

The Menominee County Board of Road Commissioners held a regular meeting in their offices north of Stephenson on Tuesday, April 10, 2012.

Chair Anderson called the meeting to order at 9:00 a.m. with the following persons present or absent:

PRESENT: William Anderson, Roger Betzinger, Anthony Kakuk, Darrell Moilanen and Lisa Savord. Also present were Joe Linder, Pat Kleikamp, Glen Havelka, Bonnie Nyquist, Chuck Behrend, Dave Wesoloski, Darlene Nerat and John Nerat.

ABSENT: None

Public comments – None.

Public appearances – None.

Additions/corrections to minutes for 03/13/12, 03/15/12 and 03/23/12 – There being no additions or corrections, Anderson declared that the minutes will stand as recorded.

Financial Report –

	Receipts	Expenditures	Payables / Reserves	Balances
Balance, March 13, 2012				\$1,136,807.36
Receipts thru 03/31/12	68,607.49			
Expenditures thru 03/31/12		339,310.10		
Balance, March 31, 2012				866,104.75
Michigan Transportation Funds	343,321.94			
Receipts thru 04/09/12	49,572.74			
Expenditures thru 04/09/12		0.00		
State Maint. & Equip. Advances			90,274.00	
Balance, April 09, 2012	461,502.17	339,310.10	90,274.00	1,168,725.43
<u>Payables &amp; Reserves</u>				
Payroll 04/12, 04/26 (Est.)			130,000.00	
Soc. Sec. 04/12, 04/26 (Est.)			9,945.00	
Reserve for workers compensation insurance			20,030.00	
Reserve for liability insurance			141,584.00	
Reserve for rental grader lease (Dec 2009)			55,334.59	
Reserve for rental grader leases (Oct 2010)			258,125.58	
Reserve 4% set-aside for township allocations (2005/2006)			0.00	
Reserve 4% set-aside for township allocations (2006/2007)			22,722.48	
Reserve Hannahville 2% Funds-Sign Truck			22,500.00	
Reserve for 2011/12 bridge inspections & load ratings			19,200.00	
Reserve for roadside mowing			34,337.47	
Reserve for F-4 Lane bridge (Harris Twp)			575.25	
Reserve for Forest Funds			161,015.98	
Reserve for driveway plowing			2,432.40	
Reserve for equipment (Sign Truck)			117,052.00	(994,854.75)
				\$ 173,870.68

There being no questions or comments, Anderson declared the financial report accepted as read.

Vouchers # 12-0032, 12-0033, 12-0035, and 12-0331 – Moved by Betzinger, seconded by Kakuk that the vouchers be approved and ordered paid. Carried unanimously.

Open bids for additional gravel crushing for three-way program projects – Bids were received and read aloud as follows:

**Northstar Crushing & Screening, Gladstone:** Northstar noted that they were unable to bid as their production schedule would not allow them to meet the deadline.

**Iron City Enterprises, Menominee:** Area 1: 2.38/ton; total \$26,656.00  
Area 2: 3.29/ton; total \$55,272.00

Area 2 pit would be located on Phillips Road & G12.

**R. Wells Contracting, Gladstone:** Area 1: 2.94/ton; total \$32,928.00  
Alternate Area 1 pit: 3.25/ton; total \$36,400.00  
Area 2: No bid

Alternate pit quoted for Area 1 would be the Bouty pit.

**Havelka Construction, Wallace:** Area 1: 3.25/ton; total \$36,400.00  
Area 2: 4.50/ton; total \$75,600.00

Area 2 pit would be the Wallace Quarry.

Moved by Betzinger, seconded by Kakuk to tabulate the bids and hold a special meeting on Wednesday, April 18, 2012 at 9:00 a.m. to award the bid. Carried unanimously.

