

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

Mason, Michigan  
March 2, 2009

The Board of Ingham County Road Commissioners met for a regular meeting on Monday, March 2, 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, Thomas M. Mitchell, Member, James Dravenstatt-Moceri, Member, and Norman L. Gear, Member.

Also Present: William M. Conklin, Managing Director, Tina M. Henry, Finance Director, and Robert H. Peterson, Director of Engineering.

Absent & Excused: Shirley M. Rodgers, Vice Chair, Deborah L. Bellows, Secretary to the Board, and James L. Charles, Interim Director of Operations.

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

AGENDA ITEM #4 – CONSENT AGENDA.

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

- A. Agenda Item #5 – Routine and Special Permits.
- B. Agenda Item #7A – Accounts Payable.

4 yes, 1 excused. Motion carried.

Agenda Item #5 – Routine and Special Permits.

Moved by Commissioner Mitchell and Supported by Commissioner Dravenstatt-Moceri, that the following routine and special permits be approved:

Routine:

|         |         |         |         |         |         |
|---------|---------|---------|---------|---------|---------|
| 09-0048 | 09-0063 | 09-0064 | 09-0049 | 09-0065 | 09-0066 |
| 09-0067 | 09-0071 |         |         |         |         |

Special:

- A. Permit #09-0024 applied for by E.T. MacKenzie Company for its annual haul route on Chamberlin Drive to haul to and from its concrete recycling facility.
- B. The following permits are allowed for milk haulers and agricultural commodities haulers during spring weight restrictions pursuant to statute:

Milk Haulers:

- (1) #09-0023 for Traver Milk Hauling for various roads in Stockbridge Township.
- (2) #09-0040 for Wadsworth Milk Transport for various locations/townships.
- (3) #09-0041 for Robert Cooley Trucking for various locations/townships.

- (4) #09-0051 for Maxson Milk Transport for various locations/townships.
- (5) #09-0053 for Jack Gantz Trucking for various locations/townships.
- (6) #09-0056 for Grombir Transport Inc. for various locations/townships.

Agricultural Commodities Haulers:

- (7) #09-0050 for Blackhawk Produce for various roads in Stockbridge Township.
- (8) #09-0052 for George Mohr for various locations/townships.
- (9) #09-0055 for Webster & Giffes Inc. for various roads in Locke Township.
- (10) #09-0059 for Keith Douglas Farms Inc. for various roads in Leroy Township.
- (11) #09-0060 for Webberville Feed & Grain for various roads in Leroy Township.
- (12) #09-0061 for Webberville Feed & Grain for various roads in Locke Township.
- (13) #09-0062 for Webberville Feed & Grain for various roads in White Oak Township.
- (14) #09-0069 for Every Farms for Diamond Road in Vevay Township.
- (15) #09-0070 for Rivers Edge Landscape for various locations/townships.

4 yes, 1 excused. Motion carried.

Agenda Item #7A – Accounts Payable.

Moved by Commissioner Mitchell and Supported by Commissioner Dravenstatt-Moceri, that the accounts payable for the two week period of February 2-15, 2009, be approved as follows: check numbers #92545 through #92627, totaling \$177,754.22. 4 yes, 1 excused. Motion carried.

AGENDA ITEM #8 – MDOT CONTRACT FOR THE WILLIAMSTON ROAD PROJECT.

Managing Director Bill Conklin reviewed his memo to the Board regarding the 2009 Williamston Road project and the funding associated with this project.

He stated that bids were received by MDOT for Williamston Road on February 6, 2009. The lowest qualified bid was from C&D Hughes of Charlotte for \$1,145,873.62. The following provides cost, revenue and local match information for this project, based on the low bid amount. Note that since road construction contracts are based on unit price and final quantities, the final cost may vary with field conditions and as-built quantities. This updated information replaces that in Exhibit I of the MDOT contract for this project.

|                    | <u>Part A</u><br><i>Rural Segment</i><br><i>Sherwood-Haslett Rds.</i> | <u>Part B</u><br><i>Small Urban Segment</i><br><i>Bismark St. to Sherwood Rd.</i> | <u>Totals</u>        |
|--------------------|---|---|----------------------|
| Low Bid Cost       | \$ 672,823.22   | \$ 473,050.40   | \$ 1,145,873.62      |
| Less Federal Funds | \$ 538,258.58 <sup>1</sup>  | \$ 375,000.00 <sup>2</sup>  | \$ 913,258.58        |
| Local Match Cost   | \$ 134,564.64   | \$ 98,050.40  | <u>\$ 232,615.04</u> |

<sup>1</sup>Rural Federal amount will be 80% of final cost up to 120% of project's programmed federal amount in TIP (\$480,000.00) for a federal "cap" of \$576,000.00, without doing a TIP amendment.

