

****APPROVED MINUTES****

Mason, Michigan
March 30, 2009

The Board of Ingham County Road Commissioners met for a regular meeting on Monday, March 30, 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, James L. Charles, Interim Director of Operations, and Robert H. Peterson, Director of Engineering.

Others Present: Al McFadyen, Delhi Township DDA Director, John Elsinga, Delhi Township Manager, Patrick Lindemann, Ingham County Drain Commissioner, James Tow, Western District employee, Dan Troia, Engineering Department Design Engineer, Lance Wice, Purchasing Agent, Will Comstock, Western District employee, Carl Langham, Eastern District employee, Tom Gamez, Western District Assistant Supervisor, Tom Doyle, AFSCME Local 1499 President and Eastern District employee, Todd Hull, Eastern District employee, Dan Chapman, Engineering Department employee, Bryan Wieferich, AFSCME Local 1499 Chief Steward and Eastern District employee, Dale Arnett, Eastern District Supervisor, and Duane Yerks, Fleet Manager.

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

Chair Guenther stated because Drain Commissioner Lindemann has a meeting with The City of Lansing City Council at 7:00 P.M., he would move him up on the agenda and would have public comment after Mr. Lindemann is finished.

AGENDA ITEM #5 – MEETING WITH INGHAM COUNTY DRAIN COMMISSIONER.

Chair Guenther stated to Mr. Lindemann that the Board wanted to discuss the issue with the orphan drains. He said staff and Board members would like to take care of some of them and we need direction on how to proceed and what costs are involved.

Mr. Lindemann stated he has jurisdiction of 1500 legal drains in Ingham County. He said there are another one to two thousand drains in road rights of way that aren't under his jurisdiction and he assumes they are road drains. He said that under Phase 2 of the National Pollutant Discharge Elimination System (NPDES) Stormwater Program, which regulates stormwater discharges from three potential sources, municipal separate storm sewer systems (MS4's), construction activities, and industrial activities. The Federal rules allow county road commission's be nested under their Drain Commissioner's notice of coverage. But, in order for this to happen, the Drain Commissioner has to take over the drains or have an agreement with the road commission on how maintenance will be conducted. Mr. Lindemann said if he does not get the required paperwork to "nest" these drains, then they would have to be de-nested, and the Road Commission would have to apply for the NPDES permit on its own for these road drains. He said he did not think this would be in the best interest of the Road Commission.

Mr. Lindemann explained the process, which will include both Road Commission and Drain Commission staff and attorneys to come up with boilerplate language for the proper petition/documentation. He explained that each "road drain" attributed to the Road Commission would need to be identified and described in the documentation and subsequently brought into the county drain system. He indicated that

we can do as many, or as few, as time permits annually. But, if he is certifying through his NPDES permit process that this process is being done, then we will have to start doing some every year. His suggestion was that 20 or 30 of these drains be done per year, then he will be able to comply with the Federal Clean Water Act requirements.

Mr. Lindemann gave an example of a location being Lake Lansing Road between Okemos Road and Marsh Road, near the Pine Lake Outlet Drain. There is an 8-10 foot culvert here and a whole string of catch basins along Lake Lansing Road that are not under the jurisdiction of the Drain Commission. These could be made a branch of the Pine Lake Outlet Drain and their maintenance could be folded into the drainage district.

Mr. Lindemann stated that back in the 1980's, the Drain Commission agreed that all orphan drains, within the road right of way, would be cleaned by the Drain Commission and the Road Commission would pay for their maintenance. He said he did not believe the Road Commission really wanted to resurrect that process. He said he feels that turning all orphan drains within the road right of way over to his office for maintenance would be the most cost effective solution for the Road Commission, otherwise the Road Commission would have the cost of applying for, and complying with, the requirements of an NPDES permit. Mr. Lindemann said he is certain that an Inter-governmental agreement can be drafted that will be satisfactory for both agencies to sign and make this happen. He indicated that in order to maintain the discharge permit, every fall he has to certify all activities, which include maintaining the orphan drains. He said he has to report that we are at least working toward that end.

