

# HILLSDALE COUNTY ROAD COMMISSION

August 21, 2014

## MINUTES

Meeting was called to order by Chair Bob Godfrey on Thursday, August 21, 2014, at 10:00 a.m. at the road commission office.

Members present: Bob Godfrey, Mike Parney & Bill Watkins.

Staff present: Stanley Clingerman, Engr.-Mgr., & Janet Aemisegger, Clerk.

Visitor present: Andy Welden, County Commissioner.  
Fred Lietzke, Lake Diane Property Owners Association.  
Gary Beale, Lake Diane Property Owners Association.  
Al Vitous, Lake Diane Property Owners Association.  
Andy Barrand, Hillsdale Daily News.

### Agenda Approved

Having reviewed the agenda for this date, one addition was requested. The chair declared the agenda to stand approved with one addition.

### Minutes Presented

Having reviewed the minutes of the August 7, 2014, meeting, there were no additions, deletions or corrections to be noted. The chair declared the minutes to stand approved as presented.

### CONFIRMATION OF PAYROLL AS AUTHORIZED FOR PAYMENT BY THE STAFF

#14-125 Mike Parney moved, Bill Watkins seconded, to confirm the payment of the payroll in the amount of \$74,783.53 per Payroll Check Register dated 8/14/2014 as authorized by the engineer-manager and the clerk. Motion carried.

### ACCOUNTS PAYABLE APPROVED

#14-126 Bill Watkins moved, Mike Parney seconded, to confirm the payment of bills in the amount of \$352,421.29 per Accounts Payable Check Register dated 8/21/2014. Motion carried.

### Limited Public Comment – County Commissioner Andy Welden & Lake Diane Property Owners

At 10:10 a.m., the chairman opened the meeting to limited public comment.

### County Commissioner Andy Welden – Letter Opposing Federal EPA Intention to Extend Authority to Include “Waters of the State”

County Commissioner Andy Welden presented the board with a copy of a Huron County resolution opposing the federal Environmental Protection Agency’s intention to extend their authority from “navigable waters of the U.S.” to “waters of the state”. He requested the road

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commission board to consider signing on to a letter the Board of Hillsdale County Commissioners is drafting to object to the EPA's intention also. He asked that the CRC advise him before their Tuesday meeting if they want to be included in the county's letter. After a brief review of the resolution, Mike Parney requested clarification from Mr. Welden as to exactly what Huron County is opposing as when he first read the resolution, it sounded like they were in support of the EPA's intentions. Mr. Welden said Huron is in support of the EPA PILT payments, but they are opposing the EPA's intention to expand their authority over the state waters. All agreed that the resolution should be written to separate what the county is in support of and what they're in opposition to so the intent of the resolution is more clear and understandable for the reader.

Mr. Clingerman noted that this has been an ongoing issue for several years. The EPA's authority right now is limited to all "navigable waters of the U.S." and they keep wanting to expand their authority to all roadside ditches, inland lakes and streams, private ponds, etc. If the EPA implements their proposed rule regarding the "waters of the U.S.", it would cause significant harm to local farmers, to the local economy and negatively impact county owned and maintained infrastructure, such as roadside ditches and county drains, etc. Mr. Clingerman agrees that the EPA's authority should not be expanded as proposed. The board concurred.

### **HILLSDALE COUNTY ROAD COMMISSION TO SIGN-ON TO COUNTY'S LETTER OPPOSING U.S. EPA'S INTENTION TO EXTEND AUTHORITY OVER "WATERS OF THE STATE"**

#14-127 Bill Watkins moved, Bob Godfrey seconded, that the Hillsdale County Road Commission sign-on to the Hillsdale County Board of Commissioners' letter opposing the U.S. EPA's intention to expand their authority over "waters of the state". Carried. Copy of Huron County resolution attached for our information.

