



MINUTES

Clinton County Road Commission
Board Meeting
Thursday, April 7, 2022, 9:00 am - 10:30 am
3536 S. US Highway 27 St. Johns, MI 48879

In Attendance

Member

Gail Watkins; Kevin Holt; Michael Frederick

Staff

Douglas Steffen; Karla Gurski; Marc Trotter

Co. Comm.

David W. Pohl

A. Welcome and Pledge of Allegiance

B. Approval of Agenda

Motion to approve the Agenda as presented.

Move: Kevin Holt Second: Michael Frederick Status: Passed

C. Approval of March 17, 2022 Minutes

Motion to approve the March 17, 2022 Minutes as presented.

Move: Michael Frederick Second: Kevin Holt Status: Passed

D. Chris Veenstra - OPEB Actuarial

Chris Veenstra, Watkins-Ross, presented the 2021 OPEB Report, reporting a 164.9% funded level to the Board.

E. Communications

Motion to accept the communication and place it on file.

Move: Kevin Holt Second: Michael Frederick Status: Passed

F. Information from County Commissioner David Pohl

Mr. Pohl reported: 1) 911 project is going well, will be doing a foliage base test to make sure communication is working, 2) Clean Community Event will be April 30th at the road commission, 3) The BOC authorized contracts for the Commercial, Industrial, and Ag parcel appraisals to be done, this is required to establish value of these parcels for property tax purposes, it is contracted as opposed to having someone on staff, 4) The Homeland Security Grant was approved, Ingham County is the regional recipient and Clinton is a sub-recipient, some national priorities are cybersecurity, protection of soft targets(crowds), info sharing with other agencies, combating domestic violent extremism, and addressing emerging threats such as transnational criminal organizations, weapon of mass destruction, and unmanned aerial systems to name a few, Clinton County receives about \$61,000 to be used for training, equipment and other related needs, 5) The architects Hobbs & Black have been reviewing our facilities and projecting out with some needs and updates, the department of Public Works will be in need of an expansion in the not too distant future, and the jail is becoming inadequate for meeting today's personnel safety and needs, as we are having more females largely due to the drug scene, and we did view a design plan for a replacement jail facility, 6) The County received an update on the American Rescue Plan funding possibilities including Broadband, and we are prepared to take advantage of some of the options if and when they become available, the other thing we are finding are the opportunities for collaboration between communities and Government entities, 7) Attended a MAC (Michigan Association of Counties) recently, one comment that came out was a CEO was asked to describe the most important part of his job, his answer was to "Take Care Of Our People", in another section discussing cybersecurity it was stated that "The Cyber- criminals are moving even faster as they are now using Artificial Intelligence to speed up their fraud".

G. Public Comments

There was no public comment.

H. Director of Engineering Report

Mr. Trotter reported: 1) 2022 MDOT Bridge Bundle - the Herbison Bridge is on schedule, the deck will potentially be getting poured tomorrow, and we were able to work through the EGLE permitting issues, the Tallman Road Bridge is deferred until June 1st, 2) For the 2022 County Paving Projects - Rieth Riley was the low bidder for mainline & subdivision paving, they are able to start in April on our subdivision projects which are Bonnie Meadows in Bath, Springbrook Hills in DeWitt, and Hummingbird Lane & Watertown Parkway in Watertown Township, also the bids for the Lakeside Preserve micro-surface bids are due next week, 3) The Clark Road repairs from Francis to Airport are scheduled with MDOT to pave the patches under their I-69 contract at the end of April - first of May, 4) The Francis Road Paving project from Grand River to Stoll Road was deferred by MPM in 2021 due to the MDOT I-69 schedule, so Rieth-Riley will take over this project under the 2022 contract, 5) The as-needed electrical work contract that we secured with JRanck has worked out well, we have used them three times in the last month, 5) For 2022 Federal Aid Projects, the Francis and Clark Road Intersection will be a May letting, Grand River from M-100 to I-96 is a June letting, Wood Road from Coleman to State is a June letting, DeWitt Road from Townsend to M-21 has a GI submittal in June, with obligated funding by September and 2023 construction, and our Chip Seal Force Account work has been submitted to NEPA and will turn in to GI next with for a June 1st letting, 6) We need to discuss a full reconstruction of Clark Road from Wacousta to Airport with Watertown Township to see if they are on board to redo their 2 miles of the road if we do our 3 miles, this would be a \$2-2.5 million dollar project, it is not eligible for federal aid due to the NFC classification, we are submitting for FHWA Rural grant funding in May as these funds would be eligible to use on non-federal aid routes, we have also requested a proposal from LRE & SME for preliminary design, a geotech report, and pavement recommendations, 7) In regard to Planning, the Bath Township Webster Road and SRTS Projects for 2024 design RFP have been sent to as-needed consultants, and in DeWitt Township the Webb Road Sidewalk for 2023 design RFP has all been sent to as-needed consultants, 8) The Bridge Applications were submitted April 4th for the following bridges in the following order: 1 - Grange over Stoney (primary all season) for a full replacement, 2 - Hollister over the Maple (primary all season) for deck and beams replacement, 3 - Dexter Trail over Muskrat (local bridge) for a dual culvert replacement with box, and 4 - Kinley over Peets (local) for a dual culvert replacement with box, 9) The safety applications are due May 6th, 10) Weight restrictions were lifted April 4th, there was no documented damage on bonded roads, so all bonds will be returned, and OxCart ROW permitting will go online in April for CCRC, 11) Lastly, for developments, in DeWitt Township the Thomas Farms Phase 1B watermain is under construction on Clark Road & Solon Road and Phase 2 condos on Solon Road was submitted to the township for approval, in Watertown Township, the Nottingham Farms development preliminary plans for 12ft lanes were submitted to the township for review.