Chair Guenther stated the Board's concern is how much this is going to cost the Road Commission to have the Drain Commission maintain those orphan drains as established drainage districts. Mr. Lindemann stated these will be maintained as part of the Drain Commission's work load, and paid for by all those properties within the drainage district. Vice Chair Rodgers stated the Road Commission does not have a revenue source for this type of unknown expense, and that the Road Commission's funds can only be spent on maintenance within the designated right of way. She said that the Road Commission's drain assessment costs have increased dramatically over the past few years. She indicated she is not sure if she agrees with this nesting process.

Mr. Lindemann said if the Road Commission insists on keeping and maintaining the orphan drains itself, then an option would certainly be that the Road Commission could go through the permitting process itself, but he was not sure that this would be something the Road Commission would want to get involved in. Managing Director Bill Conklin stated that if the Drain Commissioner's numbers were correct, this effort would take three times the current staff just to deal with all the permitting and requirements. Vice Chair Rodgers stated she doesn't know how the Road Commission can make funds available without knowing the cost up front.

Mr. Lindemann said that his office does not assess the Road Commission directly. They assess the County at Large, and the County charges the Road Commission 50 percent of that cost. He indicated his office would not be working on these orphan drains every year and it would be impossible to estimate the Road Commission's annual cost for maintenance. He said if the Road Commission chooses, it can pick the ones it wants to keep, but it would still require a separate permit process. Currently everything is under the Drain Commission's permit and he is duty bound to certify that all of these road drains are under his jurisdiction. Mr. Lindemann stated that they all have to be sampled and tested the first year for raw sewage and detergent, two wet samples and two dry samples. If anything is detected, then it has to be followed upstream to locate the source, and stop it. He said the tests for sewage alone are \$300 each.

Mr. Lindemann stated he has obtained a dog that can be trained to sniff out sewage and detergent. This is 98% accurate. The cost to train the dog is \$8,000 and he has a staff person who has volunteered to provide room and board for the dog. This will save a couple million dollars in additional fees. The sewage and detergent testing is just a small part of the testing required for the stormwater discharge permit. The rest of the testing they do in-house and the tests involve 20 different parameters.

Mr. Lindemann said if the Road Commission does not want these orphan drains within the road right of way, then he needs to pursue this through his permitting process. He said if the Road Commission decides to have these drains under the jurisdiction of the Drain Commission, then he anticipates that all couple thousand of them will eventually be put under his jurisdiction. He said even at the rate of turning over up to 30 a year, this will take many years to accomplish and we need to get started now. Mr. Lindemann said we should do at least 150 over the next two years.

Commissioner Mitchell asked if the Road Commission is not nested, then it would have to purchase the necessary equipment for maintaining drains. Mr. Lindemann said yes, or hire a contractor to do the work. Managing Director Bill Conklin stated for some of those drains, only those in the road, the Road Commission will have to investigate just having them cleaned versus creating a drainage district. If they only drain the road, then we would be the only property owner assessed. In some instances, it may be more cost effective to just have them cleaned ourselves. He stated the Oakland County Road Commission owns its own Vactor equipment, and they maintain their own road drains. He said they have a memo of understanding with the Oakland County Drain Commissioner to remain nested. He said the permits are very difficult to obtain.

Mr. Lindemann assured everyone he has enough work, he is not looking for more, so whatever works out best for everyone, but the decisions need to be made now. He wants to consistently pursue this if the Road Commission intends to turn over the road drains to his office. He indicated that in 2025 the county has to be in complete compliance. Mr. Lindemann said if we do many of them each year, this deadline can be reached. He said if he can show that we are making progress every year, this will be acceptable to the EPA.

Commissioner Gear asked how many drains we currently service per year. Both Interim Director of Operations Jim Charles and Director of Engineering Bob Peterson responded they did not know. Mr. Conklin said we should start with the ones where many contributors exist.

