

# MINUTES OF THE BOARD OF COUNTY ROAD COMMISSIONERS - MONROE, MICHIGAN

July 10, 2023

1 At a Regular Meeting of the Board of County Road Commissioners at their offices located at the Monroe County Road Commission (MCRC) 840 S. Telegraph Road, Monroe, Michigan, the meeting was called to order by Chairman Stewart at 2:13pm

2 **ROLL CALL** by the Deputy Clerk as follows:

James Jacobs	Present
Danny Minton	Excused
Jack Thayer	Present
William Kipf	Present
Greg Stewart	Present

A quorum being present, the Board proceeded to transact business.

3 **The PLEDGE OF ALLEGIANCE** was lead by Chairman Stewart.

4 **AN OPENING MOMENT OF SILENCE OR PRAYER** was lead by Chairman Stewart.

5 **REGULAR MEETING AGENDA APPROVAL**

Moved by Commissioner: Thayer Supported by Commissioner: Kipf  
to approve the agenda as presented.

Vote: Ayes: 4 Nays: 0 Excused: 1 Motion Carried

6 **PRESENTATION**

6.1 **Michigan Wetland Bank (MiWB) - By: Holly Vickers, Manager**

Mitigation of wetlands offsets loss of wetland functions and values in a watershed or ecoregion. Depending on the loss, wetland mitigation should occur within the same watershed and/or the same ecoregion by utilizing a ratio to ensure the successful replacement of these functions.

Mitigation banking was developed to reduce permit processing times and costs while increasing certainty for projects. Additionally, it offsets losses to habitat by creating mitigation sites within the watershed and ecoregions. It is important to anticipate future needs for road infrastructure and planning to determine the location of mitigation sites.

Mitigation site banks are an EAGLE approved tract of land that can be restored to a wetland to replace functions in advance of unavoidable impacts such as road or highway building/repairs. A mitigation site must be a minimum of 10 acres. The bank site requires a conservation easement and stewardship agreement with credits "released" by EAGLE as completed under NEPA rules.

The creation of the MiWB program was completed under PA 246 of 2016 and is Act 51 funded at two million per year with an eight million dollar cap. Participating transportation agencies submit an application to MiWB with approval and follow all state and local financial procedures. Reimbursement from the program is processed through the State of Michigan SIGMA account.

The MiWB has a seven member board with bylaws and procedures, a manager who holds a two year term and a CRA Council Advisory Board.

MiWB prepares a reimbursement agreement once the application is approved. They then work with the sponsor county and consultants with oversight of project development.

MiWB created approximately 100 acres in its first bank site with 40 acres released for use. The current program focus is to create more mitigation bank sites in various ecoregions. These bank credits can be utilized by agencies within that ecoregion. For example, Washtenaw county could request the use of mitigation credits created by the Petersburg State Game Area.

In summary, the benefits of MiWB credits are the faster delivery of road projects, less costly road projects, less uncertainty in road project timelines, improved relationships between environmental and transportation agencies, and additional public recreational opportunities.

Ms. Keane asked if MiWB acquired Karst properties as there are many protected Karst properties in the Ottawa Lake area. Additionally if someone donates a property, why does the Road Commission have to pay for it. Ms. Vickers responded that Karst is a type of site which is most likely already regulated by the State however they are not something that is being looked for at this time.

Ms. Vickers reviews the application with the Board and stated the proposal is to purchase 45 acres at \$10,000.00 per acre. The reimbursement request is listed as \$460,000.00 which includes a small buffer for any unforeseen expenses. Any funding not utilized goes right back into the fund. EAGLE will have a preliminary review submission and a mitigation agreement is already in place for EAGLE to review. The owners of the mitigation site is MDNR, Wildlife Division and the endowment is included from MDNR Wildlife for site management.

Commissioner Jacobs asked if the bank is dedicated to only public agencies. Ms. Vickers confirmed. The ten acres purchased will only be able to be used by the counties within that watershed. These counties will be able to use the site credits if they have impacts to the ecoregion. Commissioner Jacobs asked if this locks a certain acreage in for Monroe county, or is it an improvement that anyone can use any of the credits. Ms. Vickers responded anyone can use the credits however there is a county-wide advisory group within the Southeast Council. If someone comes in with a big impact, it would be brought to the advisory group for approval. Commissioner Jacobs asked if there are other counties contributing in the same fashion. Ms. Vickers responded throughout the state there are different sites sponsored by various county transportation agencies. The goal is to have the county that the site is located within become the sponsor. If a county is not comfortable, then the request for sponsorship goes to any other county which is within the ecoregion.

Commissioner Kipf asked if the mitigation site changes the intended use of the property. Ms. Vickers stated it would still remain a state game area and EAGLE is very strict with their rules. The wetland mitigation site has to have a easement associated with it which goes into perpetuity, it has a stewardship and endowment that pays them to maintain the site as it is intended.

