

## **\*\*APPROVED MINUTES\*\***

Mason, Michigan  
February 16, 2009

The Board of Ingham County Road Commissioners met for a regular meeting on Monday, February 16, 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, Deborah L. Bellows, Secretary to the Board, Tina M. Henry, Finance Director, Robert H. Peterson, Director of Engineering, James L. Charles, Interim Director of Operations, and Peter A. Cohl, the Board's labor counsel.

Others Present: Rick Phillips, ICRC Construction Engineer, Will Comstock, ICRC Western District employee, Dale Arnett, ICRC Eastern District Supervisor, and Leonard Provencher, Meridian Township resident.

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

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

Leonard Provencher of 5824 Beuna Parkway, Haslett. Mr. Provencher stated he had a couple of comments. Mr. Provencher stated he has been a resident of the area since 1975, and has lived in Meridian Township for 18+ years. He uses the road system extensively, both by motor vehicle and bicycle. Mr. Provencher said his concern is how money is being spent in Meridian Township and he will speak to no other locale. He stated there has been an ongoing problem with Okemos Road north from Central Park Drive to Haslett Road that hasn't been addressed in at least 18 years. In particular, Mr. Provencher stated Okemos Road between Central Park Drive and Gaylod C. Smith Drive always floods and this problem has not been addressed. He indicated this section of Okemos Road was closed September 15-18, 2008, due to flooding, again on December 27-30, 2008, and currently from February 13-16, 2009. Mr. Provencher said there are over 11,000 vehicles that use this portion of Okemos Road on a daily basis and he would think it would have a higher priority to be fixed other than what currently exists.

Mr. Provencher said he believes this portion of Okemos Road would be a good project for Stimulus funding. He said he does not agree that a roundabout at Park Lake Road and Burcham Drive and at Okemos Road and Hamilton Road should have higher priorities than fixing the flooding problem on Okemos Road. Mr. Provencher stated that all of the proposed resurfacing projects are a waste of money are temporary fixes only.

Chair Guenther explained to Mr. Provencher that the projects being done with the federal Stimulus funds are projects that have to be "shovel ready" and that can be started within a few months. He indicated the design alone for this section of Okemos Road will take a very long time and there is no way the Stimulus funds can be used for this project. Chair Guenther informed Mr. Provencher that while this project is slated for the year 2030, that doesn't mean that it can't be moved up on the priority list as funds are available. He stated that this project has to be coordinated with the Ingham County Drain Commissioner and will take years of planning, design and coordination with the Drain office. Chair Guenther indicated that the grade for Okemos Road will have to be raised and quite possibly a bridge built over this wetland area, and it is currently estimated that the project will cost \$6-10 million dollars. Chair Guenther stated that the Stimulus funds can only be used on resurfacing project. Even though Mt. Hope Road between

Okemos Road and Hagadorn Road is in horrible condition, it requires much more engineering design than can be done in time to use Stimulus funds. The Mt. Hope Road project is currently planned for 2010 using STP federal funding.

Mr. Provencher stated he would save additional public comment for the end of the meeting.

AGENDA ITEM #6 – CONSENT AGENDA.

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

- A. Agenda Item #7, minutes.
- B. Agenda Item #8, routine permits.
- C. Agenda Item #10A, accounts payable.

5 yes, 0 no. Motion carried unanimously.

Agenda Item #7 – Minutes.

Moved by Commissioner Mitchell and Supported by Commissioner Rodgers, that the minutes of the meetings of January 20, 2009, and February 2, 2009, be approved as presented. 5 yes, 0 no. Motion carried unanimously.

Agenda Item #8 – Routine Permits.

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

09-0037	09-0044	09-0035	09-0038	09-0039	09-0042
09-0043	09-0045	09-0046	09-0047		

5 yes, 0 no. Motion carried unanimously.

Agenda Item #10A – Accounts Payable.

