant of the terms and conditions of the Contract as prepared and presented by the Department.

NOW THEREFORE BE IT RESOLVED that the Requesting Party authorizes its Chair and its Secretary to execute this Contract on behalf of the Requesting Party; and

BE IT FURTHER RESOLVED that the total estimated cost for this project is as follows:

Job Number 100159, 100184	Control Section STU 33400, STU 33403
MDOT Contract No. 09-5125	Project No. STP 0933 (018) (019)
Federal Item No. HH 5856, HH 5857	CFDA No. 20.205

**ESTIMATED COST**

CONTRACTED WORK

	<u>PART A</u>	<u>PART B</u>	<u>PART C</u>	<u>PART D</u>	<u>TOTAL</u>
Estimated Cost	\$1,155,000	\$554,700	\$574,300	\$560,400	\$2,844,400

FORCE ACCOUNT WORK (REQUESTING PARTY)

Traffic Signal Work	\$ 36,900	\$ -0-	\$ 57,100	\$ -0-	\$ 94,000
---------------------	-----------	--------	-----------	--------	-----------

GRAND TOTAL ESTIMATED COST

	\$1,191,900	\$554,700	\$631,400	\$560,400	\$2,938,400
--	-------------	-----------	-----------	-----------	-------------

**COST PARTICIPATION**

GRAND TOTAL ESTIMATED COST

	\$1,191,900	\$554,700	\$631,400	\$560,400	\$2,938,400
Less Federal Funds (Current Fiscal Year)	<u>\$ 975,600</u>	<u>\$ -0-</u>	<u>\$ -0-</u>	<u>\$ -0-</u>	<u>\$ 975,600</u>
Balance	\$ 216,300	\$554,700	\$631,400	\$560,400	\$1,962,800

Less Federal Funds (Advance Construction)

Future Fiscal Year*	<u>\$ -0-</u>	<u>\$ -0-</u>	<u>\$516,800</u>	<u>\$ -0-</u>	<u>\$ 516,800</u>
---------------------	---------------	---------------	------------------	---------------	-------------------

REQUESTING PARTY'S SHARE

(Future Fiscal Year)	\$ 216,300	\$554,700	\$114,600	\$560,400	\$1,446,000
----------------------	------------	-----------	-----------	-----------	-------------

\* Contingent upon availability of Federal Funds and Federal approval, Federal Surface Transportation Funds, for future fiscal years, may be applied to that portion of the Part C cost incurred as advance construction in an amount such that the Federal Funds equal a participation ratio of 81.85 percent.

DEPOSIT (NONE REQUIRED – PART A)	\$ -0-
DEPOSIT (NONE REQUIRED – PART B)	\$ -0-
DEPOSIT (MINIMUM REQUIRED – PART C)	\$ 250,000
DEPOSIT (NONE REQUIRED – PART D)	<u>\$ -0-</u>
	\$ 250,000

BE IT FURTHER RESOLVED that the Requesting Party has designated Mr. Richard Phillips as project engineer:

Business Address:	301 Bush Street, Mason, Michigan 48854
Telephone Number:	517/676-9722

AGENDA ITEM #9D – 2009 BIENNIAL BRIDGE INSPECTIONS.

Director of Engineering Bob Peterson reviewed his recommendation for the selection of the consultant to perform the 2009 biennial bridge inspections. He went on to explain that all of the bridges under the Ingham County Road Commission's jurisdiction must be inspected every two years and the results reported to the Michigan State Department of Transportation (MDOT). MDOT uses the biennial bridge inspection reports from all over the state to compile a report that is submitted to the Federal Highway Administration (FHWA). The data is used to guide decisions about the federal and state surface transportation program.

Mr. Peterson said that in general, only structures that span 20 feet or more are considered bridges. The Ingham County Road Commission has 69 structures that fit that description within the confines of our jurisdiction. Structures spanning less than 20 feet are described as culverts and do not require federal and state inspections. Bridge inspections are a rigorous exercise that must follow National Bridge Inspection (NBI) and MDOT standards. Mr. Peterson said he solicited proposals from only MDOT pre-qualified consultants that have the required training.