Open bids for 2012 Culvert needs – Bids were received and read aloud as follows:

**UP Concrete Pipe Co., Escanaba, MI**

Helically corrugated steel culvert pipe	15"	\$ 8.10
	18"	10.06
	24"	13.05
	30"	29.28
	36"	35.97
	48"	63.77
	60"	99.76
Helically corrugated steel arch pipe	17"x13"	\$ 8.51
	21"x15"	10.57
	28"x20"	11.64
	42"x29"	37.77
	57"x38"	66.96
	66"x51"	73.30
	71"x47"	82.33
	81"x59"	118.91
Culvert coupling bands for round culvert pipe	15"	\$12.15
	18"	15.09
	24"	19.58
	30"	51.24
	36"	62.95
	48"	127.53
	60"	199.51
Culvert coupling bands "hugger bands" for arched culvert pipe	17"x13"	\$12.76
	21"x15"	15.86
	28"x20"	27.58
	42"x29"	66.10
	57"x38"	133.92
	61"x51"	146.59
	71"x47"	164.66
	81"x59"	237.81

Note: Add 15% to prices for pipe and/or bands picked up out of their yard stock.

**Jenson Bridge & Supply Co., Sandusky, MI** returned the bid form stating "No Bid".

**Contech Const. Products, Inc., Kimberly, WI**

Helically corrugated steel culvert pipe	15"	\$ 8.29
	18"	9.95
	24"	12.73
	30"	28.57
	36"	34.15
	48"	59.61
	60"	89.25

Helically corrugated steel arch pipe	17"x13"	\$ 8.97
	21"x15"	10.75
	28"x20"	18.09
	42"x29"	36.79
	57"x38"	64.39
	66"x51"	51.35
	71"x47"	99.72
	81"x59"	89.95

Culvert coupling bands for round culvert pipe	15"	\$12.44
	18"	14.25
	24"	19.00
	30"	43.00
	36"	51.00
	48"	89.00
	60"	134.00

Culvert coupling bands "hugger bands" for arched culvert pipe	17"x13"	\$13.50
	21"x15"	16.00
	28"x20"	27.00
	42"x29"	55.00
	57"x38"	96.50
	61"x51"	77.00
	71"x47"	150.00
	81"x59"	135.00

**St. Regis Culvert, Inc., Charlotte, MI**

Helically corrugated steel culvert pipe	15"	\$ 8.00
	18"	10.40
	24"	13.20
	30"	29.60
	36"	34.80
	48"	69.70
	60"	105.40

Helically corrugated steel arch pipe	17"x13"	\$ 8.60
	21"x15"	11.20
	28"x20"	15.40
	42"x29"	37.25
	57"x38"	No bid
	66"x51"	56.95
	71"x47"	115.95
	81"x59"	93.50

Culvert coupling bands for round culvert pipe	15"	\$13.20
	18"	17.16
	24"	21.78
	30"	59.20
	36"	69.60
	48"	139.40
	60"	210.80

Culvert coupling bands “hugger bands” for arched culvert pipe	17”x13”	\$14.20
	21”x15”	18.50
	28”x20”	25.45
	42”x29”	74.50
	57”x38”	76.67
	61”x51”	113.90
	71”x47”	231.90
	81”x59”	187.00

Note: Prices firm for 60 days from bid date. Prices based on full nested truckload quantities or minimum order of \$10,000.

Moved by Betzinger, seconded by Kakuk to tabulate the bids and award the bid at the upcoming special meeting. Carried unanimously.

Open bids for CRS-2 Emulsion - Bids were received and read aloud as follows:

**Terry Asphalt Materials, Inc., Alma, MI** \$2.58/gallon

Moilanen stated that he had received a phone call from Flint Hills Resources stating that due to an employee being on vacation, they had not been able to prepare a bid to submit in time to meet the deadline. They were sending a bid via FedEx, but it would not be received until later in the day. Moved by Kakuk, seconded by Betzinger to not accept the late bid and to award the bid to Terry Asphalt Materials, Inc. Carried unanimously.

Discuss options for upgrading radios and tower to meet narrow-banding requirements – Moved by Kakuk, seconded by Betzinger to accept the quote from JS Electronics, Menominee of \$8,025.00 for the purchase of 30 new radios, programming the new radios, reprogramming all usable old radios and the repeater at the Bagley tower and the control stations at the shops. Carried unanimously.