Moved by Commissioner Mitchell and Supported by Commissioner Rodgers, that the accounts payable for the two week period of January 19-February 1, 2009, be approved as follows: check numbers #92455 through #92544, totaling \$475,805.15. 5 yes, 0 no. Motion carried unanimously.

AGENDA ITEM #5 – CLOSED SESSION.

Moved by Commissioner Rodgers and Supported by Commissioner Mitchell, that the Board enter closed session at 6:15 P.M. for the purpose of discussing pending labor contract negotiations with its labor counsel. Roll call vote: Commissioner Guenther, yes, Commissioner Rodgers, yes, Commissioner Mitchell, yes, Commissioner Dravenstatt-Moceri, yes, Commissioner Gear, yes. 5 yes, 0 no. Motion carried unanimously.

Moved by Commissioner Mitchell and Supported by Commissioner Gear, that the Board return to open session at 8:00 P.M. Roll call vote: Commissioner Guenther, yes, Commissioner Rodgers, yes, Commissioner Mitchell, yes, Commissioner Dravenstatt-Moceri, yes, Commissioner Gear, yes. 5 yes, 0 no. Motion carried unanimously.

The Chair called a short recess until 8:10 P.M.

AGENDA ITEM #5 – RATIFICATIN OF THE SEIU TENTATIVE LABOR AGREEMENT.

Moved by Commissioner Rodgers and Supported by Commissioner Mitchell, that Board ratification of the tentative labor agreement with SEIU Local 517M, be postponed until further notice. 5 yes, 0 no. Motion carried unanimously.

AGENDA ITEM #9 – MANAGING DIRECTOR REPORTS.

A. The County Road Association of Michigan (CRAM) Annual Conference is March 3-5 at the Lansing West Hotel and Conference Center, formerly the Holiday Inn West. The Legislative reception is scheduled for March 4<sup>th</sup> from 5:30 P.M. to 7:00 P.M.

B. Kincaid v Ingham County Road Commission. Mr. Kincaid lost his bid for appeal of the Circuit Court's ruling. The court has awarded attorney fees and costs to the Road Commission. Mr. Brookover's office will be pursuing collection of those fees and costs.

C. Mr. Conklin stated the Fleet Manager, Duane Yerks, has asked to publicly recognize the hard work and dedication of the mechanics in the shop during this past extreme winter season. He read Mr. Yerks' statement: "I recommend that a formal recognition to the Board be presented at a scheduled Board meeting commending the Class 7 mechanics and welders for their performance despite the harsh winter, major component failures, accidents, and lack of personnel in this department. They have been courteous, safe, helpful, dedicated, productive, willing, and have kept a good attitude. A special thanks to Clare Piepkow for his outstanding performance in the welding shop area. His work is always "top notch" and his personality is always friendly and courteous. Also, I would like to acknowledge the volunteers who have assisted in the shop repair area, whether for a few hours, or as a temporary transfer, which Chuck Barrett is now performing."

D. For information only, Mr. Conklin submitted the list of projects selected by the CARTS Committee.

E. For information only, Mr. Conklin submitted the results of the Tri-County Regional Planning Commission's Public Meeting/Opinion Poll on the long range plan.

F. Mr. Conklin reviewed a proposed letter to be sent to the Ingham County Drain Commissioner regarding the Hancock Drain Enclosure for the Cedar Street project. The Board concurred with the letter.

AGENDA ITEM #11A – SPRING WEIGHT RESTRICTIONS.

Managing Director Conklin recommended approval of a resolution which would authorize him to place spring weight restrictions on the county road system at his discretion. He informed the Board that he did impose the spring weight restrictions, effective February 16, 2009, with authorization by the Chair.

RESOLUTION AUTHORIZING THE MANAGING DIRECTOR TO PLACE 2009 SPRING WEIGHT RESTRICTIONS ON COUNTY ROADS.

