

The organizational meeting of the Board of County Road Commissioners of Leelanau County was called to order by Finance Manager/Secretary to the Board Joe Nedow at 1:00 p.m. on Wednesday, January 2, 2019 at 10550 E. Eckerle Road, Suttons Bay, Michigan. Present: Board members John Popa, Jim Calhoun Robert Joyce, Tom Eckerle, Greg Mikowski, Interim Manager/Engineer James Johnson, Superintendent Dave Priest, Maple City Foreman Gino Grimaldi and Finance Manager/Secretary to the Board Joe Nedow. Guests were present.

Nedow called for nominations for Chairman.

Motion by Popa to nominate himself for Chairman of the Board of County Road Commissioners of Leelanau County for the ensuing year. Motion fails for lack of support.

Nedow again called for nominations for Chairman.

Motion by Joyce, supported by Eckerle to nominate himself for Chairman of the Board of County Road Commissioners of Leelanau County for the ensuing year.

Ayes: Joyce, Eckerle and Mikowski. Nays: Popa and Calhoun. - Motion approved.

Nedow then turned the meeting over to Joyce.

Nominations for Vice-chairman:

Motion by Popa, supported by Eckerle nominating himself for Vice-chairman of the Board of County Road Commissioners of Leelanau County for the ensuing year.

Ayes: Joyce, Popa, Calhoun, Eckerle and Mikowski. Nays: none. - Motion approved.

Staff appointments:

Manager:

Motion by Calhoun, supported by Popa to appoint Jim Johnson as Manager of the Leelanau County Road Commission for the ensuing year.

Ayes: Calhoun and Popa. Nays: Joyce, Eckerle and Mikowski. - Motion fails.

Secretary to the Board:

Motion by Calhoun, supported by Mikowski to appoint Joel Nedow as Secretary to the Board of the Leelanau County Road Commission for the ensuing year.

Discussion: Eckerle asked for clarification if the title is Secretary to the Board or Secretary for the Board. He also asked if another Board member could be appointed as Secretary which would eliminate the need to appoint the position every year. Nedow and Johnson replied the Act-51 legislation requires the Board to appoint a Manager and a Secretary to the Board each year and that both positions are held by an employee of the Road Commission and not by a Board member. Eckerle also questioned if the Board could delegate a Board member to take minutes during a closed session instead of the Board Secretary. Further discussion ensued as to Eckerle's inquiry whether someone other than the Board Secretary could be appointed to take minutes during a closed session.

Ayes: Joyce, Popa, Calhoun, Eckerle and Mikowski. Nays: None. - Motion approved.

2019 Meeting Schedule:

Motion by Calhoun, supported by Mikowski to approve the 2019 Leelanau County Road Commission regular meeting schedule for the first and third Tuesdays of each month.

Discussion: Eckerle suggested scheduling a few meetings at night to allow those who work during the day the opportunity to attend meetings. Johnson informed Eckerle the calendar approval are for the dates only and the meeting start times can be changed if the Board votes to do so at any time during the year, provided the change is publically posted eighteen hours prior to the new meeting time/date.

Ayes: Joyce, Popa, Calhoun, Eckerle and Mikowski. Nays: None. - Motion approved.

Manager:

Earlier in the meeting, no Manager was approved. Popa stated that Johnson was appointed interim Manager in December until a permanent Manager is hired.

Motion by Popa, supported by Calhoun to appoint Johnson as interim Manager until a permanent Manger is hired.

Motion by Joyce, supported by Mikowski to appoint Superintendent Dave Priest as interim Manager of the Leelanau County Road Commission for the ensuing year (Priest continuing is current duties as Superintendent).

Discussion:

Calhoun expressed his concerns that asking Priest to assume the role of Manager would compromise his ability to perform his full time duties as Superintendent. Joyce then asked Priest if he would be interested in becoming the interim Manager, and Priest said he would depending on what duties the Board wants him to fulfill. He said by assuming the role of Manager, he would only have the time to attend only the most important meetings unlike Wagner and that he preferred being out on the road with the crews. Eckerle then asked Priest if he would have any problems letting the Board know if handling both jobs became too much for him. Priest responded he would, provided the Board understood the assignment would be temporary until a new replacement Manager is hired.

On the first motion (Johnson as interim Manager): Ayes: Calhoun and Popa. Nays: Joyce, Eckerle and Mikowski. Motion fails.

On the second motion (Priest as interim Manager): Ayes: Joyce, Popa, Eckerle and Mikowski. Nays: Calhoun. - Motion approved.

Joyce then closed the organizational meeting and convened the regular meeting.

Agenda: Approved as presented.

Vouchers 41370 thru 41406 in the amount of \$179,496.26 - approved for payment.

Minutes from the December 18, 2018 regular session - approved as presented.

Public Comments: Nate Griswold addressed the Board, informing them the C3A advisory group recently met and would like to know if the meetings with staff should proceed with the departure of Wagner. As one of the members who will be representing his group in the upcoming discussions, Griswold repeated what Doug Matthies had asked (in an email dated December 29, 2018 to the Board) whether the group should meet with Johnson only or if there will be another staff member assigned to represent the Road Commission.

Discussion ensued. Johnson reported that until today, he has not heard from any members of the group asking to set up a date but understood the group would not be in contact until after the holidays as stated during a previous Board meeting. He also suggested Priest should be included in the discussions with the C3A group.

On the suggestion of a Board member being present at the meeting, Mikowski stated his opinion that there is no need. Popa and Calhoun agreed with Mikowski and Eckerle stated he could be persuaded either way. Eckerle also stated he would like to see the motion include a deadline as he feels it has gone on long enough without resolution. Mikowski agreed, and suggested staff should bring their recommendation to the Board sooner rather than later. Popa's suggestion to ask former Manger Wagner to assist in negotiations was declined by Joyce. Griswold asked for the meetings be held during the evenings so all five designated negotiating members of his group could attend.

Eckerle stated that he wants a deadline set when staff will bring their recommendation to the Board. He agreed with Mikowski's suggestion of February 19, 2019 as a due date.

Motion by Calhoun, supported by Eckerle directing Johnson and Priest to meet with representatives of the C3A group to discuss possible changes to the Road Commission's commercial driveway standards and to have their recommendation ready to be presented to the Board at their February 19, 2019 regular meeting.
Ayes: Joyce, Calhoun, Eckerle and Mikowski. Nays: Popa. - Motion is approved.

Correspondence: Email dated December 29, 2018 from Doug Matthies asking upcoming discussions with staff on the Road Commission's commercial driveway standards. (See "Public Comments - Nate Griswold" discussion above).

Appointments: None.

Management Reports:

Heard reports from Priest, Grimaldi, Johnson and Nedow.

Discussion: list of Road Commission related events qualifying for per-diem payment:

Nedow stated the Road Commission - Membership Compensation Resolution adopted by the Leelanau County Board of Commissioners on November 21, 2017 includes the following guideline:

"Board of Leelanau County Road Commissioners shall also be paid a per diem at the same level as paid the County Board of Commissioners (\$45.00 for a half day/\$75.00 for a full day) for attending meetings other than the regular Leelanau County Road Commissioners meeting covered under subsection A of this Resolution, provided such attendance relates to Leelanau County Road Commission business and has been approved by the Board of Leelanau County Road Commissioners."

As such, Nedow presented a preliminary list of events that had been attended by Road Commissioners in the past which could qualify for a per diem payment if approved. He suggested the Board could choose to edit the meetings listed on the approved list at any time during the year when identified.

Discussion: Popa suggested adopting a motion he drafted that encompasses all Road Commission related meetings which he feels would suffice. Further discussion ensued focusing on whether attending a Leelanau County Board of Commissioners meeting would qualify even if Road Commission business is being discussed. Nedow directed by Joyce to draft a motion on this matter to be included as "Old Business" on the January 15, 2019 agenda.

Public Comments: None.

Commissioner comments:

Popa offered this thoughts on the search for a new Manager. He suggested that if the present group of applicants are not what the Board is looking for, then he would prefer to continue the search for qualified candidates. He suggested hiring an outside consultant to rewrite the job posting for Manager to be used to launch an advertising campaign to attract more candidates for this position for an estimated cost of \$900.00.

He also urged Mikowski and Eckerle to attend the upcoming Annual Highway conference this March in Lansing and to also attend the New Commissioner Workshop scheduled for February 25, 2019 in Mt. Pleasant.

Eckerle suggested going into closed session to discuss adjusting Priest's wages for assuming the role of interim Manager. Staff advised the Board not to do so to avoid violating the Open Meetings Act which lists specific conditions whereby a public Board can go into closed session. In order to comply with the Board Rules adopted last year, Nedow suggested this topic could be added to the next meeting's agenda to allow the public the opportunity to hear the discussion and offer their input on this topic if they wish.

Joyce asked if the iPhone in former Managing Director Wagner's possession had been returned. Staff replied that it had not.

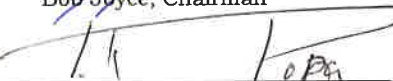
Motion by Joyce supported by Eckerle directing staff to have former Managing Director Wagner's iPhone back in the Road Commission's possession by the end of today (1-2-19) and if not, have it shut off by 5:00 p.m.
Ayes: Joyce, Eckerle and Mikowski. Nays: Popa and Calhoun. Motion approved.

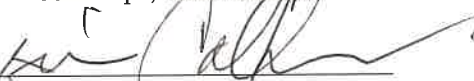
Joyce also directed Nedow to prepare a list of all Road Commission owned electronic equipment the administrative staff has at their residences and provide this list to him at the January 15, 2019 Board meeting.

With no more business to conduct, Joyce adjourned the meeting at 2:02 p.m.

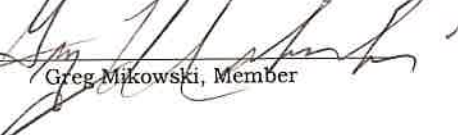
BOARD OF COUNTY ROAD COMMISSIONERS
OF LEELANAU COUNTY


By 
Bob Joyce, Chairman

By 
John Popa, Vice-chairman

By 
Jim Calhoun, Member

By 
Tom Eckerle, Member

By 
Greg Mikowski, Member

Attest: 
Joel T. Nedow-Secretary to
the Board

A regular meeting of the Board of County Road Commissioners of Leelanau County was called to order by Chairman Robert Joyce at 1:00 p.m. on Tuesday, January 15, 2019 at 10550 E. Eckerle Road, Suttons Bay, Michigan. Present: Chairman Robert Joyce, Vice-chairman John Popa, members Jim Calhoun, Tom Eckerle and Greg Mikowski, Interim Manager Dave Priest, Engineer James C. Johnson, Fleet Manager Dustin Albrecht and Finance Manager/Secretary to the Board Joe Nedow. Guests were present.

Agenda: Approved as presented.

Vouchers 41407 thru 41440 in the amount of \$80,481.84 – approved.

Minutes from the January 2, 2019 regular session – Joyce asked Priest if the minutes were accurate regarding his comments about his assuming the role of interim Manager which Priest confirmed they were. Minutes were approved as presented.

Public Comments: None.

Correspondence:

-Letter dated January 4, 2019 from Thomas Smith CPA of Smith & Klaczkiewicz asking the chairman to sign the engagement letter for the 2018 financial audit. Nedow explained the audit engagement letter provides the Board with an explanation how the audit will be conducted. It identifies what process will be used to test internal controls and what financial records will be reviewed and tested to base his conclusion if the financial records can be relied upon as a basis for the year-end audit report.

Eckerle asked if the Board could choose a different audit company. He stated he did not want to be associated with an auditor that he did not participate in selecting. Nedow explained the letter is for informational purposes only, used to convey to the Board how the audit will be conducted. As the audit applies the fiscal year ended December 31, 2018, only Joyce, Calhoun and Popa will be mentioned in the report without any references to the two new Board members. He also stated the Board could change auditors at this point if they wished, but finding another audit firm so late in the year would be difficult and more costly. No additional discussion – Joyce signed the engagement letter.

-Letter dated January 1, 2019 from Alex LaPorte MDOT Transportation Planner requesting approval/signature on this year's County Act 51 Annual Mileage Certification Report. Johnson informed the Board it is customary for the Chairman to sign the report's cover sheet at the start of each year and if not, someone else on the Board could be designated to sign it by Board resolution. There were no changes in mileage and no abandonments recorded during the previous year.

Motion by Popa, supported by Mikowski authorizing Chairman Joyce to sign the cover sheet approving this year's County Act 51 Annual Mileage Certification Report.

Ayes: Joyce, Popa, Calhoun, Mikowski and Eckerle. Nays: None. – Motion is hereby approved.

Staff Reports:

Priest reported meeting with the C3A advisory group last Friday along with Johnson. Work crews have been busy cutting trees when not plowing snow.

Nedow reported receiving fifteen applications from the Engineer/Managing Director help-wanted advertisement. The deadline for applicants to submit their credentials is to end January 18, 2019.

Johnson expanded on what was discussed at the C3A advisory meeting. A follow up meeting is scheduled for this coming Friday at 10:00 AM at the Suttons Bay office. He also updated the Board on the status of efforts to abandon three roads in Empire Township. Johnson stated he was asked to contact the adjacent property owners by the Empire Township Supervisor to see if there are any objections before the Township Board members would be willing to proceed with submitting an abandonment petition.

Appointments: None.

Wages:

Joyce stated he asked to have this item placed on today's agenda to discuss adjusting Priest's wages for assuming the role of interim Manager. Mikowski suggested raising Priest's salary by \$4,000.00 to compensate him for the additional duties.

Motion by Calhoun, supported by Mikowski to increase Priest's salary by \$4,000.00 effective January 1, 2019 to compensate him for the additional duties of being the interim Manager.

Discussion: Priest was asked if the \$4,000.00 raise would be acceptable to which he acknowledged that it would.

Ayes: Joyce, Popa, Calhoun, Eckerle and Mikowski. Nays: None – Motion is hereby approved.

Events/meetings qualifying for Road Commissioner per diem payments:

As instructed during the January 2, 2019 regular meeting, Nedow provided a draft motion listing events/meetings attended by Road Commissioners in the past which he believes matches the guidelines listed in the Road Commission Membership Compensation Resolution adopted by the County Board of Commissioners on November 7, 2017.

Motion by Calhoun, supported by Eckerle to approve the following meetings as qualifying for Road Commissioner per diem payments (same payment rates as adopted for the Leelanau County Board of Commissioners):

-Any County Road Association of Michigan sponsored events, including conferences, workshops and committee meetings;
 -Any event sponsored by the CRA or CRA affiliated organizations, including (but not limited to) the County Road Association Self-Insurance Fund; Michigan County Road Commission Self-Insurance Pool; Northern Michigan Association of Road Commissions and Paul Bunyan Council quarterly meetings where Road Commission issues are to be discussed.
 -Any Leelanau County Township Board meetings, or Leelanau County Board of Commissioners meetings (and sub-committees) in which meet the following conditions:

- The member(s) are invited to attend by their respective Boards/committees in order to participate in Road Commission related matters, and
- A majority of the Road Commission Board agree that attending the function in question would be in the best interests of the Leelanau County Road Commission.

It is also understood that this list can be changed and other events added by the Board at any time.

Discussion: Popa stated his opinion that the motion does not address meetings with entities such as TART and MDOT. He suggested inserting a phrase covering any meeting attended by a Board member where Road Commission business is to be discussed as qualifying for a per diem payment. Popa's suggestion did not receive any support.

Ayes: Joyce, Calhoun, Eckerle and Mikowski. Nays: Popa. – Motion is hereby approved.

Road Commission electronics at home:

Joyce stated he asked to include this topic on the agenda. Because former Managing Director Wagner did not return his Road Commission provided smart phone on his last day, Joyce thought it important to determine if there are any other electronic devices purchased by the Road Commission that are currently possessed by the administrative staff in their residences. Nedow provided a report summarizing the responses he received from the administrative staff confirming there are no Road Commission provided electronic equipment in their residences other than two-way radios needed to communicate with emergency response units within the County.

Nedow asked for clarification from the Board how to conduct the disposal of electronic items (laptops, desktops, monitors, old cell phones) that are not capable of being upgraded or repurposed for further use. In the past, Nedow had been instructed by the Manager to remove all proprietary software before offering them to all Road Commission employees to the highest bidder.

Motion by Calhoun supported by Mikowski instructing Nedow to offer for sale any electronic piece of equipment determined to be obsolete or unfit for further use by the Road Commission on an internet bid-site such as Craig's List or eBay. Should no bids be received, Nedow instructed to donate the equipment to any charitable organization that will take it.

Discussion: Popa stated he would rather grant Nedow the authority to dispose of the equipment in a manner that would be in the best interests of the Leelanau County Road Commission.

Ayes: Joyce, Calhoun, Eckerle and Mikowski. Nays: Popa. – Motion is hereby approved.

Discussion: begin search for Engineer to replace Johnson when he retires:

Calhoun asked to include this topic as he felt it important to begin discussions whether the Board should consider hiring an additional engineer. While Johnson has not announced plans to retire, Calhoun stated that given the complexity and importance of this position, it is his opinion that it would likely take months and even years for someone new to get acclimated. Joyce expressed his opinion that he would prefer focusing efforts on finding a replacement Manager at this time and treat this separately.

Sanding procedure:

Eckerle opened the discussion by stating he was not happy with how M-22 (between Suttons Bay and Traverse City) was being plowed the past three seasons. He questioned why our sanding equipment is set up to discharge material on the inside lane instead of in the middle of the truck where he feels the material can reach the outside part of the lane and shoulder.

Priest explained that how we have the trucks set up for spreading sand/salt mixture is the method recommended by the Michigan Department of Transportation. Since the Road Commission maintains M-22 contractually for MDOT, MDOT determines the level of service authorized/required including how much winter mix is to be applied, where it is to be applied (toward the centerline of the road) and level of plowing to provide (two-track wheel paths during significant snowfall conditions). Priest also distributed various handouts provided by MDOT that provide information as to how the MDOT guidelines were developed and many road commissions also follow for their county road systems. Priest also pointed out that moving the sander would significantly increase the amount of salt and sand used on the State roads and use up our winter maintenance budget at an accelerated rate.

Eckerle stated he disagrees with MDOT's winter maintenance directives when providing plowing and sanding services on the State roads. Joyce asked that this topic be included on the next meeting's agenda as "old business" for further discussion.

Road Commission provided vehicles:

Joyce stated that he has always been told the Road Commission tries to put as much money into our county roads as possible. As such, he is questioning whether providing vehicles for the Fleet Manager and Engineer to take home at night should continue and he is asking for comments from the other Board members.

Mikowski: stated he spoke to Priest and learned the Fleet Manager covers the Suttons Bay garage every third weekend during the winter months and also uses the vehicle to go directly to the Maple City garage from his residence in the morning when needed. He also was told the Engineer does much of his land division and utility permit field review while traveling to and from work and he is the only person at the Road Commission trained in crash site-investigation. As such, he is satisfied that no changes should be made.

Joyce asked if the training is the same that law enforcement has. Johnson responded that the "Freeze the Facts" training is focused on gathering data/evidence for protecting the Road Commission's interests whereas the investigation conducted by law enforcement focuses on a wider range of evidence and does not necessarily represent the Road Commission's interests.

Popa stated he would prefer to let the Manager make this decision whether or not the Fleet Manager should be allowed to take a vehicle home at night or not. He stated he supports Mikowski's viewpoint and he would also like to stress how important it is for the Board to support staff.

Calhoun: stated his opinion that this topic has been discussed before and he stands by that decision to leave the decision up to the Manager. He also pointed out that he has seen no signs that the vehicles are being used for personal purposes by staff.

Eckerle stated he can see it both ways. While allowing both the Fleet Manager and Engineer take vehicles home at night could improve their efficiency, he does have some concerns that the vehicles could be used for personal purposes. He suggested Priest could look into this over the next two months and report back to the Board whether or not the vehicles are being used for other purposes. Mikowski suggested asking the staff whether these vehicles are being used for personal purposes when at home, and Priest informed both Eckerle and Mikowski that the Road Commission has a policy in place that prohibits personal use. He has seen no indication that this policy is being violated.

After further discussion, Joyce stated the Manager (Priest) should make the determination who should be allowed to take a vehicle home at night and to continue discussions on this topic at the next Board meeting.

Discussion topic – Popa:

Popa requested the following topic for discussion:

- Should Board pursue additional advertising for finding a Manager – He provided a written proposal from Human Resource Partners for \$960.00 to review the Manager job description and create and post advertising.
- Review reasons why a separate Manager position was created (attachment filed with Secretary).
- Review Manager job description – copy of current job description provided by Popa.

Popa ended his comments by stating the Board should seek a college graduate for the Manager position, with ten years of engineering experience. He urged the other Board members not to make a haste decision and be open to continue looking until the right candidate is found. He supported his comments from statements he read from the Michigan County Road Commissioners Handbook published by the County Road Association of Michigan.

Discussion: Joyce stated he disagrees with Popa's assessment of what level of education a Manager should have and that he does not feel we need a second engineer. Eckerle agreed with Joyce, stating he was "turned off" by Popa's presentation and assumptions. He stated he preferred to hire someone with common sense as their main attribute and that a college background did not matter to him.

He did agree with Popa's statement that the Board needs to support the Manager and staff 100% without undermining their ability to perform their jobs. Joyce agreed, stating he supports the Manager as well.

Further discussion regarding how to proceed with reviewing the Manager applications received to date. Mikowski announced he will not be attending the next two meeting (February) and will not be available after this week. Nedow suggested each commissioner could stop into the office over the next few days individually, review the applications, and identify the top four or five candidates that each Board member would like to call in for interviews conducted by the full Board during open session.

Appoint Board representative to the Leelanau County Parks & Recreation Board:

Nedow reminded the Board this topic was deferred until the new five-member Board had been installed before deciding who to appoint as the Road Commission representative.

Motion by Mikowski, supported by Joyce appointing John Popa as the Road Commission representative to the Leelanau County Parks and Recreations Board as required by State statute.

Ayes: Joyce, Calhoun, Eckerle and Mikowski. Nays: Popa. - Motion is hereby approved.

Public Comments: Heard comments from Doug Matthies, who confirmed Johnson's and Priest's earlier report on the progress of discussions between the C3A advisory group and staff on updating the Road Commission's Commercial driveway standards for curb and gutter. The group is still on target to have their recommendations ready in time for the February 19, 2019 regular Board meeting. But with Mikowski unavailable until the first meeting in March, should the deadline be extended to March 5th when the full Board is expected to be present? Matthies also offered his thoughts on a GPS system he has personal experience with using which he feels could be of value.

After discussion, Matthies was informed by Joyce that the group could still present their recommendations to the Board on February 19th, with no decisions made or discussions held until the following meeting when the entire Board is expected to be present.

Commissioner comments:

Mikowski: None.

Joyce: Affirmed that Priest is the Manager and should be supported and respected at all times.

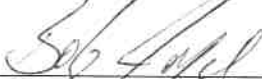
Calhoun: Thanked Priest for the job he is doing under trying conditions and that it is important for the Board to support staff.


Popa: At the end of the last meeting, a motion was made and approved during "Commissioner Comments" which he feels is not appropriate according to the adopted Board Rules. As the topic was not listed on the original agenda or added at the beginning of the session, any action should have been deferred until the next meeting.

Eckerle: asked Priest to look at trimming the vegetation on the southwest corner of Otto Road/Center Hwy intersection which appears to impede visibility for cars turning north onto CR-633. Priest informed him that he will take a look, but he is limited to only cutting vegetation that is in the road right of way.


With no more business to conduct, Joyce adjourned the meeting at 2:58 p.m.

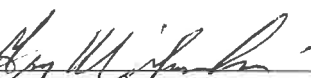
BOARD OF COUNTY ROAD COMMISSIONERS
OF LEELANAU COUNTY

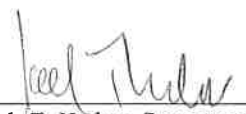
By 
Bob Joyce, Chairman

By 
John Popa, Vice Chairman

By 
Jim Calhoun, Member

By 
Tom Eckerle, Member

By 
Greg Mikowski, Member

Attest: 
Joel T. Nedow-Secretary to
the Board

February 5, 2019 – approved February 19, 2019

A regular meeting of the Board of County Road Commissioners of Leelanau County was called to order by Chairman Robert Joyce at 1:00 p.m. on Tuesday, February 5, 2019 at 10550 E. Eckerle Road, Suttons Bay, Michigan. Present: Chairman Robert Joyce, Vice-chairman John Popa, members Jim Calhoun and Tom Eckerle. Member Greg Mikowski was absent: Also present: Interim Manager Dave Priest, Maple City Foreman Gino Grimaldi, Fleet Manager Dustin Albrecht and Finance Manager/Secretary to the Board Joe Nedow. Guests were present.

Agenda: Approved as presented.

Vouchers 41441 thru 41467 in the amount of \$146,934.25 – approved.

Minutes from the January 15, 2019 regular session – approved as presented.

Public Comments:

Leelanau Enterprise reporter Eric Carlson introduced himself and distributed copies of the Michigan Open Meetings Act. Carlson stated that a few decades ago, the Leelanau County Road Commission Board had been successfully sued by the Leelanau Enterprise for violating the Open Meetings Act. He cautioned the Board that individual Board members could be held personally liable for any intentional violations of the Act and suggested the Board should familiarize themselves with the contents of the literature he provided.

Leelanau County Board of Commissioners District #4 Representative Ty Wessell expressed his appreciation to the road crew and staff for their recent efforts in keeping our roads plowed.

Leelanau County Board of Commissioners District #5 Representative Patricia Soutas-Little addressed the Board. She offered her thanks to Priest and Johnson for their involvement working with the C3A advisory group. She also asked the Board if they would agree to wait until the March 5th Board meeting to review their recommendations as her group will not be ready by the February 19th regular meeting as previously agreed upon.

Motion by Calhoun, supported by Popa granting Soutas-Little's request to extend the C3A deadline for presenting their recommendations to the Board to March 5, 2019 regular meeting.

Discussion: Eckerle stated that he had requested a due date to prevent delays, but he does not have a problem granting the request.

Ayes: Joyce, Popa, Calhoun and Eckerle. Nays: None. Absent: Mikowski – motion is hereby adopted.

