

**BOARD OF COUNTY ROAD COMMISSIONERS
GOGEBIC COUNTY ~ BESSEMER MICHIGAN**

**REGULAR MEETING
MONDAY, AUGUST 22, 2016**

The regular meeting of the Board of County Road Commissioners was held in its offices in the Courthouse Annex, City of Bessemer, on the above date.

Present:	Don Bennetts, Chairman	Marti Wegner, Vice-Chair
	Rob Drier, Commissioner	Dan Siirila, Commissioner
	Roy D'Antonio, Commissioner	Darren Pionk, Engineer/Manager
	Patricia Hagstrom, Secretary	

Also Present: 8 Public Attendees

- I. **Call to Order** ~ Chairman Bennetts called the meeting to order at 5:00 pm.
- II. **Pledge of Allegiance**
- III. **Approval of Agenda** ~ A motion was made by Siirila, 2nd by D'Antonio, with all in favor to approve the agenda.
- IV. **Approval of Meeting Minutes** ~ A motion was made by Siirila, 2nd by D'Antonio, with all in favor to approve the following minutes:
 - Finance Meeting of Monday, August 8, 2016
 - Regular Meeting of Monday, August 8, 2016
- V. **Public Comment ~ On Agenda Items Only ~ 5 minute limit** ~ none
- VI. **Old Business**
 - a. 2016 Flood Update ~ Darren met with FHWA and MDOT last Wednesday for on-site review of the damaged sites. FHWA and MDOT have agreed with most of the sites and have rejected 2 sites (#55 & #69 locations). These two (2) sites were determined to be damaged prior to the event and GCRC will replace. The DDIR's on the remaining sites have been revised and submitted for funding and approval and it looks favorable that the Emergency Relief funds will cover 80%. SHPO clearance has been approved. DEQ permitting has been completed and public notices have been sent to the adjoining residents near the locations to be repaired. The public notices may be waived as the waiting period for the notices is 20 days. There are guidelines regarding emergency replacements that the DEQ can sidestep the process to expedite the repairs. DEQ has worked to get the permits done two (2) weeks earlier than anticipated. Darren stated that it is almost September and it is crunch time to get the repairs done by Thanksgiving. Darren is working with MDOT for a materials only bid that would be bid directly through the GCRC and if need be a special meeting may need to be held. The materials only bid would be for the concrete pipe, the box culverts and whatever other materials that may be needed at the sites. The supplier could then begin the drawings to submit for approval and then begin to order the materials to begin fabrication. This could take a week off of the time frame instead of going through the bidding process through MDOT. This has not been approved yet. Things are moving forward. Darren wanted the Board and the attendees to know that there is a potential that not all of the sites will be completed this year. The GCRC work crew has been adding additional gravel and widening the sites. Siirila stated that there would be two (2) bids, one (1) for the materials and one (1) for the repairs. Darren stated that there will be three (3) bids. One (1) for the materials, one (1) for the west side repairs and one (1) for the east side

