

Mason, Michigan  
September 14, 2009

The Board of Ingham County Road Commissioners met for a regular meeting on Monday, September 14, 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, James G. Dravenstatt-Moceri, Member, Thomas M. Mitchell, Member, and Norman L. Gear, Member.

Also Present: William M. Conklin, Managing Director, Deborah L. Bellows, Secretary to the Board, James M. Benjamin, Director of Operations, Tina M. Henry, Director of Finance, and Robert H. Peterson, Director of Operations.

Others Present: Lynne Page, Meridian Township resident, Vance Kincaid, Meridian Township resident, John Veenstra, Meridian Township trustee, Daniel J. Chapman, ICRC Engineering Department employee, Will Comstock, ICRC Western District employee, and Nate Conner, ICRC Metro District employee.

Chair Joseph A. Guenther opened the meeting and led with the Pledge of Allegiance, followed by a few moments of silence for our fallen comrade Thomas J. Doyle, who was fatally injured in a tragic work related accident on September 1, 2009.

AGENDA ITEM #4 – LIMITED PUBLIC COMMENT.

1. Nate Conner, Road Commission employee assigned to the Metro District. Mr. Conner said that he and Tom Doyle were here at the last meeting and talked about getting the labor contract settled. Now, Tom is gone and morale is even worse, in fact, it is lower now since Tom died. Mr. Conner stated he just did not understand why none of the commissioners were here the following day after Tom's death. The Managing Director was there and held a meeting with all of the employees and not one of the commissioners was there to lend their support to people. Mr. Conner said that Tom was fighting for a contract and the only hold up is wording for the health insurance. It has been held up for almost two years now. The other two units settled quite a while ago. Mr. Conner stated we all have to carry on in the wake of Tom's death and he has kids and a family, as do most all of the employees, and this contract needs to get settled. He indicated that fighting over wording isn't right to have dragged on this long and he feels the employees got no respect from the board when none of them were here the next day after Tom's death.

Chair Guenther told Mr. Conner he did not feel it was right for him to judge the board members and it is not fair for him to accuse them of being heartless because he doesn't really know what the facts are.

Mr. Conner said they want a contract signed and the Board should give them what they deserve. He said he won't stop coming to Board meetings until the contract is settled and they get their raises. Chair Guenther told Mr. Conner that he is welcome to attend any and all Board meetings.

2. Vance Kincaid, 4530 Nakoma Drive, Okemos. Mr. Kincaid said, first, he feels the Road Commission's loss over the death of its employee. He said he sincerely offered his condolences. Mr. Kincaid said his Okemos community had also suffered a tragic death recently involving a student pulling out

of the Okemos High School. He said it is very unfortunate and he hopes the Road Commission is looking at the speeding problem so that an incident like this will not happen again.

Mr. Kincaid said he was present to discuss his own issue with the Township and the Road Commission. He said he submitted a FOIA request a month ago requesting a copy of the August statement billed by the Road Commission's lawyers. He has not received it yet. Mr. Kincaid said that he has been subpoenaed for a financial deposition. He was given three days' notice, which violates state law. Mr. Kincaid stated he has yet to receive a response from his August 11<sup>th</sup> offer, stating that on July 20<sup>th</sup> he also made an offer of making a lump sum payment in settlement of this issue and it was subsequently turned down. He said that on August 11<sup>th</sup> he offered \$125 per month until the judgment is paid in full and he has not received an answer, yet the attorneys are dragging him in for a financial deposition.

Mr. Kincaid said he made a good faith effort in offering \$125.00 per month and he deserves the respect of an answer. Chair Guenther stated he would look into the matter. Mr. Kincaid expressed his opinion that all of the attorney fees being charged are a waste of taxpayer money and if the Board thinks he is being unreasonable, then maybe they should look at what is going on with the attorneys.

3. Lynne Page, 3912 Raleigh Drive, Okemos. Ms. Page stated on behalf of her community, she offered their sincerest condolence for the Road Commission's recent tragic death of its employee. Ms. Page said she wished to discuss the recent death of a high school student who was hit by a vehicle while pulling his own vehicle out of the Okemos High School lot onto Jolly Road. She asked that the Road Commission do whatever it can to make the area of Okemos and Jolly Roads as safe as possible for motorists. She said they appreciate Mr. Conklin's quick response by ordering a speed study along the Jolly Road corridor west of Okemos Road.

Ms. Page discussed, as she has on many occasions, the confusion created by the varying speed limits on Okemos Road from the area of I-96 on north. She asked that the Road Commission consider extending the limits of the Jolly Road speed study to include the area of Okemos Road from I-96 through the Mt. Hope Road area. The issue with non-conformity of the speed limit continues to create problems and she asked the Road Commission to be pro-active in working with the township to address a comprehensive solution.

