

May 28, 2009

THAT the meeting was called to order by Commissioner Peckens at 9:30 A.M. in the Board Room of the Livingston County Road Commission, 3535 Grand Oaks Drive, Howell, Michigan. Notice of the meeting was posted in accordance with Act #267 of 1976.

A. ROLL CALL

Commissioners Present: John T. Dunleavy
David R. Peckens
Richard I. Slayton

Staff Present: Michael Craine, Managing Director
Kim Hiller, Utilities and Permits Engineer
Donald Kuchnicki, Finance & Policy Director
George Messner, Equipment Supervisor
Jodie Tedesco, County Highway Engineer

Others Present: Paul Burns, LCRC Legal Counsel
Joseph Monroe, 6881 Wide Valley, Brighton
Dewey Thomas, 5819 Mar Char Lane, Howell

B. APPROVAL OF AGENDA

ACTION: It was moved by Commissioner Slayton, seconded by Commissioner Dunleavy, to approve the agenda as presented.

Ayes: Commissioners Dunleavy, Peckens, Slayton.

Nays: None.

Motion Carried.

C. CALL TO THE PUBLIC (1)

Joseph Monroe, 6881 Wide Valley, addressed the Board regarding his property that abuts the Winans Lake/Hamburg project. His comments were supplemented by a letter received by the Road Commission on May 26. Mr. Monroe said that he supported the concept of a roundabout at the intersection of Winans Lake Road and Hamburg Road. He was concerned about the environmental impacts of the project. He went on to describe efforts he has made on his property to restore the wetland located on it. These efforts included removing debris from the swamp, constructing a weir to build up some backwater during peak storms, and the construction of a boardwalk and chip trail through the site. He mentioned that he had discussed this project with Rick Little of the Road Commission staff. He compared the efforts of the Road Commission in storm water management to those imposed on him for the construction of a four unit condominium.

Mr. Monroe stated that the Road Commission's efforts at storm water management were minimal. He encouraged the Board and its staff to consider alternatives.

Mr. Monroe also had an unrelated issue regarding access to the property on the north part of the old Winans Lake Road. He stated that it is not suitable for residential construction but is being used as a staging area for the development of the condominium. He stated that no driveway was being provided for and he feels that this considerably reduces the value of his property. Mr. Craine said he looked forward to addressing these issues with Mr. Monroe.

Dewey Thomas, 5819 Mar Char Lane, addressed the Board regarding grading patterns in his portion of Genoa Township. He stated that the motor grader comes west on Schafer Road to Richardson Road, then the grader goes up Richardson Road and the western-most piece of Schafer Road is not done until later. He feels it should all be done at the same time. Mr. Craine indicated that he would ask Scott Buell, District 3 Supervisor, to address these concerns with Mr. Thomas.

D. ACTION ITEMS

1. Temporary Speed Limit
 - Merrill Road, Hamburg Township
(Resolution 0905-030)

Mike Goryl, Traffic and Safety Engineer, provided the Board with a proposed resolution approving a traffic control order for a temporary speed limit on Merrill Road in Hamburg Township. The temporary speed limit posting will accommodate the annual Hamburg Family Fun Fest scheduled for June 17-21. Staff recommends approval of the resolution.

ACTION: It was moved by Commissioner Dunleavy, seconded by Commissioner Slayton, to approve Resolution 0905-030. (Certified Copy on file in the Board Meeting Resolutions.)

Ayes: Commissioners Dunleavy, Peckens, Slayton.

Nays: None.

Motion Carried

2. Authorization to Award Bid
 - Hartland Shores Subdivision, Hartland Township
(Resolution 0905-031)

Staff provided a bid tabulation summary for the Hartland Shores Subdivision project to the Board for its review. Ace Asphalt & Paving Co. submitted the low qualified bid and staff recommended awarding the bid to this firm.

ACTION: It was moved by Commissioner Slayton, seconded by Commissioner Dunleavy, to approve Resolution 0905-031. (Certified Copy on file in the Board Meeting Resolutions.)

Ayes: Commissioners Dunleavy, Peckens, Slayton.

Nays: None.

Motion Carried.

3. Authorization to Award Bid
 - Clyde Road Project, Oceola Township
(Resolution 0905-032)

Staff provided a bid tabulation summary for the Clyde Road project to the Board for its review. Fonson, Inc. submitted the low qualified bid and staff recommended awarding the bid to Fonson, Inc.

ACTION: It was moved by Commissioner Dunleavy, seconded by Commissioner Slayton, to approve Resolution 0905-032. (Certified Copy on file in the Board Meeting Resolutions.)

Ayes: Commissioners Dunleavy, Peckens, Slayton.

Nays: None.

Motion Carried.

4. Local Bridge Application, Fiscal Year 2012
 - Approval of Priorities
(Resolution 0905-033)

Mr. Craine reviewed with the Board a list of local bridges identified by staff as candidates for the Michigan Department of Transportation's bridge program in fiscal year 2012. Staff recommended replacement of the structures on Layton Road, Dean Road, and Center Road and preventative maintenance work on the Bennett Lake Road bridge.

ACTION: It was moved by Commissioner Slayton, seconded by Commissioner Dunleavy, to approve Resolution 0905-033. (Certified Copy on file in the Board Meeting Resolutions.)

Ayes: Commissioners Dunleavy, Peckens, Slayton.

Nays: None.

Motion Carried.