<sup>2</sup>Small Urban federal funds hard capped at \$375,000.00.

Mr. Conklin continued that the cost of this project significantly exceeds the programmed amount due to the significant rise in road construction costs since this project was programmed in 2007.

He said the bid was based on 2" asphalt thickness, which, when paired with the proposed 6" recycled, asphalt-stabilized base, would be a minimally acceptable pavement design. If we had bid the preferred 3" asphalt, the Rural Part A Low Bid would have exceeded the allowable 20% over programmed amount

which may have resulted in MDOT rejecting the bid unless a TIP amendment was rushed into place within the 49 bid-hold period – not a likely outcome given the other project demands in the Tri-County Region’s TIP. Knowing that a “project” to add one inch asphalt to this project was highly prioritized by CARTS in the proposed Stimulus TIP, and that the Stimulus program was coming to fruition, we chose to bid 2” asphalt and then planned to add 1” with the Stimulus funding to avoid bid rejection by MDOT.

Mr. Conklin said that additionally, if we had bid 3” asphalt, this would have added \$109,690.00 to the Rural Segment low bid cost of \$672,823.22 for a total of \$782,513.22, 80% of which is \$626,010.58. This would have exceeded the maximum federal funding on the Rural Segment of \$576,000.00 by \$50,010.58, which would have been added to our local match cost. Funding the extra 1” asphalt with Stimulus funds leaves some cushion in the Rural STP funding and covers all of the 1” asphalt cost. To further avoid excess bid cost, we deleted tree removal from the bid. Tree removal will be done by Road Commission crews. We plan to request reimbursement from the Stimulus funds for the tree removal under force account on the Rural Part A project.

Mr. Conklin said that adding 1” asphalt to the Small Urban segment (Part B) will cost \$68,600.00, all of which would have been/is ICRC cost, as the federal funds for this part are capped at \$375,000.00. We do not expect to receive Stimulus funding for this cost. Also, Rural STP funds cannot be used in the Small Urban area. Thus, this \$68,600.00 cost will have to be added to our as-bid local match cost of \$232,615.04, for a total local cost of \$301,215.04.

Mr. Conklin said we budgeted \$205,000.00 for local match costs on the entire Williamston Road project. Our total local cost is \$96,215.04 (say \$100,000.00) over the budgeted amount. We are in the process of seeking a \$140,000.00 match contribution from Williamstown Township and \$11,000.00 from the City of Williamston to fund this budget shortfall.

1. The Williamstown Township match request is based on the following:

|  |                               |
|--|-------------------------------|
| Half of 20% Local Match, 10% of Part A:                | \$ 67,283.00                  |
| 9.075% of (Part B bid less portion of Part B in City): | \$ 38,226.00                  |
| 50% of additional 1” asphalt on Part B:                | \$ 34,300.00                  |
| Total Williamstown Township match requested:           | \$139,809.00                  |
|  | <u>(\$140,000.00 rounded)</u> |

2. The \$11,000.00 City of Williamston match request is based on the following:

|  |                    |
|--|--------------------|
| Low Bid Cost of 600 foot portion of Part B having City territory on one side:              | \$51,825.00        |
| Less portion of Part B Low Bid amount in excess of Part B’s maximum “participation” limit: | - \$14,897.00      |
| Max “participation” total on 600 ft. City portion of Part B:                               | \$36,928.00        |
| Local match rate on above (per MDOT contract):   | x .1815            |
| Local match amount on above:   | \$ 6,702.00        |
| Add excess cost above participation limit:   | + \$14,897.00      |
| Total Local Match on 600 foot City portion of Part B:                                      | \$21,599.00        |
| Split above amount between City and ICRC (rounded):  | <u>\$11,000.00</u> |

Mr. Conklin said if we cannot secure the local match contributions as noted above, we will need to make additional cuts in this project, including deleting the 600 foot southerly City segment, which was resurfaced several years ago, and deleting the additional 1” asphalt on the Part B (Bismark to Sherwood) segment, which would result in savings of approximately \$120,000.00. He said he does not anticipate finding additional money in the 2009 Road Commission budget to cover this additional match. Mr. Conklin said he has meetings scheduled for Tuesday, March 3<sup>rd</sup> with Williamstown Township and Monday, March 9<sup>th</sup> with City of Williamston to discuss these match requests.

Mr. Conklin said that despite the funding challenge, Williamston Road very much needs recycling and resurfacing. Therefore, he recommended the Board approve the MDOT contract for this project.