Ms. Page indicated she addressed the Township Board on August 18<sup>th</sup> and on September 18<sup>th</sup> regarding the proposed Enhancement project on Okemos Road as it relates to the proposed decorative street lighting being placed outside the limits of the Enhancement grant for traffic calming purposes. She indicated she thought the total cost of the proposed enhancements for the street lighting is now at \$420,000.00. Ms. Page stated that since the last meeting, Consumers Energy has staked the locations of the poles for the proposed lighting locations between Jolly Road and Mt. Hope Road. She asked that Board members and staff look at the proposed locations. Ms. Page suggested that the community should walk off the area and look at the proposed locations with township and Road Commission officials. She said she is concerned with some of the proposed locations and they would block some road signs and utility poles. There are also some locations too close to intersections and would impede pedestrians. Ms. Page stated if these locations are allowed, they shouldn't obstruct the view of pedestrians at intersections.

As to the Okemos High School location on Jolly Road, Commissioner Mitchell asked if the Okemos Schools Superintendent could request a school speed zone for the area. Managing Director Bill Conklin stated that is possible and the superintendent would join the study group with the State Police.

Chair Guenther stated the one thing that resounds over and over from residents is that there should be a uniform speed limit on Okemos Road from roughly the I-96 ramps through Mt. Hope Road. He said the speed does fluctuate in this area and he agrees that it should be the same for the entire length. If it was, say, 40 mph the entire length of this area, it would be much less confusing to motorists. It just makes sense to have one uniform speed. It could start at the Jackson National Life properties south of the I-96 ramps and remain the same all the way to Hamilton Road. Mr. Conklin stated they would include this in the study area with the State Police, but reminded the Board that the result of the speed study done in the 90's indicated the 85<sup>th</sup> percentile was 48 mph and at that time, the Michigan State Police deemed that to be an appropriate speed. Chair Guenther stated there has been much new development in this area since the 90's.

Commissioner Rodgers stated the supervisor for the Township has been very consistent with her request to lower the speed limit on Okemos Road. She said she thought the Michigan State Police did a speed study prior to Mr. Conklin being here, but sooner than the 1990's, and that there have been issues around doing another study. She said if she recalled, she remembered someone saying that the Michigan State Police has been pretty adamant that they won't agree to lower the speed limit any lower than 45. Director of Engineering Bob Peterson stated a study was done in 2008 for the area between Mt. Hope Road and Grand River Avenue. Commissioner Rodgers stated it should be a comprehensive study to include the area from the Jackson National Life properties all the way to Grand River Avenue. She stated that the study on Jolly Road should encompass the area between Collins Road and Dobie Road, perhaps further east. Mr. Conklin stated the area east of Dobie Road begins to be more rural and the speed rises to 55 east of Dobie Road. He stated the area on Okemos Road to be included in the study should probably start at Sandhill Road and include the entire area to Grand River Avenue.

Mr. Conklin stated he would bring this back to the Board for review once the study has been completed and recommendations are received from the Michigan State Police.

4. John Veenstra, 320 Piper Road, Haslett. Mr. Veenstra stated the gentleman who heads the Michigan State Police gave a presentation on determining speed limits to the Tri-County Regional Planning Commission, which was very educational. He also commented that the grass has become so long on the roadsides on Piper Road that vision was difficult, so he and his neighbors mowed the roadsides. Mr. Veenstra said it is important for the roadsides to be mowed and that is one reason he supports a gas tax increase so that much needed services do not continue to be cut from budgets.

Mr. Veenstra said that as he has stated on previous occasions, he opposes the Okemos Road enhancement project. He urged the Board not to allow this project to move forward until there is a resolution from the Meridian Township Board approving the project and the matching funds. He said the Township Board has not appropriated funding for this project. Mr. Veenstra said the township is now in the process of planning its 2010 budget and the enhancement matching funds are not there either. He said for the township to spend \$430,000.00 on this project at a time when it is looking at closing fire stations, the transfer station, considering layoffs, abolishing positions, etc., does not make good financial sense. He asked again that the Road Commission not proceed with the Okemos Road Enhancement project until there is a resolution of support from the township Board.

Mr. Veenstra also asked that the Board put the matter with Mr. Kincaid behind them and reach a settlement with him soon. He indicated what the Board has spent on collection efforts against Mr. Kincaid is, with all due respect, a waste of money, especially when it could be used to mow the intersections. Mr. Kincaid has offered to make specified monthly payments on the amount owed, put this behind you and accept his offer.

AGENDA ITEM #5 – CONSENT ITEMS.

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

- A. Agenda Item #6 – Minutes.
- B. Agenda Item #7A-D – Routine and Special Permits.
- C. Agenda Item #9A-B – Accounts Payable.
- D. Agenda Item #10A – Award of Proposal #1564.

5 yes, 0 no. Motion carried unanimously.