repairs. The installation (repairs) bids will be through MDOT. Siirila feels that having the materials bid separate may hold the contractor up if the materials are not done when the contractor is ready to begin the work. He feels the contractor should include the materials in their bid so there wouldn't be any finger pointing. Darren stated that the materials bid would have a completion date to provide the materials and if not met, the supplier would be penalized. These are items that are being discussed with MDOT and Darren doesn't know if the process will go through and stated this process should have been decided on two (2) weeks ago. Going with the material bid option would shave off about two (2) weeks off of the start date. Bids would need to be called for, there are easements that still need to be signed and National Environmental Protection Act (NEPA) permits need to be obtained. D'Antonio stated that the GCRC needs to be honest with the residents and asked if Darren thinks repairs will get done this year. Darren stated yes. Both grade inspections packages are in and the design review meeting is scheduled for Thursday, August 25, 2016 with Coleman Engineering. D'Antonio asked if when the bids are ready to be called, are there any contractors that would bid. Darren stated that there are four (4) contractors interested. D'Antonio asked if Darren thinks all the sites will be fixed this year. Darren stated he can't predict this as the weather is a factor. Darren stated that the contract would be set up with construction lighting so the contractor and/or contractors may work around the clock and on weekends. D'Antonio asked about the temporary bridge as at the last meeting it was agreed to postpone the issue until this meeting. He asked at what time a decision can be made on the temporary bridge. Darren stated that at this time the bridge is available and is on hold with the supplier. D'Antonio asked at what point the Board can decide to place the temporary bridge at the location. Darren says work needs to be continued on getting the bids out, permitting and ROW clearance. If at any time there is a hold-up on any of these items that would be the time he would advise the Board to install the temporary bridge. D'Antonio stated that at the last meeting Darren asked for a week to get more information and asked how long does the Board keep putting off installing the bridge. Darren does not have an answer. The steps and documentation needed to complete the required paperwork for MDOT is being done to get the funding but it takes time. D'Antonio stated that it is crucial that the GCRC be up front with the residents along the damaged areas. Siirila feels that MDOT is dragging its feet as an on-site visit was to take place a week prior to the Wednesday, August 17, 2016 visit. He asked whose call is it to make the decision on the bidding process. Darren stated it is MDOT's call. Siirila asked if a Special Use Permit is going to be needed from Ironwood Township to work on weekends to haul gravel. Darren will check with Ironwood Township on this. D'Antonio asked where the holdup was. Darren stated that the FHWA is the funding source and MDOT is providing the service for the documentation and information needed to obtain the funding. GCRC needs to obtain all the proper documentation and information to submit to MDOT to complete the required paperwork that will then be submitted to FHWA for funding. Darren has spoken with Denise Donahue, Director with CRA (County Road Association of Michigan) to put more pressure on FHWA and MDOT. She has spoken with Kirk Steudle, PE., Director, of MDOT in regards to getting things done. D'Antonio asked if GCRC would get reimbursed for the temporary bridge. Darren stated that if the open site gets approval to be repaired this year that no the bridge rental would not get reimbursed. The bridge is on the list as a placeholder and will only be reimbursed if the location is not approved for installation of the permanent structure. D'Antonio asked that if GCRC knows in mid-September that repairs will not be made this year will GCRC rent the bridge. Drier asked if the bridge has side rails and if it can be plowed. Darren stated that yes it has side rails and can be plowed as MDOT has used this type of bridge for MDOT projects. Darren will recheck on the temporary bridge logistics with Dan Kari with MDOT.

Wegner asked who is funding the repairs. Darren stated that FHWA is funding 80% (Emergency Relief Funding) Wegner asked what MDOT is doing for GCRC. Darren stated that MDOT is providing services on documentation completion needed for bidding and construction. Wegner added that the 20% match is GCRC's share of the costs. Darren stated in his conversation with Denise Donahue that there may be some STP (Surface Transportation Program) money available to offset the 20%. These funds are federal money that has not been obligated through the Rural Task Force of Michigan. Ms. Donahue indicated there is approximately 5 (five) million not allocated. Ms. Donahue is looking into this possibly being an option for GCRC. Siirila stated that since GCRC has to borrow money through a SIB loan and has to wait for MDOT and FHWA to obligate funding, can GCRC get the ball rolling on construction. Darren stated in order for bids to be called for, the agreements have to be in place prior to materials and/or construction to begin to get the funding. If the process is altered by purchasing materials and getting bids from contractors prior to the agreement funding will be jeopardized. Siirila doesn't like that FHWA and MDOT are making GCRC wait on construction as GCRC has to take out a loan and pay up front and then have to wait for the funding to come through. D'Antonio asked if GCRC could get permission from FHWA and MDOT to begin the bidding and construction. D'Antonio stated he has a client who owns a disaster relief company on the south coast and he indicated that damaged sites can't be touched; if repairs are started it could jeopardize the funding. Siirila asked who needs to be contacted to move things along. Darren stated he is working with CRAM to pressure FHWA and MDOT to expedite the process. Darren stated he had a conference call with Ms. Donahue and MDOT and it was understood that if this was any normal construction project it takes many months of planning, however this is not a normal construction project and Darren advised them that the trees are starting to turn color and things need to get moving. D'Antonio stated that the Board needs to make a decision on the temporary bridge for the residents. Darren will work on getting a decision date on the placement of the temporary bridge. Darren asked the meeting attendees if they had any comments or questions. Chairman Bennetts agreed to allow the attendees 5 minutes for their comments. Sharon Hallberg stated that the temporary bridge is a priority for the open location for emergency response. She added that at the previous meeting the bridge was included in the package for the repairs to be done on the west side. She stated that Darren asked for a week to provide an answer. Darren stated that the package was submitted and the bridge is not a separate package. Ms. Hallberg stated the open location doesn't give the residents an emergency outlet. She asked about the bridges being purchased by Iron County for \$28,000 and if those bridges could be used by GCRC. She feels for the cost of these bridges, they could be purchased and used for future emergencies that may occur. Darren stated that those bridges are a shorter span than what is needed at the open location. Darren spoke with Mike Schwartz with Iron County and the bridges are being constructed in Baraga and can only be made up to a 40' span which will not work at the open location. Sharon stated that the temporary bridge may not be placed at the open location until September-October. She stated that the opening is a concern and the residents are scared. Darren is pursuing getting this opening permanently replaced and advised the Board that if the temporary bridge is placed at the opening prior to approval it will not be reimbursable. D'Antonio stated that FHWA will fund the bridge only if funding is not obligated for the permanent repair. Darren stated that yes that is the case. Siirila asked when would be a time line/date when GCRC would get an answer from FHWA and MDOT. Darren stated that right now he can't give an answer. Darren will contact the CONSPAN company to ask how long it would take to fabricate the structure and deliver it on site to determine a date. Siirila feels GCRC needs to let the residents know. Darren estimates installation of the structure would take approximately five (5) days. Mr. Patterson asked if GCRC was still on the time line to