### **Limited Public Comment Continued--**

### **County Commissioner Andy Welden – County's ORV Ordinance Draft**

County Commissioner Andy Welden presented the board with a draft copy of a Hillsdale County ORV Ordinance patterned after another county's ordinance that seemed reasonable and fitting for our county. Mr. Clingerman said the policy seems to be pretty open and it appears that the road commission would be allowed to restrict up to 30% of the county roads for safety reasons if they deemed it necessary as is allowed by the law. Certain high traffic volume roads, such as Moscow Road, north of US-12, etc. should probably be restricted. Mr. Clingerman suggested the County Board might need to clarify that municipal streets are not included in the county's policy as the county has no jurisdiction over these streets. The policy should stipulate if a township decides to close their roads to ORV's, they must pay to sign the roads for the prohibition, the same as the policy requires for road commission signing of prohibited county roads. With regard to state trunklines and federal roads, Mr. Clingerman said the reference to federal roads can trickle down to primary local roads so to save confusion and clarify, he suggests the ordinance specify the trunklines in our county that the ordinance refers to. Mr.

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Clingerman said his only concern is that they're introducing another vehicle at a different speed of traffic, like the Amish, but it's hopeless to fight it as they're out there on the roads anyway. It might as well be made legal so they have responsibility for their actions.

#### **CONCEPT OF PROPOSED HILLSDALE COUNTY ORV ORDINANCE APPROVED**

#14-128 Bill Watkins moved, Mike Parney seconded, that the Hillsdale County Road Commission go on record in support of the concept of the proposed Hillsdale County ORV ordinance as presented this date by Commissioner Welden, with a couple suggested revisions as stated above. Carried.

#### **Limited Public Comment Continued--**

#### **Lake Diane Property Owners' Association Representatives – Lake Diane Road Maintenance**

Several representatives of the Lake Diane Property Owners' Association, namely Fred Lietzke, Gary Beale and Al Vitous, were present for limited public comment also. The representatives inquired if the road commission has any plans for road surface maintenance at their lake? Engineer-Manager Stan Clingerman replied nothing is scheduled at this time. He said he has approached Amboy Township to see if they'd fog seal W. Diane Drive at the very least, but they just haven't been interested yet. They've been focusing their attention on the roads at Merry Lake right now. He suggested the Association contact the township to reiterate his request and see if they can convince them to crack seal/fog seal W. Diane Drive next year and get it on their radar for next year. Mr. Clingerman assured the property owners that the road commission doesn't want to see the roads go backwards either. The roads were paved in 2002 or 2003, over 10 years ago, and they've been sealcoated once. It's time for another surface treatment of some sort.

Mr. Clingerman said he's more concerned about the flooding that's occurring on W. Diane Drive near Blain's property. He asked Mr. Vitous if he determined where the outlet is. Mr. Vitous said there is no outlet. He explained his neighbors' and his theory as to why the water is ponding on the inside of the curve. Mr. Clingerman said it's not really affecting the road too much yet. He talked to Blain about the flooding problem as he thought probably, with all of his private excavating work in that area, he may have damaged a tile that used to drain the area. The engineer-manager said the only solution now is to pursue a drainage easement across the road to the common lot lines and then install a tile drain from the cross culvert to the lake. Blain said he will pay for it if we can obtain the easement.

Mr. Lietzke expressed his concern about the cross-culvert that allows the farmer's field on Territorial Road to drain into the lake. They don't want any drinking water problems like Toledo had recently. What happens if Lake Diane becomes a weed bed and they can't use the lake anymore. What if they get sewage in the lake? The engineer-manager explained the law that allows the cross-culvert under certain circumstances. Mr. Leitzke said there are some spots in the lake that it's so weedy they can't get boats through it anymore. The board said we have the

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same weed problem at the rearing ponds at Emery Park due to the airport project. Mr. Vitous said this is happening at a lot of other lakes besides just their lake and Mr. Clingerman agrees that all of the lakes in the county are being affected. He suggested the Association might want to contact the Farm Bureau as there really isn't anything the road commission can do to help on this matter.