Correspondence:

-Discussed ballot request sent by the County Road Association of Michigan for their Board of Directors – Northern Association of Road Commissioners representative with Larry Orcutt of Alpena County the only candidate listed on the ballot. As such, Nedow advised supporting Orcutt who he feels has done a good job representing the interests of the Northern Michigan road commission's interests.

Motion by Calhoun supported by Popa to vote for Larry Orcutt of Alpena County for the CRA – Board of Directors – Northern Association of Road Commission representative.

Ayes: Joyce, Popa and Calhoun. Nays: none. Abstain: Eckerle. Absent: Mikowski – Motion is hereby adopted.

Staff Reports: Heard reports from Priest, Grimaldi and Albrecht and Nedow. Priest and Grimaldi commented on the wonderful job the road crew has been doing especially with the extreme conditions these past few weeks.

Appointments: None.

Sanding procedure: When asked by Popa if this topic could be removed from future agendas, Joyce stated that he would prefer it remain as he is still looking into other sanding procedure options which will be discussed when Mikowski is present.

Road Commission provided vehicles: Joyce stated he would like this also to remain on the agenda for future discussion.

Follow up: Review candidates for Manager's position.

As with the Road Commission provided vehicles, Joyce also stated he would prefer to wait for Mikowski to be present. Nedow distributed copies of three applications who received more than one vote in each Commissioner's top ten candidates. He also stated Priest, who did not provide a resume, also received more than one vote. Nedow then informed the Board he had received two more applications this week, after the advertised mid-January cut-off date, and he is asking the Board for instructions how to proceed.

Further discussion ensued. Eckerle asked who set the cut-off date. Nedow responded that when the Board instructed him to publish the advertisement for the Manager position in early December, the motion lacked specifics as to how long to run the advertisement. He therefore chose a date which was comparable to the length of time the 2016 advertisement had been published to which no Board member had objected. Calhoun stated that he would prefer to follow the advertised posting and if the present group of candidates did not pan out, then the position could be re-advertised.

Popa stated he would prefer to keep the candidates that everyone had reviewed. Eckerle expressed his opinion that if the due date is preventing the Board from considering a qualified applicant, he does not care what was said, nor should the date tie the Board's hands. He also said those applications received before the advertised due-date do not meet his expectations for the position. Joyce stated he would like to see the two late applications and determine for himself if they should be considered. Popa then asked if the Board should consider scheduling interviews. Joyce declined, stating he would prefer to wait until the March 5th meeting when Mikowski is expected to be present.

Providing Commissioners with communications devices:

Joyce informed the Board he instructed staff to purchase a smart phone for him. The other devices that had been provided were difficult to carry and he wants to have something to receive and respond to his road commission emails. He asked the other Board members if they would also like a smart phone. Calhoun stated his opinion that purchasing a smart phone with a data plan is not necessary as he would prefer to channel the money into the road system. He also added that his road commission email account is loaded onto his personal smart phone and account which costs the Road Commission nothing. Popa stated he does not need a smart phone, and suggested Joyce should come back to the Board with a business plan that identifies all the costs associated with purchasing a device including the cost of having a data plan, citing the pros and cons. Joyce repeated he is not asking for permission; we provide them to our staff members to improve their efficiency. Popa stated that maybe the Board should poll other road commissions in the area to see what they provide their commissioners. He also asked Leelanau County Board Commissioners Wessell and Soutas-Little what the County provides them with (Soutas-Little replied the County provides each of them with a tablet and not a smart phone). Eckerle stated he supports Joyce on this issue. If Joyce says he needs a smart phone, then Eckerle does not care what the costs is as long as it saves time. Joyce stated having a smart phone would enable him to be in constant communications with staff and again stated his opinion he does not have to ask the Board for permission, nor is a motion necessary. Calhoun disagreed, stating the whole Board should make the decision together.

Motion by Eckerle, supported by Joyce to purchase a smart phone and data plan for Joyce provided the cost is under \$5,000.00. Discussion: Calhoun: is satisfied with the devices already provided and he does not see the need for any commissioner to have a smart phone at the Road Commission's expense. Popa agreed, and again stated he would like to see a business plan with costs so the Board can use the information to make an informed decision.

Ayes: Joyce and Eckerle. Nays: Calhoun and Popa. Absent: Mikowski. – Motion fails.

Discussion: holding evening meetings:

Joyce opened the discussion, stating there are two meetings held per month and that he would like to see one of them scheduled in the evening to accommodate those who may want to attend a meeting but could not during the daytime. Eckerle agreed, voicing his support and offered his suggestion to schedule one evening meeting every two months.

Calhoun stated that he has prior commitments on Monday and Tuesday evenings. He suggested if the Board votes to include evening meetings, it would have to be on a different day for him to attend. He also stated that Grand Traverse County Road Commission recently changed their evening meetings to mornings starting this February. He also pointed out that Priest and Grimaldi start their day at 3:00 AM and asking them to stay for an evening meeting would be burdensome on them.

Popa stated that this issue came up several times before. While he would be open to having an evening meeting to accommodate a specific situation/request, all Board members were aware that this Board has historically met at 1:00 PM for many decades. He supported Calhoun's viewpoint that holding meetings in the evening would be burdensome on the staff and that no other Northwest Road Commission/Paul Bunyan member has evening meetings.

Joyce stated he does not care what other road commissions do; holding night-time meetings would be beneficial to the taxpayers and that this Board will do what is best for the citizens of Leelanau County. He directed staff to keep this item of the agenda under "Old Business".

Rubber tired roller bids:

Bids for new and used rubber tired roller were opened and read on February 1, 2019 at the Suttons Bay office. The results are as follows:

New: Alta Equipment Co – Traverse City: 2019 Volvo PT125C - \$80,643.00
AIS Construction – Traverse City: 2019 HAMM GRW180i-10 - \$119,000.00
Michigan Caterpillar – Kalkaska: 2019 Caterpillar CW16 - \$94,755.33

Used: Michigan Caterpillar – Kalkaska: 2006 Caterpillar PS150C - \$66,680.00 with 2,107 hours.
Michigan Caterpillar – Kalkaska: 2001 Caterpillar PS150B - \$51,136.29 with 3,556 hours.

Fleet Manager Albrecht provided his written recommendation to accept the bid for the used 2001 Caterpillar PS150B. The main reasons listed: this is the same model of machine we currently have in our fleet so our operators are familiar with its operations and capabilities; and it will be easy to stock parts, filters and fluids that fit both machines.

Motion by Calhoun, supported by Popa to accept the \$51,136.29 bid from Michigan Caterpillar for a used 2001 Caterpillar PS150B rubber tired roller as recommended by Fleet Manager Albrecht.

Ayes: Joyce, Popa, Calhoun and Eckerle. Nays: None. Absent: Mikowski. – Motion is hereby approved.

Offer from Elmers to extend 2018 aggregate prices to 2019:

Motion by Calhoun, supported by Eckerle to accept the offer from Elmer's Crane & Dozer Inc. to extend their 2018 bid unit pricing for 22-A gravel, 25-A aggregate and 31A aggregate and to designate Elmers as the primary supplier for these materials for the 2019 construction season.

Discussion: None.

Ayes: Joyce, Popa, Calhoun and Eckerle. Nays: None. Absent: Mikowski. – Motion is hereby adopted.

Confirm attendance: Annual Highway Conference: Popa stated he would attend. Nedow stated he would cancel the other two hotel reservations that he had made and will register Popa for both segments of the conference.

Public Comments: None.

Commissioner comments:

Commissioner Conduct:

Joyce stated there should be no more discussion about hiring a replacement engineer as doing so could expose the Road Commission to possible litigation. Calhoun offered his apologies for asking to include this topic on last month's agenda.

Joyce also expressed his displeasure with two separate issues that have been brought to his attention. The first is a report he received that a Road Commissioner had approached the County Administrator to ask the County Board to take over the Road Commission. The other has to do with reports that the current interim Manager is being intimidated by a Road Commissioner for seeking the job full time. In both instances, Joyce stated he will not condone or tolerate such behavior and that any further transgressions will not be tolerated. If a motion is needed to reinforce this, he would be willing to do so. He also stated that the Road Commission needs to be transparent in everything that the Board does.

Eckerle agreed with Joyce, stating the Board is here to support and not to undermine the Manager. Regarding Joyce's comments about the County take over the Road Commission, Eckerle stated the person who made the request needs to man-up in front of the entire Board instead of behind the scenes. He also said he is confused about all the double talk that occurred during the meeting.

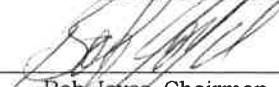
Calhoun stated he is pleased by all the positive comments he has seen on social media for the job the road crews have been doing these past few weeks.


Popa asked for more information about a recent fatality that occurred on M-72 and asked Priest whether the Road Commission investigated the crash. Priest said the site is under the authority of MDOT and does not involve the Road Commission.


Joyce extended his appreciation to Priest, Grimaldi and Albrecht for their efforts these past few weeks.

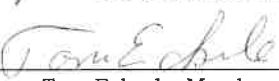
With no more business to conduct, Joyce adjourned the meeting at 1:44 p.m.

BOARD OF COUNTY ROAD COMMISSIONERS
OF LEELANAU COUNTY

By 
Bob Joyce, Chairman

By 
John Popa, Vice Chairman

By 
Jim Calhoun, Member

By 
Tom Eckerle, Member

Attest: 
Joel T. Nedow-Secretary to the Board

February 19, 2019

A regular meeting of the Board of County Road Commissioners of Leelanau County was called to order by Chairman Robert Joyce at 1:00 p.m. on Tuesday, February 19, 2019 at 10550 E. Eckerle Road, Suttons Bay, Michigan. Present: Chairman Robert Joyce, Vice-chairman John Popa, members Jim Calhoun, Tom Eckerle and Greg Mikowski. Also present: Interim Manager Dave Priest, Engineer James C. Johnson and Finance Manager/Secretary to the Board Joe Nedow. Guests were present.

Agenda: Approved as presented.

Vouchers 41468 thru 41496 in the amount of \$104,485.49 – approved.

Minutes from the February 5, 2019 regular session – approved as presented.

Public Comments:

-Heard comments from Don Frerichs who provided an update on his efforts to secure funding for the proposed CR-629 road shoulder paving project for 2.2 miles south of the lighthouse. Frerichs acknowledged the Board has not formally committed to doing this project, efforts to secure matching funds from other sources are continuing. To date, Leelanau Township has tentatively pledged some of the matching funds leaving Frerichs to raise the remainder. While a 2% grant application submitted to the Grand Traverse Band of Ottawa & Chippewa Indians was not selected for funding, other grant opportunities would be available later this spring. He also stated that one way or another, the matching funds would be secured and asked that the project be completed before Memorial Day if possible. Frerichs was reminded that a cost-share agreement with guaranteed matching funds must be in place before the work can be scheduled.

-Heard comments from Midge Werner, Bingham Township Supervisor. Werner reported that the home owners to the north of the Bingham Township Hall had expressed their concerns that unless the Road Commission does some excavation work on the ditches and culvert on the south side of CR-618, water runoff could flood their basement as well as the Township property this spring when the snow melts. Priest responded that extensive ditch work had been done at that location last fall, including unplugging a culvert that runs under the road. While there is still additional work that needs to be done there, he voiced his opinion that the work done to date should be sufficient to prevent any flooding from occurring.

Werner also spoke on attending a recent meeting sponsored by the Grand Traverse County Road Commission on efforts to develop a study to evaluate several east-west bypass options for south of Traverse City. Werner stated that during this gathering, she asked several of the participants if there are any plans to expand the study to include the Bugai Road/Gray Road corridor into Leelanau County. She pointed out that when Leelanau constructed the Bugai Road extension to the county line, efforts to extend the planned corridor into Grand Traverse County never materialized and were subsequently abandoned. She voiced her opinion that as Grand Traverse County is presently exploring a southern bypass, it would be a good time to re-open discussions on the Bugai Road extension and that the cause should be taken up by the Leelanau County Road Commission. She asked Joyce if he would agree to reach out to Grand Traverse County representatives to let them know there is interest and determine if it would still be feasible to enter into future discussions on this important topic. Joyce stated that he would speak to the Grand Traverse Road Commission about this.

Correspondence:

-Email dated February 14, 2019 from Sue Nichols who provided the Board with copies of a letter she had sent to Glen Arbor Township Board and to the Leelanau County Road Commission in 2015 listing reasons why, in her opinion, that Miller Hill Road should not be paved. Currently, Glen Arbor Township Board is considering the possibility of entering into a cost-share agreement to pave this road (along with other potential projects within their township). Nichols main concern is for the amount of water runoff on that road and that paving could make winter driving more hazardous and erode adjacent home owners' property.

Eckerle voiced his thoughts on this topic. He requested staff provide cost information by the next meeting as to how much the Road Commission spends replacing gravel on this road and stated it is a waste of taxpayer's money to continue the present practice which he feels needs to change. He also stated that the Road Commission needs to explore purchasing GPS software that can track how much gravel is being used on these types of projects and how often so that good decisions can be made. Johnson stated that while the payroll records do not provide specific cost information for local road maintenance activities, it is possible for staff to estimate how much has been historically spent to maintain this road annually. Eckerle added he does not know of any business that opens their wallet and throws money away and things are going to change how these matters are remedied.

-Email dated January 29, 2019 from Leelanau County Planning Director Trudy Galla, who asked for the Road Commission's input regarding the County's effort to revise the Leelanau General Plan. Specifically, Chapter 7 that deals with Transportation.

In an email sent to Galla from Johnson dated February 1, 2019, Johnson suggested three technical corrections to update some of the terminology used in the draft sent to the Road Commission for review. No additional suggestions were offered by the Board.

Heard staff reports from Priest and Nedow. Priest anticipates going out for asphalt bids in March.

Popa asked Priest several questions concerning the proposed paving project on CR-629. Priest reported Wagner had provided Frerichs and Leelanau Township Board with a cost estimate that includes the Road Commission's cost for shoulder restoration. Also, having the project completed before Memorial Day may not be realistic given our summer project list and available manpower. He projected being able to start this project in early fall.

Sanding procedure discussion/Road Commission provided vehicles to Administrative staff:

Joyce stated that he would prefer to postpone discussion on both topics until a later date.

Discussion: holding evening meetings:

Joyce asked Mikowski for his thoughts on holding night meetings and whether he would support Joyce's suggestion of holding one night meeting per month.

Mikowski stated his opinion that holding evening meetings would not be beneficial and suggested a night-time meeting could be scheduled if there is a request from the public that could not be addressed during the daytime.

He also stated that while holding evening meetings would be easy for him to attend, it would not be beneficial for many people, especially Grimaldi and Priest who put in long days during the winter months.

Popa stated he supports Mikowski's observation including the ability to schedule an occasional night-time meeting if the need arises.

Eckerle disagreed, stating his opinion that the Board exists to serve the Leelanau County taxpayers and holding one night-time meeting per quarter would be beneficial.

No comments were offered from Calhoun.

February 14, 2019 Leelanau Enterprise editorial:

Topic requested by Eckerle; stated he has mixed emotions about what was written. To him, the editorial was out of line, biased to keeping the Leelanau County Road Commission as it was prior to the Board being expanded and not focused on what is best for the Road Commission. He also stated that he believes the newspaper is taking advice from someone who thinks they should be the spokesperson for the Road Commission and the only use he could see for the Enterprise is to line the bottom of a birdcage. He also stated that he will not be intimidated by the Enterprise.

Award bids for 2019 seal coat aggregate, emulsion, brine and fuel:

At 10:00 a.m. February 15, 2019 bids for this year's asphalt emulsion, brine, fuel and seal coat aggregate needs were opened and read. The results are as follows:

Asphalt Emulsion:

Vendors:	MPM	Bit-Mat Products	Asphalt Materials, Inc.
CRS-2M emulsion	\$2.14/per gallon	\$2.15/per gallon	\$2.50/per gallon
Fog seal CQSEA	\$1.44/per gallon	\$1.49/per gallon	\$1.75/per gallon

Brine (per gallon):

Vendors:	Beckman Production
26% Calcium Chloride-spread	\$0.225/per gallon
26% Calcium Chloride-storage	\$0.200/per gallon

Fuel:

Vendors:	Bayshore Oil & Propane	Crystal Flash	RKA Petroleum
Diesel-delivered into storage:			
-February 14, 2019 price/gallon:	\$2.1624	\$2.0731	\$2.0254 *
-Price over rack:	\$0.03	\$0.1358	\$0.1001
-Terminal location:	Muskegon	Ferrysberg	Ferrysburg
Unleaded-delivered into storage:			
-February 14, 2019 price/gallon:	\$1.7048	\$1.6205	\$1.5816 *
-Price over rack:	\$0.08	\$0.1158	\$0.3383
-Terminal location:	Muskegon	Ferrysberg	Ferrysburg

Alternative: Unleaded gas-delivered into Maple City:
-February 14, 2019 price/gallon:

+20 cents/gallon
By tank wagon. \$1.5816

*RKA Petroleum bid: 12,000 minimum transport: additional \$0.1029/per gallon for lesser quantities, additional \$0.025/per gallon for winter blend additive.

Seal coat aggregate (per ton):

Vendors:	Elmers	Verplank Trucking	Fisher Transportation	Rieth-Riley
34CS slag-delivered to SB	\$43.00/ton	No bid	\$48.45/ton	\$44.75/ton
34CS slag-delivered to MC	\$40.90/ton	No bid	\$48.45/ton	\$43.50/ton

Alternative bid:

25A slag-delivered to SB	\$36.20/ton
25A slag-delivered to MC	\$34.10/ton
CS2 trap rock-delivered to SB	\$37.70/ton
CS2 trap rock-delivered to MC	\$35.60/ton
34CS trap rock-delivered to SB	\$46.00/ton
34CS trap rock-delivered to MC	\$45.00/ton

Staff provided their written recommendations for awarding bids.

Motion by Calhoun supported by Mikowski to award the 2019 Annual Materials bids as follows: for CRS-2M emulsion and CQSEA fog seal to Michigan Pavement Materials as primary supplier with Bit Mat as secondary supplier; for brine to Beckman Productions Inc; for seal coat aggregate (34CS slag) to Team Elmers as primary supplier with Rieth Riley as secondary supplier, and fuel to Bayshore Oil and Propane as doing so would be in the best interests of the Leelanau County Roads Commission.

Ayes: Joyce, Popa, Calhoun, Eckerle and Mikowski. Nays: None. – Motion is hereby adopted.

Public Comments:

-Don Frerichs repeated his request for the Board to support the CR-629 shoulder paving project and asked that construction begin sooner rather than later. He assured the Board he would be able to raise the remaining local match by this spring.

-Bingham Township Supervisor Midge Werner asked for an update on efforts to replacing the Managing Director position. Joyce informed her that this topic will be addressed at the March 5, 2019 Board meeting.

Commissioner comments:

Joyce and Calhoun expressed their appreciation to the road crew for their hard work over these past weeks under difficult conditions.


Popa asked if there was any interest in attending this week's Paul Bunyan Council meeting in Cadillac.


Eckerle asked Nedow if he ordered the smart phone for Joyce. Nedow responded he has not as the motion to purchase one last meeting was not approved. Eckerle then asked that this item be placed on the next meeting agenda. He also asked Priest how he was doing in his dual role as Superintendent/Manager to which Priest stated he is doing well. Eckerle also offered additional comments on GPS which he feels is not being utilized to the fullest, or to pursue purchasing GPS software that has more capabilities than the version we presently have for tracking and gathering pertinent data which can be used to assist management in making better decisions and choices for various road-related activities.


With no more business to conduct, Joyce adjourned the meeting at 1:55 p.m.


BOARD OF COUNTY ROAD COMMISSIONERS
OF LEELANAU COUNTY


By 
Bob Joyce, Chairman

By 
John Popa, Vice Chairman

By 
Jim Calhoun, Member

By 
Tom Eckerle, Member

By 
Greg Mikowski, Member

Attest: 
Joel T. Nedow-Secretary to the Board

A regular meeting of the Board of County Road Commissioners of Leelanau County was called to order by Chairman Robert Joyce at 1:00 p.m. on Tuesday, March 5, 2019 at 10550 E. Eckerle Road, Suttons Bay, Michigan. Present: Chairman Robert Joyce, Vice-chairman John Popa, members Jim Calhoun, Tom Eckerle and Greg Mikowski. Also present: Interim Manager Dave Priest, Engineer James C. Johnson, Maple City Foreman Gino Grimaldi, Fleet Manager Dustin Albrecht and Finance Manager/Secretary to the Board Joe Nedow. Guests were present.

Agenda: Approved as presented.

Vouchers 41497 thru 41527 in the amount of \$116,452.10 – approved.

Minutes from the February 19, 2019 regular session – approved as presented.

Public Comments:

Charlie Edson distributed a letter addressed to the Board from Edson, Patricia Soutas-Little and Nathan Griswold on behalf of the Curb and Gutter Policy Review Committee (C3A). The letter stated the group has researched and discussed *“the practical merits and application of materials that can be used for curbing in lieu of cement in certain situations. We are also examining alternatives to cement curb and gutter but have a bit more work to do regarding this area of our research.”* A revised copy of the group’s recommendations, corrected for typographical errors was also distributed.

Joyce stated receiving a request from the C3A group for a special meeting with the Board on Tuesday March 12, 2019. Calhoun reminded Joyce that Popa and Johnson would be out of town that day attending the County Road Association gathering in Lansing and therefore would be unavailable. Edson stated his group would be happy to reschedule the meeting at any time convenient and Joyce stated that he would contact Edson in the next few days to reschedule for a different date.

Correspondence: None.

Heard staff reports from Priest, Grimaldi and Albrecht.

Popa asked staff if they were using the pre-wet system this winter. Priest said he has not due to problems getting the equipment to work properly. He also stated that our experiences using this system last year were not good (insufficient traffic volume necessary for the solution to work as intended) and given the corrosive effect on our equipment, he does not support using pre-wet or including it on any future truck equipment purchases.

Discussion: holding evening meetings:

Joyce stated that during a Board of Public Works presentation he and Popa provided to the Leelanau County Board of Commissioners at their February 19th meeting, District 7 County Commissioner Lautner informed them that she had received a comment from someone who suggested the Road Commission should hold one night meeting per quarter.

Joyce then requested comments from the rest of the Board:

Mikowski: Stated he would have no problem holding one night meeting per quarter but if nobody shows up then night meetings would be discontinued.

Popa: As he could not recall any request from the public to hold a night meeting, he does not see the need. The Board could always have the ability to change the start time of any meeting if requested. He feels that night meetings would also be an imposition on staff.

Calhoun: Would prefer to hold off for this quarter and suggested the Board could postpone making a decision until May. Because he has had prior Tuesday night commitments for many years, he would not be able to attend a night meeting on this day of the week.

Eckerle: Voiced his support for the concept of one night meeting per quarter and that he would prefer not to wait.

Motion by Eckerle, supported by Mikowski, to hold one night meeting per quarter starting with the 2nd meeting in April (April 16, 2019).

(Nedow asked Eckerle to clarify his motion to include a start time)

Eckerle revised his motion to include a 6:00 PM start time.

Discussion: Mikowski stated he is supporting the motion under the condition that if people do not show up then the night meetings would be discontinued. Calhoun stated that as he already has a prior commitment for Tuesday nights, he asked if the motion could be changed to Wednesday night instead. Popa stated that he already has plans for Wednesday evenings. With no further discussion the motion remained as presented.

Vote: Ayes: Joyce, Eckerle and Mikowski. Nays: Popa and Calhoun. Motion is hereby approved 3-2.

Popa: “How we achieve good results over time”

Popa provided reasons why he believes the Board should hire a Manager with the ability and education capable of performing such functions as advanced planning, policy recommendations, representing the Road Commission with local and state entities and other areas Popa deems important. He also expressed his opinion that that the Road Commission has taken a step back in recent months by not having the position filled.

Popa also urged the Board to jointly adopt interview questions for the Manager candidates and to begin scheduling interviews as soon as possible. Joyce disagreed, voicing his opinion that each Board member could determine for themselves what questions they would like to ask each candidate. Eckerle agreed, and voiced his support to set a date to begin interviews so that Nedow can begin contacting perspective candidates.

Nedow suggested interviewing the four candidates in one-hour appointments at the conclusion of the April 2, 2019 regular Board meeting. If there is any interest by two or more Board member to interviewing applicants submitted after the cut-off date to let him know as soon as possible. Popa why the interviews could not commence after the March 19th regular meeting. Joyce responded he would be out town that week.

Motion by Mikowski, supported by Eckerle directing Nedow to begin scheduling interviews for the replacement Manager for the first meeting in April (April 2, 2019).

Ayes: Joyce, Popa, Calhoun, Eckerle and Mikowski. Nays: None. – Motion is hereby adopted 5-0.

Award loader bid:

In a written recommendation to the Board, Fleet Manager Albrecht had budgeted funds to replace the CAT IT28G loader kept at the Maple City garage that is rusty and has over 10,000 hours on it. He contacted three vendors and received quotes for the following:

Deere 624L – AIS Equipment for \$201,591.15; Volvo L90H – Alta Equipment for \$187,808.00; and a Caterpillar 938M – Michigan CAT for \$206,178.49.

Albrecht's recommendation stated the Deere quote was submitted through the MiDeal program of which the Road Commission is a member, and the Caterpillar and Volvo quotes were submitted under the Sourcewell program, which is a national municipal contracting agency similar to the program used to purchase the Kubota skid steer. This program also meets Michigan's procurement laws and bidding requirements.

He is recommending accepting the \$187,808.00 quote from Alta Equipment because we already have the same model loader in our Suttons Bay fleet, which has proven to be a good reliable machine and Volvo has a warranty that Albrecht feels is better than the warranties offered by Deere and Caterpillar.

Eckerle questioned the need to spend over \$187,000.00 to replace the Maple City loader, referring to the last time the Road Commission had sold a loader that the buyer had resold for a higher price. He asked Albrecht how much he expects to sell the old loader for and Albrecht replied that based on what he had been told by those who had submitted quotes for a new machine that the CAT IT28G should bring approximately \$20,000.00 when offered for sale. When asked by Popa if the price for all three brands were the same would have any impact on his decision, Albrecht responded he would still recommend buying the Volvo which has a better warranty than the other models offer.