Vice Chair Rodgers asked if there wasn't another permit phase. Mr. Lindemann said yes, Phase 3, but the most important were Phases 1 and 2 and these are the costly ones. He said that Phase 3 deals with planning, implementation and training. He indicated Phase 1 started in 1973 and Phase 2 in 2003.

Mr. Lindemann said he would like to get this wrapped up, including having all of the road drain locations identified, and having any agreement between his office and the Road Commission, in place by the end of summer so that he can include the status of this in the report for 2009, which is due to the EPA in November.

Mr. Lindemann thanked the Board for its time and left the meeting.

AGENDA ITEM #11C – INTERAGENCY AGREEMENT WITH DELHI TOWNSHIP DDA.

Chair Guenther stated that since Mr. McFadyen and Mr. Elsinga were present, he would move Agenda Item #11C up for discussion.

Al McFadyen, Delhi Township DDA Director, and John Elsinga, Delhi Township Manager, were present for this discussion.

Mr. McFadyen stated the township is hopeful that Stimulus funding will be available for the next phase (Phase 2) of work proposed for Cedar Street between Holbrook Drive and College Road. In the event it is not, the work is planned for 2010 or 2011. However, Mr. McFadyen stated the next step is the engineering work for preparation of plans and specifications. He indicated Tetra Tech did the engineering work on the first phase of the Cedar Street project, which was done in 2008, from Dallas Street to Holbrook Drive, including the roundabout. Mr. McFadyen stated the anticipated engineering fees for Phase 2 are \$82,500. The engineering consultant will again be Tetra Tech. He stated that at the last DDA meeting, the DDA board approved the contract with Tetra Tech for Phase 2 of the Cedar Street improvements. If Stimulus funds become available, they could possibly have a letting this summer.

Mr. McFadyen stated he also wanted to address the proposed InterAgency Agreement between the Road Commission and the Delhi Township DDA for this project. Administrative fees to the Road Commission are proposed at \$100,000.00. Mr. McFadyen asked the Board if it would waive the Administrative fees for this project, especially since the DDA is paying 100% of the cost of construction and 100% of the cost of the engineering consultant services. He said he did not think it fair for them to pay \$100,000.00 for administrative fees to the Road Commission when they are paying the entire cost of the project. Mr. McFadyen stated the DDA has spend a lot of money for road improvements in the township and asked if the Road Commission could waive the Administrative fee and consider that the Road Commission's contribution toward the project. Mr. McFadyen stated the DDA could use this \$100,000.00 for other road projects in the township.

Mr. Elsinga stated the township has been working with Road Commission staff on the Holt Road and Cedar Street improvements. He said the township is in favor of using Stimulus funds for the improvements on Holt Road and he understands it will be done in 2009. He also asked that the Road Commission reconsider three lanes as opposed to four lanes on Cedar Street through downtown. The goal is to make the area more walkable, especially around the park and the new senior center that is in the process of being constructed. He said that three lanes will better accommodate that walkability. Mr. Elsinga said that the DDA is willing to underwrite the engineering costs for this project.

Mr. Elsinga stated that while the township is completely in favor of resurfacing Holt Road between Burton and Thorburn, why not take it further to the west? The Township would even be willing to participate in additional funding. It is in great need of resurfacing further west of Aurelius Road toward Cedar Street. Mr. Elsinga stated that since the Township is willing to participate in the cost of repairs to primary roads, would the Road Commission be willing to waive the Administrative fee being assessed on the Cedar Street project to the DDA? He said he supported Mr. McFadyen's request. Mr. Elsinga stated that when the township is willing to contribute 100% of the cost of construction and engineering for primary road improvements, he feels the Road Commission should at least absorb the Administrative fee as its contribution toward the project. He said he understands that fee being assessed on local road projects, but when the primary road improvements are the total responsibility of the Road Commission, the least it could do is waive the Administrative fee and absorb it as its contribution.