Discuss cutting tree on Oak Street in Spalding – Moilanen provided photos of a large dead pine tree that is in the right of way on Oak Street in Spalding. Due to the size of the tree and the proximity to power lines it was recommended that a professional tree removal service be hired to remove the tree. Moved by Kakuk, seconded by Betzinger to have the stock clerk solicit quotes for the removal of the tree. Carried unanimously.

Discuss air conditioning system for patch truck – Moilanen stated that due to the design of the patch truck, the operator is sitting over the top of the engine and that the windows are also larger than usual. Due to this, the cab of the truck becomes very hot in the summer and with the slow speed necessary to operate the patch machine there is little air circulation. A quote to have an air conditioning system installed on the truck for \$3410.58 had been received. Moved by Betzinger, seconded by Kakuk to have the air conditioner installed as quoted. Carried unanimously.

Discuss ballot to amend CRAM bylaws – Amendment # 1: Move Kent County Road Commission from the Association of Southern MI Road Commissions to the Urban Association of Road Commissions and from the Southwestern council to the Urban council.  
 Amendment #2: Change the name of the 37<sup>th</sup> Senatorial District to the Straits Area Council.  
 Amendment #3: Amend Section 2, Article VI to remove the word “and budget”.  
 Moved by Anderson, seconded by Kakuk to vote Yes on all three amendments. Carried unanimously.

Permission to send employees to the CRAM Finance & HR Conference – Moved by Betzinger, seconded by Kakuk to allow Savord and Carla O’Neil to attend the conference held in Traverse City May 8-10, 2012. Carried unanimously.

Discuss invitation from Miller-Bradford & Risberg to attend Case Training Experience – Betzinger expressed interest in attending the function, which is at no cost to the road commission. Moilanen will check with the construction foreman and the stock clerk to see if they would like to attend also.

Discuss Normenco Sportsmen’s Club proposed ORV Trail – Moilanen stated that after researching the subject that the best action for the road commission to take would be to issue an annual permit to

the Normenco Sportsmen's Club that will allow them to erect their signs in the right of way as long as they provide proof of liability insurance and agree to pay for any damage to the roads caused by the ORV's. The road commission would not be responsible for any damage to the sportsmen's club's signs due to the operations of the road commission, such as plowing snow, etc. It was also noted that the DNR requires all signs be mounted on posts, and not be attached to trees. Pat Kleikamp stated that the sportsmen's club uses treated round posts to mount the signs on. He also felt that the club's insurance may not cover damage to the roads. Moved by Anderson, seconded by Kakuk to issue the permit with the removal of Normenco Sportsmen's Club being responsible for road damage and pending receipt of a certificate of insurance. Carried unanimously.

Discuss CMV Mobile Telephone Policy – Moved by Betzinger, seconded by Kakuk to adopt the following policy. Carried unanimously.

MENOMINEE COUNTY ROAD COMMISSION  
COMMERCIAL MOTOR VEHICLE (CMV) MOBILE TELEPHONE POLICY

**PURPOSE**

The purpose of this policy is to comply with the Federal Motor Carrier Safety Administration's (FMCSA) ban of all handheld cell phone use by commercial truck drivers during the operation of their vehicle. In addition, in the interest of safety, the Menominee County Road Commission is prohibiting the use of all cell phones (hands-free, one-touch, etc.) during the operation of a commercial motor vehicle and/or heavy equipment (i.e. truck, motor grader, etc.).

**CELL PHONE USAGE**

It is the policy of the Menominee County Road Commission that employees are prohibited from the use of mobile telephones of any type while operating Road Commission vehicles or equipment by a CDL License holder.

If an emergency exists, employees MUST:

- Move to a safe area off or to the side of the roadway and be completely stopped before answering or making a telephone call on a mobile phone.
- Drivers of equipment requiring a CDL cannot use mobile phones while temporarily stopped due to traffic, a traffic control device or other momentary delay.