Agenda Item #6 – Minutes.

Moved by Commissioner Rodgers and Supported by Commissioner Mitchell, that the minutes of the meeting of August 3, 2009, be approved as presented. 5 yes, 0 no. Motion carried unanimously.

Agenda Item #7A-D – Routine and Special Permits.

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

09-0330	09-0331	09-0348	09-0349	09-0350	09-0352
09-0354	09-0355	09-0356	09-0357	09-0358	09-0360
09-0361	09-0363	09-0364	09-0365	09-0366	09-0371
09-0373	09-0377	09-0378	09-0379	09-0380	09-0381
09-0385	09-0386	09-0387	09-0393	09-0394	09-0395
09-0397	09-0398	09-0399	09-0401	09-0402	09-0351
09-0359	09-0362	09-0367	09-0368	09-0369	09-0370
09-0372	09-0375	09-0376	09-0382	09-0383	09-0389
09-0391	09-0400				

Permit #09-0319 applied for by Holt Hometown Festival for the purpose of conducting the Holt Hometown Festival bike race on August 29, 2009, from 8:30 a.m. until 10:30 a.m. The event is sanctioned by Delhi Charter Township.

Permit #09-0353 applied for by MSU Police Department for the purpose of establishing the alternative bus route to transport pedestrians after home football games on September 5 and 12, 2009.

Permit #09-0374 applied for by Barbara Kotz for the purpose of conducting a neighborhood block party on Silverwood Drive to be held September 8, 2009, from 7:00 p.m. until 9:00 p.m. The event is sanctioned by Meridian Township.

Permit #09-0392 applied for by Leslie High School for the purpose of conducting the Leslie Public Schools XC Invitational to be held on September 16, 2009, from 3:30 p.m. until 7:00 p.m. The event is sanctioned by Leslie Township.

5 yes, 0 no. Motion carried unanimously.

Agenda Item #9A-B – Accounts Payable.

Moved by Commissioner Rodgers and Supported by Commissioner Mitchell, that accounts payable be approved as follows:

For the two week period of August 3-16, 2009, totaling \$264,024.25.

For the two week period of August 17-30, 2009, totaling \$616,875.11.

5 yes, 0 no. Motion carried unanimously.

Agenda Item #10A – Award of Proposal #1564.

RESOLUTION AUTHORIZING AWARD OF PROPOSAL #1564 FOR THE PURCHASE OF GRADER BLADES.

RESOLUTION #080-09

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 Operations, the Board authorizes award of Proposal #1564 for the purchase of grader blades from the low bidder, Tupes of Saginaw, Inc., for its low bid price of \$39.50 per linear foot.

AGENDA ITEM #8 – MANAGING DIRECTOR REPORTS.

A. The date of December 7 was suggested for the 2010 budget public hearing date. The Board concurred. The date of December 17 was suggested for the employee service awards banquet. The Board also concurred with this date.

B. The 2008 Annual Report was presented to the Board for review. It will be on the next Board meeting agenda. If there are any questions, please contact either the Managing Director or the Finance Director.

C. The correction in MTF revenues regarding the over-payment to the Eaton County Road Commission has been made by MDOT for 2009. The first annual payment has been received by us through the MTF distribution in the amount of \$64,087.72.

D. Health care RFP's are scheduled to be received by September 25<sup>th</sup>. Fact finding with AFSCME is scheduled for October 27<sup>th</sup>. We hope to have discussions with the union regarding health care prior to October 27<sup>th</sup>. Commissioner Rodgers asked who is assisting staff with the review of the proposals. Managing Director Bill Conklin stated the Finance Director, the Finance and Benefits Coordinator, and himself would be reviewing the health care proposals. Mr. Conklin stated the Finance and Benefits Coordinator has extensive expertise and knowledge in this field and he is confident she can review the proposals and render an opinion and recommendation to the Board. Commissioner Rodgers stated she thought that one of the consultants was going to help in the review process. Mr. Conklin said that since the consultants were submitting proposals, he did not feel it was appropriate to ask them to help in the review process. Commissioner Dravenstatt-Moceri asked Mr. Conklin if he is confident that the Finance and Benefits Coordinator has the expertise to review the proposals. Mr. Conklin said, yes, he is very confident with her expertise and knowledge and she will be able to render an informed and expert analysis of the proposals and offer a recommendation to the Board.

Finance Director Tina Henry stated that she agrees with the Managing Director, and that she, too, has a vast knowledge and experience with health care. She said she worked on the County's health coalition for many years. The Road Commission does have in-house experience when it comes to health care issues.

AGENDA ITEM #11 – LOCAL ROAD AGREEMENTS WITH STOCKBRIDGE TOWNSHIP.