call for bids to be awarded in September. Darren stated the schedule is being reviewed daily and as of now the schedule is not that far off. The pipe supplier can begin to fabricate the pipe, ship the pipes to the sites and continue to fabricate the others that are needed. The contractors would begin installation on the pipes that are delivered. The contractors would not have to wait until all of the pipes are delivered to begin the repairs. Mr. Patterson asked if the Flink Creek opening is the first location to be repaired. He added that if that location is repaired access from Wisconsin 122 can be used. Darren stated that this was the plan from the start. That work on the west side would have access from Wisconsin 122 and work on the east would have access on Lake Road on the Michigan side. Mr. Maki asked if the location near his home is the west or east. Darren stated that they are on the east side at location #21 and the repairs would start at that location and continue east towards the point. Darren added that it will take coordination with the contractors. Mr. Patterson asked if contractors maybe reluctant to bid if there is more than one (1) contractor awarded the bid with possible conflicts in repairs. Darren again stated that is why there are two (2) bids, one (1) for the west side and one (1) for the east side. Siirila feels that there should be one (1) contractor.

- b. SIB Loan Update ~** The Board was provided with three (3) amortization schedules. Darren stated that the money received from the Emergency Relief Funding is at zero (0%) interest. FHWA indicated that a one hundred million dollars (\$100,000,000) limit put into the emergency relief fund every year from the federal government. The backlog now is 99 million dollars (\$99,999,999). FHWA will provide funding however it will not be immediate and will come through in one (1) to two (2) years. With the SIB loan the FHWA portion will be at zero (0%) interest. The remaining portion would be GCRC's twenty (20%) match which will be seven hundred thousand dollars (\$700,000) to one million dollars (1,000,000). The amounts on each schedule show the principal amount of three million, four hundred-thirty one thousand five hundred dollars (\$3,431,500) with two million, seven hundred-forty five thousand two hundred dollars (\$2,745,200) of it being the Emergency Relief Funding. The six (6) year schedule is at a one (1%) interest rate for the amount of one hundred seventy five thousand eight hundred eighty five dollars and seventy one cents (\$175,885.71) per year. The ten (10) year schedule is at a one (1%) interest rate for the amount of eighty nine thousand six hundred ninety two dollars and seventy-five cents (\$89,692.75) per year. The twenty (20) year schedule is at a two (2%) interest rate for the amount of forty five thousand nine hundred two dollars and twenty-two cents (\$45,902.22) per year. Darren feels the ten (10) year schedule seems to be the best option as the six (6) year amount would drastically affect regular routine maintenance and the twenty (20) year interest rate payment of one hundred thousand thirty seven eight hundred twenty two dollars and thirty-two cents (\$137,822.32) is not logical. Siirila added that GCRC is looking into constructing a new facility in the future and that getting a loan at a two (2%) interest rate is rare. He suggested that GCRC should go with the twenty (20) year schedule. Darren stated that FHWA will not pay for operating expenses and that money has to be used for a specific project. He added that the maximum amount for this type of loan is 2 million dollars (\$2,000,000) and the amount extended it to 3.4 million for these specific disaster repairs. A motion was made by Siirila, 2nd by D'Antonio, with a roll call taken D'Antonio, Siirila, Drier, Wegner & Bennetts; to apply for the ten (10) year schedule SIB Loan.
- c. Truck Financing Set Bid Date ~** Darren has contacted two (2) local banks regarding the truck financing. A motion was made by Siirila, 2nd by Wegner, with all in favor to call for bids and set the bid opening date of Wednesday, August 31, 2016 at 10 am.
- d. Lake Road Spring ~** Coleman Engineering has been performing a survey exhibit for the spring on Lake Road which is approximately one (1) acre. A motion was made by