Mr. Beale asked what would be involved to resurface some of the lake roads. Mr. Clingerman explained the process and suggested they could do an ultra-thin asphalt overlay—a sandy, hot mix 1" overlay. The project would be bid out for a contractor to perform the work. Mr. Clingerman said we just had quotes for a slurry seal on the roads in the Sweet Clover Hills subdivision and that would be another possibility. It would cost about \$60,000-\$75,000 to do the Lake Diane Roads. This would probably be the cheapest way to go and would give the roads another 6-8 years of life.

Mr. Clingerman asked the group what they thought about pursuing a drainage easement for the pond from the property owner as proposed? Mr. Vitous talked to the property owner about it and she was definitely not in favor of it and she wouldn't agree to a swale ditch across her property either. Mr. Clingerman said it would be nice to have some sort of outlet at that location.

The gentlemen thanked the board for their time and left the meeting at 11:05 a.m.

**Treasurer's Report Presented**

The treasurer's report was presented by the clerk as follows:

Beginning Balance-Cash & Investments \$1,351,830.24

Receipts:

08/14/2014 R. 42635-R. 42642	\$ 33,620.66	
(p.m.) 08/14/2014 R. 42643-R. 42647	\$ 73,656.21	
08/21/2014 R. 42649-R. 42657	\$ 47,437.91	
08/12/2014 State Maintenance	\$ 26,903.19	
08/19/2014 Special Legislative Appropriation- Priority Road Improvement Program (PRIP) for Territorial Road resurfacing	\$1,550,000.00	
<b>Total Receipts</b>		<b>\$1,731,617.97</b>

Disbursements:

08/12/2014 Payroll & Mat SS	\$ 79,375.81
Less: MERS EFT Deductions	\$ (4,322.72)
Less: Hlth Insur Prem Deduc	\$ ( 269.56)
	\$ 74,783.53
08/14/2014 MERS EFT Payment	\$ 35,910.55

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### Treasurer's Report Continued --

08/14/2014 Sales Tax EFT Payment	\$	34.02
08/14/2014 Accounts Payable	\$	352,421.29
Total Disbursements:		(\$ 463,149.39)
Ending Cash & Investments Balance		\$2,620,298.82
Less: Bonds in Escrow		(\$ 18,750.00)
Less: Reserve Funds-Territorial Rd. Resurf Proj-PRIP Funds		(\$1,550,000.00)
Ending Available Fund Balance		\$1,051,548.82

As there were no questions or comments regarding the report, the chair declared the report to stand approved as read.

### OFFICE ROOF REPLACEMENT BID AWARDED – ROWLEY, INC.

The board reviewed the office roof replacement bids opened at the last board meeting with the following results:

<u>Bidder</u>	<u>Shingle</u>	<u>Metal</u>
Stoll Construction	\$6,840?	\$9,750?
Rowley, Inc.	\$11,484	\$18,051
J.S. Hodge Construction	\$11,640	No bid
Braman Roofing	\$13,260	No bid

The engineer-manager contacted Stoll Construction for confirmation of their low bid price, as it was about half as much as the other bids. Mr. Stoll did find that an error was made. He miscalculated and the materials were half what they should have been. The engineer-manager admitted that he slipped and made the comment to Mr. Stoll, that most of the other bids were about \$11500. He shouldn't have divulged that information. Thus, when Stoll submitted his corrected bid price of \$11,250 this morning for a shingle roof and \$17,500 for a metal roof, it gave him an edge to under bid the other bids a little.

Mr. Clingerman said he talked to Claude Rowley last week to advise him that he was awarded the red barn re-roofing bid and also told him that probably he'd get the office roofing bid, because we suspected a big error in Stoll Construction's bid price. He asked Mr. Rowley what he thought about using metal vs. shingles. Mr. Rowley replied, unless we're flush with money, he wouldn't bother with metal. Mike Parney said he'd think metal was the better buy as we'd do the roof once and be done with it. Of course, since it's the office, we'd probably want to consider the appearance of the roof also. Bob Godfrey said it would probably depend on what's budgeted too. Mr. Clingerman said he's not sure it's worth the extra money. Since Stoll inadvertently had a hint as to what the other bidders had bid and the original low bid, excluding

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the erroneous bid, was Rowley's bid of \$11,484, it was the general consensus the bid should be awarded to the latter.

