

The regular meeting of the Board of Calhoun County Road Commissioners was held on Wednesday, July 6, 2011 at 5:31 p.m. in their office located at 13300 Fifteen Mile Road, Marshall, Michigan.

PRESENT: Commissioner Scott Brown, Chairman
Commissioner Hugh Coward, Vice Chairman
Commissioner Eric Johnson, Member
Commissioner Christopher Vreeland, Member
Commissioner Eric Tobin, Member– entered at 5:36 p.m.

ALSO PRESENT: Kevin Henning, Managing Director
Mary Jo Crumpton, Board Clerk
General Public

Chairman Scott Brown called the regular meeting of the Board of Calhoun County Road Commissioners to order at 5:31 p.m. and led the Pledge of Allegiance.

Motion made by Commissioner Vreeland and supported by Commissioner Coward to approve the Claims Payable Listing ending June 29, 2011 for \$610,494.10. Roll call vote: Vreeland-Yes; Coward-Yes; Johnson-Yes; Brown-Yes. Motion carried.

Motion made by Commissioner Coward and supported by Commissioner Vreeland to approve the June 15, 2011 regular meeting minutes. Voice vote: Motion carried.

COMMUNICATIONS AND RESOLUTIONS

Mrs. Crumpton read the communications as follows:

- a) Received a Letter of Understanding from Enbridge regarding road repairs related to the Enbridge Marshall Release
- b) Received MDOT Form 2044 regarding reimbursement of engineering costs during the period July 1, 2010 through June 30, 2011
- c) Received the bid tabulation for Brush Grinding Services at the Community Compost Center and recommendation to award the bid to Mid Michigan Recycling
- d) Received a request and corresponding Resolution 2011-09 from Mr. Kevin Henning regarding the carry-over of vacation time

MANAGING DIRECTOR'S REPORT

Approve Resolution 2011-08: Mr. Henning noted that communication from BCATS regarding the 2012 Local Funding Resolution was provided at the last meeting. The resolution sets forth the share paid by CCRC for transportation related studies and audit fees. He requested Board approval of Resolution 2011-08.

Motion made by Commissioner Coward and supported by Commissioner Johnson to approve Resolution 2011-08: 2012 BCATS Local Funding Resolution. Roll call vote: Johnson-Yes; Coward-Yes; Vreeland-Yes; Tobin-Yes; Brown-Yes. Motion carried.

Approve MDOT Form 2044 – Engineering Reimbursement Costs: Mr. Henning stated that every year CCRC has the opportunity to apply to MDOT for reimbursement of engineering costs. This year we are submitting a reimbursement request for engineering services as noted in the agenda packet. He explained that the maximum reimbursement is \$10,000. Since we have incurred engineering costs over \$10,000, our request is for the maximum reimbursement of \$10,000. Mr. Henning requested Board approval of MDOT Form 2044.

Motion made by Commissioner Vreeland and supported by Commissioner Coward to approve MDOT Form 2044 for reimbursement of engineering costs during the period July 1, 2010 through June 30, 2011. Roll call vote: Tobin-Yes; Vreeland-Yes; Coward-Yes; Johnson-Yes; Brown-Yes. Motion carried.

Award the Brush Grinding Services Bid: Mr. Henning stated that we have been cleaning up storm debris since the May 29th storm and all the debris has been going to the Compost Center. We have made 1129 runs to

the Compost Center and have over 20,000 cubic yards of debris there. The Solid Waste Committee has agreed to offer funding of up to \$30,000 to grind and chip this material. A use for this material has been identified by Genesee County Power Plant. Mid Michigan Recycling, who is the low bid, would chip and then truck the material to Genesee County Power where they sell it to be utilized as a fuel source which helps to offset costs. Mr. Henning clarified this is for grinding and removal from the Compost Center and requested that the Board award the Brush Grinding bid to Mid Michigan Recycling with a not to exceed \$30,000 from the Solid Waste Management Fund.

Motion made by Commissioner Tobin and supported by Commissioner Vreeland to award the Brush Grinding Services at the Community Compost Center to Mid Michigan Recycling not to exceed amounts authorized by the Solid Waste Management Planning Advisory Committee. Roll call vote: Coward-Yes; Vreeland-Yes; Tobin-Yes; Johnson-Yes; Brown-Yes. Motion carried.

Approve Resolution 2011-09: Pursuant to the Closed Session follow up at the last meeting, staff has prepared Resolution 2011-09. Chairman Brown read the resolution as follows:

WHEREAS, the Employment Agreement between the Board of County Road Commissioners of Calhoun County and Kevin S. Henning is effective July 1, 2009 through June 30, 2012; and

WHEREAS, the general purpose and objective of this Agreement is to set forth the salary, benefits, terms, and working conditions and responsibilities of the Managing Director for the Board; and

WHEREAS, Article IV – Terms and Conditions, Section 5: Fringe Benefits, a. Vacation Time states “Vacation time will not accrue and cannot be rolled from one year to the next.” and

WHEREAS, the Board acknowledges that Mr. Henning cancelled his vacation and was unable to use vacation time prior to July 1, 2011, due to performing his duties as Managing Director in the wake of the May 29, 2011 storm; and

NOW, THEREFORE BE IT RESOLVED, the Board of Calhoun County Road Commissioners agrees to allow Mr. Henning to carry-over 54 hours of vacation time from FY2010 to FY2011.