RESOLUTION AUTHORIZING ENTERING INTO A CONTRACT WITH THE MICHIGAN DEPARTMENT OF TRANSPORTATION FOR IMPROVEMENTS ON WILLIAMSTON ROAD LOCATED IN WILLIAMSTOWN TOWNSHIP AND THE CITY OF WILLIAMSTON.

RESOLUTION #016-09

Moved by Commissioner Dravenstatt-Moceri and Supported by Commissioner Mitchell. 4 yes, 1 excused. Resolution carried.

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 – STL 33403, JOB #59627, STP 0833(039), RR 6590.

Hot mix asphalt paving work along North Williamston Road from Sherwood Road to Haslett Road, including tree removal, drainage improvements, earthwork, base crushing and shaping, asphalt emulsion stabilized base, and slope restoration work; and all together with necessary related work.

PART B – STUL 33498, JOB #89078, STP 0833(038), HH 5646.

Hot mix asphalt paving work along North Williamston Road from Sherwood Road to the north city limits of Williamston, including tree removal, drainage improvements, earthwork, base crushing and shaping, asphalt emulsion stabilized base, and slope restoration 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 59627, 89078           | Control Section STL 33403, STUL 33498 |
| MDOT Contract No. 08-5426         | Project No. STP 0833 (039) (038)      |
| Federal Item No. RR 6590, HH 5646 | CFDA No. 20.205                       |

ESTIMATED COST

CONTRACTED WORK

|                | <u>PART A</u> | <u>PART B</u> | <u>TOTAL</u> |
|----------------|---------------|---------------|--------------|
| Estimated Cost | \$681,000     | \$494,000     | \$ 1,175,000 |

COST PARTICIPATION

|                            |                  |                  |                   |
|----------------------------|------------------|------------------|-------------------|
| Grand Total Estimated Cost | \$681,000        | \$494,000        | \$ 1,175,000      |
| Less Federal Funds*        | <u>\$544,800</u> | <u>\$375,000</u> | <u>\$ 919,800</u> |

Balance  
(Requesting Party's Share)    \$136,200        \$119,000        \$ 255,200

\*Federal Funds for the Part B portion of the Project are limited to an amount as described in Section 5 of the contract.

NO DEPOSIT REQUIRED.

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

BE IT FURTHER RESOLVED that the Board approves and signs the MDOT contract for the Williamston Road project, Bismark Street to Haslett Road and, if necessary, to fully fund the Williamston Road project as proposed if Williamstown Township and the City of Williamston do not provide requested matching funds, rather than reduce the asphalt thickness, to borrow revenue from the 2009 Waverly Road project, Moore's River Drive to Lansing Road, which is already under-funded anyway.

FURTHER, to use funds from the Waverly Road project, Moore's River Drive to Lansing Road, to add funding, if necessary, to the Waverly Road project, St. Joseph Street to Willow Road, and the Marsh Road and Hamilton Road project from Okemos Road to Grand River Avenue in 2009.

FURTHER, to do whatever portion of the Waverly Road project, Moore's River Drive to Lansing Road, can be done, if any, in 2009 with the remaining funding for this project and then do the remainder of this project in 2011, borrowing funding for it from the 2011 Okemos Road widening and resurfacing project between Sandhill Road and I-96, which is predicated on possible expansion by the Jackson National Life Insurance (JNL) complex located on this segment of Okemos Road and, therefore, the Okemos Road project either will not be necessary if the JNL expansion does not occur, or could very likely be funded by a Michigan Transportation Economic Development (TEDF) Category A (Jobs Creation) grant if the JNL expansion does occur.

AGENDA ITEM #9 – COMMUNICATIONS.

The Board discussed a letter received from Tonatzin M. Alfaro Maiz of Williamston regarding the Deer Creek, Holt Road Branch Drain. This property owner is concerned about drainage improvements proceeding on a 13 year old petition. The original petition was submitted by the Road Commission. The Board directed staff to seek advice from legal counsel in determining if the petition would still be valid after 13 years.

AGENDA ITEM #10 – BOARD UPDATES/COMMENTS.

- A. Chair Guenther asked that thanks be passed along to Frank Llinas for his help in addressing a drainage problem on Aurelius Road.
- B. Commissioner Dravenstatt-Moceri requested an update on AFSCME contract negotiations. Managing Director Conklin stated there is a pre-fact finding meeting coming up in the next few weeks.

No public comment was offered. The meeting adjourned at 6:45 P.M.

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Joseph A. Guenther, Chair

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Deborah L. Bellows, Secretary to the Board

