

**MINUTES OF THE BOARD OF COUNTY ROAD COMMISSIONERS
MONROE, MICHIGAN
November 12, 2018**

1. At a Regular Meeting of the Board of County Road Commissioners at their offices located at 840 S. Telegraph Road, Monroe, Michigan on Monday, November 12, 2018 the meeting was called to order by Chairman Iacoangeli at 5:30 p.m.
2. Roll Call by Deputy Clerk as follows:

<u>PRESENT</u>	<u>EXCUSED</u>
Dan Minton	
Stephen J. Pace	
Charles A. Londo	
Greg W. Stewart	
Paul Iacoangeli	

A quorum being present, the Board proceeded to transact business.
3. Commissioner Iacoangeli led the Pledge of Allegiance.
4. Commissioner Iacoangeli led the Opening Prayer.
5. Commissioner Minton moved, seconded by Commissioner Stewart to approve the November 12, 2018 regular meeting agenda as presented. Vote: Ayes: 5 Nays: 0 Motion carried.
6. Public Comment - None.
7. The following items were listed on the Consent Agenda: *(with immediate effect)*
 - 1) Approval of Minutes- October 22, 2018 Regular Meeting Minutes
 - 2) Approval of Journal Entry

No. 755 Vendor Checks #73122-73183	\$ 2,017,233.07
No. 771 Payroll Checks #64197-64215 & Advice #24871-24961	\$ 272,858.76
Vacation Payout - A. Pierce Check#64216	\$ 233.88
No. 798 Vendor Checks #73184-73253	\$ 1,627,559.19
 - 3) Township Contracts - N/A
 - 4) Approve 2019 Proposed MCRC Meeting Schedule.
 - 5) Approve the extension of the Overband Crack Fill Contract with K&B Asphalt Sealcoating, Inc. for the 2018 season.
 - 6) Approve the one-year extension of Supplemental Heavy Equipment with Stoneco and CB Asphalt Maintenance for 2019.
 - 7) Approve and sign the Signature Sheet for Stoney Creek Manor, Frenchtown Charter Township, Monroe County, Michigan; and authorize the Chairman to sign the mylar on behalf of the Board.
 - 8) Approve the expenditure of \$415,998.00 for the purchase/lease [over 5 years] of two (2) 2019 938M loaders with set of forks to Michigan CAT through the MiDeal Program.
 - 9) Approve and sign the Drainage Easement with Randall Vore, Raisinville Township, Monroe County, Michigan.
 - 10) Approve and sign the Drainage Easement with Theodore and Barbara Roberts, Raisinville Township, Monroe County, Michigan.

Commissioner Minton moved, seconded by Commissioner Pace to approve the November 12, 2018 Consent Agenda as presented/amended. Motion carried.

8. Unfinished Business – None.

9. New Business –

Commissioner Pace moved to cancel the November 26, 2018 regular board meeting. Motion failed for lack of support.

10. Report of Officers –

Randy Pierce (Managing Director) – Mr. Pierce advised the Board that the staff met with MDOT officials in October, and a follow up meeting will be set in December. He also took MDOT’s David Vorce on a tour of the Road Commission facilities and he seemed interested. MDOT will be working on a plan to present at the December meeting.

Mr. Pierce also informed the Board that the NE facility will begin loading salt this week. There is still no electricity on site because of a high pressure gas line was located which caused the electricity to be rerouted overhead for an additional \$12,000 cost to the Road Commission.

David M. Leach (Superintendent of Maintenance) – Mr. Leach updated the Board on maintenance projects. The mainline paving on S. Stony Creek Road from US24 to Sumpter is complete, and they will be working to finish up the approaches. The mainline paving on Morocco Road is also complete.

Due to the changing and uncertain weather, N. Otter Creek Road and Temperance Road are both on hold. The Exeter Road project has been delayed until spring 2019. Milwaukee Road has been crushed, stone added and chloride applied. As Mr. Pierce indicated, depending on the weather salt delivery should begin this week to the NE facility.

