

The Menominee County Board of Road Commissioners held a PUBLIC HEARING in their offices north of Stephenson on Tuesday, September 5, 2017.

Chair Anderson called the Hearing to order at 8:30 a.m. with the following persons present or absent:

PRESENT: William Anderson, Anthony Kakuk, Kenneth Kline, Darrell Moilanen and Lisa Savord. Also present were Jordan St. John, Larry Johnson, Dick & Charlene Peterson, Bonnie Schuette, Betty Sutherland, Sandy Arduin, Joanne Villanueva, Ella Gurgall, Jim Vernon, Diana Anderson, Janet Ducat, Robert Charles, George Caliaro, Mark Plunger, Bob Smith, Beth Bertolini, Harriet Poquette, Jerry Piche, Joe Linder, Chuck Behrend, Lowell Bengry, and Dan Dziedzic.

ABSENT: None.

The Pledge of Allegiance was recited.

Anderson turned the meeting over to Moilanen who explained that the purpose of the hearing was to hear comments for or against the proposed abandonment of the Park Avenue Railroad Crossing which lies from the southern R.O.W. line of 1st Street thence south approximately 100 feet to the northern R.O.W. line of River Street in Section 2 in T.38N., R.27W., Meyer Township, Menominee County, Michigan.

Jim Vernon stated he was in favor of the abandonment due to the financial gain of funds to be used for the roads, better safety with less crossings, reduced noise due to less times the trains have to blow their whistle, better aesthetics to the area, and that the closure will cause only an insignificant diversion for traffic going to the museum or Legion Club.

Beth Bertolini, Meyer Township Clerk, stated that the township board had put a lot of thought into their decision to vote in favor of the closures, noting that there would only be .2 of a mile difference in the distance to get to the museum. She also stated that the township has no other funds available for road improvements and that they would be willing to help the museum and Legion Club with better signage, so there would be no harm to either entity.

Mark Plunger stated that he was in favor of the closure due to the funds the township would receive to help improve the roads, which in turn would help to improve the tourism of the area,

Moilanen called for any further comments for or against the abandonment of the Park Avenue Railroad Crossing.

Moilanen called a second time for comments for or against the abandonment of the Park Avenue Railroad Crossing.

Moilanen called a third time for comments for or against the abandonment of the Park Avenue Railroad Crossing.

There being none, the hearing was closed at 8:39 a.m.

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Road Commission Finance Director/Clerk

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Chair

The Menominee County Board of Road Commissioners held a PUBLIC HEARING in their offices north of Stephenson on Tuesday, September 5, 2017.

Chair Anderson called the Hearing to order at 8:40 a.m. with the same persons as above present or absent.

Anderson turned the meeting over to Moilanen who explained that the purpose of the hearing was to hear comments for or against the proposed abandonment of the Linden Street Railroad Crossing which lies from the southern R.O.W. line of 1st Street thence south approximately 100 feet to the northern R.O.W. line of River Street in Section 11 in T.38N., R.27W., Meyer Township, Menominee County, Michigan.

Jim Vernon had the same comments in favor of the Linden Street railroad crossing closure as he did

for the Park Avenue railroad crossing closure.

Ella Gurgall, President of the American Legion Auxiliary, stated she was also representing the American Legion and the Vietnam Veterans Association and that they are opposed to the closure as Linden Street is the main street for the traffic in town and is also the crossing that is in the best condition of the 4 in town.

Betty Sutherland spoke against the closure, stating that Linden and 3<sup>rd</sup> Street are the main streets of the town and that crossings other than Linden should be closed if the township wants money, such as IXL & Railroad. She also noted that money had already been spent on First Street improvements to draw in the tourists.

Joanne Villanueva spoke against the closure of the Linden Street crossing stating that Linden Street would be needed in the event the town had to be evacuated. She suggested that Park & IXL be closed instead.

Mark Plunger stated that he was for the closure of Linden Street for the same reasons that he noted for Park Avenue.

Robert Charles asked what the difference in the award money would be if IXL Drive was closed instead of Linden Street. Moilanen responded that new traffic and train counts would have to be done on IXL Drive and submitted to MDOT before that could be determined.