Eckerle then asked Priest if he supports Albrecht's recommendation. Priest replied he had the opportunity to operate them all, has received no complaints from the Suttons Bay crew members about the existing Volvo loaders, and agrees with Albrecht's recommendation.

Further discussion on ways to minimize the rust on our equipment ensued. Joyce stated that based upon his past work experience, he believes the Deere is a better model. He also expressed doubts about the validity of the Sourcewell quotations submitted by Alta Equipment and Michigan CAT and suggested the Road Commission already has funds invested into the State of Michigan MiDeal program.

Motion by Calhoun, supported by Popa to accept the \$187,808.00 quote submitted by Alta Equipment for a Volvo L90H loader that matches our bid specifications as doing so would be in the best interests of the Leelanau County Road Commission.

Ayes: Popa, Calhoun, Eckerle and Mikowski. Nays; - Joyce. – Motion is hereby adopted 4-1.

Revision to "Policy on the Installation of Public & Private Utilities in County Road Right of Way":

Johnson explained that it has been our policy to not allow utility companies to work within the road right of way between the dates of November 15 and April 1 unless approved by Road Commission staff for each day of work.

The proposed revision allows exceptions to this prohibition (with approval from Manager or Engineer) if the proposed work will not affect the roadbed support and the Utility Company will thaw the ground to enable safe digging practices to avoid conflict with other nearby underground facilities.

Motion by Popa, supported by Calhoun to revise the Leelanau County Road Commission's "Policy on the Installation of Public & Private Utilities in County Right of Way" as presented by staff.

Ayes: Joyce, Popa, Calhoun, Eckerle and Mikowski. Nays: None. – Motion is hereby approved 5-0.

Yearly Township annual meetings-assignments:

Popa asked for this item on the agenda. With several township annual meetings scheduled for late March he suggests the Board should continue the past practice of having each Board member attend a Township meeting that they have not gone to previously. Calhoun stated he received a request for someone from the Road Commission to attend the Leelanau Township annual meeting which he is planning to attend.

Further discussion ensued whether the other Board members felt that attending these meetings in person was necessary. Eckerle and Joyce stated they would prefer to send the annual financial summary reports and printed copies of the Road Commission PowerPoint presentation instead of attending in person. When asked by Mikowski, Nedow stated that he could have both reports ready by the end of the week. Mikowski stated he would be willing to accompany Calhoun to Leelanau Township's annual meeting so that he can experience the process first hand.

Public Comments:

Heard comments from Elmwood Township resident John Gallagher II who has applied for a commercial driveway permit on property he owns in Elmwood Township. Gallagher stated that he is in the process of starting a wedding venue business and has plans to open in the spring but final permit approval has not been given because he does not have the funds for the required escrow deposit. He also expressed his opinion that the commercial driveway standards of curb and gutter should not apply for agricultural locations such as his. Charlie Edson informed Gallagher that he would be welcome to join in the ongoing discussions with the C3A group and the Road Commission.

Leeland Township resident Steve Mikowski: expressed his viewpoint that that the Road Commission Board is a functional and not an operational body. He can see no reason for night meetings when anyone with business before the Board has been able do so during the day.

Commissioner Comments:

-Joyce: extended his appreciation to the crews at both garages and reminded the audience that Popa's "Good Results" presentation are Popa's impressions and not the entire Board.

-Mikowski echoed Joyce's appreciation to the crew members.

-Popa: thanked the C3A members for their hard work and stated he is looking forward to seeing what staff will be recommending to the Board.

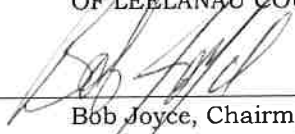
-Calhoun: extended his thanks to the mechanics of both garages for their efforts this winter in keeping the plow trucks and equipment operational.


-Eckerle: asked two questions: He asked why the "Smart phone for Chairman" was bypassed on the agenda. Joyce responded that it had already been taken care of.


Secondly, he asked Edson and Griswold if they had plans on using social media to solicit more input from the public. Edson and Griswold replied that they have not done so yet but they would be willing to explore this option. Eckerle expressed his thanks to the C3A group and repeated his opinion that he has no respect for curb and gutter and is not in favor of it.


With no more business to conduct, Joyce adjourned the meeting at 2:07 p.m.

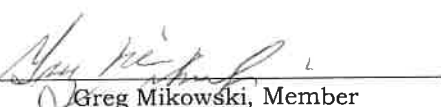
BOARD OF COUNTY ROAD COMMISSIONERS
OF LEELANAU COUNTY

By 
Bob Joyce, Chairman

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Attest: 
Joel T. Nedow-Secretary to the Board

Further discussion ensued. Popa stated he preferred the C3A advisory group meet with staff to discuss the group's recommendations prior to meeting with the Board. Doing so he said, would allow staff time to evaluate whether or not the suggested changes could be implemented. In the event they do not concur with the group's recommendations, staff would have the opportunity to offer their own suggestions during the meeting. Calhoun and Mikowski stated they do not have a problem scheduling a special meeting to meet with the C3A representatives, but they would prefer to see what is being proposed prior to the special meeting so that they can have time to evaluate what is being requested. Eckerle stated this process has been going on for a long time and stated that in his opinion, the Road Commission has done nothing to settle this and has no problem with holding a special meeting.

Motion by Joyce, supported by Eckerle to schedule a special meeting for Thursday, April 4, 2019 starting at 1:00 PM at the Suttons Bay conference room to meet with representatives of the C3A advisory group.

Discussion: Mikowski and Calhoun stated it will be a short meeting if there is no agenda. Eckerle asked both to clarify their statements and both responded they want to see the group's specific recommendations or proposals prior to the meeting. Joyce stated he would amended his motion which was supported by Eckerle:

Motion by Joyce, supported by Eckerle to schedule a special meeting for Thursday, April 4, 2019 starting at 1:00 PM at the Suttons Bay conference room to meet with representatives of the C3A advisory group provided the Board is provided with the group's specific recommendations/proposals prior to the meeting date.

Discussion: None.

Ayes: Joyce, Calhoun, Eckerle and Mikowski. Nays: - Popa. - Motion is hereby approved 4-1.

Smart phone for Chairman

Eckerle started to make a motion to authorize a smart phone for the Chairman, but was interrupted by Popa claiming Eckerle could not make a motion. Eckerle informed Popa that he could make a motion at any time during a meeting provided there wasn't already a pending motion.

Popa once again stated his preference that a business plan for providing a smart phone for the Chairman should be submitted to the Board for consideration. Joyce disagreed, repeating his belief that he didn't need to ask for permission to have the Road Commission provide him with a smart phone. Because he does not have reliable internet service where he lives, the other devices provided have not worked for him and he needs a reliable device that does not rely on internet connection to read his Road Commission emails. He further stated that having a smart phone would allow him to do so and also enable him to communicate with Priest and Nedow as needed. He also stated Leelanau County provides smart phones or tablets to their Board members to use. Calhoun disagreed, stating that when the question was put to County Board members Soutas-Little and Wessell at an earlier Road Commission meeting, both indicated they had been issued tablets by the County and not smart phones. He also questioned what decisions Joyce had to make on behalf of the Road Commission that requires him to need a smart phone. He also voiced his opinion that that the entire Board should be making decisions together and not by just one person. Joyce did not agree, and stated he disapproves of Calhoun coming to the Road Commission office and having closed door meetings with staff which he claims to have personally witnessed. Mikowski asked if there is a spare smart phone available and if there is, how much the monthly data plan would cost. Nedow responded there is a spare smart phone available, the same model staff currently uses, and the data plan would cost \$45.00/per month. Mikowski then asked Joyce if he would consider paying for half the cost of the data plan. Joyce declined. With no further discussion, Eckerle completed his motion.

Motion by Eckerle to provide a smart phone for the Chairman. Motion fails for lack of support.

Update from Chairman: Bingham Township request for LCRC Chairman to contact the Grand Traverse County Road Commission to request their participation with fulfilling the Bugai Road extension/bypass:

Requested by Calhoun, he asked Joyce to report on his progress. Joyce stated he had contacted Grand Traverse Road Commission and spoke to their new Manager who told Joyce that he is unfamiliar with the history of the Bugai Road extension proposal and that he would need to do some further investigation before commenting.

Jointly adopting questions for Manager Interview sessions:

Requested by Popa who suggested the Board should decide which questions to ask each candidate, divide these questions up among the Board members and come up with a plan how to conduct the interviews. Eckerle suggested each Board member could take turns in fifteen minute increments. After further discussion, no action was taken.

Proposed revisions to the Road Commission's County Right-of-Way Standards:

Johnson provided a proposed update to the County Right-of-Way Standards that would allow two new forms of financial assurance for guaranteeing the completion of multi-residential and commercial driveways: a Bond and a Bank Irrevocable Standby Letter of Credit. Along with a revised Cash Bond agreement, the new options were presented in a format that was provided by the Michigan County Road Commission Self Insurance Pool, providing three options for financial assurance consistent with the Road Commission's current fee schedule. Johnson also added that any applicant who is in the process of applying for a multi-residential or commercial driveway permit would now have three options to choose from.

March 19, 2019

A regular meeting of the Board of County Road Commissioners of Leelanau County was called to order by Chairman Robert Joyce at 1:00 p.m. on Tuesday, March 19, 2019 at 10550 E. Eckerle Road, Suttons Bay, Michigan. Present: Chairman Robert Joyce, Vice-chairman John Popa, members Jim Calhoun, Tom Eckerle and Greg Mikowski. Also present: Interim Manager Dave Priest, Engineer James C. Johnson and Finance Manager/Secretary to the Board Joe Nedow. Guests were present.

Agenda: Approved as presented.

Vouchers 41528 thru 41562 in the amount of \$96,807.84 – approved.

Minutes from the March 5, 2019 regular session – Popa stated he found an incomplete sentence in the discussion where Popa had asked Albrecht that if all the bids were priced the same, would that assumption impact which loader he would recommend purchasing.

Motion by Popa supported by Mikowski to approve the March 5, 2019 minutes subject to a correction to the incomplete sentence concerning Popa's question to Albrecht about his loader recommendation if the bids were all priced the same.

Discussion: None.

Ayes: Joyce, Popa, Calhoun, Eckerle and Mikowski. Nays: None. – Motion is hereby unanimously approved.

Public Comments/Correspondence:

Leland Township Supervisor Sue Och commented on emails sent to Leland Township's attorney Parker, to the Leland Township Board dated February 22, 2019 and March 9, 2019 with the Road Commission copied, and a third email dated March 13, 2019 directly to the Road Commission, all sent by attorney Dustin Ordway. Ordway represents the Janko and Joyes families whose properties are adjacent to Reynolds Street (road end thought to access Lake Michigan in Leland Township). In conjunction with a similar request to Leland Township to remove their signage, Ordway asked the Road Commission to immediately remove all signage identifying Reynolds Street as a road-end or an access point to a public beach and to notify the public that the property beyond the end of the pavement is private property.

Och stated her comments on this topic are her own and do not reflect those of the Leland Township Board, which has not made any decisions on this issue pending legal review. Och pointed out that restricting beach access at that location would have a negative impact on property values for those homes on the back streets and would then erode the Township's tax base. She also stated that the Township has records that show this location had been used to access the beach for dredging equipment starting in the late 1960's when the new harbor was built by the Army Corps of Engineers. Presently, Leland Township had purchased dredging equipment to ensure that the harbor remains open in those years when the Army Corps does not dredge the harbor entrance. Even though the Township had been maintaining this location as a public access to Lake Michigan for many years, she confirmed Township personnel had recently removed their signage. She also reported the Leland Township Board had agreed to follow the Road Commission's lead in this matter.

Johnson informed the Board that Ordway's emails and supporting documents have been forwarded to the Road Commission's legal counsel for review and that attorney Henn had responded to Ordway that his client's request is under review and to expect his response by the end of March. Johnson also stated that whenever anyone had questioned the Road Commission's jurisdiction over a county road ending at water in the past, the Board had historically defended and protect the public's rights to use these access sites.

Staff reports:

Priest reported spring weight limits have gone into effect and when they come off depends upon the weather. Also, he learned that because of the high demand and full manufacturing schedule, delivery dates for 2020 heavy truck models are pushed out over a year and he is being advised by the local Western Star dealer to consider placing our 2020 truck order soon in order to receive them in time. Priest was also contacted by a nearby property owner who is interested in obtaining an easement to access Pit Road.

Johnson reported that seasonal weight restrictions went into effect on March 13th and when they come off is dependent on the weather. In regards to the Pit Road easement request, he urged caution as this area had been an active mining site with restricted access and granting the request could have negative repercussions if mining operations were to resume in the future.

Nedow informed the Board this year's road salt prices rose 40% and we have met our annual contractual quantity obligations for both state and county purchases. He also distributed a list of scheduled interview times for the five Manager applicants to be held following the end of the regular meetings on April 2nd and 16th. Calhoun repeated that he not be able to attend the April 16th meeting due to a prior commitment that evening.

Follow up: C3A request for special meeting:

Joyce provided a list of available dates when the members of the C3A advisory group could meet with the Board to discuss their recommendations for the Road Commission's commercial driveway standards.

Popa asked if the new options would apply to pending applications, and Johnson replied that this provision would need to be added to the proposed motion. Eckerle asked if the Road Commission did not require a financial guarantee to complete, is there any way we could assure compliance to our permit. Johnson responded that because the Road Commission lacks the enforcement authority, the County Prosecutor would need to issue a Cease and Desist order on our behalf.

Motion by Popa, supported by Calhoun to revise the text of the current "County Right-of-Way Standards" to allow options of a Bond, Cash Bond, or Bank Irrevocable Standby Letter of Credit in a format acceptable to the Road Commission and in an amount consistent with the Road Commission's current fee schedule to guarantee completion of multi-residential and commercial driveways and to accept sample documents for each of the three options as provide by the Michigan County Road Commission Self Insurance Pool.

Discussion: Joyce asked for the motion be revised to authorize the engineer to offer the bond and letter of credit options to those applicants who have already submitted escrow deposits to the road commission. Popa agreed and modified his motion which Calhoun supported to include the following sentence:

.....and to make the three options available to current outstanding escrow depositors.

Ayes: Joyce, Popa, Calhoun and Mikowski. Nays: Eckerle. Motion is hereby approved 4-1.

Public Comments:

Leland Township Supervisor Sue Och asked if anyone from the Road Commission was planning on attending their annual meeting this coming Saturday. Popa volunteered to go.

Commissioner Comments:

-Popa: provided a summary report on topics covered at the annual County Road Association Highway conference he had recently attended in Lansing.


-Calhoun: he and Mikowski will be attending Leelanau Township's annual meeting this coming Saturday.

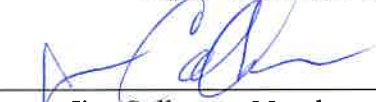
-Eckerle: Regarding the Reynolds Street road-end: Eckerle asked Johnson and Priest for their recommendations. Both stated they would prefer to wait for Henn's response whether the Road Commission's position is defensible before offering their recommendation.

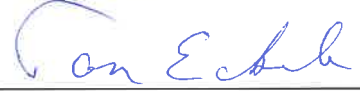
With no more business to conduct, Joyce adjourned the meeting at 2:00 p.m.

BOARD OF COUNTY ROAD COMMISSIONERS
OF LEELANAU COUNTY

By 
Bob Joyce, Chairman

By 
John Popa, Vice Chairman

By 
Jim Calhoun, Member

By 
Tom Eckerle, Member

By 
Greg Mikowski, Member

Attest: 
Joel T. Nedow-Secretary to the Board

A regular meeting of the Board of County Road Commissioners of Leelanau County was called to order by Chairman Robert Joyce at 1:00 p.m. on Tuesday, April 2, 2019 at 10550 E. Eckerle Road, Suttons Bay, Michigan. Present: Chairman Robert Joyce, Vice-chairman John Popa, members Jim Calhoun, Tom Eckerle and Greg Mikowski. Also present: Interim Manager Dave Priest, Engineer James C. Johnson and Finance Manager/Secretary to the Board Joe Nedow. Guests were present.

Agenda: Motion by Popa, supported by Eckerle to amend today's agenda to add "Discuss upcoming C3A special meeting scheduled for April 4, 2019" and "Motion to accept Grand Traverse Diesel Service's offer to extend 2018 cab & chassis bid pricing and to authorize staff to place an order for two units for the 2020 budget year" under New Business.

Discussion: None.

Vote: Ayes: Joyce, Popa, Calhoun, Eckerle and Mikowski. Nays: None. – Motion to amend agenda is hereby adopted.

Vouchers 41565 thru 41588 in the amount of \$99,577.63 – approved.

Public Comments:

-Charlie Edson representing the Citizens for Aesthetic & Affordable Approaches advisory group, distributed final copies of his group's final recommendations to the Board as requested for consideration at the April 4th special meeting.

-Michigan Caterpillar sales representative Jeff Bauer: offered his apologies for his company not being able to complete the sale of a used 2001 CAT PS150B rubber tired roller from their rental fleet which was found to have significant unreparable internal damage.

Communications: None.

Staff reports:

-Priest reported crew members have been working on tree and brush removal at various locations throughout the County. He also expects seasonal weight restrictions will be coming off soon once the remaining subsurface frost has dissipated.

-Albrecht stated the mechanics have been getting the sweepers and Broce brooms ready for the upcoming spring street sweeping.

-Nedow distributed preliminary copies of the 2018 financial audit report for the Board to review prior to their meeting with the auditor.

Popa asked if staff has heard anything about this year's upcoming Ironman Challenge. Priest stated he has not been contacted by anyone and stated he is not aware that any county roads would be part of the event route. Johnson stated he had heard an unconfirmed report that the route would include a two mile segment of CR-677 just south of M-72.

Request to rescind used 2001 CAT PS150B roller authorization – accept bid for new Volvo PT125C rubber tired roller:

Albrecht explained that when he went to inspect the used CAT roller, he noticed the filters were old and no service was evident. This led him to ask CAT to perform a full service which led to them finding metal shavings in the final drive assembly which in turn led to Michigan CAT's decision to cancel the sale as it would be too expensive for them to repair this unit. Efforts to obtain a better price from CAT on the 2006 CAT PS150C were unsuccessful.

The used PS150C does not have a warranty. He recommends purchasing the new Volvo PT125C for \$80,643.00 as bid which he stated is \$14,112.33 less expensive than the new CAT and \$38,357.00 less expensive than the new HAMM. The offerings from Michigan CAT and HAMM would not be available in time for this summer's sealcoat season.

Further discussion ensued as to how many machine hours are put on our existing roller each year. Eckerle suggested given the low hours on our 2001 roller, would it make sense to rent a roller instead of purchasing one. Priest explained that the only available roller found last year was obtained from Wexford County Road Commission who charges over \$10,000.00 rental fee to use it for less than one month. Efforts to find a reliable rental source in this area did not materialize and Priest reiterated the importance of having a second roller for our summer seal coat operation.

Michigan CAT salesman Bauer offered to provide a nine-wheel model similar to what was quoted that could be delivered in time for the start of this year's seal coat operation. However, this unit would need to be retro-fitted with a 2-wheel kit later on.

Eckerle asked if Michigan CAT offers a rent-to-own option and if the rental price could be applied to the purchase price.

Joyce asked Bauer if Michigan CAT would do a full service on the used 2006 CAT PS 150C unit and come back to the Board with his best price. Albrecht pointed out that the used model would not have a warranty and for \$14,000.00 more we could have a new roller that has a warranty. He also expressed concerns that delaying a decision could result in the Volvo model presently in stock being sold to someone else.

Motion by Calhoun, supported by Popa to rescind the Board's February 5, 2019 authorization to purchase a used 2001 Caterpillar model SP150B rubber tired roller for \$51,136.29 which was found to be defective and instead authorize staff to purchase a new Volvo model PT125C for \$80,643.00 from Alta Equipment Company.

Discussion: Mikowski asked if we could rent this new roller out when we are not using it. Priest stated that this is not likely as the seal coat season is short with those who need to rent a roller need it at the same time we would be using it.

Vote: Ayes: Popa, Calhoun and Mikowski. Nays: Joyce and Eckerle. Motion is hereby adopted.

Motion to accept Grand Traverse Diesel Service's offer to extend cab & chassis bid pricing and to authorize staff to place an order for two units for the 2020 budget year:

Priest stated that Grand Traverse Diesel Service Manager Dan Walters had informed him to place our order for 2020 cab & chassis trucks as soon as possible. The demand for heavy trucks has gone up drastically, and the two Western Star cab & chassis ordered last December are not expected to be delivered until August. Priest further added that Walters advised him the lead time for the 2020 models is even longer and to place our order as soon as possible if we want to receive our trucks in time for the 2020 winter season.

Motion by Popa supported by Calhoun to accept Grand Traverse Diesel Service's offer to extend cab & chassis bid pricing and authorize staff to place an order as soon as possible for two 2020 Western Star model 4900 cab & chassis for budget year 2020.

Discussion: None.

Vote: Ayes: Joyce, Popa, Calhoun, Eckerle and Mikowski. Nays: None. – Motion is hereby adopted.

Request to reschedule the two April 16th Manager interviews:

Popa asked to reschedule the interviews as Calhoun would not be able to attend. Calhoun stated that while he had a prior commitment at six PM, he could attend if the interviews were rescheduled for late afternoon. Nedow stated doing so would be possible as one of the applicants resides in the county and the other is already planning to be in the area earlier that same day.

Motion by Calhoun supported by Popa to reschedule the two Manager-candidate interviews prior to the start of the April 16, 2019 6:00 PM regular meeting. The first interview is to start at 3:45 PM with the second interview starting after the first has concluded.

Discussion: None.

Vote: Ayes: Joyce, Popa, Calhoun, Eckerle and Mikowski. Nays: None. – Motion is hereby adopted.

Request to approve audited Act 51 report:

Nedow suggested that with the May 1st filing due date approaching, the Board may wish to consider accepting the Act-51 report at today's meeting should the Board be unable to meet with the auditor before then. He further explained that the report, which had been reviewed and verified, is separate from the audited financial statements and could be approved at any time.

Joyce stated that he would prefer to wait until the audit report and financial statements have been presented and accepted by the Board before approving the Act 51 report, stating his opinion the Board would meet with auditor Tom Smith at their April 16th night meeting.

Letter/invoice from TTCI for 2019 annual dues – poll Board if interested in continuing participation:

Nedow provided a copy of an invoice for \$1,000.00 for 2019 membership dues for participating in Traverse Transportation Coordinating Initiative, asking the Board if they are still interested in participating. Johnson stated that after the 2020 federal census has been conducted, he anticipates this group would evolve into a Metropolitan Planning organization, the entity thru which future federal aid funds are channeled and distributed.

Motion by Calhoun, supported by Popa authorizing staff to pay the TTCI invoice for \$1,000.00 for 2019 membership dues in TTCI.

Discussion: None.

Vote: Ayes: Joyce, Popa, Calhoun, Eckerle and Mikowski. Nays: None. – Motion is hereby adopted.

Discussion: upcoming April 4, 2019 special meeting with C3A advisory group:

Popa stated that he requested this on the agenda. He voiced his concerns that there is insufficient time for staff to digest the recommendations submitted by the C3A advisory group and come up with recommendations of their own prior to the April 4th meeting. He suggested the meeting should be canceled or delayed accordingly.

Joyce disagreed, stating this had been discussed before and he has no intentions of canceling or rescheduling this meeting. Eckerle agreed, stating his opinion that Popa's suggestion was baseless.

Public Comments: None.

Commissioner Comments:

Heard reports from Popa, Mikowski and Calhoun who had recently attended annual meetings in Leland, Centerville and Leelanau Townships where their presentations were well received.

Joyce then called for a recess at 1:43 p.m.

At 2:30 PM Joyce reconvened the meeting to conduct an interview for the Manager position. Present: Chairman Robert Joyce, Vice-chairman John Popa, members Jim Calhoun, Tom Eckerle and Greg Mikowski. Also present: Interim Manager Dave Priest, Engineer James C. Johnson and Finance Manager/Secretary to the Board Joe Nedow. Guests were present.

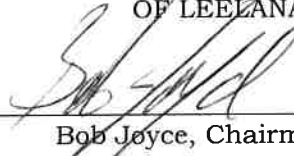
Each commissioner took turns asking various questions. At the conclusion of this interview, Joyce called for a recess at 3:14 PM.


At 3:45 PM Joyce reconvened the meeting to interview another applicant for the Manager position. Present: Chairman Robert Joyce, Vice-chairman John Popa, members Jim Calhoun, Tom Eckerle and Greg Mikowski. Also present: Interim Manager Dave Priest, Engineer James C. Johnson and Finance Manager/Secretary to the Board Joe Nedow. Guests were present.


Each commissioner took turns asking various questions. At the conclusion of the interview, the applicant thanked the Board for their consideration.

With no more business to conduct, Joyce adjourned the meeting at 4:42 PM.

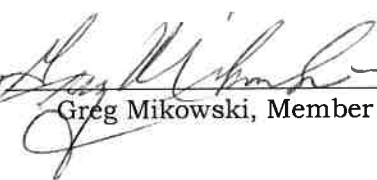
BOARD OF COUNTY ROAD COMMISSIONERS
OF LEELANAU COUNTY


By 
Bob Joyce, Chairman

By 
John Popa, Vice Chairman

By 
Jim Calhoun, Member

By 
Tom Eckerle, Member

By 
Greg Mikowski, Member

Attest: 
Joel T. Nedow-Secretary to the Board

April 4, 2019 Special Meeting

A **special** meeting of the Board of County Road Commissioners of Leelanau County was called to order by Chairman Robert Joyce at 1:00 p.m. on Thursday, April 4, 2019 at 10550 E. Eckerle Road, Suttons Bay, Michigan. Present: Chairman Robert Joyce, Vice-chairman John Popa, members Tom Eckerle and Greg Mikowski. Member Jim Calhoun was absent. Also present: Interim Manager Dave Priest, Engineer James C. Johnson and Finance Manager/Secretary to the Board Joe Nedow. Guests were present.

The purpose of the meeting was to meet with representatives of the Citizens for Aesthetic & Affordable Approaches advisory group to discuss their proposed recommendations to update/change the Road Commission's Commercial Driveway standards.

Public Comments:

Bill Perkins, John Gallagher III, Jim Schwantes, and Patricia Soutas-Little offered comments listing several reasons why they feel the concrete curb requirement should be eliminated from our Commercial Driveway standards.