Commissioner Stewart asked if any of the surrounding areas have sponsored any mitigation sites. Ms. Vickers stated Livingston county has a bank in the grand river watershed. Mr. Leach reported he reached out to Scott Merillat, Managing Director of Lenawee County Road Commission, to gain more information on the wetlands. Mr. Merillat stated there was no risk and it was good for public relations. He also stated that if we were not willing to sponsor the site that Lenawee county would. Mr. Merillat stated within a few days, the funding would be reimbursed to us and that there were no implications to the Road Commission. There was nothing but good things to say. Mr. Leach stated he also reached out to Denise Donahue at CRA to further educate himself on this particular item.

Ms. Vickers stated it is basically a way for transportation dollars given to run the program get down and into the community for mitigation purposes by those within the watershed. Commissioner Jacobs stated this is becoming a greater necessity across the board. It is seen by various agencies such as the Drain Commission as they are cleaning drains and keeping systems running. Some systems have become wetlands over time and in order to clean the ditch or drain, the credits are needed. The development of these types of banks is a necessity that would be good to be a part of.

Ms. Keane stated we are going to buy the wetland, MiWB is going to give us money back, we do not have to take care of it. However it is a credit should we wish to develop someplace within the county. Ms. Keane stated Washtenaw county would be able to utilize the watershed in Milan Township and asked if they pay anything into our points. Ms. Vickers stated no, the MiWB organization would approve the mitigation site which is being built. Anyone from any county can utilize those credits with no further obligation.

Commissioner Stewart asked if the Road Commission would own any liability in the transaction. Ms. Vickers stated she is not an attorney but she would say no because we are buying mitigation at another site. The people who own the site still own the site. Monroe County does not own any property, the credits are owned as an intangible.

6.2 Approve the sponsorship of the Petersburg State Game Area Wetland Mitigation Bank and authorize the Managing Director to sign on behalf of the Board.

Moved by Commissioner:           Thayer           Supported by Commissioner:           Jacobs            
to approve the sponsorship of the Petersburg State Game Area Wetland Mitigation Bank credits.

Commissioner Stewart asked Ms. LaRocca if we have the cash flow for this type of item. Ms. LaRocca confirmed.

**Roll Call Vote as Follows:**

James Jacobs	<u>          Yes          </u>
Danny Minton	<u>          Excused          </u>
Jack Thayer	<u>          Yes          </u>
William Kipf	<u>          Yes          </u>
Greg Stewart	<u>          Yes          </u>

**Vote:**       Ayes:           4             Nays           0             Excused:           1             Motion Carried

7 PUBLIC COMMENT - None

8 CONSENT AGENDA (with immediate effect)

8.1 Approval of Minutes:       Regular Meeting   June 26, 2023  
  Closed Session   June 26, 2023

8.2 Journal Entries

Entry No.	Date	Description	Transfer Amount
457	6/28/2023	Vendor Checks	80772 - 80822 \$ 301,756.43
468	7/5/2023	Payroll Checks	66818 - 66836 \$ 347,133.38
		Advices	35729 - 35827
		Bank Service Fee	June 2023

8.3 Approve the Resolution to enter into MDOT Contract No. 23-5263 for hot mix asphalt resurfacing on South Huron River Drive and Stewart Road and authorize the Managing Director to sign the contract on behalf of the Board.

8.4 Approve the Agreement with Spalding DeDecker Associates, Inc. in the amount of \$52,000.00 for design engineering services on Oakville Waltz Road from Palmer Road to Rawsonville Road and authorize the Managing Director to sign all documents on behalf of the Board.

8.5 Approve the participation and use of MCRC barricades for traffic control during the Christmas in Ida Festival and Parade of lights beginning on Thursday November 30, 2023 and ending on Sunday December 2, 2023.

Moved by Commissioner:           Thayer           Supported by Commissioner:           Kipf            
to approve the consent agenda as presented.

**Vote:**       Ayes:           4             Nays           0             Excused:           1             Motion Carried

9 UNFINISHED BUSINESS - None

10 NEW BUSINESS - None

11 REPORT OF OFFICERS

David Leach (Interim Managing Director/Superintendent of Maintenance) -

Mr. Leach reported he spoke with the Monroe County Sheriff. They will have a drone fly over Karst property although with foliage, it is not sure what will be seen. It is the plan to have a second fly over after the leaves. Mr. Leach thanked the Board for their support with the Michigan Wetland Mitigation Bank credits. The Board will be kept updated we move through the sponsorship process.

Mr. Leach provided an update on the Monroe Campus building expansion. Appreciation was given to Commissioner Jacobs for his assistance. Commissioner Jacobs created some drawings which were presented to the Board and contained conceptual ideas. A more in-depth presentation will occur at the next Board meeting.

Commissioner Jacobs stated, for public knowledge, his assistance with the building expansion has been a volunteer effort on his part with no compensation received. His role was to convey to the next design professional our design ideas.

Commissioner Thayer requested that the Sheriff's department complete the fly over from Big sink to our property known as Little Sink. The purpose is to see the distance and correlation between the two.

Mr. Leach reported he did get an email from American Tower regarding the tower lease however he has not had the opportunity to speak with Mr. Costello on the matter. It is understood that previous discussions were held by Ms. Hawkins-Freelain with American Tower.