Joanne Villanueva asked if the request can be redone with the Park Avenue & IXL Drive crossings being closed instead of the Linden Street crossing. Moilanen stated that the hearings today are for the proposed Park Avenue & Linden Street crossing closures.

Jim Vernon asked if Moilanen knew of any other similar communities with railroad crossings this close together, that could be compared to. Moilanen replied that he did not.

Harriet Poquette stated that she had attended both of the meetings in Hermansville and felt that the railroad and the road commission had both studied the situation with the crossings. She stated she is for the closure of both crossings as the town needs the money and if not from the closures, then taxes will need to be raised. She also feels that evacuating the town is not a problem that needs to be considered and that the original streets were designed back in the late 1800's when most of the traffic was by foot.

Beth Bertolini stated that the closure process has been going on for over a year and that many meetings had already been held on the subject. She has received at more than 30 calls & messages from people that are for the closures, and the only other option would be to go out for a millage to fix the roads.

Janet Ducat stated that she is against the Linden Street crossing being closed.

Joanne Villanueva asked if there was a guarantee that the funds would be used in Meyer Township. Moilanen advised that this would be up to the road commission board.

Moilanen called for any further comments for or against the abandonment of the Linden Street Railroad Crossing.

Moilanen called a second time for comments for or against the abandonment of the Linden Street Railroad Crossing.

Moilanen called a third time for comments for or against the abandonment of the Linden Street Railroad Crossing.

There being none, the hearing was closed at 9:03 a.m.

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Road Commission Finance Director/Clerk

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Chair

Chair Anderson called the Hearing to order at 9:03 a.m. with the following persons present or absent:

PRESENT: William Anderson, Anthony Kakuk, Kenneth Kline, Darrell Moilanen and Lisa Savord. Also present were Jordan St. John, Larry Johnson, Dick & Charlene Peterson, Bob Smith, Beth Bertolini, Jerry Piche, Joe Linder, Chuck Behrend, Lowell Bengry, and Dan Dziedzic. David Wesoloski and Larry Barker also joined the hearing.

Anderson turned the meeting over to Moilanen who explained that the purpose of the hearing was to hear questions and comments regarding the proposed budget for 2017/2018. Moilanen briefly reviewed several line items including projected projects and revenues and items that were carried over from the previous budget.

Jordan St. John asked how it was decided where the Forest Funds would be spent. Moilanen responded that they were applied to projects where no other funding was available. In 2017 and 2018 the funds would likely be used on CR 551 and the Vega Road box culvert. Mr. St. John asked for an explanation of the expenses under Construction/Capacity Improvement. Moilanen stated that those were a pro-rated portion of the expense from projects where the existing lanes were widened or an additional lane was added. He also inquired what was being expensed under Routine Structure Maintenance. Moilanen replied that it was the cost of adding rip-rap to bridges for scour protection. Mr. St. John asked where D Funds could be used. Moilanen advised that they had to be used for upgrading roads to an all-season status.

Moilanen called for any further questions or comments about the proposed 2017/2018 budget. Moilanen called a second time for questions or comments about the proposed 2017/2018 budget. Moilanen called a third time for questions or comments about the proposed 2017/2018 budget.

There being none, the hearing was closed at 9:11 a.m.

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Road Commission Finance Director/Clerk

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Chair

The Menominee County Board of Road Commissioners held a regular meeting in their offices north of Stephenson on Tuesday, September 5, 2017.

Chair Anderson called the meeting to order at 9:11 a.m. with the following persons present or absent:

Present: William Anderson, Anthony Kakuk, Kenneth Kline, Darrell Moilanen and Lisa Savord. Also present were Jordan St. John, Larry Johnson, Dick & Charlene Peterson, Bob Smith, Beth Bertolini, Jerry Piche, Joe Linder, Chuck Behrend, Lowell Bengry, Dan Dziedzic, David Wesoloski and Larry Barker.

Absent: None

Public comments – None.

Public appearances – None.

Additions/corrections to minutes for 08/09/17 – There being no additions or corrections, Anderson declared the minutes will stand as written.