Charlie Edson provided a summary of the report distributed to the Board at the April 2, 2019 regular meeting. He also presented a pictorial display of various road intersections and driveways within the County as a means of supporting the group's contention that concrete curbs do not help protect the road surface.

Edson further explained that their report includes several categories for how the proposed driveway is to be classified that are based upon the average number of daily trips as determined by the applicant. The applicant's choice of classification would indicate what improvements would be required when building a driveway. This process which is designed to be transparent to both the applicant and to the Road Commission staff would also allow the applicant to choose other options besides B-2 curb and guard rail to prevent traffic from going off the paved drive and road surface.

Further discussion ensued as Popa, Joyce, Eckerle offered their thoughts on the proposal. Comments were also offered by Alan McKisson, Doug Matthies, Steve Yoder, Gallagher and Nate Griswold.

Priest informed the Board he and Johnson had come up with recommendations of their own with each board member receiving a copy. Nedow was then asked to read them aloud. When he finished, Eckerle ripped up staff's recommendations and stated they are an embarrassment to the Road Commission.

Joyce stated that his #1 goal is to get this done as timely as possible in hopes an accord could be reached that would make everyone happy. Popa suggested staff could meet with the group to discuss finding a common ground acceptable to both sides.

Soutas-Little suggested a course of action that would grant pending permit applications provisional approval without the B-2 curb requirement so that the applicants could proceed with constructing their drives with the understanding additional driveway improvements may be required later on.

Priest also suggested that the Board could solve the impasse by reviewing every commercial driveway application request as had been done in the past.

Joyce then stated he would be willing to hold additional special meeting until this matter is hammered out.

Motion by Joyce, supported by Eckerle to schedule a special meeting for Wednesday, April 10, 2019 at 5:00 PM to meet with the C3A advisory group.

Discussion: None.

Ayes: Joyce, Popa, Eckerle and Mikowski. Nays: None. Absent: Calhoun. – Motion is hereby adopted.

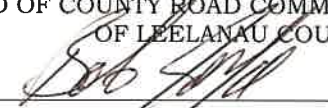
Public comments:

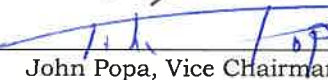
Heard comments from McKisson, Matthies, Edson, Griswold and Bob Gregory. Gregory stated he has a lot of respect for everyone in the room and staff has done an excellent job keeping our county roads safe and well maintained. He disagrees with the suggestion that local, township and other governmental agencies be exempted from commercial driveway standards and that he does not support requiring B-2 curbing as a means of protecting the road edges.

Matthies stated he would prefer to have time to digest and understand what is being proposed before he would be able to comment. Priest then asked the audience if anyone had any objections to utilizing ditches as a means of controlling traffic in place of B-2 curbing and offered to meet with the group again before the special meeting. Griswold claimed that due to the unique characteristics of his property, ditches would not be a viable option for him.

With no more business to conduct, Joyce adjourned the meeting at 2:30 PM.


BOARD OF COUNTY ROAD COMMISSIONERS
OF LEELANAU COUNTY

By 
Bob Joyce, Chairman

By 
John Popa, Vice Chairman

By Absent
Jim Calhoun, Member

By 
Tom Eckerle, Member

By 
Greg Mikowski, Member

Attest: 
Joel T. Nedow-Secretary to the Board

A **special** meeting of the Board of County Road Commissioners of Leelanau County was called to order by Chairman Robert Joyce at 5:00 p.m. on Thursday, April 10, 2019 at 10550 E. Eckerle Road, Suttons Bay, Michigan. Present: Chairman Robert Joyce, Vice-chairman John Popa, members Tom Eckerle, Jim Calhoun and Greg Mikowski. Also present: Interim Manager Dave Priest, Engineer James C. Johnson, Maple City Foreman Gino Grimaldi and Finance Manager/Secretary to the Board Joe Nedow. Guests were present.

The purpose of the meeting was to meet with representatives of the Citizens for Aesthetic & Affordable Approaches advisory group to discuss their recommendations to update/change the Road Commission's Commercial Driveway standards.

Public Comments: None.

C3A spokesperson Charlie Edson began the discussion by distributing copies of a proposed permit application checklist that the group had put together for the Board to consider adopting. Edson provided a step-by-step explanation of the six steps an applicant would need to complete when applying for a driveway permit.

Step One lists five categories (Residential 1; Residential 2; Light Commercial; Medium Commercial and Heavy Commercial) the applicant would select that is based upon the expected traffic flow based upon the average hourly traffic or cars per hour or average daily traffic for vehicles per day. Table One lists the minimum and maximum driveway widths, radius, paved shoulder requirements, additional paving requirements, concrete curbs and gutter requirements and alternative cur methods are allowed from a list of proposed choices.

Step Two is used to determine if the driveway may be exempt from any new requirements if certain criteria are met.

Step Three determines additional driveway parameters that would dictate what additional options/solutions would be required by the Road Commission as listed on a supplementary table included in the application. This table shows what the general requirements would be for each category as follows:

"Projects located on an unpaved road" (no paving, curb or gutter required);

"Projects located on a paved roadway without curbs" (requirements listed on a table titled "*Driveway and Approach Requirements*", and

"Project located on a paved road with established curbed roadway with sidewalks (urban only)" (curb cuts and paving are mandatory for all commercial and multi-residential; and may be required for single family applications in accordance to the requirements listed in the table titled "*Driveway Categories and Approach Requirements*"

Step Four covers which additional fees, such as escrow deposit, letter of credit, bonds and insurance requirements are applicable. This section would also prompt the applicant if they feel they should be exempt from additional requirement and fees requested.

Step Five is the actual Road Commission permit the applicant would fill out.

Step Six is a certification affidavit to be signed by the applicant asserting the information provided in the application is truthful and accurate. The statement includes a provision that the Road Commission would periodically monitor the driveway to ensure compliance with the specified condition that if the applicant fails to maintain their driveway, they may be liable for additional requirements.

Popa extended his appreciation to Edson for the amount of work that went into creating this document. Joyce asked Edson what issues need to be resolved. Edson and Doug Matthies stated that they had met with Johnson and Priest on Monday past and that the two sides had reached an impasse on several topics. The group had narrowed the number of possible categories from eight down to five but there is still disagreement how to measure traffic. Both Edson and Matthies voiced their opinions that the seasonal aspect of their businesses reflects two distinct differences, such as a higher traffic count in the summer months is much greater than what is realized during the late fall to spring months. Both stated it makes little sense to design and build a driveway to accommodate high volume for only a few weeks per year instead of what the year-round average would suggest.

Also, there is disagreement on the list of alternative curb methods. Priest stated that the proposed checklist includes rock or brick walls and landscape rocks and timbers which, if placed in the road right of way, could expose the Road Commission to significant liability.

Soutas-Little stated she felt that the application checklist would be a step in the right direction to make the driveway permit process transparent to the public and simplify the process with no guess work needed. She also stated her viewpoint that including this checklist along with the Road Commission's right of way standards would be a significant improvement for all.

Further discussion ensued. Popa stated he would not be comfortable with making a decision until staff had the opportunity to review the checklist and offer their critique on what is being proposed. Eckerle asked if the checklist makes any distinction between the type of road surfaces (tar-chip, seal coat or asphalt pavement). Edson responded that the only distinction is between dirt/gravel and any type of pavement. Eckerle then stated he is 100% against curb and gutter as he feels they result in additional cost to the Road Commission thru unwarranted wear and tear on our equipment.

Comments were also heard from Nate Griswold on the topic of curb cuts.

Mikowski asked staff if the radius and tapers listed in the checklist table coincide with what the Road Commission has now. Johnson stated they are similar to our present standards. Johnson also suggested that a new driveway permit application form has been created by the County Road Association of Michigan with the intent to be universally adopted by the CRA membership. A new version of the form is expected very soon.

Alan McKisson offered comments on his desire to personalize what type of alternative curb methods he would like to use. He also urged the Board to make a decision very soon if the checklist should be adopted.

Joyce offered his opinion that breakaway reflective stakes could be feasible as another alternative to curb and ditches.

Eckerle then stated he would prefer to adopt the checklist today as presented, and any changes could be made later on if needed. Joyce disagreed, stating he would prefer to have staff review what is being proposed. He asked Johnson if he would have staff's recommendations ready for the Board in time for the April 16th regular meeting to which Johnson stated he could.

Calhoun asked if it would be prudent to include the contractor who would be building the driveway with the checklist which he feels would take advantage of contractor's expertise and experience during the process.

Nedow was asked to postpone the 2018 financial statement audit report to a later date to accommodate this discussion.


Public comments: None.

Commissioner comments: None.

With no more business, Joyce adjourned the meeting at 6:24 PM.

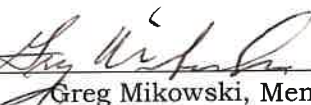
BOARD OF COUNTY ROAD COMMISSIONERS
OF LEECLANAU COUNTY

By  _____
Bob Joyce, Chairman

By  _____
John Popa, Vice Chairman

By  _____
Jim Calhoun, Member

By  _____
Tom Eckerle, Member

By  _____
Greg Mikowski, Member

Attest:  _____
Joel T. Nedow-Secretary to the Board

A regular meeting of the Board of County Road Commissioners of Leelanau County was called to order by Chairman Robert Joyce at 3:45 p.m. on Tuesday, April 16, 2019 at 10550 E. Eckerle Road, Suttons Bay, Michigan. Present: Chairman Robert Joyce, Vice-chairman John Popa, members Jim Calhoun, Tom Eckerle and Greg Mikowski. Also present: Interim Manager Dave Priest, Engineer James C. Johnson and Finance Manager/Secretary to the Board Joe Nedow. Guests were present.

Joyce convened the meeting to conduct interviews for two Manager Candidates prior to the start of the regular meeting. As with the past interview sessions, each board member took turns asking questions. At the conclusion of the first interview, discussion ensued concerning scheduling a special meeting to determine the next step in the process and to consider and evaluate the applicants interviewed to date.

Motion by Eckerle, supported by Popa to schedule a special meeting for Thursday, April 18, 2019 starting at 6:30 p.m. at the Suttons Bay office.

Discussion: Calhoun and Eckerle stated they would contact Nedow in the morning if they had any scheduling conflicts. Ayes: Joyce, Popa, Calhoun, Eckerle and Mikowski. Nays: None. – Motion is hereby approved.

Joyce then recessed the meeting at 4:30 p.m.

At 4:50 p.m. Joyce reconvened the meeting to conduct the second interview scheduled. At the conclusion of this interview, Joyce recessed the meeting at 5:38 p.m.

At 6:00 p.m. Joyce reconvened the regular meeting. Present: Chairman Robert Joyce, Vice-chairman John Popa, members Tom Eckerle and Greg Mikowski. Also present: Interim Manager Dave Priest, Engineer James C. Johnson and Finance Manager/Secretary to the Board Joe Nedow. Member Jim Calhoun was absent. Guests were present

Agenda: approved as written.

Vouchers 41589 thru 41636 in the amount of \$246,896.74 – approved.

Minutes from April 2, 2019 regular meeting, and the April 4, and April 10, 2019 special meetings – approved.

Public Comments: None.

Communications:

-Letter dated April 3, 2019 from the Office of the Leelanau County Drain Commissioner to the owners of potential properties within the petitioned Schomberg Road Drain Drainage District. A petition was filed to locate, establish and construct a new County Drain in the Schomberg Road area in which the Road Commission has property. A public hearing has been scheduled for April 23, 2019 at the Leland Township Library at 6:30 p.m. when public comment will be taken. If established, the owners of the affected properties will be assessed to fund the project.

-Letter dated April 1, 2019 from F. B. Harrison who, on behalf of the residents living on Highpoint Drive, thanked the Road Commission and crew members for all the good work performed (winter snow plow activities and spring clean-up) this past winter.

Staff reports:

-Priest reported receiving a few complaints after last week's snow storm. Plow trucks had been immediately dispatched but had difficulty keeping ahead of the rapidly accumulating snow fall and resulting conditions. Crews have resumed spring sweeping which he expects to continue for several weeks.

Johnson:

-Stated the Road Commission may receive a Petition to Abandon Road request for Pierce Road that services Kasson Sand & Gravel property. The road is in rough shape. In recent weeks, work crews have had to make repairs to several portions of the pavement that had broken apart.

-Gills Pier Road – Hailey lawsuit: Johnson learned that this pending litigation filed by residents who's residence sustained damage to their home when the road flooded last spring has concluded with a confidential settlement negotiated on our behalf by lawyers provided by the Michigan County Road Commission Self Insurance Pool.

-Reynolds Street-Leland: Johnson provided an update that the lawyer representing Leland Township will be meeting with the attorney Ordway who represents the Janko/Joyse family interests to discuss whether there are sufficient grounds to support their claim. Johnson further explained that the attorney the Pool hired to provide a legal opinion whether the Road Commission's position on the Reynold's Street road-end is defensible had provided a preliminary verbal report in which the attorney opines support for the Road Commission's claim.

Popa asked Johnson for an update regarding the road abandonment initiative for three roads located in Empire Township. Johnson reported that when he last spoke to representatives from Empire Township last December, their Board had asked the Road Commission to contact effected property owners to determine if there were any objections to the abandonments before their Board would be willing to submit abandonment petitions. To date, the Township has not yet provided contact information for the property owners.

Review staff's response to C3A advisory group commercial driveway checklist/request to update Commercial driveway standards:

Johnson and Priest offered their recommendation for revising the Road Commission's Commercial Driveway standards, consisting of the following:

- Add a sixth category (Small Business) that would require a driveway to be paved 24 feet wide, with a 25 foot radiuses, 35 foot tapers (no curb radiuses required) and less than 5 Class 3 to Class 8 trucks per day (DHV<15; ADT <150)
- Add the following alternatives to B-2 curbed radiuses for Categories 4 & 6 to include ditches, guardrails and rumble strips ground into the pavement. Where staff determines that the circumstances of a particular driveway approach make ditches unsuitable, the use of 2 lb/lft steel delineator posts with reflectors, spaced no more than ten feet apart along each radius of the driveway.
- Suggestion to modify existing policy to state that staff may issue driveway permits for gravel surfaced driveways (no curb radiuses required) for all categories of driveway approach onto an existing gravel county road.
- Applicant for any driveway other than a single family residence provide a design drawing to demonstrate how they intend to apply the aspects of our Typical Sketch to their site. The purpose of this requirement is to make sure that the contractor has adequate grades and elevations to successfully build the driveway, and that contractors are not necessarily good at design work.

Further discussion ensued, including comments offered by Charlie Edson, Doug Matthies, Jim Bardenhagen, Alan McKisson and Nate Griswold. Priest stated allowing other alternatives to the B-2 curbing suggested by the C3A advisory group would expose the Road Commission to potential liability (such as low fencing, landscape rocks or walls or even low berms). Further, he stated as the Road Commission does not have the ability to enforce permit compliance after the permit has been issued, the list of acceptable alternative to B-2 curb radiuses should be of a permanent nature (not flowers, plants, shrubs or sticks).

When the advisory group stated they were not in favor of holding an additional meeting with staff to try to resolve contested points, Joyce went thru staff's recommendation one item at a time to get consensus on each point.

Agreed upon edits include the following:

- For Category Two (3-4 buildable lots): change pave 24 feet wide to pave 22 feet wide.
- For Category Four (15 or more buildable lots) and Category Six (Commercial): include list of acceptable alternatives to B-2 curb radiuses.
- For proposed "new" Category 5 (Small Business): change the proposed "less than 5 Class 3 to Class 8 trucks per day (DHV<15; ADT<150)" to "less than 10 Class 5 to Class 8 trucks per day (ADT<150)" and to delete any reference to DHV as a measurable criteria.
- Clarify that agricultural farming activity would continue to be classified as Category One (no paving/curb radiuses required).
- Agreed to include the proposed permit application checklist as part of the Road Commission's driveway standards to allow for full transparency. Because the Road Commission does not have the ability to enforce compliance after the permit has been approved, the certification affidavit would be moot and therefore removed from the checklist.
- Agree that staff would have the authority to approve the choice of an acceptable alternative to B-2 curb radiuses. In the event there is disagreement between staff and the applicant as to which alternative is selected, the applicant has the right to petition the Board to approve an option from the list of acceptable alternatives.

Joyce asked Johnson how long it would take him to have an updated version of what was discussed today ready for the advisory group and Board to review. Johnson acknowledged he should have his updated recommendations ready in time for the May 7th regular meeting Nedow offered to post the updated Commercial Driveway standards on the Road Commission's website when the meeting packet would be sent out the Thursday prior to the May 7th Board meeting if that would be helpful to the advisory group membership.

Motion by Eckerle, supported by Mikowski directing staff to revise the Road Commission's current Road Right of Way Standards to reflect the changes agreed upon during today's meeting and to have the revised document ready by May 3rd when the May 7, 2019 meeting packet is sent out.

Ayes: Joyce, Popa, Eckerle and Mikowski. Nays: None. Absent: Calhoun. - Motion is hereby adopted.

Request to approve audited Act 51 report:

Nedow asked the Board accept the audited 2018 Act-51 report during today's session so that the report can be filed with the Michigan Department of Transportation by May 1st deadline.

Motion by Popa, supported by Mikowski to accept/approve the 2018 audited Act-51 report as presented.

Discussion: None.

Ayes: Joyce, Popa, Eckerle and Mikowski. Nays: None. Absent: Calhoun. - Motion is hereby adopted.

Public Comments:

Suttons Bay employee Dan Schaub stated the Road Commission vehicle decals are out of date (the present version has a star depicting Leland as the location as the County. He also stated he had brought this to staff's attention but his observation was not remedied.

Charlie Edson thanked the Board and staff for reaching an accommodation regarding updating the Road Commission's commitment to update our Road Right of Way standards.

Doug Matthies thanked retiring employee Tim Eggert for his past service as Eggert has plowed where Matthies lives for many years.

Commissioner Comments:

Mikowski, Joyce, Popa and Eckerle thanked the members of the C3A advisory group and staff for their efforts.

With no more business to conduct, Joyce adjourned the meeting at 7:44 p.m.

BOARD OF COUNTY ROAD COMMISSIONERS
OF LEECLANAU COUNTY

By [Signature]
Bob Joyce, Chairman

By [Signature]
John Popa, Vice Chairman

By [Signature]
Jim Calhoun, Member

By [Signature]
Tom Eckerle, Member

By _____
Greg Mikowski, Member

Attest: [Signature]
Joel T. Nedow-Secretary to the Board

A **special** meeting of the Board of County Road Commissioners of Leelanau County was called to order by Vice-chairman John Popa at 6:41 p.m. on Thursday, April 18, 2019 at 10550 E. Eckerle Road, Suttons Bay, Michigan. Present: Vice-chairman John Popa, members Jim Calhoun, Tom Eckerle, Jim Calhoun and Greg Mikowski. Also present: Finance Manager/Secretary to the Board Joe Nedow. Guests were present. At 6:43 p.m. Popa turned the meeting over to Joyce.

Purpose of the meeting: discuss Manager Candidate applications and qualifications for the applicants interviewed by the Board during the April 2nd and April 16th regular meetings.

Public Comments: Bingham Township Supervisor Midge Werner listed various reasons why she feels applicant Mike TenBrock should be offered the Manager position.

Motion by Popa, supported by Eckerle and Mikowski to enter into closed session so that the Board can discuss the merits and qualifications for those applicants interviewed by the Board.

Discussion: None.

Ayes: Joyce, Popa, Calhoun, Eckerle and Mikowski. Nays: None. – Motion is hereby adopted.

The Board then entered into closed session at 6:50 p.m.

At 8:13 p.m. the Board exited the closed session and Joyce reconvened the regular session.

Motion by Eckerle, supported by Mikowski, to schedule a special meeting for Tuesday, April 23, 2019 at 1:00 p.m. so that the Board can meet with the interim Superintendent/Manager to discuss, if offered, the expectations of the Manager position.

Discussion: None.

Ayes: Joyce, Popa, Calhoun, Eckerle and Mikowski. Nays: None. – Motion is hereby adopted.

Public comments: Werner repeated her support for TenBrock for the Manager position, including asking several questions as to who is being considered.

Commissioner comments:

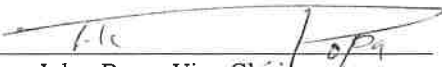
Mikowski thanked everyone for their efforts and voiced his intent to stay with it and complete the process.

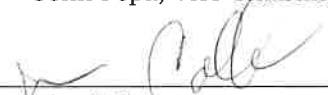
Popa stated he would be unavailable Tuesday but would type up a list of expectations for the Manager which he will send to Nedow for distribution to the other Board members prior to the special meeting.

With no more business, Joyce adjourned the meeting at 8:16 p.m.

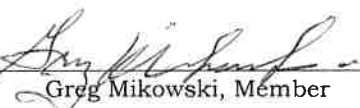
BOARD OF COUNTY ROAD COMMISSIONERS
OF LEELANAU COUNTY

By 
Bob Joyce, Chairman

By 
John Popa, Vice Chairman

By 
Jim Calhoun, Member

By 
Tom Eckerle, Member

By 
Greg Mikowski, Member

Attest: 
Joel T. Nedow-Secretary to the Board

April 23, 2019 Special Meeting

A **special** meeting of the Board of County Road Commissioners of Leelanau County was called to order by Chairman Robert Joyce at 1:00 p.m. on Tuesday, April 23, 2019 at 10550 E. Eckerle Road, Suttons Bay, Michigan. Present: Chairman Robert Joyce, Vice-chairman John Popa, members Jim Calhoun, Tom Eckerle and Greg Mikowski. Also present: Interim Manager Dave Priest and Finance Manager/Secretary to the Board Joe Nedow. Guests were present.

The purpose of the meeting was to meet with the interim Superintendent/Manager to discuss, if offered, the expectations of the Manager position.

Public Comments: None.

Priest was given a single page document titled "For Manager Candidate to consider" (drafted by Popa). The document stated there is no interest in combining the Manager and Superintendent positions as this time and to keep the two positions separate. It also stated the Manager position would be an "indoor desk job with travels for necessary business."

Various topics and expected goals were also listed for Manager Candidates to consider.

Priest asked if this sheet was the ideas of one person, or if the items listed are supported by other Board members. Popa stated he drafted the document to summarize the tasks he thought important for the new Manager to concentrate on during the first year of employment. Each commissioner had the opportunity to review the topics he listed to which no objections were offered. Priest then opined that having a separate Manager position is not necessary and doing so would be a waste of taxpayer's money, since the Road Commission had successfully operated with a Superintendent/Manager for many years.

Eckerle stated that while he was not happy with the last Manager, he believes having one person assume both jobs is counterproductive given the level of expected duties and responsibilities both jobs require. He further added his viewpoint is not directed at Priest personally, it is based upon his belief that there are too many important tasks for one person to manage effectively.

Joyce and Popa echoed Eckerle's remarks, and Joyce informed Priest that in his opinion, the topics listed in the document are important but there is flexibility to alter the list if the need arises.

Priest then stated he works a lot of uncompensated over-time and his present salary does not take the numerous additional hours into account. He also asked the Board why they support having separate positions now when previous conversations he had with Board members indicated interest in a combined position.

Popa stated he would support keeping the \$4,000.00 increase Priest received when he took over the dual role in January and that he would be willing to explore adjusting his wages to reflect the number of additional hours worked. Joyce stated he agrees with Popa's suggestion.

Priest then asked what salary is proposed if he were offered the Manager position. Joyce stated two amounts were mentioned, ranging from \$72,000.00 up to \$75,000.00. Further discussion ensued as to what the replacement Superintendent would be offered if Priest was offered and accepted the Manager position. Calhoun's suggested the Manager should decide who to hire for a replacement Superintendent if Priest accepted the Manager position. Joyce disagreed, opining the potential vacancy should be outsourced with the Board making that decision.

Joyce then said the position is being offered to Priest first, acknowledging Priest has been up-front that he has been consistent in his preference to continue to be in the field with the work as a Superintendent/Manager and not as a Manager only.

When Priest stated the other candidate when interviewed had also expressed a desire to be in the field and not behind a desk too, Mikowski responded that most of the Board members have expressed their desire to keep the two positions separate. Mikowski also expressed his support for offering Priest the Manager position first.

Popa stated he likes Kelenske's credentials and that he would like to have another meeting so that the Board could ascertain what the other candidate has to say about the expectations of the Manager position discussed during today's meeting.

Motion by Popa, supported by Eckerle, to schedule a second interview with Manager Candidate Justin Kelenske to discuss the various expectations of the Manager position.

Discussion: Joyce stated his opinion that the Board should offer the position to Priest who he feels has earned that right. Eckerle disagreed, stating his opinion that if a decision is not made soon Kelenske would be immersed in his present job with Elmers.

Priest suggested he would be willing to contact Kelenske to speak with him in person so that he could determine whether or not to accept the Manager position or step back into the Superintendent role. Joyce stated he supports Priest's suggestion.

Popa was asked by Joyce if he wanted to rescind his motion to which he stated he did not.
Vote: Ayes: Popa and Eckerle. Nays: Joyce, Calhoun and Mikowski. Motion fails.

Calhoun started to make a motion to offer the Manager position to Priest, with salary to be determined at a later date. Joyce interrupted, stating he would not consider Calhoun's motion because the position is still under discussion and should be rescinded.

Motion by Joyce, supported by Mikowski, that the Board is still discussing the Manager position. Ayes: Joyce, Popa, Calhoun, Eckerle and Mikowski. Nays: None. - Motion is hereby adopted.

Joyce then asked Priest to go over what was discussed during today's meeting and to let the Board know as soon as possible whether he would agree to continue to be a candidate for the Manager position or withdraw and step back into the Superintendent position.

Public comments:

Leelanau Enterprise Eric Carlson stated he thought it was a great idea for Priest to contact Kelenske given that the two could be working together.

Dave M. Priest (Dave Priest's father) asked the Board to consider offering his son the Superintendent/Manager position as a six month trial.

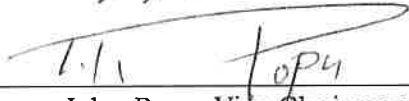
Commissioner comments:

Mikowski and Popa expressed their hopes for a quick outcome. Calhoun asked the Board to be mindful of staff when scheduling additional meetings. Eckerle stated he didn't want any further delays as doing so could result in losing a good candidate. He also stated he does not care whether staff would need to work additional hours to accommodate late meetings.