Managing Director Conklin reviewed two local road agreements with Stockbridge Township for Phase 1 and Phase 2 improvements on Base Line Road. These are due mostly to increased costs for additional tree work not anticipated as a result of grading easements that required removal of additional trees. Also, as a result of the actual final design of the project, there were additional trees that needed to be removed. He recommended approval of the two agreements.

RESOLUTION APPROVING LOCAL ROAD AGREEMENTS WITH STOCKBRIDGE TOWNSHIP.

RESOLUTION #081-09

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 Managing Director, the Board approves two local road Agreements with Stockbridge Township for Phase 1 and Phase 2 of the Base Line Road improvements.

AGENDA ITEM #12 – BOARD UPDATES/COMMENTS.

1. Commissioner Rodgers stated she attended the Northern/CRASIF conference last week at Boyne Mountain. Many condolences and words of support were extended to us by all parties concerning our recent tragic work fatality. At the beginning of the conference, they offered a moment of silence for Mr. Doyle and his family. Charlie Young offered his personal condolences and commented on his sadness over Tom's loss. Apparently Mr. Young worked with Tom. Commissioner Rodgers commended Jim Benjamin for his Eulogy at Tom's funeral. She said it was wonderful and moving, and his delivery was outstanding.

Ms. Rodgers stated that the Kalamazoo County Road Commission has a traffic safety director who did a presentation at the conference. It was a very informative presentation and she will provide staff with a CD of it. She also stated that while she ran again for the CRASIF Board of Directors, she was not elected.

2. Commissioner Mitchell asked how the contractor for Catherine Street checked out? Were the references good ones? Director of Engineering Bob Peterson replied that the references were, in fact, good ones and the contractor has checked out just fine.

Commissioner Mitchell also asked about an area of Williamston Road, south of Haslett Road, where it looks like a patch was made in the pavement. Will it be milled and capped? He said he is not at all satisfied with how it looks today. Engineering Technician Dan Chapman said this was a repair that was made and he agrees that it should be repaired properly, especially in front of the barn.

3. Commissioner Dravenstatt-Moceri asked about the main being installed on Waverly Road between St. Joe and Michigan. Was there a mistake? Mr. Peterson stated it is being pressure tested today and once it passes testing, the connections can be made.

4. Commissioner Gear stated he believes Commissioner Celentino is pleased with the Waverly Road project and has no complaints to date.

5. Chair Guenther expressed his concern about many of our projects not getting started or being put on hold if a State budget is not worked out soon. Commissioner Rodgers said she shares the concern, stating that all projects will come to a standstill and it will affect all projects and contractors. People at the Northern Conference last week were made aware of this possibility and were told that there will be a mass notification if this does, in fact, occur.

6. Chair Guenther said he echoed Commissioner Rodgers' compliments to Mr. Benjamin, stating he made a very moving Eulogy for Tom Doyle, and this has been very difficult for everyone. He commended Mr. Benjamin on being an excellent public speaker. Chair Guenther stated Tom Doyle was a great employee, a mentor to all, and a preacher of safety. This accident was horribly tragic. He also said he wanted to thank all those employees who have stepped up and helped during and after the accident. Chair Guenther said he wished to express his condolences, thoughts and prayers to Jerry Long and his family as well. And a huge thank you to the Sheriff's Department for their assistance.

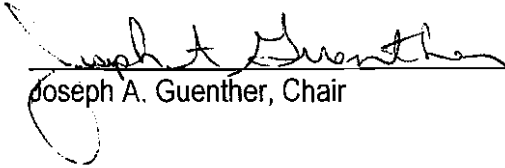
7. Chair Guenther announced the Farm Lane underpass Grand Opening scheduled for October 7<sup>th</sup> at 1:30 p.m. Please notify the Board Secretary if any Board members plan to attend so that an RSVP can be sent back to MSU.


AGENDA ITEM #13 – LIMITED PUBLIC COMMENT.

1. Vance Kincaid, 4530 Nakoma Drive, Okemos. Mr. Kincaid thanked the Board for letting him speak. He said it is important to have a partnership with the public and have dialogue. He expressed his sincerely condolences to the Road Commission family for the recent tragic loss of one of its own. He said his brother used to work for VanBuren County Road Commission and was killed in a tragic work related accident when he swerved to miss another vehicle and hit a tree. He said he understands how painful this is, not only to the employee's family, but the work family as well.

2. Finance Director Tina Henry said she wanted to comment that she was just amazed at how the Road Commission family pulled together during the tragic fatal accident which occurred on September 1<sup>st</sup> involving employee Tom Doyle. She said everyone came together and did a tremendous job and handled everything with dignity and professionalism. Ms. Henry stated that she attended an accounting meeting recently and those present extended their condolences.

No further comment was offered. The meeting adjourned at 7:30 P.M.

  
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Joseph A. Guenther, Chair

  
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Deborah L. Bellows, Board Secretary