- #14-129** Bill Watkins moved, Mike Parney seconded, to award the office roof replacement bid to Rowley, Inc. for a shingle roof at their bid price of \$11,484.00. Carried. Copy of bid tabulation attached.

### AUTHORIZATION TO SOLICIT BIDS FOR SALE OF SCIPIO GRAVEL PIT

Due to the recent inquiry regarding the possible sale of the HCRC's Scipio gravel pit (20 acres) on Jeffrey Road, the engineer-manager attempted to contact Richard Bigelow, the adjacent property owner. Mr. Bigelow's son, Rod, called him back and Mr. Clingerman advised him that we had a prospective buyer for the gravel pit and that it was Garey Barnett. Mr. Bigelow said Garey is a friend of the family and they were talking recently and pondered whether the road commission might sell the pit property some day. Garey said he would find out so he asked Mr. Clingerman about it.

Mr. Bigelow said we can disregard the friend's inquiry about the purchase as he, himself, is really the one interested in the property. He wants it for access to his own pit, so if he ever decides to crush gravel in the future, he could put the new stockpile on our part of the property. His father has no problem with him buying the property, instead of him. Mr. Clingerman asked Mr. Bigelow if he would consider a disposal agreement so the HCRC could still use the old pit to dispose of dead trees and he was receptive to a 10 year disposal agreement. Mr. Bigelow asked if the board would consider payment terms and Mr. Clingerman said he thought not. Obviously, it would make the most sense to sell the property to the contiguous land owner and the Bigelows have always worked well with us and Mr. Bigelow is agreeable to allowing a disposal agreement.

The engineer-manager has researched the value of the property and checked with Nick Wheeler, the county equalization director, and he did a market analysis for wooded land. Bill Watkins indicated that sealed bids should be taken for the property, the same as was done for the sale of the Flannery gravel pit. The other board members concurred and the engineer-manager has no problem with that. He told Mr. Bigelow that we had solicited bids for the Flannery pit so he's aware of the possibility.

- #14-130** Bill Watkins moved, Mike Parney seconded, that sealed bids be solicited for the sale of the Scipio gravel pit (20 acres) on Jeffrey Road. Carried.

### REVISED WHEATLAND TOWNSHIP AGREEMENT – JEROME/KELSO BERM/GRAVEL APPROVED

- #14-131** Mike Parney moved, Bill Watkins seconded, to approve and sign a revised township agreement with Wheatland Township for the berming and graveling of Jerome and Kelso Roads (W.O. 2637) using Springvalley Trucking as the gravel

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contractor at a revised estimated cost of \$15,872.00 (original estimate \$20,635.00). Carried.

#### **Update Re: Hiring New Computer Operator/Finance Support Clerk**

Three interviews for the computer operator/finance support clerk position were conducted last Wednesday and Thursday. About 20 applications were received. We are interested in one of the applicants we interviewed, but we need to resolve a couple concerns for the applicant so no replacement has been selected as yet. If we can't resolve their concerns, we may have to look at some other applications in our pool or solicit some more applications.

#### **Upcoming Traffic Safety Director Vacancy Due to Retirement Discussed**

As the traffic safety director has indicated he'll be retiring in late October, the engineer-manager asked the board if we should begin the advertising process to fill the upcoming vacancy. After some discussion, the general consensus was to advertise for both a traffic safety director and a project engineer and then decide which one would be most beneficial and the best fit for the road commission within the budget. Mr. Clingerman is not sure how many applicants with the right qualifications will be available to apply in our area, but time will tell.

#### **Territorial Road Priority Road Improvement Project (PRIP) Funds Received**

The Territorial Road PRIP resurfacing project funds of \$1,550,000.00 were received by EFT on 8/19/2014. The funds have been invested in two CD's and placed in reserve until the project is completed in 2015. The approved contract has been received from MDOT. The project will be advertised for bids this fall.