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Siirila, 2nd by Wegner, with a roll call taken: Ayes Wegner, Siirila, D'Antonio, Drier and Bennetts; to give Darren the authority to proceed with the process to deed the land, along with a one (\$1) dollar donation, to Ironwood Township if the Ironwood Township Board is in agreement.

- e. Fleet Manager Position ~ Darren advised the Board that with the four (4) mechanics on staff and with the size of GCRC's fleet that he feels that a fleet manager should be hired. This position needs to be filled with someone with expertise of managing a fleet, supervision and monitoring the condition of the equipment. He added that having a working shop foreman would not be feasible as there is a lot of time that is needed to order parts, inventory, etc. and that time would take away from performing mechanical duties especially during the winter months. In the past there were two (2) people working in the shop area, a parts-inventory clerk and shop foreman. These two (2) positions have been reduced to one (1) person. D'Antonio stated that some of the duties were added to the current office assistant duties. Darren stated yes and that another person was not added just for those duties. Siirila asked if this item could be tabled. Scott Maki, Road Foreman, state that this position really needs to be filled. With winter coming time is running out and it will take two (2) weeks to advertise and fill the position. Siirila stated that it has taken a month to hire for other positions and that GCRC ran short of an employee all summer. He asked who is qualified to hire for this position. Bennetts stated that the Board should be involved. Wegner stated that Scott Cebolski should be included in the process and asked Scott Maki if he would also feel comfortable sitting in on the interview process. Mr. Maki stated he would provide input. D'Antonio asked if the entire Board should be involved. D'Antonio thinks that this should be discussed with the union as this person should also work as a mechanic. Darren said it would have to be discussed with the union as an administrative position would be performing the work of a union employee. Mr. Maki stated that in the Union Contract it states that administrative employees can't perform union employee work. D'Antonio asked if a union employee could apply for the job. Darren stated yes that anyone can apply and the position is open to the public. A motion was made by Siirila, 2nd by D'Antonio with all in favor to advertise for the Fleet Manager position.

VII. New Business

- a. Great Lakes Council Meeting September 8, 2016, Baraga ~ Darren, Bennetts and Wegner will attend this meeting.
- b. Road Foreman Job Description and Agreement ~ Darren stated that he would like the Board to review these drafts. He feels that a special meeting should be held to discuss the documents in their entirety and hear the Boards comments and ideas. Siirila doesn't like the idea of having contracts for at will employees. They are at will employees who chose to leave the union. He stated that as in Gogebic County an elected official is elected by the people and can't be touched, an appointed position is an at will employee appointed by the Board. Wegner thinks a policy would be a better idea. Siirila is for job descriptions and an administrative employee policy. Wegner thinks the documentation given is a good basis for a policy. Siirila stated that a contract is a binding document. Siirila doesn't doubt that the employee in the position being discussed will not do a good job. However he doesn't want to have contract in place in event the Board doesn't want to keep this employee with a binding contract. Having a contract would force the Board to pay the employee to get out of the contract. He added that at the courthouse, if someone isn't liked by the County Board, they could get rid of that individual in a heartbeat. Elected officials are not too easy to get rid of; the people have to get rid of them and doesn't think GCRC will ever have this problem with this. Darren stated that the Board is not looking at a way to get rid of people but there should be steps in place to get rid of people so it is spelled out clearly. D'Antonio stated that the draft employee agreement is way more for the employee than GCRC. He