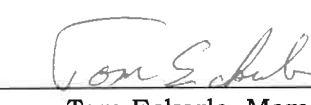
With no more business, Joyce adjourned the meeting at 1:29 PM.


BOARD OF COUNTY ROAD COMMISSIONERS
OF LEELANAU COUNTY

By 
Bob Joyce, Chairman

By 
John Popa, Vice Chairman

By 
Jim Calhoun, Member

By 
Tom Eckerle, Member

By 
Greg Mikowski, Member

Attest: 
Joel T. Nedow-Secretary to the Board

April 29, 2019 Special Meeting

A special meeting of the Board of County Road Commissioners of Leelanau County was called to order by Chairman Robert Joyce at 6:30 p.m. on Monday, April 29, 2019 at 10550 E. Eckerle Road, Suttons Bay, Michigan. Present: Chairman Robert Joyce, Vice-chairman John Popa, members Tom Eckerle and Greg Mikowski. Member Jim Calhoun was absent. Also present: Interim Manager Dave Priest and Finance Manager/Secretary to the Board Joe Nedow. Guests were present.

The purpose of the meeting was to meet with Manager-candidate Justin Kelenske to discuss, if offered, the expectations of the Manager position.

Public Comments: None.

Kelenske was given a single page document titled "For Manager Candidate to consider" (drafted by Popa).

Various topics and expected goals and tasks were listed. Joyce asked Kelenske if he had any problems with the content of what was listed, and Kelenske responded that in his opinion, the statement "will be an indoor desk job with travels for necessary business" appears to conflict with the Manager's job description he had been provided. Joyce then stated that as far as he is concerned, the subjects listed in the document could be subject to change.

Further comments were offered by Popa, Mikowski and Eckerle as to what their expectations for this position are. Popa asked the other Board members if there is any interest in asking Ron Rohloff back for a second interview. Joyce and Eckerle stated they do not have any interest in doing so and stated their support for offering Kelenske the Manager position.

Further discussion ensued as the next step. Nedow suggested the Board could go into closed session to debate salary and benefits if they wished. When asked by Joyce, Eckerle, Popa and Mikowski stated they would prefer to remain in open session.

Kelenske stated he is hoping to receive an offer at this meeting and if so, his first day would be May 13th. When asked what salary level he is expecting, Kelenske stated he is seeking \$80,000.00.

Further discussion ensued as to what salary the Board would be willing to make. Joyce suggested a starting salary of \$75,000.00 with a six month review to follow to get him closer to his requested salary. Kelenske did not agree, stating the expected starting salary he had given earlier was the lowest he would be willing to accept. Joyce then asked if a \$77,500.00 salary with a six month review would be reasonable. However, Kelenske stated the amount offered was still too low. Popa and Mikowski stated they would prefer to offer a lower salary to start with the understanding that there would be a six month review at which time Kelenske's salary could be adjusted.

Motion by Popa to offer Justin Kelenske a starting salary of \$77,500.00 with three weeks paid vacation and use of a Road Commission vehicle.

Popa's motion failed for lack of support.

Eckerle expressed his viewpoint that arguing over a few thousand dollars and risk losing a good candidate make no sense to him. Kelenske then made the following counter-proposal: Offer a \$80,000.00 starting salary with the offer to voluntarily reduce his salary to \$77,500.00 if, at the end of six months, the Board felt that his performance was not meeting their expectations.

Motion by Joyce, supported by Eckerle, to offer Justin Kelenske the Manager position, with a starting salary of \$80,000.00 including three weeks of vacation, and the use of a Road Commission vehicle.

Discussion: Popa stated he felt the offer was too much and not fair to Priest.
Vote: Ayes: Joyce, Eckerle and Mikowski. Nays: Popa. Absent: Calhoun. - Motion is hereby adopted.

Public comments:

Elmners Project Manager Alan McDonald stated he is here to support Kelenske and that the Board made a good choice. Leelanau Enterprise reporter Eric Carlson offered his congratulations to Kelenske and asked to take a photo for his newspaper.

Page 2 (Continued)

Commissioner comments:

Joyce asked Nedow to include reviewing the Superintendent's salary on the May 7th meeting agenda.

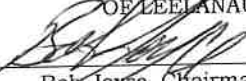
Popa asked Nedow to include hiring an engineer also on the May 7th agenda.

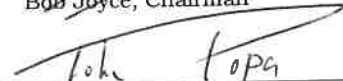
Eckerle welcomed Kelenske to his new position and urged him to implement changes which he feels is overdue. He also shared his negative views on the policies and practices of the Michigan Department of Transportation with Kelenske.

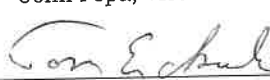
Popa stated he disagrees with Eckerle's comments and views about MDOT and stated our relationship with them has been beneficial. Eckerle clarified his remarks, stating his comments were meant for the State roads and not about the county roads.

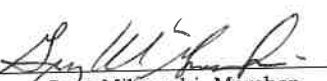
With no more business, Joyce adjourned the meeting at 7:15 p.m.

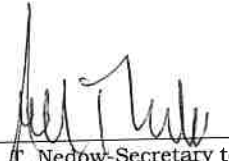
BOARD OF COUNTY ROAD COMMISSIONERS
OF LEELANAU COUNTY

By 
Bob Joyce, Chairman

By 
John Popa, Vice chairman

By 
Tom Eckerle, Member

By 
Greg Mikowski, Member

Attest: 
Joel T. Nedow - Secretary to the Board

A regular meeting of the Board of County Road Commissioners of Leelanau County was called to order by Chairman Robert Joyce at 1:00 p.m. on Tuesday, May 7, 2019 at 10550 E. Eckerle Road, Suttons Bay, Michigan. Present: Chairman Robert Joyce, Vice-chairman John Popa, members Jim Calhoun, Tom Eckerle and Greg Mikowski. Also present: Interim Manager Dave Priest, Fleet Manager Dustin Albrecht and Finance Manager/Secretary to the Board Joe Nedow. Guests were present.

Agenda: approved as written.

Vouchers 41637 thru 41669 in the amount of \$127,188.08 – approved.

Minutes from April 16, 2019 regular meeting, and the April 18, 2019, April 23, 2019 and April 29, 2019 special meetings – approved.

Public Comments: None.

Communications:

-Email dated April 17, 2019 from attorney Keegan Brennan, representing Rieth-Riley Construction that included a Petition to Abandon Road for Pierce Road – Kasson Township which runs through the Kasson Sand & Gravel property.

Motion by Calhoun, supported by Mikowski to schedule a public hearing on Tuesday, June 18, 2019 at 1:10 p.m. to hear comments regarding the Petition to Abandon Road request submitted by Rieth-Riley Construction Company for Pierce Road.

Discussion: Popa: stated he thought he read a recent news article from the County Road Association of Michigan that now requires the road proposed to be abandoned be offered to the Township in which it is located. Nedow stated he is not aware of any changes in the road abandonment statutes Popa is referring to but stated he will investigate.

Ayes: Joyce, Popa, Calhoun, Eckerle and Mikowski. Nays: None. – Motion is hereby adopted.

-Letter dated April 3, 2019 from the County Road Association of Michigan requesting a ballot be cast regarding revisions to the CRA Constitution and Bylaws as presented. A marked-up copy of the Constitution and Bylaws was provided showing the proposed deletions and additions that the membership is being asked to review and vote on. Nedow stated he has reviewed the revised document and has no objections to what is being proposed.

Motion by Calhoun, supported by Popa to approve the revised County Road Association Constitution and Bylaws as presented, directing staff to cast a “yes” vote on the included ballot.

Discussion: None.

Ayes: Joyce, Popa, Calhoun, Eckerle and Mikowski. Nays: None. – Motion is hereby adopted.

Appointments:

At 1:10 p.m. the Board met with Tom Smith of Smith & Klaczkiewicz PC who presented the 2018 audited financial report/statements to the Board. The audit resulted in a clean opinion, that the financial statements present fairly, in all material respects, the financial position of the Road Commission (an unqualified opinion). On site testing included a review of all credit card purchases as well as the traditional sampling of various financial transactions to ensure that all internal control guidelines and practices are being followed. Smith then went through various pages of the report highlighting areas of possible interest to the Board.

As in previous audits, the report also includes a significant deficiency observation: segregation of incompatible duties associated with the duties performed by the Finance Manager. Smith pointed out that this finding is common with all small road commissions which do not have the staff to adequately ensure optimal segregation of duties. The report stated the Board is aware of this deficiency and has historically held the position that the costs to implement corrective measures out-weigh the potential inherent risks.

Popa asked several questions about many of the terms used in the report. Joyce asked what steps the Board could take to eliminate this audit finding. Smith responded that in his opinion two full-time administrative staff members would need to be added to satisfy the segregation deficiency. As such, Smith suggested that as long as the Board is aware the inherent risks given the high cost to implement the corrective measures. Nedow suggested he would be willing to ask the County Treasurer to review the Road Commission’s monthly bank reconciliations to supplement strengthening our internal controls.

Motion by Calhoun, supported by Mikowski to accept the 2018 audited financial statements and audit report as presented by Tom Smith of Smith & Klaczkiewicz PC.

Ayes: Joyce, Popa Calhoun, Eckerle and Mikowski. Nays: None. – Motion is hereby approved.

Staff reports:

-Priest reported he and Johnson had met with the owners of the fence infringing in the Glen Eden road right of way who agreed to relocate their fence. When done, Priest expects the lawsuit would then be dismissed.

Spring sweeping is expected to be finished soon, and the crack sealing operation will commence as soon as the weather is warm enough.

-Nedow reported Suttons Bay employee Tim Eggert is retiring this Thursday after forty-two years of service with the Road Commission. He also provided an update on the payroll kiosk system scheduled to start Monday at the Maple City garage.

Review revised Road Right of Way Standards (as updated to reflect agreed upon changes discussed during the April 16, 2019 regular meeting):

C3A Advisory group representatives Charlie Edson, Jim Bardenhagen and Patricia Soutas-Little offered their thoughts on the proposed revisions. Edson expressed his concern that the document does not clearly define how ADT (average daily traffic) measurement is calculated. He tried to google the American Association of State Highway and Transportation Officials website to see if he could find a clear definition but found he was unable to access any useful information.

Edson questioned whether the definition in the revised standards reflect what was agreed upon during the April 16, 2019 meeting (recognize the seasonal nature of traffic flow). Questions were also posed by Bardenhagen and Soutas-Little on other aspects of the revised document including a request for more clarity.

Further discussion ensued, with Jim Bardenhagen and Patricia Soutas-Little offering their thoughts. Popa informed Edson it would be more efficient if the members of the C3A advisory group meet with staff who he feels is in a better position to respond to their concerns before asking the Board to approve a revised document. Joyce stated he agrees with Popa's suggestion and agreed with Edson's remarks that the document should be revised to include more detailed descriptions defining the various terms referenced in the proposed revised edition.

Recommendation: awarding bid for wheeled excavator:

Albrecht provided a written recommendation for purchasing a wheeled excavator (40,000 – 47,000 pound operating weight range) to replace our 1998 Badger 1085C unit. The following bids were offered (thru the MiDeal and Sourcewell governmental pricing programs):

-Michigan CAT for a new Caterpillar M318F @ \$248,833.00; Alta Equipment Company for a new Volvo EW180E @ \$241,814.00; AIS Construction Equipment for a new John Deere 190GW @ \$245,827.00 along with a bid for demo unit John Deere 220DW with 140 machine hours but sold as new that includes a full warranty @ \$233,872.00.

Albrecht wrote that he tested all four machines and called several Road Commissions that had run similar units for an extended period of time. Based upon the results, he is recommending the Road Commission award the bid to AIS Construction Equipment for the John Deere 220DW demo unit even though it is a larger unit than the specifications he had asked for.

Motion by Calhoun, supported by Mikowski directing staff to accept the \$233,827.00 bid offered by AIS Construction Equipment for a used John Deere 220DW wheeled excavator (demo unit sold as new with 140 machine hours with full five year – 4,000 hour warranty as recommended by the Fleet Manager.

Discussion: none.

Ayes: Joyce, Popa, Calhoun, Eckerle and Mikowski. Nays: None. – Motion is hereby adopted.

AIS Construction Equipment Daniel Novak offered to cater a luncheon for the road commission employees this summer at AIS's expense which was graciously accepted.

Review Superintendent's salary:

Priest opened the discussion. Given the number of hours he puts in that include patrolling county roads in the early morning unlike the Superintendents at other road commissions, and he also responds to road-related matters during the evenings. Joyce agreed with Priest's observations and asked what he would feel is fair in regards to salary. Priest then suggested \$75,000.00 would be agreeable to him. Popa stated he had no problem with Priest keeping the \$4,000.00 increase given when he assumed the dual role of Superintendent/Manager this past January, but expressed his belief the amount Priest is requesting is high.

Motion by Calhoun, supported by Eckerle to increase Superintendent Dave Priest's salary to \$75,000.00.

Discussion: None.

Ayes: Joyce, Popa, Calhoun, Eckerle and Mikowski. Nays: None. – Motion is hereby approved.

Discussion: hiring an engineer to replace Johnson when he announces his retirement:

Popa asked for this topic to be on the agenda. He would like to hire an outside company to begin the search for another engineer to work with Johnson as soon as possible as he perceives a shortage of qualified candidates in the area.

Joyce reminded Popa that Johnson has not announced that he is intending to retire and any discussion concerning finding a replacement is premature. He also expressed his opinion that it should be the Board's decision and not the Manager's decision to hire a replacement engineer when Johnson announces his retirement. He also stated he does not support having two engineers on staff for an extended period of time. Calhoun and Mikowski expressed their preferences to begin advertising now, stating their opinions that given the importance of this position, they are fearful it will take several months to complete the candidate search process.

Motion by Calhoun to begin. Nedow asked Calhoun to clarify his motion. Motion by Calhoun to begin the search. Again, Nedow asked Calhoun for clarification as to his motion. Motion by Calhoun, supported by Popa to begin searching for an engineer by placing an advertisements.

Discussion: Joyce and Eckerle stated they would prefer to wait until the new Manager is acclimated to his new post. Joyce also stated the two new Board members have not seen the job description for the engineer position and no decision has been made as to a succession plan. When Popa stated it would only take a few minutes to review the job description today, Joyce declined, stating he does not have the time.

Ayes: Popa and Calhoun. Nays: Joyce, Eckerle and Mikowski. – Motion does not pass.

Public Comments:

Charlie Edson offered additional comments regarding the pending revised Road Right of Way Standards.

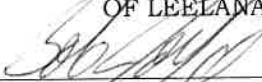
Commissioner Comments:

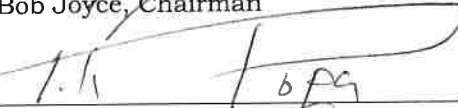
Popa asked who is going to the upcoming Paul Bunyan Council meeting as he is planning on attending. He also commented on the lack of information regarding the CR-669 FLAP-grant culvert project. Nedow provided a brief update, stating the plans have been submitted to the agency who oversees the grant for review. Once they are done, then the design plans are to be sent to MDOT for their review process before the project is approved for bidding, hopefully later this fall.


Eckerle asked Nedow to recite the subjects to be on the May 21, 2019 meeting agenda.

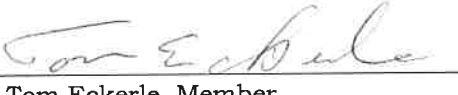
With no more business to conduct, Joyce adjourned the meeting at 2:35 p.m.


BOARD OF COUNTY ROAD COMMISSIONERS
OF LEECLANAU COUNTY

By 
Bob Joyce, Chairman

By 
John Popa, Vice Chairman

By 
Jim Calhoun, Member

By 
Tom Eckerle, Member

By 
Greg Mikowski, Member

Attest: 
Joel T. Nedow-Secretary to the Board

May 21, 2019

A regular meeting of the Board of County Road Commissioners of Leelanau County was called to order by Chairman Robert Joyce at 1:00 p.m. on Tuesday, May 21, 2019 at 10550 E. Eckerle Road, Suttons Bay, Michigan. Present: Chairman Robert Joyce, Vice-chairman John Popa, members Jim Calhoun, Tom Eckerle and Greg Mikowski. Also present: Manager Justin Kelenske and Finance Manager/Secretary to the Board Joe Nedow. Guests were present.

Agenda: Popa questioned why a topic he requested, an update on the Empire Township road abandonments was not on the agenda as he requested. Nedow responded that as there had been no change since the last meeting and Johnson would not be attending today's meeting, this topic was left off the agenda. Agenda approved as written.

Vouchers 41670 thru 41706 in the amount of \$126,373.60 – approved.

Minutes from May 7, 2019 regular meeting – approved.

Public Comments: Leelanau County Board of Commissioner and C3A spokesperson Patricia Soutas-Little. Soutas-Little offered her apologies for emailing the C3A group's comments/responses to the Road Commission's proposed revised Road Right of Way Standards late last week. She acknowledged that the Board may wish to defer any action so that they can have time to read and digest the group's concerns stated in their document.

Communications:

-Email dated May 7, 2019 from Tom Van Zoeren and family thanking the Road Commission for removing vegetation and trimming trees to improve the view at Inspiration Point Park.

-Email dated May 13, 2019 from John Gallagher III who asked the Road Commission for a written response on the issue of Bay View Weddings outstanding commercial driveway application and the anticipated impact of the proposed revised Road Right of Way Standards as they would apply to his current request. Under the current guidelines, the driveway would require a paved entrance and concrete curbing that would require a \$12,000.00 financial security. In anticipation of the new standards, a \$6,000.00 surety bond has been provided. Gallagher stated that this response would be used to satisfy/inform Elmwood Township officials to support issuing a special use permit from the Township. Johnson had replied to Gallagher on May 15th to inform him that staff is required to follow the current approved standards until the Board elects to adopt a new version and that he cannot predict when that will be.

-Letter dated May 19, 2019 from Glen Arbor residents John Lesperance and Robert Senk (including a "Petition to Keep Cheney Road Unpaved" dated 2014) requesting Cheney Road not be paved and remain gravel. While Glen Arbor Township has requested a paving project on this road, the process has not yet reached the point of any agreement between the Leelanau County Road Commission and Glen Arbor Township.

-Letter dated May 16, 2019 from Leelanau Township Supervisor Doug Scripps informing the Road Commission that the township portion of the CR-629 shoulder paving project is "fully realized", including contributions from TC Cycling Club, DALMAC Fund, Tri-County Cycling and the remaining balance from the Leelanau Township Community Foundation and Leelanau Township.

Appointments: None.

Staff reports:

-Kelenske provided an oral report summarizing on-going road maintenance activities. Spring sweeping has been completed; ditch work along CR-633, CR-618 and Lincoln Road is done; and centerline highway painting has started.

-Nedow reported MiLive.com has named Leelanau County as having the sixth best rated road system in the State of Michigan.

Proposed revised Road Right of Way Standards (Revision date May 7, 2019) and C3A email/commentary to proposed draft:

C3A Advisory group representatives Patricia Soutas-Little, Jim Bardenhagen, Doug Matthies and Alan McKisson were present to expand on the written commentary their group had provided summarizing their concerns that were discussed during the May 7, 2019 Road Commission meeting. Soutas-Little offered her comments as to more work is still needed with various parts of the revised draft regarding safety concerns which she feels should to be addressed.

Popa reminded her that he and Joyce had suggested the group meet with staff after the last meeting so that the two sides could discuss and work out any remaining issues prior to coming back to the Board with a revised draft both sides could accept.

Staff provided a draft motion for the Board to consider adopting. The proposed motion would adopt the May 7, 2019 version as presented (to allow pending commercial driveway applicants to proceed under the new guidelines) that would also include provisions to continue discussions between the Road Commission and the C3A Advisory group to clarify and update the ADT (Average Daily Traffic) definition to reflect the seasonal nature of Leelanau County traffic patterns.

Motion by Calhoun, supported by Mikowski to adopt the revised Leelanau County Road Commission Road Right of Way Standards (May 7, 2019 edition) as presented with the following conditions:

- The definition for ADT (Average Daily Traffic) be clearly defined in the proposed standards and updated to reflect the seasonal nature of Leelanau County traffic within 30 days.
- The revised Standards are applicable to all pending commercial driveway applications.
- The Board reserves the right to edit, deletions or additions to these Standards on an "as needed" basis.

Discussion: Popa objected to taking any action without consulting the engineer. He also stated he is confused on what is being adopted. Joyce stated this process has been going on long enough, and he supports moving forward. Nedow was asked to re-read the motion. Joyce then asked those present if they understood what is being adopted and asked if there were any objections. No objections were offered.

Ayes: Joyce, Popa, Calhoun, Eckerle and Mikowski. Nays: None. – Motion is hereby adopted.

Replacement Engineer:

Kelenske stated speaking to Johnson, who announced he will be retiring on July 11, 2019. As such, he is advising the Board to begin the search for a replacement as soon as possible.

Discussion ensued whether the Board should advertise for a Professional Engineer or an Engineering Technician. Nedow suggested placing an ad for both positions to attract a wider range of possible qualified candidates for consideration. Before doing so, Nedow is recommending the Board create the Engineering Technician position and create the corresponding job description so that he could proceed with placing an ad.

Motion by Eckerle, supported by Mikowski to create the position of Engineering Technician and to direct staff to create a job description for this position.

Discussion: None.

Ayes: Joyce, Popa, Calhoun, Eckerle and Mikowski. Nays: None. – Motion is hereby adopted.

Motion by Calhoun, supported by Mikowski authorizing Nedow to proceed with advertisements for the positions of Professional Engineer and/or Engineering Technician as soon as possible.

Discussion: None.

Ayes: Joyce, Popa, Calhoun, Eckerle and Mikowski. Nays: None. – Motion is hereby adopted.

Popa then distributed the resume of an engineer candidate who he would like to interview, stating he had already contacted four references for this possible applicant who he feels would be a good fit.

Calhoun disagreed stated his opinion that Board members have no business involving themselves with soliciting engineering candidates. If an applicant is interested, they can apply on their own. Mikowski and Joyce expressed their support to Calhoun's comments. Eckerle stated Popa could, as a private citizen advise a likely candidate to apply, but not as a representative of the Board.

Discussion: Spring Road tour - Popa:

Discussed, but no action taken. Joyce stated his opinion that having a tour now would not be beneficial, given that Kelenske is still getting acclimated to his new role and planning for this summer's paving projects is still in process.

Discussion: South Manitou Island road tour - Popa:

Discussion ensued as to the relevance of the entire Board going on this tour. Joyce stated his opinion that it is not fiscally prudent to go out to the island every year and suggested going every-other year. Eckerle and Mikowski suggested staff is capable to represent the Board's interests if there is a need to visit the island. Calhoun stated his opinion that given the road by the lake had been a problem in the recent past, it would be prudent to follow up on conditions on the island. As such, he volunteered to go without any cost to the County. Popa echoed Calhoun's comments, also volunteering to go.

However, no action was taken.

Discussion: Board members going to Township meetings - Popa:

Topic was discussed, but no action was taken.

Public Comments:

Doug Matthies offered his thanks to the Road Commission Board and staff for listening to the comments offered by the C3A advisory group that were incorporated into the revised Road Right of Way Standards. He asked the Board who the group should contact in setting up the next meeting with staff. Joyce told Matthies to contact Kelenske.


Commissioner Comments:

Congratulatory comments were offered by all five Board members.

With no more business to conduct, Joyce adjourned the meeting at 2:08 p.m.

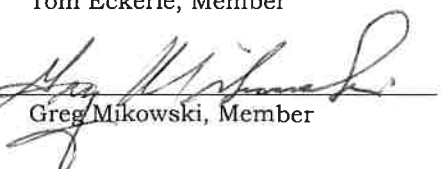
BOARD OF COUNTY ROAD COMMISSIONERS
OF LEELANAU COUNTY

By 
Bob Joyce, Chairman

By 
John Popa, Vice Chairman

By 
Jim Calhoun, Member

By 
Tom Eckerle, Member

By 
Greg Mikowski, Member

Attest: 
Joel T. Nedow-Secretary to the Board

A regular meeting of the Board of County Road Commissioners of Leelanau County was called to order by Chairman Robert Joyce at 1:00 p.m. on Tuesday, June 4, 2019 at 10550 E. Eckerle Road, Suttons Bay, Michigan. Present: Chairman Robert Joyce, Vice-chairman John Popa, members Jim Calhoun, Tom Eckerle and Greg Mikowski. Also present: Manager Justin Kelenske and Finance Manager/Secretary to the Board Joe Nedow. Guests were present.

Agenda: Agenda approved as written.

Vouchers 41707 thru 41746 in the amount of \$89,637.76 – approved.

Minutes from May 21, 2019 regular meeting – approved.

Public Comments: Leland Township Supervisor Susan Och offered her apologies to the Board for the commotion stemming from the split rail cedar fence that was anonymously erected at the Reynolds Street beach access road end which mysteriously removed the following day.

Communications:

-Various emails posted to the Road Commission's social media account from several residents asking for an investigation as to who installed the fence at Reynolds Street road end. Och reported speaking to the Sheriff who declined to investigate the matter as the fence had already been quickly removed ending the controversy.

When questioned by Popa, Nedow stated that staff has been in contact with our legal counsel who is advising no Board action is necessary at this time.

Appointments: None.

Staff reports:

-Kelenske provided an oral report summarizing on-going road maintenance activities. One of the topics he discussed was a request he received from the National Park Service who is asking the Road Commission to survey the roads on South Manitou Island. This request is an effort to keep island visitors from wandering off the county roads that are not clearly marked. Kelenske also stated he will soon be obtaining quotes from outside survey contractors to perform the work.

Status: discussions with C3A Advisory group to resolve group's concerns with revised Road Right of Way Standards:

Kelenske also provided comments on the recent meeting with representatives of the C3A Advisory group. This meeting was set up to resolve several concerns the group has with various aspects of the newly adopted County Road Standards the group would like to see changed and/or clarified. Eckerle expressed his opinion to Kelenske that he does not want Johnson involved in revising the Road Commission's Right of Way Standards as he believes Johnson chose to ignore what the Board and the C3A advisory group had agreed upon at the April 16th regular meeting. Kelenske assured Eckerle that the Standards adopted by the Board are in fact very close to what was agreed upon and only needed a little editing. He pledged to have a revised draft ready for the Board to review and possibly adopt at their June 18, 2019 regular meeting.