I. Director of Finance Report

Ms. Gurski reported: 1) MTF for February came in at \$1,163,200.89, 2) Registered Katie and I for the Finance & HR Annual conference in May held in Frankenmuth, 3) We received renewal from MCRCSIP, 4) We received notification from the County of an increase to commissioner's salary and per diem starting in 2023, 5) Working to finalize items with auditor, hoping to having Doug Deeter present at next board meeting.

Motion to accept the March Financials and place on file.

Move: Frederick Second: Holt Status: Passed

Approval of Vouchers:

Payroll: #92240 - #92247 including advices

Vouchers: #67074- #67134 including ACH

Total: \$834,144.49

Motion to approve the vouchers as presented.

Move: Frederick Second: Holt Status: Passed

J. Managing Director Report

Mr. Steffen reported: 1) The facility project is moving forward, the contractors will be bringing equipment in on-site this week, and will have some soft start items next week, they plan to start milling on parking lot first, 2) We are also getting a Builder Risk Policy from MCRCSIP while construction is going on, 3) April 19th at 7pm is the Township Officers meeting at DeWitt Township, 4) The Manager Commission Workshop meeting date is set for April 28th at 8am, 4) The next Seven County Council meeting is April 19th at Eaton County, 5) Winter

maintenance is down about \$100,000 from where we were this time last year, 6) Jeff Brown has announced his retirement for mid June, 7) The annual recycle event is on April 30th, 8) We currently have two truck driver positions posted, and in the process of filling seasonal positions for operations & engineering, 9) Things are moving forward with Rowe with meetings set up for late May.

K. Governmental Resolution -MDOT Right of Way Permits

On a motion duly made by Commissioner Frederick, seconded by Commissioner Holt, and passed with 3 ayes and 0 nays, it was moved to adopt the following resolution:

RESOLVED WHEREAS, the Clinton County Road Commission, hereinafter referred to as the "MUNICIPALITY," periodically applies to the Michigan Department of Transportation, hereinafter referred to as the "DEPARTMENT," for permits, referred to as "PERMIT," to construct, operate, use and/or maintain utilities or other facilities, or to conduct other activities, on, over, and under State Highway Right of Way at various locations within and adjacent to its corporate limits;

NOW THEREFORE, in consideration of the DEPARTMENT granting such PERMIT, the MUNICIPALITY agrees that:

1. Each party to this Resolution shall remain responsible for any claims arising out of their own acts and/or omissions during the performance of this Resolution, as provided by law. This Resolution is not intended to increase either party's liability for, or immunity from, tort claims, nor shall it be interpreted, as giving either party hereto a right of indemnification, either by Agreement or at law, for claims arising out of the performance of this Agreement.

2. If any of the work performed for the MUNICIPALITY is performed by a contractor, the MUNICIPALITY shall require its contractor to hold harmless, indemnify and defend in litigation, the State of Michigan, the DEPARTMENT and their agents and employee's, against any claims for damages to public or private property and for injuries to person arising out of the performance of the work, except for claims that result from the sole negligence or willful acts of the DEPARTMENT, until the contractor achieves final acceptance of the MUNICIPALITY. Failure of the MUNICIPALITY to require its contractor to indemnify the DEPARTMENT, as set forth above, shall be considered a breach of its duties to the DEPARTMENT.