RESOLUTION #012-09

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

WHEREAS, the Board of County Road Commissioners in Ingham County, pursuant to Act 300 of Public Acts of 1949, as amended by MCL 257.722, may, in its discretion, impose restricted load limits on designated roadways at anytime that the condition of the roadways requires, and suspend seasonal load limits when and where conditions of the roadways or the public health, safety and welfare warrant suspension; and

WHEREAS, Act 300 of the Public Acts of 1949, as amended by MCL 257.722 provides for the Board of County Road Commissioners to establish special weight limitations on county roads (Class A and B roadways); and

WHEREAS, the Board of Ingham County Road Commissioners, or its designee, shall erect signs as required under Act 300 of the Public Acts of 1949, as amended by MCL 257.722 to declare the Class A and B roadways and the weight restrictions; and

WHEREAS, no person shall operate any vehicle on the above noted roadways, in violation of the above noted limits without a written permit issued by the Board of Ingham County Road Commissioners, or its designee; and

WHEREAS, any violation shall be subject to the penalties as provided under Act 300 of the Public Acts of 1949, as amended by MCL 257.722;

THEREFORE, BE IT RESOLVED that this Board authorizes the Managing Director to impose or suspend seasonal weight restrictions for 2009 should conditions warrant imposition or suspension;

BE IT FURTHER RESOLVED that this Board confirms action taken by its Managing Director to impose seasonal weight restrictions for Ingham County, effective 12:01 A.M. February 16, 2009.

AGENDA ITEM #11B – PRELIMINARY PLAT OF WHITEHILLS LAKES NO. 8.

Director of Engineering Bob Peterson reviewed the request for re-approval for the Preliminary Plat of Whitehills Lakes No. 8 located in Meridian Township. He stated the original Preliminary Plat was approved in 2006 and, in accordance with Road Commission rules, the two year approval period has expired. Mr. Peterson indicated that Phase 8 is a seven unit single-family subdivision and is located north of Pine Hollow Drive and west of BL-69.

RESOLUTION RE-APPROVING THE PRELIMINARY PLAT OF WHITEHILLS LAKES NO. 8 LOCATED IN MERIDIAN CHARTER TOWNSHIP.

RESOLUTION #013-09

Moved by Commissioner Mitchell and Supported by Commissioner Dravenstatt-Moceri. 5 yes, 0 no. Resolution carried unanimously.

BE IT RESOLVED that upon recommendation of the Director of Engineering, the Board re-approves the Preliminary Plat of Whitehills Lakes No. 8 located in Section 4 of Meridian Charter Township. The proprietor is Gilbert White.

AGENDA ITEM #11C – PURCHASE OF TRAFFIC SIGNAL CONTROL CABINETS.

Director of Engineering Bob Peterson informed the Board that the plans for the rehab project on Waverly Road from St. Joe to Willow are under way. This includes repaving, updating pedestrian crossings to ADA specifications, and rebuilding the traffic signal completely at the intersection of Waverly Road and St. Joe. Orders for new signal control cabinets are running about 16 weeks from date of order to delivery, with that delay expected to increase the later the order is placed. Mr. Peterson said he has received a quote from our distributor for two signal cabinets of \$14,090.00. The reason for the purchase of two is to replace the spare in our stock and for the intersection of Waverly Road and St. Joe. The spare cabinet will be purchased with money recently received from an insurance reimbursement for damages incurred to the control cabinet last summer at the Marsh Road and Pike Street intersection. The second cabinet will be covered through the Waverly Road project. Mr. Peterson stated that in accordance with state law, we do not have to take bids for purchases under \$15,000.00. He indicated our distributor for traffic signal equipment, Carrier and Gable, is the only Michigan based distributor of Eagle traffic control equipment, and they have proved to be very competitive with their pricing. He recommended purchase of the two traffic signal control cabinets.