Financial Report –

	Receipts	Expenditures	Payables / Reserves	Balances
Balance, August 8, 2017				\$3,016,977.42
Receipts thru 08/31/17	46,131.43			
Expenditures thru 08/31/17		396,308.01		
Balance, August 31, 2017				\$2,666,800.84

Michigan Transportation Funds	369,134.94			
Receipts thru 09/04/17	0.00			
Expenditures thru 09/04/17		0.00		
Set aside for purchase of graders in 2020			150,000.00	
State Maint. & Equip. Advances			89,679.00	
Balance, September 4, 2017	415,266.37	396,308.01	239,679.00	2,796,256.78
<b>Payables &amp; Reserves</b>				
Payroll 09/07, and 09/21 (Est.)			135,000.00	
Soc. Sec. 09/07 and 09/21 (Est.)			10,327.50	
Reserve for workers compensation insurance			8,964.32	
Reserve for liability insurance			54,273.35	
Reserve for rental grader leases - John Deere (Oct 2015)			114,501.00	
Reserve for rental grader leases - Cat Financial (Dec 2015)			345,253.64	
Reserve for Forest Funds			161,012.59	
Reserve for 2016 Federal Aid Match			106.85	
Reserve for Federal Aid Match for No. 5 Rd. Bridge			10,434.06	
Reserve for Federal Aid Match for No. 10 Ln. Bridge			15,928.66	
Reserve for Construction Engineering for No. 5 Rd. & No. 10 Ln. Bridges			52,741.42	
Reserve for Design Engineering for CR 360			1,136.74	
Reserve for Design Engineering for C-1 Road Bridge			29,400.00	
Reserve for Scour Protection bid documents & oversight			3,931.50	
Reserve for Crushing & Stockpiling 15,000 tons 23A Limestone			67,350.00	
Reserve for 2nd Roadside Mowing on Paved Roads			19,302.85	
Reserve for Vega Road box culvert			26,400.00	
Reserve for Bridge scour protection			476,765.00	
Reserve for Shakey Lakes Culvert Repair			497,000.00	
Reserve for Capital Outlay-Equipment (3 plow trucks)			322,203.00	(2,352,032.48)
				\$ 444,224.30

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

Vouchers # 17-0054, 17-0056 and 17-0831 – Moved by Kakuk, seconded by Kline that the vouchers be approved and ordered paid. Carried unanimously.

Act on Resolutions for the Abandonment of the railroad crossing on Park Ave. in Meyer Township – Commissioner Kakuk offered the following resolution and moved for its adoption.

WHEREAS, the Menominee County Road Commission received correspondence from the Michigan Department of Transportation in regards to the possible absolute abandonment and discontinuance of the Park Avenue Railroad Crossing which lies from the southern R.O.W. line of 1st Street thence south approximately 100 feet to the northern R.O.W. line of River Street in Section 2 in T.38N., R.27W., Meyer Township, Menominee County, Michigan.

AND WHEREAS, a Public Hearing was held at 8:30 a.m., September 5, 2017 and it has been determined that it is to be in the best interest of the public that said railroad crossing shall be absolutely abandoned and discontinued.

NOW THEREFORE BE IT RESOLVED, pursuant to MCLA 224.18, MSA 9.118, the Board of Menominee County Road Commissioners does hereby absolutely abandon and discontinue forever said railroad crossing, reserving a ten (10) easement on either side of all existing public utilities forever.

Supported by Commissioner Kline and carried by the following vote: Ayes 3; Nays 0.

Commissioner Kakuk offered the following resolution and moved for its adoption.

WHEREAS, the Menominee County Road Commission received correspondence from the Michigan Department of Transportation in regards to the possible absolute abandonment and discontinuance of the Park Avenue Railroad Crossing which lies from the southern R.O.W. line of 1st Street thence south approximately 100 feet to the northern R.O.W. line of River Street in Section 2 in T.38N., R.27W., Meyer Township, Menominee County, Michigan.

AND WHEREAS, a Public Hearing was held at 8:30 a.m., September 5, 2017 and it has been determined that it is to be in the best interest of the public that said railroad crossing shall be absolutely abandoned and discontinued.

AND WHEREAS, a closure of this railroad crossing would benefit the public health, welfare and safety of persons and property,

AND WHEREAS, the Menominee County Road Commission intends to remove the roadway improvements and permanently vacate this railroad crossing at the right-of-ways for the purpose of prohibiting roadway traffic at this location.