Mr. Elsinga stated that the Township is currently planning a major sewer line construction project along McCue Road between Eifert Road and Grovenburg Road. The Road Commission has a very deep drainage ditch that runs along the south side of McCue Road between Eifert Road and Onondaga Road, then it goes under Onondaga Road, and crosses the road to the north side and runs between Onondaga Road and Grovenburg Road toward the township's sewage treatment plant on McCue Road at Grovenburg Road. For many years, residents in this area have asked to enclose this drainage ditch because of its depth and perceived dangers. Mr. Elsinga said that in conjunction with the sewer project, they are proposing enclosing the drainage ditch. He said the sewer project is a \$10,000,000.00 project, which also proposes a complete rebuild of McCue Road between Eifert Road and Grovenburg Road, including a non-motorized pathway on the north side of McCue Road. The Township has had preliminary meetings with Road Commission staff.

Mr. Elsinga said that the Drain Commissioner has also been involved in the preliminary discussions because of the drain that runs through this area.

Chair Guenther said he felt the Road Commission and the Township could reach some sort of resolve regarding the Administrative fee and encouraged negotiations to continue.

Director of Engineering Bob Peterson recommended approval of the contract with Tetra Tech for engineering design services for the proposed project on Cedar Street between Holbrook Drive and College Road.

RESOLUTION APPROVING CONTRACT WITH TETRA TECH FOR ENGINEERING DESIGN SERVICES FOR THE PROPOSED CEDAR STREET PROJECT BETWEEN HOLBROOK DRIVE AND COLLEGE ROAD.

RESOLUTION #026-09

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 approves entering an Agreement with Tetra Tech for engineering design services for the proposed reconstruction project on Cedar Street between Holbrook Drive and College Road. Said engineering design services shall not exceed \$82,500.00, which will be reimbursed 100% to the Road Commission by the Delhi Township DDA.

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, #8A, and #8B – Routine and Special Permits.
- C. Agenda Item #10A and #10B – Accounts Payable and Special Run.

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 meeting of March 16, 2009, be approved as presented. 5 yes, 0 no. Motion carried unanimously.

Agenda Item #8, #8B, and #8C – Routine and Special Permits.

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

09-0087	09-0088	09-0090	09-0091	09-0097	08-0576
09-0089	09-0096	09-0085			

Permit #08-0576 applied for by H&C Earthworks & Construction on behalf of Meridian Township, to construct concrete sidewalk, ramps and a concrete retaining wall within the right of way of Hagadorn Road, Hulett Road and Jolly Road.

Permit #09-0099 applied for by Ingham Township for the purpose of conducting the Michigan State University 2009 "Road Rampage" Collegiate road race to be held on Saturday, March 28, 2009, from 7:00 am until 5:00 pm. The event sponsor is the MSU Cycling Club.

5 yes, 0 no. Motion carried unanimously.

Agenda Item #10A and #10B – Accounts Payable.

Moved by Commissioner Mitchell and Supported by Commissioner Rodgers, that accounts payable for the two week period of March 2-15, 2009, be approved as follows: check numbers #92735 through #92818, totaling \$84,004.26; and special run dated March 20, 2009, for check number 92819 in the amount of \$10,500.00 made payable to Tom's Advanced Paving Company, which was approved at the

meeting of March 16, 2009 for purchase of an equipment trailer. 5 yes, 0 no. Motion carried unanimously.

AGENDA ITEM #9 – MANAGING DIRECTOR REPORTS.

A. Catherine Street Repairs in 2009. The Road Commission is hosting, in conjunction with Lansing Township, a public informational meeting regarding the proposed rehabilitation project on Catherine Street for 2009. This is a local road project being done jointly between the Road Commission and the Township. The meeting is scheduled for April 2nd from 4:00 pm until 7:00 pm at the Lansing Township offices located at 3209 W. Michigan Avenue. The pavement on Catherine Street has deteriorated to a mostly failed condition. The ideal remedy is to recycle the old pavement in-place into a crushed base material and resurface it with at least three inches of new asphalt. However, the cost of this remedy exceeds available funds this year. The plan is to hear public comment regarding taking the existing pavement and recycle it in-place into a crushed aggregate material graded, compacted and used as a driving surface for at least one year. The crushed material would resemble a dense stone aggregate. Depending on the material properties, with summer heat and traffic running over it, this material frequently tightens up into a smooth cohesive surface and stays that way with minimal maintenance. In other cases, the material remains similar to a stone aggregate, which is graded when needed by road commission trucks to keep it smooth. In either case, the bumps and potholes of the existing failed pavement are eliminated, in many cases, the resulting surface is very acceptable and provides years of trouble free service.

