

November 10, 2010

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: Stephen F. Crane  
John T. Dunleavy  
David R. Peckens

Staff Present: Michael Craine, Managing Director  
Jodie Tedesco, County Highway Engineer

Others Present: Mike Archinal, Genoa Township Manager  
Gary Bachman, Cleary University  
Douglas Belsar, Howell  
Pat Convery, Howell Area Chamber of Commerce President  
Mike Daniels, Howell  
Michael and Susan Doyle, Brighton  
Kevin Gerkin, Howell  
Jeanne and John Goodrich, Howell  
Bo Gunlock, RG Properties, Dayton, Ohio  
Chris Grzenkowicz, Brighton  
Carl Hauss, Eastpointe, MI  
Barb Hess, Livingston County Association of Realtors  
Andrew Irwin, MDOT  
Kathy Johnson, Howell  
Lynne Kirby, MDOT  
Jim Latson, Howell  
Todd and T.J. Lekander, Howell  
Bob MacGillis, Genoa Township  
Glynis McBain, Howell, MI  
Marianne McCreary, Howell  
Gary McCririe, Genoa Township Supervisor  
Jim Mortensen, Genoa Township  
Doug Ritter, Cleary University  
Michael P. Sucil, Howell  
Tom Sullivan, Cleary University President  
Rick Terres, CFO, Howell Public Schools  
Debra VanHevel, Comerica Bank-Howell  
Kelly VanMarter, Genoa Township Planning Director  
Tim Walter, Panhandle Eastern  
Ron C. Wilson, Howell Public Schools Superintendent  
Todd Wyatt, MDOT

**B. APPROVAL OF AGENDA**

Mr. Craine suggested to the Board that it would be appropriate to have a discussion to update the Board regarding recent activities in the matter of Gould v Livingston County Road Commission. In light of the ongoing litigation, Mr. Craine suggested that this take place in the form of a closed session at the end of the regular business meeting.

**ACTION:** It was moved by Commissioner Dunleavy, seconded by Commissioner Crane, to approve the agenda as amended.

**Ayes:** Commissioners Crane, Dunleavy, Peckens.

**Nays:** None.

**Motion Carried.**

**C. CALL TO THE PUBLIC (1)**

No Response

**D. ACTION ITEMS**

1. Latson/I-96 Interchange
  - Investment Policy(Resolution 1011-069)

Mr. Craine gave a presentation regarding the principles appropriate for evaluating investment in the Latson at I-96 project. He reviewed briefly some of the project development and funding issues that had been discussed at the prior two board meetings.

Mr. Craine acknowledged that there is a lot of competition for primary road investment. There is also much financial uncertainty for roads and bridges statewide and particularly in Livingston County in light of the inadequacy of the existing funding formula for receiving fair return of taxpayer payments. He stressed that the Latson Road project would provide broad regional access improvement over a large area of the county. It would improve emergency and public service response times. It would leverage in excess of \$29 million additional investment. And it would provide a cost effective cooperative infrastructure framework for now and into the future. Finally, bid prices were not likely to be much lower in the future than they have been and that this was definitely the time to undertake this project.

He understood that it was difficult to evaluate an investment of this type compared to traditional tactical investments made in paved road surface improvements, as an example. He said that the investment life cycles are very different and that the community balance sheet is very different between these two styles of investment.

He concluded that building the interchange was the sensible thing to do at this time. It accessed a large transportation investment that would create a 21<sup>st</sup> century interchange in a community that is plagued with old style interchanges. There were broad public benefits now and into the future regardless of when future development occurred. He stressed that the options for the Board were to go forward with the project by authorizing a letter of commitment or to return the funding to the Huron Valley Federal Aid Committee for the development of alternate proposals.

Chairman Peckens thanked Mr. Craine for his presentation and asked the audience if there were any questions or comments.

Thomas Sullivan introduced himself as the president of Cleary University. He stated that he had chaired the Latson Road Coalition because he felt that the project was an investment in the future. He stressed that Cleary University also was investing in the future by making the Howell campus the main campus for its educational efforts. He encouraged the Board to look favorably on the project.

Pat Convery, President of the Howell Area Chamber of Commerce, said that she had commented at previous Board meetings about the importance of the interchange for the community. She thanked the Board for the opportunity that it had created for public information about the project and that she felt it was helpful in mobilizing community support.

Glenn Gunlock introduced himself as the owner of the WalMart/Lowe's shopping center. He stated that he had made a commitment to donate 14 acres of land to the project. He said he was making that donation because he believed the project would generate a high level of economic development and he encouraged the Board to seize this opportunity.