- Layton Road over the East Branch of the Red Cedar River
(Resolution 0905-034)

ACTION: It was moved by Commissioner Dunleavy, seconded by Commissioner Slayton, to approve Resolution 0905-034. (Certified Copy on file in the Board Meeting Resolutions.)

Ayes: Commissioners Dunleavy, Peckens, Slayton.

Nays: None.

Motion Carried.

- Dean Road over the Yellow River Drain
(Resolution 0905-035)

ACTION: It was moved by Commissioner Slayton, seconded by Commissioner Dunleavy, to approve Resolution 0905-035. (Certified Copy on file in the Board Meeting Resolutions.)

Ayes: Commissioners Dunleavy, Peckens, Slayton.

Nays: None.

Motion Carried.

- Bennett Lake Road over North Ore Creek
(Resolution 0905-036)

ACTION: It was moved by Commissioner Dunleavy, seconded by Commissioner Slayton, to approve Resolution 0905-036. (Certified Copy on file in the Board Meeting Resolutions.)

Ayes: Commissioners Dunleavy, Peckens, Slayton.

Nays: None.

Motion Carried.

- Center Road over Cranberry Creek
(Resolution 0905-037)

ACTION: It was moved by Commissioner Slayton, seconded by Commissioner Dunleavy, to approve Resolution 0905-037. (Certified Copy on file in the Board Meeting Resolutions.)

Ayes: Commissioners Dunleavy, Peckens, Slayton.

Nays: None.

Motion Carried.

5. Soil Erosion and Sedimentation Control Operating Procedures

- Update
(Resolution 0905-038)

Kim Hiller presented an update of LCRC's "Soil Erosion and Sedimentation Control Operating Procedures." Ms. Hiller indicated that she had submitted the procedures to the Michigan Department of Environmental Quality (MDEQ), Water Bureau (WB), for their review. The MDEQ WB subsequently issued a letter stating that the procedures meet their minimum requirements, and they would formally approve them upon receiving a copy of the adopted

procedures with proof of adoption. Staff recommended Board approval of the updated procedures.

ACTION: It was moved by Commissioner Dunleavy, seconded by Commissioner Slayton, to approve Resolution 0905-038. (Certified Copy on file in the Board Meeting Resolutions.)

Ayes: Commissioners Dunleavy, Peckens, Slayton.

Nays: None.

Motion Carried.

6. **Equipment Acquisition**
● Tandem Truck Bodies, Hydraulic Systems, Underbody Scrapers
(Resolution 0905-039)

Mr. Craine reviewed with the Board a memo from George Messner summarizing recent bid results for tandem truck bodies, hydraulic systems, and underbody scrapers. Staff evaluated the bid proposals for consistency with specifications and conducted a budgetary review of the proposals. Based on their analysis, staff recommended awarding the bid to the low qualified bidder, Truck and Trailer Specialties of Dutton, Michigan.

ACTION: It was moved by Commissioner Slayton, seconded by Commissioner Dunleavy, to approve Resolution 0905-039. (Certified Copy on file in the Board Meeting Resolutions.)

Ayes: Commissioners Dunleavy, Peckens, Slayton.

Nays: None.

Motion Carried.

E. INFORMATION ITEMS

The following items were presented to the board as information only:

1. Clip Sheets (May 14-20, 2009)
2. Clip Sheets (May 21-27, 2009)
3. Salt Prices

F. CALL TO THE PUBLIC (2)

No Response

G. LEGAL

1. **Report on Current Litigation**

Staff recommended that the Board consider entering into closed session for the sole purpose of receiving a report on current litigation. The Chairman deferred discussion of this item until the conclusion of the regularly schedule agenda items.

H. ADMINISTRATIVE BUSINESS

1. Minutes

a. Regular Board Meeting May 14, 2009

The proposed minutes of the meeting of May 14, 2009, were presented to the Board for its review and approval.

ACTION: It was moved by Commissioner Slayton, seconded by Commissioner Dunleavy, to approve the meeting minutes of May 14, 2009.

Ayes: Commissioners Dunleavy, Peckens, Slayton.

Nays: None.

Motion Carried.

2. Bills

ACTION: It was moved by Commissioner Dunleavy, seconded by Commissioner Slayton, to approve vouchers 066430 through 066495 in the net amount of \$444,473.03.

Ayes: Commissioners Dunleavy, Peckens, Slayton.

Nays: None.

Motion Carried.

3. Meetings Announced

a. Next Regular Board Meeting June 25, 2009 - 9:30 a.m.

4. Financial Reports Reviewed

a. Cash Position Statement

5. Miscellaneous Road Items

There were no miscellaneous items to report.

At the conclusion of the regularly scheduled agenda items, staff recommended entering into closed session for the sole purpose of discussing current litigation.

ACTION: It was moved by Commissioner Slayton, seconded by Commissioner Dunleavy, to enter into closed session at 10:18 a.m. for the sole purpose of discussing current legal issues.

Ayes: Commissioners Dunleavy, Peckens, Slayton.

Nays: None.

Motion Carried.

ACTION: It was moved by Commissioner Slayton, seconded by Commissioner Dunleavy, to return to open session at 11:35 a.m.

Ayes: Commissioners Dunleavy, Peckens, Slayton.

Nays: None.

Motion Carried

I. ADJOURNMENT

There being no further business to come before the Board, Chairman Peckens declared the meeting adjourned at 11:36 a.m. Motion carried.

Signed _____
David R. Peckens, Chairman

Signed _____
Michael Craine, Managing Director