Commissioner Mitchell asked if there would be a problem with dust control by using the crushed asphalt type surface. Mr. Conklin stated this surfaces made of this crushed base material are generally dust free. The crushed asphalt is semi-stabilized and the heat of the summer months helps to bond it together. There isn't much dust. Commissioner Mitchell said that Catherine Street used to be a cut through street to Saginaw and generated a lot of traffic. Interim Director of Operations Jim Charles said all those factories are closed now and the street doesn't get much cut through traffic any more.

Commissioner Dravenstatt-Moceri asked about winter plowing operations and if the snow plows will pull up the loose material. Mr. Conklin said the surface tightens down very well and for winter maintenance operations, it isn't much different than a gravel road surface. Chair Guenther asked if it would break up and be in lawns and in the gutter. Mr. Conklin said there may be some of this until the surface tightens down, stating that is the purpose of the public meeting so that the residents can try this crushed asphalt surface and if they don't like it, then it can be paved next summer. He indicated the Township is concerned that there won't be a local road matching program next year and Catherine Street will remain surfaced with this crushed asphalt indefinitely with no money to surface it next year. The Township would prefer to surface it this year.

Chair Guenther asked where there might be a successful location of this material that could be looked at by the residents. Mr. Conklin said many other road commissions are using this method. Chair Guenther said this question may be asked by the residents, so be prepared. He also suggested that staff be ready with a cost for paving as that question will likely be asked as well. Mr. Conklin said he has a complete cost estimate, step by step, for the public meeting.

Commissioner Gear asked if the cost estimate includes the Road Commission's cost to maintain the roadway. Mr. Conklin said it is not unlike maintaining a gravel road, stating the maintenance is offset by the cost of patching to this failed surface. Vice Chair Rodgers suggested that staff be prepared to answer questions at the public hearing, such as the difference between dense stone aggregate and gravel.

B. Small Urban Area Stimulus Funds. Managing Director Conklin reported that we were recently informed by MDOT that there would be a Small Urban Area (SUA) category of Stimulus funding (now formally known as American Recovery & Reinvestment Act of 2009 (ARRA)). The only SUA in Ingham County is the Williamston-Webberville area, which received \$115,000.00.

In the recently completed project selection/prioritization process by TCRPC, additional funding for our Williamston Road, Bismark Street to Sherwood Road, SUA funded project was the only project submitted and, thus, selected, to receive any SUA Stimulus funds that may come to the Williamston-Webberville SUA. As the Board is aware, we need additional funding for this project. Now that SUA Stimulus funds have become available, the City of Williamston has indicated they may want this funding for improving their portion of Williamston Road north of I-96.

Mr. Conklin said he is seeking the Board's direction on whether to oppose or allow the City of Williamston's expected request for the \$115,000.00 of SUA Stimulus funds at the next CARTS/TCRPC set of meetings at which the regional TIPs will be finalized. Some pros and cons of this request are as follows:

Arguments for opposing the City's request include: Keeping all available funds for our county road system, which is under-funded. Williamstown Township opposes for the same reason and is being asked to help with local match. City requested transfer of Williamston Road north of I-96 from ICRC reportedly to have control of it for development and the speed limit and took it knowing it needed resurfacing.

Arguments for allowing the City to have the SUA Stimulus funds include: Williamston Road north of I-96 is in very poor condition and carries concentrated traffic between I-96 and the Williamston area. This is frequently mistaken as a county road as it once was and repairing it would be good for the overall area road system. This would certainly foster good relations with an Ingham County local unit of government. The City obviously would be more inclined to contribute the \$11,000.00 we requested from them for local match assistance on our project if we allow them the SUA Stimulus funding, than if we oppose it.