NOW THEREFORE BE IT RESOLVED, pursuant to MCLA 224.18, MSA 9.118, the Board of Menominee County Road Commissioners does hereby absolutely abandon and discontinue forever said Park Avenue railroad crossing, reserving a ten (10) easement on either side of all existing public utilities forever.

Supported by Commissioner Kline and carried by the following vote: Ayes 3; Nays 0.

Act on Resolutions for the Abandonment of the railroad crossing on Linden Street in Meyer Township –

Commissioner Kakuk offered the following resolution and moved for its adoption.

WHEREAS, the Menominee County Road Commission received correspondence from the Michigan Department of Transportation in regards to the possible absolute abandonment and discontinuance of the Linden Street Railroad Crossing which lies from the southern R.O.W. line of 1st Street thence south approximately 100 feet to the northern R.O.W. line of River Street in Section 11 in T.38N., R.27W., Meyer Township, Menominee County, Michigan.

AND WHEREAS, a Public Hearing was held at 8:40 a.m., September 5, 2017 and it has been determined that it is to be in the best interest of the public that said railroad crossing shall be absolutely abandoned and discontinued.

NOW THEREFORE BE IT RESOLVED, pursuant to MCLA 224.18, MSA 9.118, the Board of Menominee County Road Commissioners does hereby absolutely abandon and discontinue forever said railroad crossing, reserving a ten (10) easement on either side of all existing public utilities forever.

Supported by Commissioner Kline and carried by the following vote: Ayes 3; Nays 0.

Commissioner Kakuk offered the following resolution and moved for its adoption.

WHEREAS, the Menominee County Road Commission received correspondence from the Michigan Department of Transportation in regards to the possible absolute abandonment and discontinuance of the Linden Street Railroad Crossing which lies from the southern R.O.W. line of 1st Street thence south approximately 100 feet to the northern R.O.W. line of River Street in Section 11 in T.38N., R.27W., Meyer Township, Menominee County, Michigan.

AND WHEREAS, a Public Hearing was held at 8:40 a.m., September 5, 2017 and it has been determined that it is to be in the best interest of the public that said railroad crossing shall be absolutely abandoned and discontinued.

AND WHEREAS, a closure of this railroad crossing would benefit the public health, welfare and safety of persons and property,

AND WHEREAS, the Menominee County Road Commission intends to remove the roadway improvements and permanently vacate this railroad crossing at the right-of-ways for the purpose of prohibiting roadway traffic at this location.

NOW THEREFORE BE IT RESOLVED, pursuant to MCLA 224.18, MSA 9.118, the Board of Menominee County Road Commissioners does hereby absolutely abandon and discontinue forever said Linden Street railroad crossing, reserving a ten (10) easement on either side of all existing public utilities forever.

Supported by Commissioner Kline and carried by the following vote: Ayes 3; Nays 0.

Act on proposed 2017/2018 Budget and general Appropriations Act –

GENERAL APPROPRIATIONS ACT

Moved by Commissioner Kline, seconded by Commissioner Kakuk,

that the 2017/2018 Menominee County Road Fund Budget, as prepared according to the General Appropriations Act of 1981, having been subjected to the public hearing process and conforming to the other provisions of P.A. 621 of 1978, be adopted and that a copy of said budget be made a part of the minutes of this meeting.