Motion made by Commissioner Tobin and supported by Commissioner Vreeland to approve Resolution 2011-09 allowing Mr. Kevin Henning to carry-over vacation time from FY2010 into FY2011.

Commissioner Tobin thanked Mr. Henning for his willingness to cancel his vacation, as it shows Mr. Henning’s dedication to the Road Commission.

Roll call vote: Vreeland-Yes; Johnson-Yes; Coward-Yes; Tobin-Yes; Brown-Yes. Motion carried.

Approve the Agreement regarding Development of Phase I, Segment I of the Calhoun County Trailway: Mr. Henning informed the Board that while this item is on the Parks agenda tonight, it also needs approval by the Board of Calhoun County Road Commissioners to authorize Mr. Henning’s signature on the Agreement. This was sent out previously and has been approved by the County Board. The Road Commission has zero exposure and out-of-pocket in this agreement; however, we need to be a party to the agreement because MDOT Enhancement Grant funds can only go through a transportation agency. Mr. Henning requested Board approval of the Agreement, authorizing him to sign on behalf of the Road Commission.

Motion made by Commissioner Vreeland and supported by Commissioner Tobin to authorize Mr. Henning to enter into agreement with Calhoun County and Calhoun County Trailway Alliance for the development of Phase I, Segment I of the Calhoun County Trailway.

Commissioner Vreeland commented that the Road Commission's interests in this matter are well protected by this Agreement, and the only dangling legal aspect that he has made Corporation Counsel aware of, is that the Friends of the Ott Preserve, at this point in time, is not legally valid. If the County Commission is willing to accept the risk that they are contracting with an organization that doesn't exist, that's their business.

Commissioner Brown asked if sufficient funds have been deposited into an account that would cover the Road Commission's costs for inspections, if necessary, as the project moves forward. It was his understanding that those costs could not be paid through the grant. Mr. Henning replied that the Agreement specifies that these funds must be deposited prior to the letting of the contract. The Trailway Alliance is still in fundraising mode at this time. Therefore, there is still an opportunity to limit our exposure up to the point of the project letting.

Roll call vote: Tobin-Yes; Coward-Yes; Johnson-Yes; Vreeland-Yes; Brown-Yes. Motion carried.

Enbridge Communication: Mr. Henning referred to the communication included in the agenda packet and stated that we have been working with Christopher Haux, Enbridge, Line 6b Response-Operations Manager and Jay Bergman of LHB. Just as was discussed last Fall, Enbridge realizes they have had an impact on our road system and they have agreed to mitigate that impact to the best of their (and our) ability. The type of mitigation will depend on the road and severity of impact and we are working with Enbridge on customized surface treatment for each road. Mr. Henning noted that the agreement to date is outlined in the Letter of Understanding and acknowledged that Enbridge and LHB representatives were present tonight. Discussion continued.

Federal Aid Projects: The 22 Mile Road Bridge in Clarendon is closed and the detour route (across T Drive South to 18 1/2 Mile Road, up to M-60 and back to the east) is set up. Consumers Energy has one more line to move to accommodate the wider structure (full two lanes). We hope to have the project completed and the bridge opened in October. The B Drive North, F Drive South, and 15 Mile Road projects are 3" resurface projects. The 15 Mile Road project from Michigan Avenue to Verona Road will also include some drainage improvements. These three projects are scheduled for MDOT's August 5, 2011 letting and construction should begin in late August or early September.

Mr. Henning informed the Board that our Engineer-in-Training, Angela Kline, has passed the PE exam and is in the process of being licensed.

SUPERVISOR AND PUBLIC OFFICIAL COMMENTS

County Commissioner Camp commented that she was glad to hear the update on the Enbridge affected roads. She also informed Commissioner Vreeland that County Corporation Counsel is in possession of a copy of the renewal submitted by the Friends of the Ott and it is pending at this time. Commissioner Camp thanked Mr. Henning for his work with residents in her district. She also informed the Board of her engagement and upcoming marriage.

CITIZEN TIME

Mrs. Phyllis Rice informed the Board that a neighbor layered gravel over the existing road surface on 10 Mile Road off of B Drive South. Mr. Henning noted that he would investigate this and follow up with the Board and Mrs. Rice.

Mr. Goodman stated that he has turned in several complaints about yard debris that is being piled in the right-of-way at 14894 C Drive North. Mr. Henning noted that staff would follow up on this. Mr. Goodman stated that he would like it in writing why the Road Commission cannot stop this.

COMMISSIONER TIME

Commissioner Vreeland commented that he has repeatedly requested to be invited to the Friends of the Ott meetings and believes they should establish relationships with the Parks Trustees and Road Commission.

ANNOUNCEMENTS

The next regular meeting of the Board of Calhoun County Road Commissioners will be held on Wednesday, July 20, 2011 at 5:30 p.m.

There being no additional business before the Board, Chairman Brown adjourned the meeting at 6:05 p.m.

Submitted by:

Mary Jo Crumpton, Board Clerk

Scott A. Brown, Chairman