3. Any work performed for the MUNICIPALITY by a contractor or subcontractor will be solely as a contractor for the MUNICIPALITY and not as a contractor or agent of the DEPARTMENT. The DEPARTMENT shall not be subject to any obligations or liabilities by vendors and contractors of the MUNICIPALITY, or their subcontractors or any other person not a party to the PERMIT without the DEPARTMENT'S specific prior written consent and notwithstanding the issuance of the PERMIT. Any claims by any contractor or subcontractor will be the sole responsibility of the MUNICIPALITY.

4. The MUNICIPALITY shall take no unlawful action or conduct, which arises either directly or indirectly out of its obligations, responsibilities, and duties under the PERMIT which results in claims being asserted against or judgment being imposed against the State of Michigan, the Michigan Transportation Commission, the DEPARTMENT, and all officers, agents and employees thereof and those contracting governmental bodies performing permit activities for the DEPARTMENT and all officers, agents, and employees thereof, pursuant to a maintenance contract. In the event that the same occurs, for the purposes of the PERMIT, it will be considered as a breach of the PERMIT thereby giving the State of Michigan, the DEPARTMENT, and/or the Michigan Transportation Commission a right to seek and obtain any necessary relief or remedy, including, but not by way of limitation, a judgment for money damages.

5. The MUNICIPALITY will, by its own volition and/or request by the DEPARTMENT, promptly restore and/or correct physical or operating damages to any State Highway Right of Way resulting from the installation construction, operation and/or maintenance of the MUNICIPALITY'S facilities according to a PERMIT issued by the DEPARTMENT.

6. With respect to any activities authorized by a PERMIT, when the MUNICIPALITY requires insurance on its own or its contractor's behalf it shall also require that such policy include as named insured the State of Michigan, the Transportation Commission, the DEPARTMENT, and all officers, agents, and employees thereof and those governmental bodies performing permit activities for the DEPARTMENT and all officers, agents, and employees thereof, pursuant to a maintenance contract.

7. The incorporation by the DEPARTMENT of this Resolution as part of a PERMIT does not prevent the DEPARTMENT from requiring additional performance security or insurance before issuance of a PERMIT.

8. This Resolution shall continue in force from this date until cancelled by the MUNICIPALITY or the DEPARTMENT with no less than thirty (30) days prior written notice provided to the other party. It will not be

cancelled or otherwise terminated by the MUNICIPALITY with regard to any PERMIT which has already been issued or activity which has already been undertaken.

BE IT FURTHER RESOLVED that the following position(s) are authorized to apply to the DEPARTMENT for the necessary permit to work within State Highway Right of Way on behalf of the MUNICIPALITY.

Title and/or Name: Managing Director, Doug Steffen, and/or Director of Engineering, Marc Trotter

A roll call vote indicated: Frederick - Aye, Holt - Aye, Watkins - Aye.

L. Approval to Award Bid for Materials

Asphalt Base Crushing & Shaping
Bituminous Mixture 13a - Paving
Bituminous Skip Patch
Slope Restoration

Motion to award to all bidders based on price and availability for the following materials/services:

Asphalt Base Crushing & Shaping
Bituminous Mixture 13a - Paving
Bituminous Skip Patch
Slope Restoration

Move: Kevin Holt Second: Michael Frederick Status: Passed

M. Approval for 2022 Equipment Lease(s) through Michigan CAT & AIS per MiDEAL Pricing

Motion to Approve 2022 Equipment Lease through Michigan CAT per MiDEAL Pricing for (1) Grader and lease through AIS for (2) Backhoes per MiDEAL Pricing.

Move: Kevin Holt Second: Michael Frederick Status: Passed

N. Approval to Revise Policy No. 105 - Purchasing Policy

Motion to Revise Policy No. 105 - Purchasing Policy

Move: Kevin Holt Second: Michael Frederick Status: Passed

O. Approval of Township Contracts

Motion to approve the following Township contracts:

Bath: 010192
Clinton County: 900560
Dallas: 040172
Duplain: 060372, 060472, 060572, 060672, 060772, 060872, 060972, 061072, 061172
Eagle: 070372, 070572, 070472, 070772, 070672, 070972, 070872, 071072, 071172
Essex: 080272, 080372, 080472, 080572, 080672, 080772, 080872
Lebanon: 100172
Riley: 130172, 130272, 130372, 130472, 130572

Move: Michael Frederick Second: Kevin Holt Status: Passed

P. Approval of Right of Way Permits

#051-22 through #057-22

Motion to approve the Right of Way Permits as presented.

Move: Kevin Holt Second: Michael Frederick Status: Passed

Q. Commissioner Comments

R. Adjournment

With no further business to come before the Board, the meeting was adjourned at: 11:15 am


Karla Gurski, Clerk to the Board