Eckerle also questioned Nedow on the status of the Pierce Road abandonment petition. Nedow responded the public hearing is scheduled during our June 18, 2019 regular meeting and that the Board can proceed with granting the abandonment request following the close of the public hearing or decide to defer action until the next Board meeting.

Resolution 19-01 – Annual request for \$10,000.00 reimbursement from MDOT for having a licensed engineer on staff:

Motion by Popa, supported by Calhoun, to adopt Resolution 19-01 which reads as follows:

"We, the Board of County Road Commissioners of Leelanau County, do hereby request reimbursement in the amount of \$10,000 for payments made during the period of July 1, 2018 through June 30, 2019 to licensed professional engineers employed or retained by this Commission, in accordance with the following: Sec. 12(2) of Act 51, as amended. "Each county road commission shall be reimbursed in an amount up to \$10,000 per year for the sum paid to a licensed professional engineer employed or retained by the county road commission in the previous year.

The sum shall be returned to each county road commission certified by the state transportation department as complying with this subsection, regarding the employment of an engineer. We further state that if we do not have a licensed professional engineer in our employ, copies of billings are enclosed with the completed form to justify the payment."

Roll call vote: Joyce – aye; Popa – aye; Calhoun – aye; Eckerle – aye and Mikowski - aye. Nays: None. – Resolution is hereby adopted.

Motion to accept Manager's recommendation – direct our attorney to drop Glen Eden fence in the right of way lawsuit:

Kelenske informed the Board that the owners of a fence erected in the Glen Eden road right of way have complied with moving their fence as agreed upon. With this matter settled, Kelenske is asking the Board to adopt a motion authorizing him to contact our legal counsel to instruct him to drop our lawsuit.

Motion by Popa supported by Mikowski instructing staff to contact the Road Commission's corporate counsel to drop the Glen Eden fence lawsuit which has been settled.

Discussion: None.

Ayes: Joyce, Popa, Calhoun, Eckerle and Mikowski. Nays: None. – Motion is hereby adopted.

Public Comments:

Leland Township Supervisor Susan Och asked for advice on how her township can address the large volume of political signs she is expecting with this year's election process. Nedow informed Och that the Road Commission has a policy that would provide her with answers as to what the Road commission will allow in the road right of way and for how long.

Commissioner Comments:

Mikowski told Kelenske to remedy a problem he is seeing when our crew is out patching potholes, as some are filled and some in the same vicinity are not.

Joyce told Kelenske to reach out to the board if he needs anything.

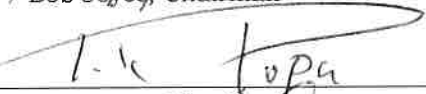
Popa offered comments on several subjects, including the Reynolds Street beach access and how townships can adopt ordinances that regulate what activities are allowable at these sites.

Eckerle asked if the upcoming seal coat and road project list will be published on social media so that the public can be informed. Nedow responded that our Facebook account is being updated on a regular basis that includes upcoming road projects.

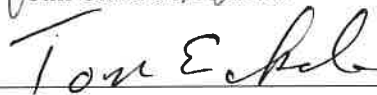
With no more business to conduct, Joyce adjourned the meeting at 1:25 p.m.

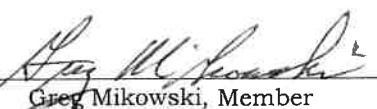
BOARD OF COUNTY ROAD COMMISSIONERS
OF LEELANAU COUNTY

By 
Bob Joyce, Chairman

By 
John Popa, Vice Chairman

By 
Jim Calhoun, Member

By 
Tom Eckerle, Member

By 
Greg Mikowski, Member

Attest: 
Joel T. Nedow-Secretary to the Board

June 18, 2019

A regular meeting of the Board of County Road Commissioners of Leelanau County was called to order by Chairman Robert Joyce at 1:00 p.m. on Tuesday, June 18, 2019 at 10550 E. Eckerle Road, Suttons Bay, Michigan. Present: Chairman Robert Joyce, Vice-chairman John Popa, members Jim Calhoun, Tom Eckerle and Greg Mikowski. Also present: Manager Justin Kelenske and Finance Manager/Secretary to the Board Joe Nedow. Guests were present.

Agenda: Popa asked that the Pierce Road abandonment resolution be moved under "New Business". Nedow suggested leaving it as presented (after the Public Hearing had concluded) made better sense instead of waiting until later in the meeting. Agenda was approved as presented.

Vouchers 41747 thru 41783 in the amount of \$318,728.45 – approved.

Minutes from June 4, 2019 regular meeting – approved.

Public Comments: Heard request from Jim Weigand asking the Road Commission to take a look at his driveway located at 6227 S. Lake Leelanau Drive to see if there is anything that can be done to make his driveway safer. Weigand presented photos showing his driveway (which provides egress for other adjacent residents) in relation to the roadway on the far end of a curve for south-bound traffic. As such, he is asking the Road Commission to consider installing a "Hidden Drive" sign to warn vehicles traveling south that there is a hidden driveway around the bend. It is his belief that doing so would help improve safety for all vehicles, especially those accessing his driveway.

Heard comments from C3A Advisory group members Doug Matthies and Charlie Edson on the pending "final" revision (dated June 17, 2019) of the Leelanau County Road Right of Way Standards.

Appointments:

Public hearing: Pierce Road abandonment petition:

At 1:10 p.m. Joyce opened the public hearing to listen to comments from the public regarding the Pierce Road abandonment petition submitted by Rieth-Riley (dba Kasson Sand & Gravel Company, Inc.).

No comments, oral or written where offered.

When Popa questioned whether Kasson Township should be included in the decision to abandon the road, Nedow responded the Road Commission's abandonment policy complies with the State of Michigan legislative compiled laws. He informed Popa that the only time a township is included is if the road proposed to be abandoned ends at water. The Road Commission is then required to offer jurisdiction to the township in which it is located. If the township does not accept jurisdiction, then it is offered to the State of Michigan Department of Natural Resources.

When Popa next questioned why Empire Township is involved with three roads proposed to be abandoned in their township, Nedow explained that former Manager Wagner had contacted the Empire Township Supervisor to determine if there were any interest in this proposal and to suggest the township board members collectively sign and submit petitions for abandonment. At that time, the Township had asked the Road Commission staff to contact all abutting land owners to see if there were any objections raised before Empire Township Board members would agree to proceed.

With no further business, Joyce closed the public hearing at 1:15 p.m.

Motion by Popa, supported by Calhoun to adopt Resolution 19-02 which reads as follows:

Whereas the Leelanau County Road Commission has received a petition asking for the abandonment of Pierce Road in Kasson Township, and

Whereas, in accordance with MCL 224.18, notification has been published in the Leelanau Enterprise and a public hearing on the Notice to Abandon was held at a regular meeting of the Board of County Road Commissioners on June 18, 2019, and

Whereas the abandonment of Pierce Road would not land-lock any parcel of land as the road does not abut any privately owned land that is not owned by (and part of) the Kasson Sand & Gravel Company operations, and

Whereas it appears to said Board of County Road Commissioners that it is in the public's best interest that Pierce Road should be absolutely abandoned and discontinued,

Now, therefore be it resolved that Pierce Road, more fully described as:

The entire length of Pierce Road, beginning at the south ¼ corner of Section 16, T28N, R13W then heading northerly along the north-south quarter-line of said Section 16, 0.62 miles to the north end of the road located entirely within the Kasson Sand & Gravel Company property,

All located in Kasson Township, be and the same is absolutely abandoned and discontinued, reserving the rights of any utilities that are currently present.

Be it further resolved that a record of this abandonment is to be registered with the Register of Deeds and a legal notice of abandonment is to be published in the Leelanau Enterprise.

Roll call vote: Mikowski – aye; Joyce – aye; Popa – aye; Calhoun – aye; and Eckerle – aye. Nays: None. Resolution is hereby adopted.

Communications:

-Letter dated May 28, 2019 from Michigan County Road Commission Self-Insurance Pool asking the Road Commission to cast a ballot for an At-Large representative for their Board of Directors election. Nedow suggested voting for incumbent Dorothy Pohl of Ionia County who he feels has been diligently looked out for our best interests.

Motion by Calhoun, supported by Mikowski to authorize staff to vote for incumbent Dorothy Pohl of Ionia County for the At Large representative on the Michigan County Road Commission Self-Insurance Pool Board of Directors' ballot.

Discussion: None.

Ayes: Joyce, Popa, Calhoun, Eckerle and Mikowski. Nays: None. – Motion is approved.

Staff reports:

-Kelenske provided an oral report summarizing on-going road maintenance activities. One of the topics he discussed was a request he received from the National Park Service who is asking the Road Commission to survey the roads on South Manitou Island. This request is an effort to keep island visitors from wandering off the county roads that are not clearly marked. Kelenske also stated he will soon be obtaining quotes from outside survey contractors to perform the work.

Status: discussions with C3A Advisory group to resolve group's concerns with revised Road Right of Way Standards:

Matthies presented a hand-written list of items in the latest revision which he feels needs to be clarified before a final revision is adopted by the Board.

- The definition of Average Daily Traffic (ADT) shown in the June 17th draft as “ the total number of one-way trips in a year divided by the number of days per year a facility is open (or in operation)” be changed to total number of one-way trips in a year divided by 365 days, not days a facility is open.
- The ITE data proposed to be used to determine the daily trips is in Matthies' opinion, “inappropriate for Leelanau as it may over-ride categories” how a driveway is to be classified as well as not transparent to the public.
- Delineator as a 4th option should not be tied to ditches.
- For the definition of Small Business truck traffic which Matthies believes is confusing and should be changed to “low truck traffic.”

Kelenske expressed his disappointment with Matthies' points, stating he was under the impression that the document he is presenting to the Board today is the final version. He pointed out that the points raised had been discussed in great lengths.

Further discussion on each topic raised ensued. Charlie Edson expressed his views on efforts to find an alternative to the ITE measurements which he feels does not reflect the seasonal nature of Leelanau County traffic conditions. Comments were also offered by Eckerle and Joyce. Kelenske then agreed to meet with the group one more time to iron out the final revision. When asked by Eckerle if two weeks would be sufficient, Kelenske stated he would have his final proposal ready for the Board to approve at their July 2, 2019 regular meeting. Nedow reminded the Board that the motion passed at the May 21st meeting should be modified to extend the 30 day negotiation period which was part of the original motion approving the May 7, 2019 revision.

Motion by Mikowski, supported by Eckerle to modify the May 21, 2019 motion whereby the Board adopted the May 7, 2019 edition of the Leelanau County Road Commission Road Right of Way Standards with the condition that the definition of ADT (Average Daily Traffic)...be updated to reflect the seasonal nature of Leelanau County traffic within 30 days, be modified to extend the 30 day limit out to the July 2, 2019 regular meeting.

Discussion: Popa stated he would support the motion on the condition that the version presented at the July 2, 2019 meeting would be the “final” revision which the advisory group could support.

Ayes: Joyce, Popa, Calhoun, Eckerle and Mikowksi. Nays: None. – Motion is hereby adopted.

Execute cost share agreement with Bingham Township for Cummings Street:

Motion by Popa supported by Mikowski to execute a cost share agreement with Bingham Township for improvements to Cummings Street, consisting of pulverizing the existing pavement; adding, shaping and compacting a new 22A gravel base; and paving the entire length of the road with two inches of hot mix asphalt. Bingham Township hereby agrees to pay 50% of the projected \$45,500.00 cost which equates to \$22,750.00 payable upon completion of the work, on or around October 1, 2019.

Discussion: None.

Ayes: Joyce, Popa, Calhoun, Eckerle and Mikowksi. Nays: None. – Motion is hereby adopted.

Reschedule start times of the July 16 and October 15, 2019 regular meetings:

Nedow informed the Board a motion is required to change the start times of the July 16th and October 15th regular meetings if there is still interest in scheduling night time meetings. Joyce stated he would prefer to change only the July 16th meeting start time and not the October meeting.

Calhoun stated he would be out of town Tuesday evening to travel to Mount Pleasant to attend the MSRC SIP Annual meeting in Mount Pleasant that evening. Popa stated that the Leelanau County Board of Commissioners is also scheduled to meet on Tuesday evenings.

Motion by Joyce, supported by Eckerle to reschedule the July 16, 2019 regular meeting to Wednesday, July 17, 2019 starting at 6:00 p.m.

Discussion: None.

Ayes: Joyce, Eckerle and Mikowski. Nays: Popa and Calhoun. Motion is hereby adopted.

Amend Permit Fee Schedule:

Nedow provided a revised Permit Fee Schedule that has been updated to remove any reference to the additional \$6,000.00 surety that was required for B-2 curbing since curbing is no longer required by the revised Roads Commission Road Right of Way Standards.

Motion by Calhoun supported by Mikowksi to approve the amended Permit Fee Schedule that has been updated to remove any reference to an additional \$6,000.00 financial surety requirement for curb & gutter.

Discussion: None.

Ayes: Joyce, Popa, Calhoun, Eckerle and Mikowksi. Nays: None. - Motion is hereby adopted.

Review/award paving bids:

Motion by Popa supported by Calhoun directing staff to review all bids to ensure our specifications and requirements have been met and to award bids that would be in the best interests of the Leelanau County Road Commission.

Discussion: None.

Ayes: Joyce, Popa, Calhoun, Eckerle and Mikowski. Nays: None. - Motion is hereby adopted.

Public Comments:

Leelanau County Board of Commissioner and C3A representative Patricia Soutas-Little offered her thanks to the Road Commission for the Road Commission's willingness to continue to work toward addressing the concerns the C3A members have brought up at today's meeting. She also stated that while some of the issues are an easy fix, finding a solution for the ADT and ITE measurable will be more difficult to achieve.

Commissioner Comments:

Mikowski: asked Kelenske to investigate missing culvert markers at two locations on CR-641 where he feels the markers should be replaced as soon as possible..

Joyce told Kelenske to reach out to the board if he needs anything.

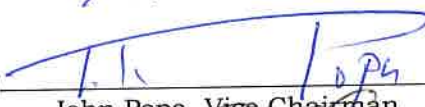
Popa suggested staff should consider securing the services of an outside engineering contractor to draw up shovel ready paving projects in the event there is more paving funds available.

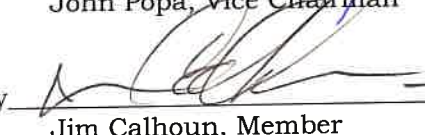
Eckerle offered this thoughts on Johnson's pending departure as well as directing staff to ensure all Road Commission property is turned in on Johnson's last day. Popa interrupted Eckerle, telling him he is out of line to which Eckerle responded that he can say whatever he wants.

With no more business to conduct, Joyce adjourned the meeting at 1:58 p.m.

BOARD OF COUNTY ROAD COMMISSIONERS
OF LEELANAU COUNTY

By 
Bob Joyce, Chairman

By 
John Popa, Vice Chairman

By 
Jim Calhoun, Member

By 
Tom Eckerle, Member

By 
Greg Mikowski, Member

Attest: 
Joel T. Nedow-Secretary to the Board

A regular meeting of the Board of County Road Commissioners of Leelanau County was called to order by Chairman Robert Joyce at 1:00 p.m. on Tuesday, July 2, 2019 at 10550 E. Eckerle Road, Suttons Bay, Michigan. Present: Chairman Robert Joyce, Vice-chairman John Popa, members Jim Calhoun, Tom Eckerle and Greg Mikowski. Also present: Manager Justin Kelenske and Finance Manager/Secretary to the Board Joe Nedow. Guests were present.

Agenda: Nedow asked to include under "New business" a request to reschedule the July 17, 2019 night meeting to another date. No objections were offered; agenda was updated accordingly.

Vouchers 41784 thru 41815 in the amount of \$81,268.82 – approved.

Minutes from June 18, 2019 regular meeting – approved.

Public Comments: Heard comments from Suttons Bay resident Bill Perkins on two issues:

The first issue: as a representative of the Leelanau County Solid Waste Council, he is asking the Road Commission for assistance convincing the Leland Township Board to support the Council's efforts to open a waste recycling site on Popp Road next to the Leland Public School property. According to Perkins, Leland Township does not support this location as they are concerned that inclement weather during the winter months associated with the hilly terrain could be hazardous.

And as speaking as a private citizen, Perkins expressed his opinion that the exterior lighting at the Suttons Bay garage that are on all night is a waste of taxpayer dollars and should be remedied.

Communications:

-Letter dated June 19, 2019 from Susan Haley who is offering to pay for the installation of a sign/map display at Inspiration Point in memory of Janet Goodell Haley.

Nedow provided a summary of deed restrictions associated with the Inspiration Point property that the Road Commission had agreed to abide by when the property was accepted. Kelenske was instructed to review the request and bring his recommendation to the Board when ready.

-Email dated June 19, 2019 from Leelanau County Planning Director Trudy Galla. The County Planning Commission is working to update the Leelanau County General Plan and is asking input from the Road Commission on the revised Transportation chapter. Galla is asking that any comments/changes be sent to her by the end of July.

Appointments: Review/approve revised Leelanau County Road Commission Road Right of Way Standards:

Kelenske reported that after the last Board meeting, he updated the Right of Way Standards document to reflect the comments that were submitted. As such, he is recommending the Board adopt the version presented at today's meeting.

Motion by Popa, supported by Mikowski to adopt the revised Leelanau County Road Commission Road Right of Way Standards (6-25-19 edition) as presented by Kelenske.

Discussion: None.

Ayes: Joyce, Popa, Calhoun, Eckerle and Mikowski. Nays: none. – Motion is hereby approved.

Manager's report:

Kelenske provided a report summarizing on-going road maintenance activities:

- Clearing dead trees, mowing road shoulders and pothole patching.
- Gravel roads have graded and brine application is almost finished.
- Crack sealing is winding down and seal coat operation is scheduled to start next week.
- Reported awarding the 2019 paving bids to Team Elmers' as they were the low bidder.

Request to accept MiDeal bid for 2020 truck equipment:

Fleet Manager Albrecht (not present) provided a bid for Board approval that was obtained under the MiDeal program from Truck & Trailer Specialties of Boyne Falls for equipping the two Western Star cab & chassis trucks ordered from Grand Traverse Diesel Service of Traverse City for 2020.

Motion by Calhoun, supported by Mikowski to accept the bid provided by Truck & Trailer Specialties of Boyne Falls for equipping two Western Star cab & chassis (2020 Capital Plan) for \$115,825.78 each; combined price of \$231,651.56.

Discussion: None.

Ayes: Joyce, Popa, Calhoun, Eckerle and Mikowski. Nays: None. – Motion is hereby adopted.)

Execute cost share agreement with Leelanau Township for CR-629 shoulder paving project:

Motion by Calhoun supported by Popa to sign a cost share agreement with Leelanau Township for paving shoulders on CR-629 from Knollwood Drive northeasterly to Cathead Bay Road. Leelanau Township hereby agrees to provide 50% of the estimated cost (a total of \$105,215.00) payable upon completion of the work, on or around October 1, 2019.

Discussion: None.

Ayes: Joyce, Popa, Calhoun, Eckerle and Mikowski. Nays: None. – Motion is hereby adopted.

Request to reschedule the July 17 2019 regular meetings:

Nedow asked the Board to reschedule the July 17th regular meeting to a different day. He suggested Monday, July 15th at 6:00 p.m. as a possible alternative date.

Motion by Calhoun, supported by Mikowski to reschedule the July 17, 2019 regular meeting to Monday, July 15, 2019 starting at 6:00 p.m.

Discussion: None.

Ayes: Joyce, Popa, Calhoun, Eckerle and Mikowski. Nays: None. – Motion is hereby adopted.

Public Comments:

Heard comments from Jim Nairne. Nairne lives on Ononomese Trail, a private road located in Leelanau Township at the Ononomee Road/Gills Pier Road intersection. In 2016 Nairne had applied for a land division in which the approval was contingent upon upgrading the entrance to Ononomese Trail. The improvements have not been yet been constructed. Nairne, along with several supporters, came to today's meeting to ask the Board to re-evaluate what improvements are necessary under the new commercial driveway standards. The Board thanked Nairne for his comments and instructed him to contact Kelenske to discuss how to proceed.

Leelanau County Board of Commissioner and C3A representative Patricia Soutas-Little, Nate Griswold, Alan McKisson, Jim Bardenhagen and Solon Township Board representative Steve Yoder offered their thanks to the Board and staff for allowing them to participate in updating the Road Commission's commercial driveway standards. McKisson distributed a copy of a brief paragraph he would like the Board to consider posting the contents of his document on the Road Commission website which reads as follows: "The Road Commission staff will work with taxpayers to develop solutions that: 1) fit with the rural appeal of our county, 2) trust taxpayers to do the right thing, 3) support business growth by minimizing cost, and 4) protect roads and citizens while minimizing intrusive requirements." Joyce thanked McKisson for his suggestion and informed him the Board would take his suggestion under advisement.

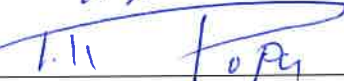
Commissioner Comments:


A variety of comments were offered that included: identifying governmental agency responsible for upgrading CR-633/Elm Street north of Herman Road leading into the Village of Suttons Bay; offering thanks to C3A members for their efforts to re-write the Road Commission's commercial driveway standards; follow up on the initiative to abandon a segment of Seth Road in exchange for a new segment; follow up on Empire Township road abandonment proposal; and status of trip to South Manitou Island to inspect/inventory roads as requested by the National Park Service.

With no more business to conduct, Joyce adjourned the meeting at 1:32 p.m.

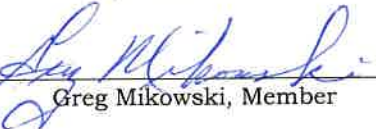
BOARD OF COUNTY ROAD COMMISSIONERS
OF LEELANAU COUNTY

By 
Bob Joyce, Chairman

By 
John Popa, Vice Chairman

By 
Jim Calhoun, Member

By 
Tom Eckerle, Member

By 
Greg Mikowski, Member

Attest: 
Joel T. Nedow-Secretary to the Board

A regular meeting of the Board of County Road Commissioners of Leelanau County was called to order by Vice-chairman John Popa at 6:00 p.m. on Monday, July 15, 2019 at 10550 E. Eckerle Road, Suttons Bay, Michigan. Present: Vice-chairman John Popa, members Jim Calhoun and Tom Eckerle. Also present: Manager Justin Kelenske and Finance Manager/Secretary to the Board Joe Nedow. Chairman Robert Joyce and member Greg Mikowski were absent. Guests were present.

Agenda: Approved a presented.

Vouchers 41816 thru 41859 in the amount of \$318,662.92 – approved.

Minutes from July 2, 2019 regular meeting – approved.

Public Comments:

Leland Township resident Steven Mikowski: expressed his concerns with a proposed MDOT project that would add two turn lanes on M-204 within the Village of Lake Leelanau at St. Mary's Street and at St. Joseph Street. Mikowski stated he wrote a letter to MDOT Manager Liptak asking him to postpone the project so that a public meeting can be held to allow citizens the opportunity to express their concerns. He also offered his impressions about the project, citing his concerns that the "bump-outs" could negatively impact parking and create difficulties for the Road Commission during the winter months.

He also offered his thoughts on efforts to locate a recycling site on Popp Road in Leland Township.

Heard comments from Paul and Charlotte Lombardo, Frank Venuto, Brad and Beth Mowatt, Heidi Weckwert and Fred Siegmund who asked the Board to aggressively contest the Reynolds Street/Lake Michigan beach access lawsuit recently filed by the Janko/Joyes families against Leland Township and the Leelanau County Road Commission. All who offered comments expressed their views that they are opposed to the Janko/Joyes efforts to close the beach access which they currently enjoy as well as what closing the beach access could potentially do to their property values.

Communications:

-Email dated July 7, 2019 from Alexander Janko who provided video footage of a truck getting stuck beyond the paved portion of Reynolds Street Lake Michigan access, claiming that the Road Commission's "County road ends at the water" sign is encouraging the public to trespass onto private property.

-Email dated July 9, 2019 from corporate counsel Bill Henn responding to the Janko/Joyes lawsuit filed against Leland Township and the Leelanau County Road Commission. The parties are challenging the Road Commission's position that Reynolds Street, west of West Street is private property and not a public roadway.

Manager's report:

Kelenske provided a report summarizing on-going road maintenance activities:

- Chip sealing has started, with Independence Drive, Fort Road, John Henry Drive, Scenic View Drive, Murray Court, Send Road and a portion of Pineview Road completed.
- Ditching and culvert work on Stoney Point and Donnybrook Roads have been performed.
- Responded to Jim Weigard's request to install a hidden drive sign at his driveway on CR-641 cannot be honored due to liability and inability to meet our sight distance requirements.
- Efforts to find a replacement Engineer: two applicants have been received, but neither candidate has any background experience in road-related or construction activities.

Follow up: citizen request to install informational sign at Inspiration Point Park:

Kelenske stated Haley has asked for staff assistance in designing and procuring an informational sign which she has pledged to pay for. He is asking the Board for input as how to proceed and if staff should continue efforts to come up with a design on Haley's behalf. No objections were offered and Eckerle asked for this topic to be include on the next meeting's agenda.

Approve cost share agreements with Glen Arbor Township: Cheney Road and Port Oneida Road:

Kelenske stated that Glen Arbor Township Supervisor is asking the Road Commission to pave Cheney Road and Port Oneida Road this summer. As such, the Township is asking to fund their 50% voluntary contribution over two-years, with \$125,000.00 due this year and the remaining balance next year.

Motion by Calhoun, supported by Eckerle authorizing the Leelanau County Road Commission to enter into a cost share agreement with Glen Arbor Township for road improvements to Cheney Road (from 0.07 miles east of Miller Hill Road to Wheeler Road) a distance of 1.1 miles. Glen Arbor Township hereby agrees to provide 50% of the estimated cost of \$292,818.00 (\$146,409.00) payable in two installments.