Jim Morgan (Assistant Superintendent of Maintenance) -

Mr. Morgan reported the dust control program is wrapping up in Milan Township today then will head to Exeter Township. This will complete round one of the program. Mr. Morgan was happy to report we have three Gradall crews running today and crews are getting back into work mode after the holiday.

Kim LaRocca (Director of Finance) -

Ms. LaRocca reported the 2023 fiscal year departmental budgets are prepared through May 31. The month of June is not yet closed. Ms. LaRocca reported she will be meeting with Mr. Leach to review the budgets and will quickly move into discussions with each department. After this review process is completed, Ms. LaRocca reported she will be projecting the next four months in preparation for a budget amendment. It is known that an amendment will be needed due to contractual changes with salaries. With the projection completed, financial statements will be forthcoming. Commissioner Stewart asked if the rescinded funds from the Federal and State government has caused any hardships. Ms. LaRocca reported she does not see any real hardships.

Matthew Snell (Director of Engineering/County Highway Engineer) -

Mr. Snell reported the Road Commission was recently notified that the bridge bundling phase two funding was rescinded. MDOT has informed us that they will complete the designs they currently have in progress. Mr. Snell reported it is disappointing, but similar to other funding, we looked at it as a bonus. Mr. Snell reported the Finzel road bridge project will begin tomorrow. Commissioner Stewart asked if the Sterns road project still planned to finish in September. Mr. Snell confirmed.

Camden Regis (Director of Human Resources) - Excused

Philip Costello (Legal Counsel) -

Mr. Costello reported working with the engineering department on a few separate issues which still need to evolve. Nothing further to report.

12 PUBLIC COMMENT

Mark Ellsworth - 6620 Summerland Lakes Drive

Mr. Ellsworth stated he understands this road is scheduled to be repaired however is unaware of a date. Mr. Ellsworth asked for a point person that he could call for more information. A supervisor had stopped in and stated they were looking to fix a drain in the front of the property before starting the road project. Everyone is trying to plan for when this happens and how to get around. Mr. Ellsworth stated he keeps calling representatives and he should probably call here. Commissioner Stewart stated Mr. Leach would give him the contact information after the meeting.

Gail Keane - Temperance, MI

Ms. Keane stated she was completing work in the Tanglewood subdivision. The property adjacent to the subdivision at the end of the stub street which according to Bedford Township records is Aspen Road. Ms. Keane stated she was trying to get a Miss Dig ticket completed and there was no road sign present. Per Bedford planning, the stub street had to be given a name however there is no sign. The residents within the subdivision, should they call for a rescue squad, there is no street sign to direct them. Ms. Keane reported she called the Road Commission to get the street sign replaced and was told that we do not post names for stub streets. There are two people who live on this street, their drives may not be there but they still live off the street and should have a reference point. Ms. Keane requested the status of where it stands.

Ms. Keane stated Lewis Avenue in Temperance was not done straight when they did the TAP grant. It needs to be remediated in some sort of fashion that makes it safe. Ms. Keane stated she does not care what anyone else says, it is not safe. When you live there you see what happens all the time, it is not safe and needs to be fixed. Ms. Keane stated whatever goon ball came up with the idea, it doesn't make any logic to do what was done there and only creates a bigger problem. This battle was fought long ago and it was supposed to be two lanes, not two lanes a bike lane and a I think I want to make a right hand turn lane. All the marking needs to go away, dedicate the area as a two way street and slow it down. The State police told the temperance action committee that this is what we needed to do in order to maintain the 25 mph speed limit to make the area safe. Instead its been marked and widened. People want to give way to the bike lane and then for the not parking which means everyone hugs the center lane. Ms. Keane stated it was not what was supposed to happen in this area and she is not happy with it.

**13 COMMISSIONERS COMMENT**

Commissioner Jacobs (Member) - Nothing to report.

Commissioner Kipf (Member) -

Commissioner Kipf thanked Commissioner Jacobs for furnishing documents at the tour of the Karst property located on Samaria Road in Whiteford Twp.

Commissioner Thayer (Member) - Nothing to report.

Commissioner Minton (Vice Chairman) - Excused

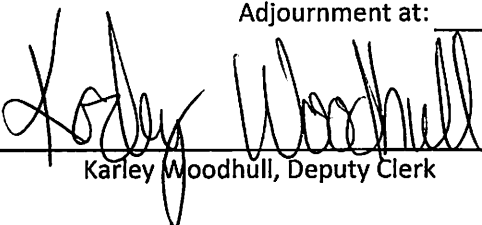
Commissioner Stewart (Chairman) -

Commissioner Stewart requested continued discussion at the next Board meeting regarding the Karst property. Commissioner Stewart thanked Commissioner Jacobs for his assistance and requested a press release regarding the wetlands mitigation sponsorship.

**14 ADJOURNMENT**

Chairman Stewart adjourned the meeting with no further objection.

Adjournment at: 3:17 AM

  
\_\_\_\_\_  
Karley Woodhull, Deputy Clerk

07-25-2023  
\_\_\_\_\_  
Date