Employees Must NOT:

- Reach for, initiate, answer or terminate a phone call or text message on a mobile phone while driving Road Commission equipment or vehicles by a CDL License holder.

In addition to being disqualified from driving a commercial motor vehicle if convicted of violating State or Federal regulations, an employee violating this **COMMERCIAL MOTOR VEHICLE (CMV) MOBILE TELEPHONE POLICY** will be disciplined up to and including discharge depending on the circumstances. A conviction is not required to establish a violation of this policy.

Discuss Finance Director-Clerk's and Engineer-Manager's employment contracts – at Savord's and Moilanen's request to go to closed session for performance review discussion, this item was moved to the end of the agenda.

Public Comment – Pat Kleikamp stated that on March 24<sup>th</sup> a truck hauling paper mill sludge spilled some of the sludge on the roadway at the intersection of CR380 and CR557. He stated that he had called the sheriff's department and that they had responded but no tickets had been issued. The road commission weigh master was at the site also and had asked the trucker to clear the spillage from the road. Mr. Kleikamp has also called the prosecuting attorney and several other agencies. Moilanen stated that Mr. Kleikamp's complaint was a law enforcement issue and not under the jurisdiction of the road commission. Betzinger stated that the road commission was aware of the issue.

Dale Axtell asked where a request for bids was sent. Moilanen stated that the request for bids was advertised in the local newspaper and that bid packets were also mailed out to a list of known bidders.

Joe Linder asked if the chip seal projects were federal aid. Moilanen stated that the chip sealing on G18 from CR577 to Detemple Road, CR 380 from US41 to Ray's farm, Koss Road and CR338 from US41 to Rangeline Road were all submitted for federal aid funding and that MDOT should be opening the bids in early April.

Mr. Linder asked if Moilanen had an estimate the cost of installing geogrid on some of the roads in Nadeau Township and also if there was a timeframe on completion of the work. Moilanen stated that the crew was currently working on the state highway and then the three-way funding projects would be next. It is hoped that all projects will be completed by mid-November.

Mr. Linder asked if Nadeau Township could purchase the gravel that was crushed in the Kraniak pit. Moilanen stated if there was gravel remaining in the pit after the three-way projects were complete that he will contact the township regarding sale of the remaining gravel. Moilanen also stated that road commission personnel will be meeting with each township supervisor prior to starting their township's projects to discuss the work that was going to be done.

Darlene Nerat asked the status of the bill for the repair of the road that was damaged in the spring of 2011. Moilanen stated that the bill was sent to the county administrator and prosecuting attorney to determine if any legal action could be taken.

Any other business – Moilanen presented a Memorandum of Agreement that was received from the Hannahville Indian Community. The agreement would allow the tribe to receive BIA funding for roads that are in their system that are also under road commission jurisdiction. Moved by Kakuk, seconded by Betzinger to have the board chair sign the agreement. Carried unanimously.

Moilanen advised the board that he would be attending a Citizen's Advisory Group meeting on Friday, April 20, 2012 at 8:00 a.m. at the County Annex in Stephenson. Moilanen stated there will be discussion on what is needed for road improvement to accommodate the mine and that the road commission board was also invited to attend.

Moved by Betzinger, seconded by Kakuk to move to closed session at 10:13 a.m. to discuss the Finance Director/Clerk's and Engineer-Manager's performance evaluation and contracts. Carried unanimously.

---

Moved by Kakuk, seconded by Betzinger to return to open session at 10:35 a.m. Carried unanimously.

Moved by Kakuk, seconded by Anderson to set Savord's annual salary at \$52,000 and adopt the five year employment contract as presented. Carried unanimously.

Moved by Kakuk, seconded by Betzinger to set Moilanen's annual salary at \$85,883 for the duration of the five year employment contract, and to adopt the five year employment contract as presented. Carried unanimously.

There being no further business, Anderson declared the meeting adjourned at 10:37 a.m.

---

Road Commission Finance Director/Clerk

---

Chair