The first installment of \$75,000.00 is due upon completion of the work, on or around October 1, 2019 with the remaining payment of \$71,409.00 due in Glen Arbor Township's fiscal year 2020.

Discussion: None.

Ayes: Popa, Calhoun and Eckerle. Nays: None. Absent: Joyce and Mikowski. – Motion is hereby adopted.

Motion by Calhoun, supported by Eckerle authorizing the Leelanau County Road Commission to enter into a cost share agreement with Glen Arbor Township for road improvements to Port Oneida Road (from M-22 northerly to Basch Road) a distance of 1.9 miles. Glen Arbor Township hereby agrees to provide 50% of the estimated cost of \$198,210.00 (\$99,105.00) payable in two installments.

The first installment of \$50,000.00 is due upon completion of the work, on or around October 1, 2019 with the remaining payment of \$49,105.00 due in Glen Arbor Township's fiscal year 2020.

Discussion: None.

Ayes: Popa, Calhoun and Eckerle. Nays: None. Absent: Joyce and Mikowski. – Motion is hereby adopted.

Request by Popa: pay per diem for attending 5-13-2019 Leland Township meeting and 6-11-2019 Leelanau County Board of Commissioners meeting:

Nedow explained that according to the motion adopted on January 15, 2019 for events qualifying for per-diem payment, any meeting with the Leelanau County Board or any Leelanau County township meeting has to meet two conditions; the member is invited to attend in order to participate in Road Commission related matters and a majority of the Road Commission Board agree that attending the function would be in the best interests of the Leelanau County Road Commission.

Eckerle agreed with Calhoun's suggestion to postpone any discussion of this topic until the other Board members are present, citing he is not comfortable approving a request for reimbursement after-the-fact.

Appointments:

Motion by Calhoun, supported by Eckerle for the Board to go into closed session for a phone conference with their corporate counsel regarding the Janko/Joyes – Reynolds Street road-end lawsuit.

Discussion: None.

Roll call vote: Eckerle – aye; Calhoun – aye; Popa – Aye: Absent: Joyce and Mikowski. Motion is hereby adopted and the Board went into closed session at 6:39 p.m.

At 7:12 p.m. the Board returned to open session.

Motion by Calhoun, supported by Eckerle to authorize the Road Commission's attorney Bill Henn to continue with litigation strategy as discussed during closed session regarding the pending Janko/Joyes vs. Leelanau County Road Commission and Leland Township lawsuit.

Discussion: Ayes: Popa, Calhoun and Eckerle. Nays: None. Absent: Joyce and Mikowski. – Motion is hereby adopted.

Public comments:

Received and read a hand-delivered letter from Sara Behrmann who wrote that she and her husband use the Leland - Reynolds Street beach access to walk the Lake Michigan shoreline.

Heard comments from Muskegon County Road Commission Chairman Melvin Black on how Muskegon County has chosen to transfer control of lands where roads end at water over to the townships in which they are located.

Steve Mikowski provided copies of the letter he had written to MDOT Manager Rick Liptak expressing his concerns on the proposed M-204 "bump outs" proposed for M-204 in Lake Leelanau.

Commissioner Comments:

Calhoun: provided a brief report on the CRASIF annual membership meeting held in Mt. Pleasant last week. He also reminded staff about providing a plow truck for display at the upcoming Woolsey Airport Fly-In fund raiser.


Eckerle: stated he does not agree with Black's viewpoint on road ends as he feels it important for the Road Commission to retain control of them so that the public's interests are protected.

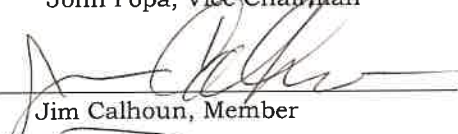
Popa: expressed his concerns with the difficulty communicating with some Board members to discuss issues or distribute correspondence.

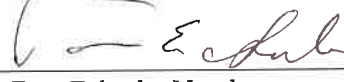
With no more business to conduct, Popa adjourned the meeting at 7:22 p.m.

BOARD OF COUNTY ROAD COMMISSIONERS
OF LEELANAU COUNTY

By _____ Absent _____
Bob Joyce, Chairman

By  _____
John Popa, Vice-Chairman

By  _____
Jim Calhoun, Member

By  _____
Tom Eckerle, Member

By _____ Absent _____
Greg Mikowski, Member

Attest:  _____
Joel T. Nedow-Secretary to the Board

A regular meeting of the Board of County Road Commissioners of Leelanau County was called to order by Chairman Bob Joyce at 1:00 p.m. on Monday, August 6, 2019 at 10550 E. Eckerle Road, Suttons Bay, Michigan. Present: Chairman Bob Joyce, Vice-chairman John Popa, members Jim Calhoun, Tom Eckerle and Greg Mikowski. Also present: Finance Manager/Secretary to the Board Joe Nedow. Manager Justin Kelenski was absent. Guests were present.

Agenda: Approved with the inclusion of a proposed motion authorizing staff to issue revocable permit to allow landscaping in the First Street – Leland road right of way (platted but not developed). Popa suggested including this item under “New Business” instead of under “Correspondence”.

Vouchers 41860 thru 41904 in the amount of \$267,558.87 – approved.

Minutes from July 15, 2019 regular meeting – approved.

Public Comments:

Solon Township residents Tim and Kathy Dowd who live on the seasonal part of Hill Road in Solon Township asked the Board to consider upgrading their road. Heavy rains this past July and recent logging activities left the road in poor shape as the spillways on the hill have filled up with sand further rutting the road including the Dowd’s driveway. Dowd stated he has spoken to Road Commission staff members in the past about the possibility of upgrading the road but nothing had been done. He suggested that as there is sufficient right of way available, the Road Commission could construct drainage ditches along the road. He also stated that he would like to see additional improvements done so that the road could be plowed in the winter. Dowd further stated that the adjacent parcels have been recently surveyed which leads him to believe the owners may be developing their property soon which would increase traffic on the road. As such, Dowd stated the additional traffic should require the entire road be upgraded and he would support Solon Township Board creating a Special Assessment District to pay for any improvements. Lastly, Dowd expressed his appreciation to the Maple City crew for their promptness whenever there has been a maintenance issue on Hill Road. Joyce thanked Dowd for his comments and suggested he contact Manager Kelenske or Superintendent Priest to discuss his request and what can be done about it. Should Dowd not get satisfaction from that meeting, Joyce suggested the possibility of scheduling an appointment with the Board.

Leland Township Supervisor Susan Och provided a copy of three documents to the Board: The first is a letter written in February 1990 by Leland Township to Amy Chatfield responding to Chatfield’s request for permission to construct a retaining wall along the east side of her property that borders the river but within the First Street right of way. The second document is a letter written February 1990 by Road Commission Engineer-Manager Jim Gilbo to Chatfield granting conditional permission to Chatfield’s request, provided “*the unopened right of way of First Street south of Pine Street is not encumbered in any manner and that the rights of the public to its use are maintained*”. The third document is a copy of a survey recorded in 2007 of the First Street and Pine Street road right of ways in relation to the abutting lots.

Communications:

-Two emails dated July 17, 2019 from Heidi Weckwert and from Maude Babington thanking the Board for deciding to litigate the lawsuit filed against the Road Commission and Leland Township by the Janko/Joyes Families over the Reynolds Street road-end. Weckwert offered to provide testimony that she has been accessing the Lake Michigan beach from this location since 1964.

-Letter dated July 5, 2019 from the County Road Association Self Insurance Fund asking the Board to cast a ballot for representatives on the CRASIF Board of Trustees. All three candidates listed on the ballot are incumbents. Nedow recommended voting for all three candidates (no others listed on the ballot) as presented.

Motion by Calhoun, supported by Mikowski directing staff to vote for all three incumbent candidates (Hunt, Sholander and Smigelski) as listed on the 2019 CRASIF Board of Trustees ballot. Ayes: Joyce, Popa, Calhoun and Mikowski. Nays: None. Eckerle stated he is not familiar with any of the candidates and therefore would abstain from voting on the motion. – Motion is hereby adopted.

-Email dated July 25, 2019 from Leland Township resident Allan Petersen. As the owner of property bordering First Street in the Village of Leland, Petersen wrote that he uses the First Street right of way to access his land. Petersen claimed the adjacent property owner constructed stairs, a stone wall and some landscaping on the First Street right of way earlier this summer which is blocking his access. He concluded his email by asking if there had been a policy change at the Road Commission regarding use of the road right of way.

Manager’s report: A written report provided – Kelenske absent.

Follow up: citizen request to install informational sign at Inspiration Point Park:

Nedow reported progress is continuing as staff is working with the requestor on the type of sign to erect and what will be displayed on it.

Request by Popa: pay per diem for attending 5-13-2019 Leland Township meeting and 6-11-2019 Leelanau County Board of Commissioners meeting:

Nedow stated Popa will be abstaining from any discussion or voting on this topic due to a conflict of interest.

The motion adopted by the Board on January 15, 2019 says that in order for a meeting with any Township or Leelanau County Board of Commissioners to qualify for a per-diem payment, two conditions must be met: the Board member seeking reimbursement must be invited to attend in order to participate in Road Commission related matters and second, a majority of the Road Commission Board agree that attending the function would be in the best interests of the Leelanau County Road Commission.

Joyce asked Leland Township Supervisor Och who was sitting in the audience if she or the Leland Township Board had asked Popa to attend Leland Township's May 13th meeting. When questioned, Popa stated he had been asked to attend the Leelanau County Board of Commission Executive Board meeting orally by Janik. Och responded asking a Road Commissioner to attend their annual meeting was discussed but suggested the invitation was open ended.

Discussion: Joyce expressed his opinion that Popa's attendance at both meetings should not qualify for reimbursement because there was no formal invitation. Mikowski agreed, suggesting future invitations should be formally made to the entire Board and not by verbal invitation. Calhoun and Eckerle also agreed with Joyce's and Mikowski's comments. No motion authorizing the payment was made – no further action taken on Popa's request.

Request by Calhoun to discontinue quarterly night meetings:

Motion by Calhoun, supported by Popa, to discontinue holding quarterly night meetings.
Discussion: Calhoun stated he has other obligations on Tuesday nights which prevents him from attending. Popa stated holding meetings at night is an imposition on staff making it a long day for them. Joyce and Eckerle expressed their viewpoints supporting night meeting citing the importance of making meetings available to the public who otherwise would not be able to attend.
Ayes: Popa and Calhoun. Nays: Joyce, Eckerle and Mikowski. – Motion fails.

Request to accept underbody blade bid:

Albrecht provided his written recommendation to accept the bid tendered by Truck & Trailer Specialties for Bacyrus "Extra edge" underbody blades for this coming winter. Two bids were submitted, but the blade quoted by Michigan Caterpillar did not meet the specifications requested. Nedow explained that the amount of the purchased exceeded the \$25,000.00 Manager's authorization limit thus requiring Board approval.

Motion by Calhoun, supported by Mikowski to accept the \$111.89/per blade bid submitted by Truck & Trailer Specialties of Boyne Falls as recommended by Fleet Manager Albrecht for 250 Bacyrus "Extra edge" blades totaling \$27,972.50.

Discussion: None.

Ayes: Joyce, Popa, Calhoun, Eckerle and Mikowski. Nays: None. – Motion is hereby adopted.

Revise cost share agreement with Glen Arbor Township – Port Oneida road improvements:

Nedow stated receiving a call from the Glen Arbor Township Clerk informing him if the Road Commission would consider delaying the payment terms for the Port Oneida paving project from 2019 and 2020 to 2021 and 2022 because the Township only approved funds for the Cheney Road project and not for Port Oneida as the Township Supervisor had thought. Because the Township did not have funds for both projects this year or next, Nedow reported Kelenske attended a special meeting at Glen Arbor on August 1st when the project was approved on the condition the payments terms would be deferred. Nedow offered his recommendation to approve the revised Port Oneida Road cost share agreement that was originally approved during the July 15, 2019 Road Commission board meeting as we have sufficient funds to absorb the cost in this year's budget.

Motion by Popa, supported by Calhoun to execute a revised cost share agreement with Glen Arbor Township (originally approved during the July 15, 2019 regular meeting) for improvements to Port Oneida Road with revised payment terms as follows: Glen Arbor Township hereby agrees to contribute \$50,000.00 due in Glen Arbor Township's fiscal year 2021 with the remaining \$49,105.00 payment due in their fiscal year 2022.

Discussion: None.

Ayes: Joyce, Popa, Calhoun, Eckerle and Mikowski. Nays: None. – Motion is hereby adopted.

Request motion to authorize staff to issue a revocable permit to allow landscaping constructed in the First Street Road right of way (platted but not developed):

As Nedow informed the Board there are no time constraints on issuing this permit, they have the option to wait until next meeting to discuss when Kelenske is present. The Board agreed and no action was taken at this time.

Review August 20, 1991 Road-end Resolution - requested by Popa:

Popa stated he asked to include this resolution on the agenda so that the other Board members are aware there is a resolution on record that "*reaffirms the policy of past Boards of the Leelanau County Road Commission to steadfastly uphold the rights of the public to use the dedicated roads, streets and alleys in plats that lead to bodies of water in and surrounding Leelanau County*" and that "*this reaffirmed policy also applies to public road endings that are not in plats but terminate at the water of inland lakes or Lake Michigan.*"

Public comments:

Leland Township Supervisor pointed out that the "Glass vs Goeckel" lawsuit is the measurement by which the Courts are using to define the rights of the public can walk the Great Lakes shoreline, and not the 580.5' high water level set by the DEQ or the 581.5' level set by the Army Corp of Engineers. Och stated those measurements listed in Kelenske's report are used to establish set-back limits for structures/building constructed near the water's edge and not for defining where the public can walk on the beach. She also stated she is planning to meet with Kelenske to discuss future road improvement projects and to ask for guidance in her efforts to develop a long-term plan to help Leland Township define permissible road-end activities.

Commissioner Comments:

Calhoun offered his thanks for the Road Commission providing a plow truck at the recent Woolsey Airport Fly-in event.

Popa offered comments on two subjects:


In regards to the request to upgrade Hill Road, Popa stated the Board has policies in place that requires 100% of the cost to upgrade a seasonal road be provided from sources other than the Road Commission.

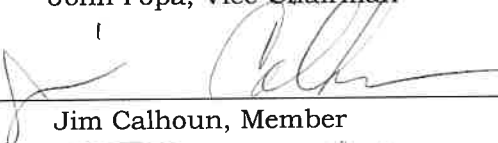
As for the Board declining to authorize the payment of Popa's per diem request, Popa unhappily provided reasons why he feels his request for reimbursement should be paid.

With no more business to conduct, Popa adjourned the meeting at 1:55 p.m.

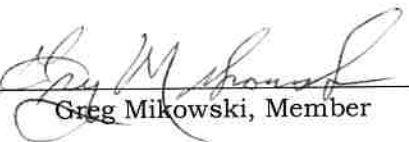
BOARD OF COUNTY ROAD COMMISSIONERS
OF LEELANAU COUNTY

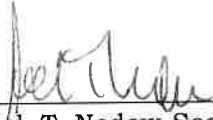
By 
Bob Joyce, Chairman

By 
John Popa, Vice Chairman

By 
Jim Calhoun, Member

By 
Tom Eckerle, Member

By 
Greg Mikowski, Member

Attest: 
Joel T. Nedow-Secretary to the Board

August 20, 2019

A regular meeting of the Board of County Road Commissioners of Leelanau County was called to order by Chairman Bob Joyce at 1:00 p.m. on Tuesday, August 20, 2019 at 10550 E. Eckerle Road, Suttons Bay, Michigan. Present: Chairman Bob Joyce, Vice-chairman John Popa, members Jim Calhoun, Tom Eckerle and Greg Mikowski. Also present: Manager Justin Kelenske and Finance Manager/Secretary to the Board Joe Nedow. Guests were present.

Agenda: Approved as presented.

Vouchers 41905 thru 41940 in the amount of \$544,044.80 – approved.

Minutes from August 6, 2019 regular meeting – approved.

Public Comments: Robert Reeves and Jen Dalton, owners of the property in Leland where the landscaping were constructed in the First Street right way, addressed the Board. Dalton said he is in attendance to clarify two misconceptions about the right of way infringement. Dalton stated that part him purchasing the property was contingent upon his ability to install steps and other landscaping along the river front to improve access to the dock area. One of the misconceptions he wants to clarify is the stairs and landscaping are at ground level and is preventing the erosion of soil and debris from washing into the river. The other point he stressed is the improvements constructed are mostly on his property and does not block or impede his neighbor's ability to access their property.

Communications: None.

Appointments: None.

Manager's report:

-Paving projects: prep work has begun on Cheney Road, Port Oneida Road, Cummins Street and CR-629 shoulder paving projects. CR-629 is scheduled to start the week of September 9th, with the pavement on Cummins Street anticipated to be pulverized and reconstructed in late September or early October.

-Even with the late arrival of our slag material used in our seal coat operation, Kelenske anticipates achieving our 40 mile goal this year. He and Priest also had the opportunity to inspect a new paving process called Cold-in-Place paving (CIP) that involves milling the existing asphalt then injecting liquid asphalt into the ground up asphalt which is then paved all in one process. Kelenske is waiting for pricing and identify likely candidates in our County that could benefit from this process.

-Inspiration Point signage: staff is waiting for the requester to provide them with how she would like the sign to display.

-Met with Solon Township resident Tim Dowd to discuss his request to the Board to improve the seasonal part of Hill Road so that it can be snowplowed in the winter. Kelenske had informed Dowd that the Road Commission would require 100% of the cost to be provided from other sources and Dowd is planning on asking Solon Township to budget funds for the improvements.

-Engineering position: With a lack of qualified applicants received to date, Kelenske is exploring the possibility of contracting for outside engineering services.

-Kelenske has also extended invitations to all County township supervisors to meet with him individually at our facility to discuss possible 2020 road improvement project requests as well as future years. So far his offer has been well received as several township supervisors have already made appointments to discuss possible road improvement projects within their townships.

Popa, Eckerle and Mikowski asked Kelenske various questions including the Cummins Street paving project and drainage concerns by the gas station; and the state road closures in conjunction with the upcoming IRONMAN cycling event.

Request motion to authorize staff to issue a revocable permit to allow landscaping constructed in the First Street Road right of way (platted but not developed):

Kelenske reported visiting this site multiple times within the past few weeks to determine if the patio stones and stairs recently constructed within the First Street road right of way should be removed or be allowed to remain. Kelenske stated that the structures intrude approximately twelve feet at most into the road right of way, do not impede the adjacent land owners from accessing their property, and the landscaping stones were installed at ground level and should not be an impediment. He therefore suggests the Board approve a revocable permit allowing the structures to remain, basing his recommendation of past-history when past Boards had granted permission for right of way infringement at various locations throughout the County. He also stated that after speaking to the land owners, he is convinced the infringement was not done intentionally and issuing a permit after the fact should not be a problem.

In regards to an email sent to the Board by Allan Petersen on July 25th asking if there had been a policy change regarding the use of road right of ways, Kelenske had responded by email stating there has been no change in policy, and the Leelanau County Road Commission will continue to protect our right of ways and road ends to maintain public access.

Popa stated he had recently visited this site. Based upon what he saw, Popa said the stone patio and stairs do not block anything and in his opinion, the improvements appear to prevent soil and lawn debris from washing into the river. He would therefore support a motion authorizing the structures to remain in the road right of way on the condition the applicants record the permit with the Leelanau County Register of Deeds within 30 days so that the permit is linked to the property in the event the parcel is subsequently sold. Joyce stated he does not have any issues with approving the permit so long as the structures do not impede egress to the other adjacent properties. Eckerle asked for clarification as to exposing the Road Commission to liability should someone run into it. Nedow explained the terms and conditions of the permit includes a provision whereby the applicant agrees to indemnify the Road Commission in such situations. Kelenske informed Eckerle the structures located within the right of way were constructed at ground level and should not pose a safety hazard.

Motion by Popa supported by Calhoun that the Leelanau County Road Commission authorize Kelenske to issue a permit granting the applicant, Robert Reeves Dalton permission to allow stone stairs and patio pavers in the First Street road right of way (platted by undeveloped portion) provided the applicant records the issued permit with the Leelanau County Register of Deeds within thirty days.

Discussion: None.

Ayes: Joyce, Popa, Calhoun, Eckerle and Mikowski. Nays: None. -- Motion is hereby approved.

Leland Township resident Francis Migda voiced his concerns. Migda stated that as a member of the Leland Township Sewer Committee, he is concerned that the structures approved in the street right of way would somehow interfere with the Township's ability to install or maintain future sewer lines. Kelenske assured Migda that the patio stones and stairs do not block or impede access to the road end and provided him with a copy of a survey depicting where the structures are located in relation to the right of way boundaries.

2019 year to date interim financial statements:

Nedow provided an interim financial statement that summarizes revenues and expenditures updated thru July. He explained how the statement is being shown and briefly described how the summary statement is supported by sub-reports that provide more detail on preventative and local road maintenance activities. Periodically, he will be asking the Board to amend the 2019 budget in the event expenditures within each category happens to exceed the approved budget levels.

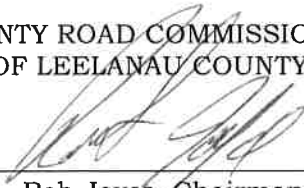
Public comments: None.


Commissioner Comments:


Calhoun asked if the culvert replacement on CR-641 at Houdek's Creek went as planned - Kelenske replied that the project took half a day and the road was re-opened by noon. Eckerle asked if staff is keeping up on issuing permits - Kelenske stated staff is current with issuing permit applications. Popa offered comments on two subjects:

With no more business to conduct, Joyce adjourned the meeting at 1:30 p.m.

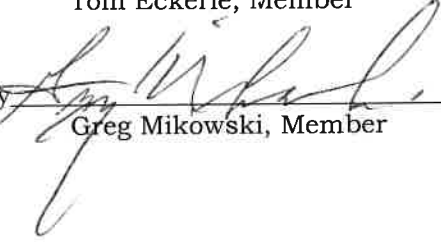
BOARD OF COUNTY ROAD COMMISSIONERS
OF LEELANAU COUNTY


By  _____
Bob Joyce, Chairman

By  _____
John Popa, Vice Chairman

By  _____
Jim Calhoun, Member

By  _____
Tom Eckerle, Member

By  _____
Greg Mikowski, Member

Attest:  _____
Joel T. Nedow-Secretary to the Board

September 3, 2019

A regular meeting of the Board of County Road Commissioners of Leelanau County was called to order by Chairman Bob Joyce at 1:00 p.m. on Tuesday, September 3, 2019 at 10550 E. Eckerle Road, Suttons Bay, Michigan. Present: Chairman Bob Joyce, Vice-chairman John Popa, members Jim Calhoun, Tom Eckerle and Greg Mikowski. Also present: Manager Justin Kelenske and Finance Manager/Secretary to the Board Joe Nedow. Guests were present.

Agenda: Approved as presented.

Vouchers 41941 thru 41967 in the amount of \$681,843.88 – approved.

Minutes from August 20, 2019 regular meeting – approved.

Public Comments: None.

Communications:

-Letter dated August 22, 2019 from Don Gregory addressed to the Suttons Bay Village Council and to the Road Commission: Gregory wrote County Road 633 (Elm Street) from Herman Road north to the Catholic Church in Suttons Bay is one of the poorest main roads in Leelanau County and what can be done to fix it. Nedow explained this road segment is within the incorporated Village of Suttons Bay and is not within the Road Commission's jurisdiction.

Further discussion ensued. Eckerle stated he would support pressuring the Village of Suttons Bay to do something about fixing this road for the benefit of all county residents. Joyce pointed out that this road is in poor shape, utilized by light and heavy vehicles. To fix it would cost a significant amount of money even if the stream crossings were omitted. Other solutions offered: requesting a road project be submitted to the 10C Rural Task force for consideration; the possibility of the Village submitting a grant application to the Grand Traverse Band for funding; imposing load limits on Elm Street, and explore whether it would be possible to avoid the culverts and construct a new bypass route behind the Suttons Bay School. After further discussion, Joyce stated he would be willing to set up a meeting between the Village Manager and the Road Commission to discuss options.

-Letter dated August 21, 2019 from Leelanau County Planning Commission Chairman Victor Goldschmidt inviting the Road Commission to review the latest release of the Amended Leelanau County General Plan and submit any comments to the County by October 4, 2019 in accordance with Section 41 of the Michigan Planning Enabling Act, Public Act 33 of 2008, MCL 125.3841.

Appointments: None.

Manager's report:

-Paving projects: Crews have started prepping CR-677 by milling where the new pavement will abut.

-Routine maintenance: Seal coating has concluded for the summer, with 39 miles of road coated. Crews will finish applying fog seal later this week and the highway painting contractor is scheduled to paint the newly sealed roads within the next few weeks.

-The bridge spanning Victoria Creek in Cedar has been inspected. Based on the inspecting engineer's recommendation, the weight restrictions on the bridge have been removed.

-The Ironman race held on August 25: while the race went well, the road blocks established along the M-72 corridor for the race route resulting in significant delays for motorists trying to cross in or out of Leelanau County. Kelenske reported there was a lot of criticism posted on social media following the event, and at a recent 911 staff meeting, several county agencies also expressed their displeasure that suggestions for an alternate route within the county were ignored. There will be a debriefing meeting scheduled for September 18th at the county governmental building which Kelenske is planning on attending.

-Engineering position: Kelenske will be interviewing an in-county engineering tech candidate later this week. With no applications for an engineer received, Kelenske published a request for qualifications from an outside engineering firm that will run until the end of September.

Nedow reported this year's salt price is rising 10.5% to \$85.89 per ton, resulting in an additional estimated \$15,000.00 cost over what was paid last winter.

Request to amend Dalton/First Street right of way permit – removed requirement for applicant to record permit with Register of Deeds:

Kelenske stated the applicants tried to record their approved permit but could not, citing the Leelanau County Register of Deeds office had told them the permit could not be recorded in its present form. Because they could not record the permit, the Dalton's had contacted Kelenske to ask how they are to proceed to satisfy the Board's conditional approval (record the permit within 30 days). After conferring with the Register of Deeds Dorothy Miller, staff is asking the Board to approve an amended motion that omits the requirement to record the permit.

Further discussion ensued. Nedow provided his opinion that a permit is issued to a person and not to a parcel/property. If that property is subsequently sold, it is up to the new owner to obtain a permit granting them the same authorization for a right of way infringement to continue.