RESOLUTION AUTHORIZING THE PURCHASE OF TWO TRAFFIC SIGNAL CONTROL CABINETS FROM CARRIER & GABLE.

RESOLUTION #014-09

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

BE IT RESOLVED that upon recommendation of the Director of Engineering, the Board authorizes the purchase of two traffic signal control cabinets from Carrier & Gable for \$14,090.00.

AGENDA ITEM #11D – MDOT CONTRACT FOR WILLIAMSTON ROAD PROJECT.

Director of Engineering Bob Peterson reported that the MDOT contract for the Williamston Road project is ready to be approved and signed so that the project can proceed. He indicated that this project on Williamston Road, from the north City of Williamston limits to Haslett Road, was originally scheduled for reconstruction in 2008. During preparation of the plans and specifications, the Engineering staff decided to put the construction off until 2009 so that the impact to school routes could be minimized, and so that the moisture sensitive reclamation work could be performed during the optimal time of the year. The construction bids were opened during the MDOT bid letting of February 6<sup>th</sup>. The successful low bidder is C&D Hughes Inc. of Charlotte for \$1,197,702.73.

Mr. Peterson explained that this project utilizes two different federal funding sources. The portion from the Williamston City Limits to Sherwood Road is funded with Surface Transportation Program (STP) Small Urban money. The Small Urban funds are allocated with an 81.85% - 18.15% (federal share – local share) split. The federal share is capped at \$375,000.00. The portion from Sherwood Road to Haslett Road is funded with a combination of STP Rural and Transportation Economic Development funding, Category "D" (EDF-D) money. The federal share of the STP Rural and EDF-D are not capped and are allocated with an 80% - 20% (federal share – local share) split.

Mr. Peterson stated the Road Commission's share of the cost of this project will be about \$255,200.00, as depicted in the MDOT contract.

Commissioner Mitchell expressed his concern with there being only a two inch thick asphalt surface planned. He said with the existing soil problems in this area, especially between Bismark and Sherwood Roads, he does not believe a two-inch surface will be adequate. Managing Director Bill Conklin stated that Stimulus funding is proposed to be used to add an additional one inch of asphalt surface to Williamston Road for the portion located between Sherwood Road and Haslett Road. He indicated that the City of Williamston and Williamstown Township are being asked to share in the cost of the local match that is required for this project.

Chair Guenther asked the effect on the Road Commission's budget if the requests to the municipalities for financial assistance fail, plus the additional costs of the project? Discussion ensued and Mr. Conklin asked the Board to postpone consideration of the MDOT contract for this project for two weeks so that he can prepare and provide to the Board, a more detailed accounting of the project. The Board agreed.

AGENDA ITEM #12A – ADMINISTRATIVE FEE TO BE CHARGED ON 2009 LOCAL ROAD PROJECTS.

Managing Director Bill Conklin reviewed with the Board, the proposed method for charging the administrative fee on local road projects for 2009. He explained he would like to try it for 2009 and then meet again with the townships in the fall to see how it worked out. Mr. Conklin said the method he is recommending is as a result of a meeting held with several of the townships to discuss the issue. Commissioner Mitchell expressed his concern with charging the townships for writing estimates. He indicated he is not sure he agrees with this.

RESOLUTION AUTHORIZING THE METHOD TO BE USED IN CHARGING AN ADMINISTRATIVE FEE ON ALL LOCAL ROAD PROJECTS IN 2009.

RESOLUTION #015-09

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

BE IT RESOLVED that upon recommendation of the Managing Director, the Board authorizes staff to charge the administrative fee for 2009 local road projects as recommended in the Memo to the Board authored by the Managing Director under date of February 5, 2009. This will be for a trial period for 2009. At the end of the 2009 construction season, the townships will be contacted to see how this worked. At that time, the Board will determine whether this method of charging the administrative fee will be formalized into an official policy, or whether it needs to be reviewed again.