added there is a difference between an agreement/contract and a policy and suggested legal counsel review the documents. Siirila asked the Board if they think a contract is a good idea. The Board agreed on a policy for administrative employees. Wegner suggested that all administrative employees should get a copy of the policy and contribute ideas and comments. Bennetts stated that you can't single out specific employees. Siirila disagreed stating that the administrative employees are at will employees. He thinks each individual should have their own employment policy. D'Antonio would like to see what other road commissions have in place for their administrative staff. D'Antonio stated that the draft agreement presented was more for a city manager. Patti Hagstrom will post on the list serve to get information from other road commissions. A motion was made by Siirila, 2nd by Drier, with all in favor to hold a special meeting on Thursday, September 8, 2016 at 4 pm to discuss job descriptions, employment policies, fleet manager and a flood update.

- c. Fahrner Asphalt Sealers ~ A letter was received from Fahrner Asphalt Sealers reconfirming that scheduled projects for 2016 were placed on hold due to the severe weather event. The letter written by Mike Mottes, Area Manager with Fahrner, also offered to extend the unit price quoted for these projects to 2017 with the request to review the cost of oil for any drastic change in cost. A motion was made by Siirila, 2nd by Bennetts, with all in favor to accept the extended price offer contingent on funding and place on file.
- d. CRASIF Risk Control ~ A letter of congratulations was received stating that GCRC's modification factor is below 1.00. This was achieved by the low amount of reported employee accidents for the 2015-16 coverage year. GCRC will be receiving a plaque for this achievement. Darren added that the workers will be given a copy of this letter and recognized at the employee fall breakfast meeting. A motion was made by Siirila, 2nd by Drier, with all in favor to accept and place this letter on file.
- e. Gogebic County Board of Commissioners ~ A letter of thanks was received from Joe Bonovetz, Chairman, on behalf of the Gogebic County Board of Commissioners thanking all GCRC employees for their time, dedication and efforts taken during the severe weather event. A motion was made by Siirila, 2nd by Drier, to accept and place this letter on file. A copy of this letter will be given to the employees.
- f. Appreciation Letters to Seasonal Workers ~ A motion was made Siirila, 2nd by Drier with all in favor to sign the two (2) letters of appreciation for the summer workers.

VII. Public Comment ~ Siirila asked Eric Schneller, from Snow Country Contracting, if the Lake Road repairs would get done this year if Snow Country did the work. Eric felt that if the weather cooperates it would take about a week for each location and that if work began in September the repairs could be completed in October. Darren stated that work would probably not begin until October due to time it will take to fabricate the pipes. Siirila asked if GCRC would be advising the contractor/contractors on which locations would be worked on. Darren stated that the contractors would get a progress schedule and at the pre-construction meeting this will be discussed along with advising the pipe suppliers on which pipes need to be fabricated first. Siirila asked if we would be plowing Powers Road. Darren stated that yes GCRC will plow Powers Road. He added that in the bid documents there is placement of gravel and maintenance grading to be done by GCRC and that the contractor would have to maintain throughout the time of the repairs. Darren added that traffic on Powers Road will be for residential traffic only. No trucks will be allowed and the contractors will not be able to use Powers Road for their projects. Mr. Maki asked about the general public. Darren stated that it is still a public road and the public can travel on Powers Road. Ms. Hallberg asked if there was going to be a bridge placed at the open location. Darren stated that he hopes there will be a permanent structure at that location. Eric Schneller asked if the temporary bridge was going to be rent or purchased. Darren stated that the temporary bridge will be

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rented and that he has asked about a purchase price but has not heard back from the company.

- X. Adjourn** ~ A motion was made by Siirila, 2nd by Bennetts, with all in favor to adjourn at 6:33 pm.

BOARD OF COUNTY ROAD COMMISSIONERS

Secretary

Chairman