Menominee County Road Commission			
FISCAL 2017/2018 RECOMMENDED BUDGET			
	FY 2015/2016	FY 2016/2017	Budget 2017/2018
	<u>Actual Prior</u>	<u>Estimated</u>	<u>Recommended</u>
<b>REVENUES</b>			
Mich. Transportation Funds	\$3,499,482	\$4,260,100	\$4,451,500
Special State Funds	924,039	340,604	561,245
Federal Funds	2,019,512	1,266,604	1,677,418
County Raised Funds	1,453,306	2,035,445	1,951,790
Gain/Loss Equip. Disposal	99,041	0	0
Other Contributions	<u>0</u>	<u>0</u>	<u>0</u>
<b>TOTAL REVENUES</b>	<b><u>\$7,995,380</u></b>	<b><u>\$7,902,753</u></b>	<b><u>\$8,641,953</u></b>
<b>EXPENDITURES</b>			
Primary Roads	3,707,856	2,043,015	4,749,477
Local Roads	2,945,339	3,051,051	2,345,397
State T/L Maintenance	666,626	705,500	706,000
TWA/Other T/L Maintenance	60,389	13,500	15,000
Equipment Expense (Net)	(143,893)	(300,000)	(280,000)
Administrative Expense (Net)	420,837	235,000	237,000
Distributive Expense	0	1,471,000	1,550,000
Capital Outlay (Net)	63,924	184,100	(315,000)
Miscellaneous	223,590	86,313	86,313
Special Projects	0	0	0
Contingencies	<u>0</u>	<u>0</u>	<u>0</u>
<b>TOTAL EXPENDITURES</b>	<b><u>\$7,944,666</u></b>	<b><u>\$7,489,479</u></b>	<b><u>\$9,094,187</u></b>
	YEAR END		
Budgeted Net Revenue (Expenditures)	9/30/2018		<u>(\$452,234)</u>
	YEAR END		
Current Estimated Operating Surplus (Deficit)	9/30/2017	\$413,274	
	DATE		
Accumulated Avail. Surplus (Deficit)			
from Prior Yrs.	9/30/2016	<u>\$3,715,412</u>	
	9/30/2017	<u>\$4,128,685</u>	
Projected Surplus at End of Budget Year (2017/2018)			<u>\$3,676,451</u>

For the purpose of administering the General Appropriations Act in accordance with the provisions of Public Act 2 of 1968, as amended, the following provisions are included:

1. Darrell W. Moilanen, Engineer – Manager, is designated Chief Administrative Officer, and Lisa K. Savord, Finance Director/Clerk, is designated as Fiscal Officer.
2. The chief administrative officer is authorized to transfer up to 25% of a line-item amount approved in the General Appropriations Act to another line-item without prior approval, but subject to approval of the Board of County Road Commissions at their next regular Board Meeting.
3. The expenditure amount approved in this General Appropriations Act for Distributive Expense shall be allocated to the various other expenditure line-items in the proportion as the allocation of actual Distributive Expense at year end.

MOTION APPROVED by roll call vote, 3 ayes, 0 nays.

Open bids for cutting edges for moldboard assemblies – Bids were opened and read aloud as follows:

H&L Mesabi, Negaunee, MI	Steel 3/4" x 8" x 6'	72.10 each
	Steel 3/4" x 8" x 7'	84.10 each
	Carbide 7/8" x 8" x 4'	330.00 each
Fabick CAT, Marquette, MI	Steel 3/4" x 8" x 6'	73.38 each
	Steel 3/4" x 8" x 7'	84.67 each
	Carbide 7/8" x 8" x 4'	222.40 each
D. A. MacPherson, Inc., Crystal Falls, MI	Steel 3/4" x 8" x 6'	72.05 each
	Steel 3/4" x 8" x 7'	84.06 each
	Carbide 7/8" x 8" x 4'	146.10 each

Note: Their Carbide blades are 7/8" x 5" x 4" (will not fit our equipment)

Moved by Anderson, seconded by Kakuk to award the bid for the Steel blades to D.A. MacPherson, and the Carbide blades to Fabick CAT. Carried unanimously.

Permission to bid gravel for 2018 3-Way Program and maintenance gravel – Moved by Kakuk, seconded by Kline to allow Moilanen to go out to bid for the needed gravel. Carried unanimously.

Discuss/pass resolution allowing chair or vice-chair to sign documents related to the CR360 construction project – Moilanen gave the following update on this project: Plans have been submitted to MDOT, we are waiting on DEQ Permits that are pending mitigated wetlands which we may be able to purchase from Delta County Road Commission. One easement needs to be obtained, but the property is currently in the process of being sold. If the easement can't be obtained within the needed time frame, then guardrail can be added to the design instead in this area.

Commissioner Kakuk moved for the adoption of the following resolution:

WHEREAS, it is the intent of the Menominee County Road Commission to Reconstruct and Pave CR 360 from M-2 Road to No. 25.5 Road within Menominee County, using Federal STP and State D Funding.