AGENDA ITEM #12B – BOARD OF DIRECTORS’ BALLOT FOR THE COUNTY ROAD ASSOCIATION OF MICHIGAN.

Moved by Commissioner Mitchell and Supported by Commissioner Rodgers, that staff is authorized to cast its vote on the ballot for the Board of Directors for the County Road Association of Michigan. 5 yes, 0 no. Motion carried unanimously.

AGENDA ITEM #13 – COMMISSIONER COMMENTS.

A. Commissioner Dravenstatt-Moceri had several questions regarding the cash position report and how our funds are moved around and interest earned. Director of Finance Tina Henry responded to Commissioner Dravenstatt-Moceri’s questions.

B. Interim Director of Operations Jim Charles stated that the most recent television/computer recycling program held at the Metro Garage facility and sponsored by the City of Lansing was quite successful. He said that 933 vehicles went through the line that day. Commissioner Guenther said when he pulled up that day, traffic was backed up past Dell Road on Aurelius Road, and in the other direction all the way to the top of the bridge over 96. He said he waited 59 minutes in line.

C. Commissioner Dravenstatt-Moceri said he wanted to thank Interim Director of Operations Jim Charles for all the work he’s done trying to address complaints regarding the condition of Holt Road between Aurelius Road and Cedar Street. Mr. Charles said that he has borrowed a spray patcher from Washtenaw County Road Commission and is using chip seal material in it to spray patch the problem areas on Holt Road. It appears to be working much better than cold patch and hopefully this method of patching will last longer than the cold patch.

AGENDA ITEM #14 – LIMITED PUBLIC COMMENT.

A. Leonard Provencher, 5824 Beuna Parkway, Haslett. Mr. Provencher stated he had the following comments:

(1) Regarding this winter’s snow removal, Mr. Provencher said he believes the Road Commission has done a good job, has been timely in responding to the storms, and performs its function in a safe manner. He said he thinks the plow operators have done an exemplary job even though people park their vehicles in many of the streets creating a very difficult situation to maneuver with the plow.

(2) Mr. Provencher said he wished to compliment the Road Commission on the improvements at the intersection of Okemos Road and Haslett Road and at Mt. Hope and Farm Lane.

(3) Mr. Provencher said he was curious how left turning movements at intersections are determined and actuated with the traffic signals. Current Interim Director of Operations and former Sign and Signal Shop Manager, Jim Charles, Managing Director Bill Conklin and Construction Engineer Rick Phillips responded to this question and explained how traffic signals are actuated.

(4) Mr. Provencher stated he wanted to thank whoever does the Road Commission's website. He said it is kept updated in a timely manner and information is easy to find.

(5) Mr. Provencher said he was glad to see that the Road Commission meetings are now on Mondays. There was a conflict with the Tuesday meetings with the Meridian Township Board of Trustees' meetings.

(6) Mr. Provencher stated that last year he noticed that there are no bike symbols on the bike lanes on Haslett, Carlton and VanAtta Roads. Interim Director of Operations Jim Charles responded that the Ingham County Road Commission does not install bike symbols on its road system. Managing Director Bill Conklin stated that pursuant to the Motor Vehicle Code, bicycles are treated as vehicles and they take their place in the outside road lane.

(7) Mr. Provencher stated he attended the December public input meetings conducted by the Tri-County Regional Planning Commission. He said that it was pointed out that only one percent of funding earmarked for Non-Motorized Pathways is being used for pathways. This is contrary to what both Bob D'Alcorn and John Midgley told him. He said he intends to investigate to see if the pathway money is being used properly. Mr. Conklin said that when the Road Commission paves four foot shoulders in conjunction with all of its paving projects, that accommodates the non-motorized pathway requirement. He stated that it is not appropriate to install bike symbols on all paved shoulders.

No additional public comment was offered. The meeting adjourned at 10:00 P.M.

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Joseph A. Guenther, Chair

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Deborah L. Bellows, Board Secretary