Matthew Snell (County Highway Engineer) – Mr. Snell informed the Board that the Oakville Waltz Road and Luna Pier Road paving projects are about 95 percent complete. The Todd Road project should wrap up shortly. The Engineering Division is working on updating the fee schedule based on new legislation on the Telecommunication companies in the road right-of-way.

Mr. Snell also advised the Board of the Federal Aid Meeting scheduled for Wednesday of this week.

Commissioner Minton inquired about the time of the meeting. Mr. Snell indicated the meeting is scheduled for 1:30 p.m. in the MCRC Board Room.

Dori Hawkins-Freelain (Director of Finance) – Ms. Hawkins-Freelain explained the finance department is gearing up for the Annual Audit which is set to begin the first week in December.

Philip Costello (General Counsel) – Mr. Costello indicated at the last board meeting questions were raised about the farmer’s responsibility when it comes to leaving mud and debris on the roads as it caused an accident, and the Road Commission’s authority to cite them. Mr. Costello confirmed that the MCRC is not able to issue any type of citation, but the Road Commission does have the ability to recover any costs associated with the work done to clean the road or recoup costs should the road be damaged due to farming operations.

Mr. Costello added that it would be in the best interest of the Road Commission to develop a communication plan with the agricultural community to remind them in a friendly way of the need to work together to protect our road assets and ensure the safety of the motoring public when performing farming operations in the right-of-way and road. Farming operations take place on a number of roads and we need to work together to avoid any future incidents. A permit should be obtained any time anyone is working in the right-of-way and they cannot obstruct traffic.

Commissioner Londo asked if there was any damage to the road. Mr. Costello said possibly along the shoulder, but wasn’t sure about the hard top surface.

Commissioner Londo indicated there was a lot of property damage due to the accident and he was concerned that there were no statutes or laws that allowed the Road Commission to take action. Mr. Costello cited MCL 224.19 which gives the MCRC the ability to recover costs due to damage/injury to roads, and MVC 247.18 which states they cannot obstruct the road and they have to pay for damage, and failure to pay is a misdemeanor.

Commissioner Londo asks who has the ability to enforce. Mr. Costello indicated the Road Commission does not have any enforcement ability. Any type of citation or ticket would have to be issued by the MCSD or MSP.

Commissioner Minton stated there was mud on N. Custer again today, not like it was before, but it appeared someone had been in and out of the farm fields.

Commissioner Iacoangeli asked if the Road Commission had sent the bill to the farmer. Ms. Dori Hawkins-Freelain indicated data is still being gathered so an invoice has not been sent yet.

11. Public Comment -

David Hoffman, County Commissioner, indicated the MPSC does issue tickets for loose loads, because he has received a tickets for mud falling off their vehicles when crossing a railroad track. He thought the Road Commission should look into that option. He also indicated the gravel roads are looking good and he hoped the Road Commission would continue the practice of cutting the high shoulders to keep water off the roads.

Mr. Hoffman also indicated he received several calls from residents about receiving notification of the pulverizing project. The callers feel they weren’t given proper notice.

Mr. Hoffman also stated the citizen on Totten Road continues to call and hopes the Road Commission will make time to go out and reverse the ditch so this resident doesn't have water in his back yard. He added that the Road Commission inspector came out to a job he was doing on Allison Road and he did a good job.

12. Commissioners' Comments -

Commissioner Pace had nothing additional to report.

Commissioner Stewart had nothing additional to report.

Commissioner Londo thanked the staff for their follow up on the N. Custer Road accident. He stated the concerns were covered adequately, but was disappointed that the Road Commission didn't have more ability to take action.

Commissioner Minton had nothing additional to report.

Commissioner Iacoangeli had nothing additional to report.

13. Adjournment -

Chairman Iacoangeli stated if there are no objections, the meeting is adjourned at 5:47 p.m.

Cheryl A. U'Ran

Cheryl A. U'Ran, Deputy Clerk