AND WHEREAS, it is necessary to complete the forms and contracts for such funds,

NOW THEREFORE BE IT RESOLVED, that the Chair or Vice-Chair are herewith authorized and empowered to enter into and sign any and all agreements necessary to receive Federal STP and State D Funds for the project listed above.

Seconded by Commissioner Kline and carried by the following vote: Ayes: 3; Nays: 0.

Discuss Hannahville 2% Grant submittal – Moved by Kline, seconded by Kakuk to apply for funds to be used for the County Line Road project match. Carried unanimously.

Discuss request for permission to use county roads for the 2018 CUP Rally – Moved by Anderson, seconded by Kakuk to grant permission for the 2018 CUP Rally to use the same route as was used for the 2017 CUP Rally. Carried unanimously.

Schedule meeting to discuss/approve final amendment of the 2016/2017 Budget– A special meeting will be held either Wednesday, September 27, 2017 at 9:00 a.m. or Thursday, September 28, 2017 at 9:00 a.m. to discuss the final amendment of the 2016/2017 Budget and any other business to come before the board at that time. The commissioners will check their schedules and let Savord know which date works best for them.

Any other business – Moilanen informed the board that the railroad will be installing gates on the railroad crossing at Sobieski Road which will result in the road commission receiving an annual maintenance billing for the crossing.

Kakuk noted that the No. 5 Road Bridge looked good. Moilanen added that the guard rail was scheduled to be installed later this week and then the area would be landscaped and the project would be done. Kakuk also asked for an update on the No. 10 Lane Bridge. Moilanen responded that the contractor was waiting for the water to go down. Once that happens there is about 3-4 more weeks of work left to complete the portion. Kakuk asked if the deck would be under water. Moilanen stated that the beams may be under water in the spring.

Kakuk advised that Menominee Township now had their gravel crushed for Bay de Noc Drive.

Moilanen added that once the crew was done with the shouldering, they would be working on CR551 and Bay de Noc Drive.

Jerry Piche asked for clarification on who receives the rail road crossing closure funds and if they would be used within the township where the closures were taking place. Moilanen explained that the funds come to the road commission, but if the township requests, the funds remaining once the crossings are closed, can be allocated to projects within their township.

Beth Bertolini, Meyer Township Clerk, presented the road commission with a written request that any funds remaining once the crossings at Park Avenue and Linden Street are closed be used to fund projects within Meyer Township. Moved by Anderson, seconded by Kakuk to allocate the funds to Meyer Township road projects as requested. Carried unanimously.

Public Comment – Dick Peterson commented that he was happy to see the 3-Way Program funded in the budget and hopes that the county and township boards fund their shares as well as it is a good program. Mr. Peterson also asked for an update on the Shakey Lakes dam project. Moilanen replied that the contractor was hoping to drive sheet piling in later this week so they can order the liner for the overflow pipe. Mr. Peterson also advised that there is a pothole on G-12 near the park entrance.

David Wesoloski asked when the crew would return to the Bay de Noc project. Moilanen stated that once the highway shouldering and CR551 were complete, they would move over to Bay de Noc Drive. Mr. Wesoloski also thanked the board for participating in the 3-Way Road Funding program and asked when the township's payment would be due. Moilanen replied that he would need to check with the county administrator's office regarding the timeline for the payments.

Joe Linder asked when the limestone would be finished on J-1 Road. Moilanen stated that it would be done yet this fall. Mr. Linder noted that the street sign for Lucke Lane had been stolen again, along with the sign post. Moilanen replied that once the township has the new sign, the road commission will get it installed. Mr. Linder also advised that Nadeau Township would likely be graveling for their 3-way project and asked if the road commission would be crushing gravel in the Tebo pit. Moilanen stated that he was told that Tebo no longer owned the property where the gravel pit was located.

Dick Peterson added that the second mowing in Lake Township was better as it seemed they ran the mowers a little slower than the first time.

Jordan St. John advised that when the state has their timber sales, they may be able to provide gravel on the nearby roads. Moilanen said that they had done that on Murray Road.

Beth Bertolini noted that the northeast part of the Sand Road, near Old #25 Road, the creek was running over the road. Moilanen advised that a DEQ Permit may be needed to replace the culvert.

There being no further business, Anderson declared the meeting adjourned at 9:58 a.m.

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Road Commission Finance Director / Clerk

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Chair