Mr. Conklin said that in round numbers, the \$115,000.00 additional Stimulus revenue would save \$85,000 on currently estimated project costs and provide \$30,000 for additional desired work that would be authorized into the contract. The \$85,000 savings would have the following affect on the Road Commission's local match calculations for the Williamston Road project.

Total Local Cost without SUA Stimulus funds per Mr. Conklin's 2/24/09 Memo	\$302,000.00
Match Request from Williamstown Township	140,000.00
Match Request from City of Williamston	11,000.00
ICRC Portion without SUA Stimulus funds, assuming above City and Township	
Contributions	<u>151,000.00</u>
Total Local Cost with additional SUA Stimulus funds	\$217,000.00
Match Request from Williamstown Township	108,500.00
Match Request from City of Williamston	Assume Zero
ICRC Portion	108,500.00

For a savings of \$31,500.00 to Williamstown Township and \$42,500.00 to ICRC.

The Board directed Mr. Conklin to work out the best deal for the Road Commission, the Township and the City and report back.

AGENDA ITEM #11A – ACT 150 CONSTRUCTION PUBLIC HEARING.

Director of Engineering Bob Peterson stated that to be in compliance with Act 150, he would recommend setting a date for the 2009/2010 proposed construction public hearing. He suggested May 11. Managing Director Conklin stated the list of projects on the Long Range Plan for 2010 through 2035 will also be included in the public hearing process.

Moved by Commissioner Mitchell and Supported by Commissioner Rodgers, that staff is authorized to set a public hearing date of May 11, 2009, for the Long Range Plan list of projects to span the years 2010 through 2035; and May 26, 2009, for the Act 150 construction projects slated for 2009 and 2010. 5 yes, 0 no. Motion carried unanimously.

AGENDA ITEM #11B – 2008 ACT 51 MILEAGE REPORT AND CERTIFICATION.

Director of Engineering Bob Peterson reviewed the 2008 Act 51 mileage report and certification and recommended approval by the Board. He indicated the Road Commission's total mileage increased by 2.76 miles in 2008, all on the local road system.

RESOLUTION APPROVING THE 2008 ACT 51 MILEAGE REPORT AND CERTIFICATION.

RESOLUTION #027-09

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 approves the 2008 Act 51 mileage report and certification and authorizes the Chair to sign the certification cover sheet for submittal to the Michigan Department of Transportation (MDOT).

AGENDA ITEM #12A – AWARD OF PROPOSAL #1552.

Interim Director of Operations Jim Charles reviewed the bids received for Proposal #1552 for corrugated polyethylene (plastic) pipe. This pipe is used primarily in wet acidic soils in locations where the tube holds water most of the time. The Road Commission does not use a lot of this particular pipe. Mr. Charles recommended award to Advanced Drainage Systems of Fowlerville for their overall low bid price on various sizes of pipe and couplers.

RESOLUTION AUTHORIZING AWARD OF PROPOSAL #1552 FOR SMOOTH LINED CORRUGATED POLYETHYLENE PIPE.

RESOLUTION #028-09

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 Interim Director of Operations, the Board authorizes award of Proposal #1552 for smooth lined corrugated polyethylene pipe to Advanced Drainage Systems of Fowlerville, for its overall low bid price for various sizes of polyethylene pipe and split collar couplers.

AGENDA ITEM #12B - AWARD OF PROPOSAL #1553.

Interim Director of Operations Jim Charles reviewed the bids received for Proposal #1553 for helically corrugated steel pipe. This pipe is used by Road Commission crews for installation of drive culverts, equalizer and cross tubes, and large drain culverts. He recommended award to Contech Construction Products of Mason for their overall bid prices on various sizes of helically corrugated steel pipe and connecting bands.

RESOLUTION AUTHORIZING AWARD OF PROPOSAL #1553 FOR CORRUGATED STEEL PIPE.