#### **Tractor-Mounted Hydraulic Guardrail Post Driver Discussed**

The board reviewed literature and pricing for a tractor-mounted hydraulically operated guardrail post driver: a Bryce Suma Supreme made in Scotland at an approximate price, plus shipping, of \$17,500 + \$4,000 = \$21,500. After talking with the salesman, the process to get one would be too complicated so the engineer-manager will pass. The board suggested asking the Lenawee and Branch CRC's if they'd be interested in sharing the cost and use of such a machine. The machine would replace the truck mounted post driver. Mr. Clingerman said he had the guardrail contractor driver the posts on the Miner Road culvert project and they said no charge since they were already here for the Long Lake Road project.

#### **Projected 2015 Health Insurance Rates Reviewed**

The engineer-manager advised that we just learned that the 2015 health insurance renewal rates should be announced 8/26/2014. Chuck Finkbeiner, our agent, mentioned that BCBS is coming

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out with a new marketplace or exchange of their own. He should know more in a week or two. The “projected” rate increases/decreases for 2015 are as follows:

**Current Plans:**

BCBS PPO Silver 2,000/4,000 deductible 20%	4,500/ 9,000 max=	*1% to 5%
BCN HMO Gold 1,300/2,600 deductible 20%	2,300/ 4,600 max=	Not available

**Mapped New Plan:**

BCN HNO Gold 2,000/4,000 deductible 20%	5,400/10,800 max=	-3% to -7%
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\*If there’s a 2-3% increase in the state caps, this mapped plan should be okay per the engineer-manager’s preliminary calculations.

**AUTHORIZATION FOR SIGNING OF MDOT FORM 2067 – ANNUAL CERTIFICATION OF EMPLOYEE RELATED CONDITIONS**

**#14-132** Bill Watkins moved, Mike Parney seconded, to authorize the chairman and the clerk to sign MDOT form 2067, Annual Certification Of Employee Related Conditions, certifying medical benefits are in compliance with PA152 of 2011. Carried. Copy attached.

**MiDeal Salt Prices for 2014-2015 Winter Season Announced**

Detroit Salt was the low bidder for the MiDeal state salt prices for the 2014-2015 winter season at \$56.22 per ton. The engineer-manager budgeted \$60.00 per ton. It will cost \$132,215 more than last winter if we use the same number of tons.

Previous Winters Prices and Purchases

2013-14 =	\$39.25 per ton	7,678 tons
2012-13 =	\$51.21 per ton	6,292 tons
2011-12 =	\$56.25 per ton	5,430 tons
2010-11 =	\$51.25 per ton	8,491 tons

Mr. Clingerman said he thinks last year’s prices were a fluke as they were extremely low. The salt companies are catching up this year due to the low prices and extreme past winter. There were only two bidders—Detroit Salt and North American—so that didn’t help either.

**Construction/Maintenance Update**

Gravel patching:	All done including Camden limestone.
Brining:	Second applications remain in Amboy & Wright.
Paver patching:	5,576 tons done. 400+ tons to do this fall.
Sealcoating:	About half of 49 miles done.
W. Bacon Road:	Storm sewer and concrete curbs are done. Paving on Saturday.



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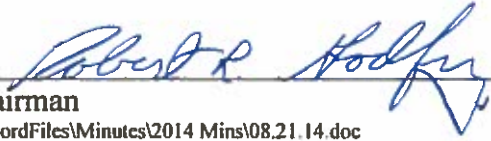
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**Opportunity to Educate Students About Snow Plow Trucks  
Via Driver's Training Suggested**

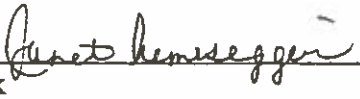
Road Commissioner Bill Watkins said he has been taking his grand-daughter to driver's training this month and he thinks it would be a great opportunity to educate young drivers by demonstrating one of our big trucks. The engineer-manager suggested we could get videos for the instructor's to use to teach the students about driving safely around our trucks. He'll have the traffic safety director check into some appropriate videos.

**Meeting Adjourned – 12:30 p.m.**

As there was no further business, the chair declared the meeting adjourned at 12:30 p.m.

  
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Chairman

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Clerk