Mr. Peterson said that the FHWA recently adopted a new method to calculate the allowable loading that a given structure can support, based on the condition of its elements. The federal law does not directly state that all bridges must have new load calculations, but both MDOT and FHWA strongly suggest that the new calculations be performed on all bridges. Mr. Peterson said he previously proposed that we phase in the work and perform load ratings on a third of our bridges for the next three bridge inspection cycles.

Mr. Peterson said that based on their proximity, past work for the Road Commission, and relationship with MDOT bridge review staff, he would recommend retaining Great Lakes Engineering Group LLC to perform the 2009 biennial bridge inspections. Additionally, he said he would recommend allocating an additional \$2,000.00 to the budget to cover the load rating work, for a total of \$52,000.00. The total cost quoted by Great Lakes Engineering Group is \$50,125.00.

RESOLUTION AUTHORIZING THE SELECTION OF GREAT LAKES ENGINEERING GROUP LLC TO PERFORM THE 2009 BIENNIAL BRIDGE INSPECTIONS.

RESOLUTION #037-09

Moved by Commissioner Mitchell and Supported by Commissioner Rodgers. 5 yes, 0 no. Resolution carried unanimously.

BE IT RESOLVED that upon recommendation of the Director of Engineering, the Board authorizes the selection of Great Lakes Engineering Group LLC to perform the 2009 biennial bridge inspections at the quoted cost of \$50,125.00.

AGENDA ITEM #10A – PURCHASE OF A USED MOTOR GRADER.

Director of Operations Jim Benjamin reported that the Road Commission does not currently own a grader, and that in 2008, the Ingham County Road Commission spent \$21,000.00 on grader rentals for maintenance purposes. In 2009, we anticipate an additional cost of \$14,000.00 for grader rental costs due to the projects on Catherine Street in Lansing Township, Baseline Road in Stockbridge Township, Eifert Road in Aurelius Township and possible other locations.

Mr. Benjamin said that the estimated rental cost for 2009 will equal the purchase price of a used 1991 Champion model #720-A series three motor grader that is available for purchase from a contractor who is going out of business. He said he has talked with other road commissions about how many miles of gravel roads they have in their counties in relation to how many graders they have available for maintenance, and he believes that the Ingham County Road Commission can justify the need to own at least one motor grader.

Mr. Benjamin stated that unfortunately, due to the poor economy, Tom's Advanced Paving is going out of business and is liquidating its assets. They have a motor grader available that would fit all of our needs, and they are asking a reasonable purchase price.

Mr. Benjamin recommended the Board authorize a date to be set to accept bids for a used grader and see what might be available out there. A new model motor grader of the size needed would cost approximately \$205,000.00. He said there are funds available in the 2009 equipment budget to cover this expenditure, not to exceed \$50,000.00.

Moved by Commissioner Mitchell and Supported by Commissioner Dravenstatt-Moceri, that the Board approves the purchase of a used motor grader and authorizes staff to set a date to receive bids for this piece of equipment. 5 yes, 0 no. Motion carried unanimously.

AGENDA ITEM #12 – BOARD UPDATES/COMMENTS.


A. Vice Chair Rodgers expressed her concerns regarding the process of filling the Director of Operations vacancy and stated she does not feel the Road Commission's hiring policies are being followed.

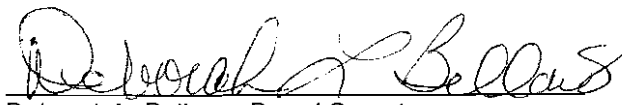
B. Commissioner Gear pointed out that there were four new county commissioners on January 1<sup>st</sup> and he did not believe the correct email addresses were used for them in recent press releases that were sent by the Road Commission.

AGENDA ITEM #13 – LIMITED PUBLIC COMMENT.

1. John Lopez, retired Road Commission Western District Supervisor. Mr. Lopez again stated his opinion regarding the recent filling of the Director of Operations position. He said he was not happy about it and disagreed with the choice that was made. He expressed his concern regarding the integrity of certain individuals.

No additional public comment was made. The meeting adjourned at 8:10 pm.

  
Joseph A. Guenther, Chair

  
Deborah L. Bellows, Board Secretary