RESOLUTION #029-09

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

BE IT RESOLVED that upon recommendation of the Interim Director of Operations, the Board authorizes award of Proposal #1553 for helically corrugated steel pipe to Contech Construction Products of Mason, for its overall low bid price for various sizes of steel pipe and connecting bands.

AGENDA ITEM #12C – BITUMINOUS SPRAY PATCHING.

Interim Director of Operations Jim Charles reviewed the result of bids received for bituminous spray patching services this summer. He explained that bituminous spray patching is a process that consists of a liquid bituminous and aggregate mixture to correct extensive voids, raveling, spalling, potholes and other road surface failures. The Ingham County Road Commission crews have been using this process to repair potholes this winter with a machine borrowed from the Washtenaw County Road Commission, with great success.

Mr. Charles said that the bid proposal asked for quotes by the gallon and by the hour. The reason for the two options is that this year we added potholes to the list of repairs, an item that previously was not listed in the bid document. He said that as everyone is well aware, this has been a bad year for potholes and we need help with the repair of those areas. With potholes sprouting up all over the county, we will be asking the spray patching contractor to make numerous moves during the day. Thus, Mr. Charles stated he thought the “by the hour” price would be more appropriate.

However, upon review of the bids received, Mr. Charles said it is recommended that we award the contract to both bidders using option one (by the gallon) pricing. At this time, there is no money budgeted for this item. We are using this process now with the borrowed machine from Washtenaw County Road Commission in an attempt to keep our crews working for the summer, rather than by contracting the work out. If funds should become available this summer for contracted spray patching, Mr. Charles said he believes it to be in the best interest of the Road Commission to use whichever contractor is available on short notice, and have the option of using both the contractor and our crews at the same time in order to cover more area.

Mr. Charles stated that there were only two bidders who bid Option 1, the “per gallon” price. There were no other bidders for option one. There will be an ICRC employee with the contractor at all times when they are working on our road system. It is also possible the Road Commission may be renting a second machine from Washtenaw County this spring and summer if the machine becomes available.

Mr. Charles reiterated that currently there is no money in the budget for a spray patching contractor. However, by having these contractors available, would be a good back-up plan should money become available, then we could have both contractors, plus Road Commission crews, working simultaneously on pothole patching. He recommended award of this Proposal for spray patching to both bidders who bid the per gallon price.

RESOLUTION AUTHORIZING AWARD OF PROPOSAL #1555 FOR BITUMINOUS SPRAY PATCHING.

RESOLUTION #030-09

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

BE IT RESOLVED that upon recommendation of the Interim Director of Operations, the Board authorizes award of Proposal #1555 for bituminous spray patching to Michigan Pavement Solutions of Interlochen and Quality Asphalt Company of Mason, for their bid prices per gallon. These contractors will only be called upon for work should money become available in the 2009 budget.

AGENDA ITEM #13A – DIRECTOR OF OPERATIONS VACANCY.

Managing Director Bill Conklin reviewed his recommendation to fill the Director of Operations position which will become vacant upon the retirement of current Interim Director Jim Charles at the end of April. Mr. Conklin stated that we received 62 applications. The interview team consisted of Jim Charles, Bob Peterson and Bill Conklin. All three reviewed all of the applications/resumes received. He continued that 18 individuals were interviewed, 10 external candidates and 8 internal candidates.

Mr. Conklin said the decision came down to two internal candidates, Francisco Llinas and James Benjamin. Second interviews were conducted with both gentlemen.

After weighing all of their strengths and weaknesses, knowledge and skills, Mr. Conklin recommended that an offer be extended to James Benjamin for the Director of Operations position. He said that Mr. Benjamin has good leadership skills, will make a good manager and will get things done.

At this time, Mr. Conklin said he would like to thank Jim Charles for extending his retirement date and staying on as the Interim Director of Operations these past 12 months. He said that Jim has done a wonderful job and has been very helpful with the transition in helping to decide what would be required for the person filling the Director of Operations position.

RESOLUTION APPROVING THE POSITION OF DIRECTOR OF OPERATIONS BEING OFFERED TO CURRENT EMPLOYEE JAMES M. BENJAMIN.