Larry Lane stated that he was representing the Emergency Services Council. He stated that all emergency services, police, fire, and medical, supported the project and feel that it is needed. He said that it would provide broad logistical support for community emergency services.

Michael Sucil said that he was a local resident and he felt that there were both long term and short term benefits to the project. He encouraged the Board to consider it.

There being no more public comment, Chairman Peckens asked Board members if they had anything they wished to add to the discussion.

Commissioner Dunleavy stated that he was initially concerned about whether this was the time to consider such a project. He said that the long review was extremely helpful and that he believes the evidence is overwhelming that this is a good time to undertake this project. He further believes it is in the best interest of the county as a whole and that we should go forward with it.

Commissioner Crane stated that he has been polling all of his social and business contacts regarding the project. He said this group included residents and non-residents from a wide geographic area beyond the immediate area of the interchange. He stated he had yet to find a person that did not think it was the smart thing to do and that this was a good time to be making this kind of investment in the future.

Commissioner Peckens said that the project has not been as popular in some of the rural areas of the county. He said that he has heard and understood some of these rural concerns. He stated that, on balance, he believes that the favorable pricing opportunities and the tremendous financial leverage make this the right time for this investment. He remarked that this was not a final step but rather a willingness to continue the process forward and that as long as other project investors fulfilled their commitments in a timely manner, he was sure that the future actions of the Board would continue to be supportive.

**ACTION:** Commissioner Dunleavy noted that there were two alternate resolutions in the Board packet and that he would move in support of the resolution that gave approval for the project in concept, subject to conditions. He so moved, seconded by Commissioner Crane, to approve Resolution 1011-069. (Certified Copy on file in the Board Meeting Resolutions.)

Ayes: Commissioners Crane, Dunleavy, Peckens.

Nays: None.

Motion Carried.

#### **E. INFORMATION ITEMS**

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

1. Clip Sheets (October 28-November 3, 2010)
2. Clip Sheets (November 4-9, 2010)
3. Bid Results
  - a) Old 23 (Center to Hogan)
  - b) Latson Road Bridge  
Section 8, Deerfield Township

#### **F. CALL TO THE PUBLIC (2)**

No Response

**G. LEGAL**

1. **Summons and Complaint: William Cobb v Livingston County, Livingston County Road Commission, AM Comm Telecommunications, Inc.**
  - **Utility Pole Installation, Brighton Township**

This matter was referred to counsel.

**H. ADMINISTRATIVE BUSINESS**

1. **Minutes**

- a. **Regular Board Meeting  
October 28, 2010**

The proposed minutes of the meeting of October 28, 2010, were presented to the Board for its review and approval.

**ACTION:** It was moved by Commissioner Crane, seconded by Commissioner Dunleavy, to approve the meeting minutes of October 28, 2010.

**Ayes:** Commissioners Crane, Dunleavy, Peckens.

**Nays:** None.

**Motion Carried.**

2. **Bills**

**ACTION:** It was moved by Commissioner Dunleavy, seconded by Commissioner Crane, to approve vouchers 069332 through 069409 in the net amount of \$251,839.22.

**Ayes:** Commissioners Crane, Dunleavy, Peckens.

**Nays:** None.

**Motion Carried.**

3. **Meetings Announced**

- a. **Next Regular Board Meeting  
November 23, 2010 - 9:30 a.m.**

4. **Financial Reports Reviewed**

- a. **Cash Position Statement**
- b. **MTF Comparison Report**

5. **Miscellaneous Road Items**

Jodie Tedesco discussed current project development activities.

At the conclusion of the regularly scheduled meeting, Chairman Peckens recommended entering into closed session for the sole purpose of reviewing the matter of Gould v LCRC.

**ACTION:** It was moved by Commissioner Dunleavy, seconded by Commissioner Crane, to enter into closed session at 10:29 a.m. for the sole purpose of discussing developments in the matter of Gould v LCRC.

**Ayes:** Commissioners Crane, Dunleavy, Peckens.

**Nays:** None.

**Motion Carried.**

**ACTION:** It was moved by Commissioner Crane, seconded by Commissioner Dunleavy return to open session at 10:59 a.m.

**Ayes:** Commissioners Crane, Dunleavy, Peckens.

**Nays:** None.

**Motion Carried.**

**I. ADJOURNMENT**

There being no further business to come before the Board, Chairman Peckens declared the meeting adjourned at 10:59 a.m. Motion carried.

Signed \_\_\_\_\_  
David R. Peckens, Chairman

Signed \_\_\_\_\_  
Michael Craine, Managing Director