RESOLUTION #031-09

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

BE IT RESOLVED that upon recommendation of the Managing Director, the Board hereby authorizes extending an offer to James M. Benjamin for the Director of Operations position for the Ingham County Road Commission.

Discussion on the Motion: Vice Chair Rodgers stated she noticed there was no information with this agenda item regarding the EEO statistics for the 18 individuals who were interviewed. Mr. Conklin said the persons interviewed were as follows: 2 Hispanic males, 1 black male, 1 white female, and 14 white males. Vice Chair Rodgers stated the black male was not listed on the applicant statistics. Mr. Conklin stated that is because he did not fill out the voluntary check sheet.

Vice Chair Rodgers stated that the Managing Director commented that he had widespread support, respect, and positive feedback from other Road Commission employees for Mr. Benjamin. Were there any contrary opinions, other than to support him. Mr. Conklin stated there have been a few.

Vice Chair Rodgers stated she has been consistent in her encouragement of diversity within the management team, as well as with lower level positions, and while she appreciates a career ladder here, she also favors a truly culturally diverse workforce, and she doesn't know how to weigh the two. She stated that the Managing Director's recommendation is consistent with providing a career ladder here for current employees and she hopes that at some point in the hiring process there will be recommendations for women and minority candidates.

Commissioner Mitchell stated he did not envy the Managing Director's decision for this position. He said that both internal finalists are highly qualified. However, Commissioner Mitchell said he felt the successful candidate should come from the operations department. He said that he believed Jim Benjamin to be a good fit and will do a wonderful job for the Ingham County Road Commission.

AGENDA ITEM #13B – DECLARATION OF OBSOLETE POLICY.

Managing Director Bill Conklin recommended the declaration of an old policy as obsolete. It is the policy for the Overhead Fee Schedule which was adopted by the Board in 1998. It is no longer used.

RESOLUTION APPROVING DECLARATION OF OBSOLETE POLICY.

RESOLUTION #032-09

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

BE IT RESOLVED that upon recommendation of the Managing Director, the Board declares the following policy obsolete: Board Policy #BP-242, the Overhead Charge Schedule. This policy shall herewith be removed from the Board Policy manual.

AGENDA ITEM #14 – COMMUNICATIONS AND/OR REPORTS.

The following communication was received and placed on file: Letter from U.S. Senator Carl Levin regarding the American Recovery and Reinvestment Act of 2009 (Stimulus).

AGENDA ITEM #15 – BOARD COMMENTS.

A. Commissioner Mitchell asked if there was any winter maintenance this morning. Interim Director of Operations stated the bridge decks became icy with the change of weather and one person was called out for the Eastern District and one for the Western District.

B. Chair Guenther stated he wanted to echo Commissioner Mitchell's comments regarding the Director of Operations position. He said that he did want to say, though, that he believes Mr. Conklin is doing exactly what this Board hired him to do. Chair Guenther said that with an aging workforce, there will be additional vacancies coming up in the future and he supports promoting current employees wherever possible. He indicated that he felt filling the Director of Operations position was a very difficult decision and both of the two finalists are fine people.

C. Vice Chair Rodgers stated she still continues to receive positive comments from county residents about the wonderful job the Road Commission did with winter maintenance this past winter. She thanked both the Managing Director and the Interim Director of Operations.

D. Commissioner Gear stated that winter was surely unforgiving this year and crews did a fantastic job with winter maintenance, and on getting potholes patched. He thanked everyone for a job well done.

E. Commissioner Mitchell stated he wanted to especially thank those who always get forgotten, the mechanics. They have the worse job of crawling underneath those trucks when they are dripping snow and mud. He said the mechanics have done a superb job this winter keeping everything running and he said the Board appreciates each and every one of them.

F. Chair Guenther stated it has been a rough, relentless winter. It has also been hard on the equipment. He continues to strive for new equipment, even with a faltering budget.

No public comment was offered. The meeting adjourned at 7:50 P.M.

Joseph A. Guenther, Chair

Deborah L. Bellows, Board Secretary