Popa disagreed, stating his opinion that anything can be recorded provided the document in question is drafted to conformance with the Register of Deeds published guidelines. Popa also stated that by recording the permit would then "attach" to that location where the Board had granted permission in the event the property is subsequently sold. He also volunteered to reach out to the applicants to help them draft a recordable document. Eckerle agreed with Popa's assessment. After further discussion, the Board directed Kelenske to contact the applicants to notify them the terms of the original approval remain and to offer his assistance in helping them find a viable solution. Nedow was directed to include this topic on the September 17th meeting agenda.


Public comments: Heard comments from Lake Leelanau resident Mike Zeits.


Commissioner Comments:

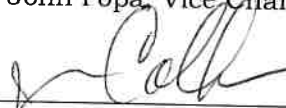
Eckerle offered his thoughts on the problems many county residents encountered trying to cross M-72 during the Ironman event. Further discussion ensued as to how to voice the Board's concerns to MDOT and to the race coordinators so that future problems could be avoided. Nedow suggested drafting a resolution summarizing the Board's concerns which then could be adopted during the September 17th regular meeting before being presented at the debriefing session the following day. The Board agreed, and directed Nedow to draft a resolution to be reviewed and possibly adopted at the September 17th meeting.

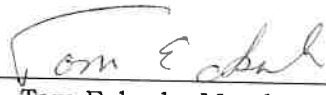
With no more business to conduct, Joyce adjourned the meeting at 1:38 p.m.

BOARD OF COUNTY ROAD COMMISSIONERS
OF LEELANAU COUNTY

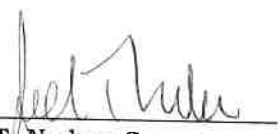
By 
Bob Joyce, Chairman

By 
John Popa, Vice Chairman

By 
Jim Calhoun, Member

By 
Tom Eckerle, Member

By 
Greg Mikowski, Member

Attest: 
Joel. T. Nedow-Secretary to the Board

September 17, 2019

A regular meeting of the Board of County Road Commissioners of Leelanau County was called to order by Chairman Bob Joyce at 1:00 p.m. on Tuesday, September 17, 2019 at 10550 E. Eckerle Road, Suttons Bay, Michigan. Present: Chairman Bob Joyce, Vice-chairman John Popa, members Jim Calhoun, and Tom Eckerle. Also present: Manager Justin Kelenske and Finance Manager/Secretary to the Board Joe Nedow. Member Greg Mikowski was absent. Guests were present.

Agenda: Approved as presented.

Vouchers 41968 thru 42001 in the amount of \$594,306.88 – approved.

Minutes from September 3, 2019 regular meeting – approved.

Public Comments: None.

Appointments: At 1:03 p.m. the Board met with Networks Northwest Community Planner Elizabeth Calcutt to review the proposed route of the next phase of the Sleeping Bear Heritage Trail to be constructed from CR-669 to Good Harbor Drive at some point in the future. Calcutt provided an overview of the proposed route which will start at CR-669 @ M-22 and extends north and then east along Traverse Lake Road then along M-22. She explained the trail will mostly be located outside the road right of way. But because of the topography, there are places along the proposed route where the trail would have to be constructed within the road right of way.

The drawings also show a possible proposed future spur of the trail northward along the CR-669 road right of way to Good Harbor Drive. Calcutt stated Cleveland Township and Centerville Township Boards have recently given their approval to the proposed route, and she is here today to ask the Road Commission Board for their approval. As such, Kelenske is asking the Board to approve a motion authorizing him to issue future permit applications for various locations along the route depicted at today's meeting where the proposed trail is to be constructed within the CR-669, Traverse Lake Road and Good Harbor Drive road right of ways. Calcutt then acknowledged she is still working on obtaining an easement from a private property owner where there is limited space for the trail before the National Park Service would be ready to submit permit applications.

Popa asked several questions about the proposed route, suggesting additional parking should be provided at the Good Harbor Drive road-end the whether the Board should discuss possibly abandoning the road as the land on either side is within the National Lakeshore property.

Motion by Calhoun supported by Eckerle authorizing the Manager to issue/approve future permit application requests related to portions of the Sleeping Bear Heritage Trail that is to be constructed within the CR-669, Traverse Lake Road and Good Harbor Drive road right of ways provided the routes stay the same as what was presented at today's meeting.

Discussion:

Popa stated his opinion that while he is in favor of the proposed route, he does not supported adopting a motion granting the Manager the authority to approve permits without knowing the specific locations along the route that would be constructed in the road right of way.

Calcutt stated she would be satisfied with the Board's approval of the conceptual plans at this time so that efforts to move forward can continue.

Motion by Calhoun, supported by Eckerle to withdraw his earlier motion.

Ayes: Joyce, Popa, Calhoun and Eckerle. Nays: None. Absent: Mikowski. Motion is hereby approved.

Motion by Popa, supported by Calhoun to approve the conceptual plans for the next phase of the Sleeping Bear Heritage Trail as presented during today's meeting (utilizing the CR-669, Traverse Lake Road and Good Harbor Drive road right of ways).

Discussion: None.

Ayes: Joyce, Popa, Calhoun and Eckerle. Nays: None. Absent: Mikowski. Motion is hereby approved.

Communications:

-Letter dated September 9, 2019 from Diana Terrell asking the Road Commission to consider joining efforts to install a traffic signal at the M-72/CR-651 intersection. Terrell expressed her concerns for anyone traveling thru this busy intersection, citing numerous accidents including a recent double fatality that occurred there this past summer. She had also written to Sheriff Borkovich and to the local MDOT office asking them to support her suggestion of installing a traffic light at the intersection.

Further discussion ensued. Eckerle asked if Kelenske had responded to Terrell; Kelenske acknowledged he has not as he considered the letter informational since MDOT controls signage on the state Trunkline routes.)

Popa provided a historical background on prior efforts to obtain additional right of way on either side of the intersection which failed.

Joyce suggested installing flashing signs on either side of CR-651 to warn traffic of the intersection ahead. Kelenske stated his opinion that the safety concern focuses on motorists who have come to a stop before merging unsuccessfully into oncoming traffic. After further discussion, Kelenske stated he will continue to look into possible options and report his findings to the Board at a later date.

Manager's report:

-Paving projects/routine maintenance: CR-677 has been paved and our crews have completed shoulder restoration. In addition, highway painting and stop ahead-warning rumble strips installed at the M-72/CR-677 intersection later this week. On the CR-629 project, the existing shoulders have been milled and widened with a new gravel based installed. Paving is also expected to happen later this week.

The highway painting contractor is scheduled to paint the newly sealed and paved roads later this week and next, and crews have begun clearing trees to make room for ditches that will be constructed to control storm water runoff as part of the Cheney Road paving project.

-Engineer Tech position: Kelenske made an offer to a qualified candidate and is waiting to see if the offer is accepted.

-Announced he will not be able to attend the October 1st Board meeting due to the Reynolds Street lawsuit mediation session scheduled on the same day.

Nedow reported receiving a \$41,530.00 refund from the Michigan County Road Commission Self-Insurance Pool and anticipates receiving a \$58,013.00 refund from the Michigan Department of Transportation for an audit of our 2017 State Trunkline audit later this fall.

Request to amend Dalton/First Street right of way permit – removed requirement for applicant to record permit with Register of Deeds:

Kelenske reported receiving a legal analysis from the Road Commission's corporate counsel Bill Henn whether it is appropriate to record permits issued by County Road Commissions with the Register of Deeds. The attorney's concluded that because permits are in the same nature as licenses granted to individual land owners and do not affect title to or interests in real property, it is improper to record them with the Register of Deeds. As such, Kelenske offered his recommendation to the Board to amend the original motion for the Dalton/First Street right of way permit approval to remove the requirement for the permit applicant to record the permit with the Register of Deeds within 30 days.

Motion by Calhoun, supported by Eckerle to amend the Dalton/First Street right of way permit approval by removing the requirement to record the approved permit with the Leelanau County Register of Deeds within thirty days as recommended in attorney Bill Henn's legal opinion letter.

Discussion: None.

Ayes: Joyce, Popa, Calhoun and Eckerle. Nays: None. Absent: Mikowski. – Motion is hereby approved.

Request to amend the Administrative Employee handbook:

Kelenske provided an updated copy of the handbook whereby the "Nepotism, Employment of Relatives and Personal Relationships" section deleted. He cited the difficulty the Road Commission has been experiencing finding qualified applicants and that the nepotism reference has restricted our ability to hire good people to fill vacant job openings. No objections were offered to his request.

Motion by Eckerle, supported by Calhoun to approve the updated Administrative Employee handbook as presented at today's meeting (delete section on "Nepotism, Employment of Relatives and Personal Relationships" section).

Discussion: None.

Ayes: Joyce, Popa, Calhoun and Eckerle. Nays: None. Absent: Mikowski. – Motion is hereby approved.

Resolution 19-03 – Leelanau County Road Commission Board express concerns with recent Ironman event:

Motion by Calhoun, supported by Eckerle to adopt Resolution 19-03 which reads as follows:

Whereas the Ironman 70.3 Grand Traverse Area race event was held on Sunday, August 25, 2019 which part of the route utilized state and county roads within Leelanau County, and

Whereas the event coordinators did not petition various township to submit road-closure permit applications to the Leelanau County Road Commission to close roads to traffic on their behalf, and

Whereas the event coordinators failed to post notification signs along the race route prior to the event so that the public would be notified which county roads would be closed to vehicular traffic on the day of the race, and

Whereas Law enforcement personnel blocked access onto M-72 from Benzie and Leelanau Counties for any motorists from crossing the state highway at many of the road intersections into, or out of Leelanau County for several hours, and

Whereas closing M-72 to through traffic had a detrimental impact on the motoring public as well as seasonal and full-time businesses within Leelanau County that rely on tourism during the summer months.

Now, therefore be it resolved that Board of Road Commissioners of Leelanau County does hereby go on record requesting that those entities/parties who planned or participated in this event, or who will be planning similar events requiring road closures in the future select a route(s) that do not impede or limit the motoring public's ability to access various parts of Leelanau County.

Be it further resolved that copies of this Resolution be presented to the attendees of the September 18th post-race follow up meeting.

Discussion: Popa stated his opinion that he would prefer to leave out any mention of the Ironman and instead adopt a resolution broader in scope that would apply to all future events requiring road closures. Eckerle and Calhoun stated they disagreed with Popa, stating they had instructed staff to draft a resolution that listed the concerns discussed during the last Board meeting having to do with the Ironman event.

Nedow stated the Road Commission requires each township in which a special event is being held requiring a road closure to submit a permit application to the Road Commission for approval and not from the event organizers.

Roll call vote: Eckerle – aye; Calhoun – aye and Joyce – aye. Nays: Popa. Absent: Mikowski. Resolution is hereby adopted.

Motion to reschedule either October 1st or October 15th meeting dates as quarterly night time meeting:

Nedow asked the Board to decide which date would work the best for the next quarterly night-time meeting. Kelenske stated he would be unavailable to attend on October 1 due to the Reynolds Street mediation session scheduled the same day.

Popa offered comments on future quarterly meetings, providing reasons why he felt they should be discontinued. Eckerle disagreed, stating they Board had committed to hold four meetings before deciding on a fifth. Joyce stated his opinion that he feels it important to continue with night meetings in order to provide the opportunity to any resident who cannot attend a meeting during the day.

Calhoun stated he would not be able to attend if October 15th was selected due to a prior commitment. He asked if there would be any objections to November 5, 2019 which he is available to attend. No objections were offered to Calhoun's suggestion.

Motion by Popa, supported by Eckerle to reschedule the start time of the November 5, 2019 regular meeting from 1:00 PM to 5:00 PM.

Ayes: Joyce, Popa, Calhoun and Eckerle. Nays: None. Absent: Mikowski. – Motion is hereby adopted.

Motion authorizing Manager to exceed this year's seal coat slag quantity:

Because our seal coat slag delivery was delayed until late July, Kelenske informed the Board he had to purchase an additional 3,500 tons of slag from another supplier in order to keep our seal coat operation going. Because the demand for slag has been high state wide, Kelenske decided committed to receiving the original 7,000 ton order so that we can stockpile slag for next year's operation. Because the additional material cost exceeds his authorization limit, he is asking for Board approval.

Motion by Popa supported by Calhoun authorizing Kelenske to purchase additional quantities of 34CS-slag to stockpile inventory for next season's seal coat operation.

Discussion: None.

Ayes: Joyce, Popa, Calhoun and Eckerle. Nays: None. Absent: Mikowski. – Motion is hereby adopted.

Eckerle asked for a progress report on meeting with Suttons Bay Village staff to discuss fixing Elm Street in the village limits. He also asked if anyone had responded to the letter sent by Don Gregory (see September 3, 2019 minutes). Kelenske stated he had not and efforts are still in the works to set up a meeting with himself and the new Suttons Bay Village Manager Rob Larrea and Director of Facilities head David Miller to discuss possible solutions.

Public comments: Enterprise reporter Eric Carlson stated Suttons Bay Village has been receiving a lot of citizen complaints regarding Elm Street. At the September 16th Village Council meeting he had attended, Carlson stated Village Manager Larrea is looking at both Elm Street and South Shore Drive for future repairs.

Commissioner Comments:

Popa: Offered his thoughts on Good Harbor Drive. As this seasonal road is within the National Park boundaries, he suggested opening a dialog with the National Park Service to explore the possibility of abandoning this county road.


Calhoun asked to include a general discussion the October 1st meeting agenda on fixing the roads within Cherry Homes subdivision in Leelanau Township within the next few years.

Eckerle asked why the topic fixing Elm Street in the Village of Suttons Bay was not included on this meeting agenda. Kelenske and Nedow stated they were unaware that this topic was to be included on this meeting's agenda as there had been no change since the last meeting. Nedow also stated that the meeting packets he distributes the week before includes a message asking all recipients to let him know if anything is to be added to the upcoming meeting agenda.

With no more business to conduct, Joyce adjourned the meeting at 2:06 p.m.

BOARD OF COUNTY ROAD COMMISSIONERS
OF LEELANAU COUNTY

By 
Bob Joyce, Chairman

By 
John Popa, Vice Chairman

By 
Jim Calhoun, Member

By 
Tom Eckerle, Member

Attest: 
Joel T. Nedow-Secretary to the Board

A regular meeting of the Board of County Road Commissioners of Leelanau County was called to order by Chairman Bob Joyce at 1:00 p.m. on Tuesday, October 1, 2019 at 10550 E. Eckerle Road, Suttons Bay, Michigan. Present: Chairman Bob Joyce. Vice-chairman John Popa, members Jim Calhoun, Tom Eckerle and Greg Mikowski. Also present: Finance Manager/Secretary to the Board Joe Nedow. Manager Justin Kelenske was absent. Guests were present.

Agenda: Approved as presented.

Vouchers 42002 thru 42027 in the amount of \$289,547.24 – approved.

Minutes from September 17, 2019 regular meeting – approved.

Public Comments: Leelanau Enterprise reporter Eric Carlson reported the Leelanau County Board of Commissioners had voted this morning to consider calling on the Michigan Attorney General to investigate the closure of county roads during the Ironman bike race that effectively blocked anyone from entering or exiting Leelanau County across M-72 for several hours August 25th. The county's corporate counsel provided an opinion that state officials did not follow proper procedures for obstructing traffic and closing roads in violation of state laws. Carlson added the County Board of Commissioners voted 6-0 to consider adopting a resolution next Tuesday that would ask State Legislators Senator Curt VanderWall and Representative Jack O'Malley to assist in seeking an Attorney General's investigation into the matter.

Appointments: None.

Communications:

-Letter dated September 20, 2019 from attorney Matthew Vermetten representing Leelanau Township/North Omena Point Road resident Melissa Chenault who is seeking vacation or abandonment of that portion of Whitney Avenue (Fire Lane #5) fronting her home. According to Vermetten's letter, Chenault is "finding the numerous cars and trucks parking in front of her home in order to access the bay as an unacceptable disturbance". As such, Vermetten is inquiring whether a solution may be had that does not involve the considerable time, expense and (possibly) adversity inherent with a court action.

Nedow provided a copy taken from the Road Commission's most recent Road Mileage Certification map that includes the entire length of Whitney Avenue as a county road. An investigation by a title company hired by Vermetten found that in 1935 nearly all the roads and streets within the Plat of New Mission Point were vacated except for the portion of Whitney Avenue west of Lake Avenue, which had also been abandoned. Nedow stated that he had spoken to Vermetten to tell him an Abandonment Petition request would need to be submitted to the Board for consideration for that part of Whitney Avenue between North Omena Point Road and the platted segment as well as pursue court action to petition the courts to vacate the remaining platted segment. This too would require the Road Commission Board to abandon our interests if the courts granted the vacation request. Due to the complexity, Nedow had suggested to Vermetten the possibility of asking Leelanau Township Board to adopt a parking ordinance that would restrict parking on Whitney Avenue.

No action was taken pending further Board review – Nedow instructed to include this topic on the next meeting's agenda.

-Email dated September 25, 2019 from Glen Arbor Township Clerk Pam Laureto informing the Road Commission of the Township's intent to enact a road-improvement levy within their township without voter approval. She asked Nedow to write a brief agreement to support the request. Laureto also provided two attachments:

-a copy of a summary from the MCL (Michigan Compiled Law) 247.670 that allows a township board the ability to levy a property tax (not to exceed 3 mills in any year) for the maintenance or improvement of a county roads within the township...without submitting the question to the electors. This authorizing language predates the Headlee Amendment prohibition on increasing property taxes without a vote of the electors, but it is unclear how a court would rule if a township was challenged for taking this approach. As doing so could run counter to public expectations and approval, it is recommended any township board considering this levy should consult with their legal counsel for guidance.

The second attachment is a memorandum from Glen Arbor Township's attorney stating the Township may exercise that authority even if it had never previously done so.

Nedow had responded orally to Laureto with his concerns of the possible political ramifications the Township imposing an additional road improvement levy on township residents without voter support, and that the levy might erode support within Glen Arbor Township of our efforts to renew our county-wide millage next August. However, he offered to bring her request to the Road Commission Board at their next meeting for their consideration.

Discussion: Popa suggested writing a short letter to Glen Arbor Township thanking them for their financial in the Cheney Road and Port Oneida Road improvement projects but is declining to comment on the decisions and policies enacted by the Glen Arbor Township Board. Joyce expressing his opinion that the less said the better and that he would prefer Manager Kelenske contact Glen Arbor Township to convey the Board's sentiments. No comments were offered by Calhoun, Mikowski or Eckerle.

-Email dated September 27, 2019 from Leland Township resident Allan McKisson who ask a statement be added to the Road Commission's website as requested at the July 2, 2019 Road Commission meeting. Popa pointed out that the July 2nd meeting minutes stated the Board would take his suggestion under advisement but did not subsequently act upon it. Joyce asked Nedow if it would be difficult to incorporate McKisson's statement onto our website. Nedow responded it would be easy. No objections were offered by any of the Board members and Joyce directed Nedow to proceed with incorporating the statement onto the Road Commission website.

-Email dated September 26, 2019 from Amy Graves of 10473 S. High Meadows Ct asking the Road Commission to finish Timberlee Drive which had been sealcoated but not fogged. Graves expressed her concerns that the winter snow plows will pick up the loose aggregate and deposit them onto their front yards and driveways. She also stated it is no longer enjoyable to use the road to walk their dog as the stone hurt their feet. Nedow stated in his Manager's report Kelenski wrote he had responded to those who had submitted complaints that a few roads including Timberlee had not been fogged due to the onset of wet and cold fall weather and that he intends to finish fog sealing next summer. Nedow reported that Priest had sent a Pelican street sweeper thru the subdivision to pick up any loose slag which should help alleviate concerns.

-Email dated September 17, 2019 from Consumers Energy proposing tree trimming on the north segment of Gills Pier Road. Nedow stated that when he received the request, he had informed Consumers Energy representatives that the road was designated as a Natural Beauty Road and any trimming activity had to follow the process as prescribed in the Natural Resources and Environmental Protection Act (Act 451 of 1994) – Guidelines and procedures for native vegetation preservation: rights of public utilities or governmental agencies or municipalities. Nedow explained that as the Road Commission is the entity who would be issuing the permit to work within the Gills Pier Road right of way, the legislation requires that Leelanau Township be notified as the road is within their township boundary. At that time, the Leelanau Township Board has the option to hold a public hearing at a place within their township so that Consumers Energy can provide a presentation outlining the scope and extent of the proposed work so the public can have the opportunity to offer comments.

Based upon testimony recorded and provided by the Township, the Road Commission Board would then make a decision as to the scope of the work to be authorized. The Act also provides a time line in which all this has to occur.

Nedow then stated he received a follow up call from a Consumers Energy representative yesterday, who confirmed Consumers will pursue relocating their buried power lines outside the Gills Pier Road right of way and negotiate with affected property owners to obtain new easements next spring and abandon the old easements after the line has been moved. In the event Consumers Energy is unable to secure new easements, their request to work within the road right of way may be re-submitted to the Road Commission at a later date.

Manager's report:

With the Manager not present, no comments were offered. While the report provided a summary for two agenda topics listed under "Old Business" (Follow-up on Ironman event debriefing and Update on discussions with Village of Suttons Bay on fixing Elm Street) – Nedow requested to include both plus today's Manager report on the next meeting agenda.

Nedow reported candidate Keith Moore has accepted the Engineering Technician position and will be starting October 14, 2019.

Discussion - fixing Cherry-Homes subdivision streets:

Calhoun asked for this topic to be placed on today's agenda. He offered his opinion that given the roads within Cherry-Homes are in rough shape, the Road Commission and Leelanau Township should start making plans on how to fix them within the next few years. And in the event a centralized water supply and centralized sewer system is needed, and septic systems are needed in the subdivision, these improvements would likely be extended over multiple years and should be incorporated with any road improvements proposed. He also pointed out the soil under the road surfaces are in poor condition and extensive excavating needed to correct this deficiency.

Leelanau Township Supervisor Doug Scripps offered his impression of what is being proposed. He acknowledged the roads within Cherry-Homes are in rough shape and improving them is high on the list for his township to address. Scripps opined that the question of constructing a central water distribution and central sewer system would significantly complicate and likely delay any road improvements. At present, the biggest topic in Leelanau Township is short term rentals and how Leelanau Township will be addressing them.

Popa and Joyce offered their thoughts. Popa suggested hiring an engineer firm to prepare a study that would provide an idea how fixing the roads would cost, possibility of establishing a special assessment district (SAD) to pay for the improvements, and the possibility of creating a citizen committee within the subdivision. Joyce stated he would prefer to use the latest PASER rating to base his decision and suggested waiting until Kelenske is present before making any plans. Eckerle voiced his opinion that he does not understand why staff allowed these subdivision roads to deteriorate to this point when other county roads had been selected to be re-paved.

Public Comments: None.

Commissioner Comments:


Joyce: stated he recently learned that when Manager Kelenske had recently contacted MDOT officials to discuss the safety concerns raised over the newly constructed bump-out curbs in the Village of Lake Leelanau, he discovered a Road Commissioner had already done so. He further stated that this is not the first time this has happened and asked that all Board members need to refrain from undermining the Manager's efforts in the future.

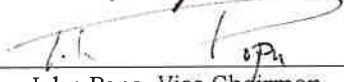
Eckerle: stated he does not have a problem when a Board member expresses their own thoughts and opinions on issues provided it is made clear that the opinions expressed are from an individual and not representing the entire Board.


Eckerle also asked if staff had ever considered the possibility of asking MDOT to construct a round-about on M-72 at CR-651 as a viable option. He also asked to include a discussion on the Bugai Road extension at the next Board meeting and what can be done to urge Grand Traverse County to resurrect plans to complete the bypass route. Joyce stated he had attempted to contact the new Grand Traverse County Road Commission Manager Brad Masserant twice to discuss this but has not received a response to date. Nedow suggested asking Masserant to attend the next Road Commission so that the Board could ask questions and see if there is any interest in pursuing this matter. After further discussion, Nedow was instructed to include this on the next meeting's agenda and to have Kelenske contact Masserant to invite him to participate.

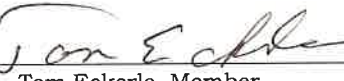
With no more business to conduct, Joyce adjourned the meeting at 1:44 p.m.


BOARD OF COUNTY ROAD COMMISSIONERS
OF LEELANAU COUNTY

By 
Bob Joyce, Chairman

By 
John Popa, Vice Chairman

By 
Jim Calhoun, Member

By 
Tom Eckerle, Member

By 
Greg Mikowski, Member

Attest: 
Joel T. Nedow-Secretary to the Board

A rescheduled regular meeting of the Board of County Road Commissioners of Leelanau County was called to order by Chairman Bob Joyce at 1:00 p.m. on Monday, October 14, 2019 at 10550 E. Eckerle Road, Suttons Bay, Michigan. Present: Chairman Bob Joyce, Vice-chairman John Popa, members Jim Calhoun, Tom Eckerle and Greg Mikowski. Also present: Manager Justin Kelenske and Finance Manager/Secretary to the Board Joe Nedow. Guests were present.

Agenda: Approved as presented.

Vouchers 42028 thru 42080 in the amount of \$424,974.08 – approved.

Minutes from October 1, 2019 regular meeting – approved.

Public Comments: Lake Leelanau resident Kyron Gilland offered his thoughts as to how restrictive the bump-outs recently constructed at the intersection of M-204/CR-643 in the Village of Lake Leelanau are. He stated the design impedes the ability of semi-trucks hauling trailers trying to turn safely at the intersection without having to back-up or obstruct oncoming traffic.

Appointments: None.

Communications: None.

Manager's report:

Project update: paving on Cheney Road, Port Oneida Road and Horn Road has been completed. Our crew members are expected to complete shoulder restoration work this week on all three projects. Horn Road wedging was added because our paving contractor had a two-day window available to wedge the entire length. Kelenske anticipates seal coating Horn Road next summer. Crews have also begun stockpiling road gravel at Cummins Street and will be prepping that road by constructing ditches and installing culverts to improve drainage. Paving is scheduled for October 21st.

Lake Leelanau-M-204 bump-outs: Kelenske recently met with MDOT-TSC Manager Rick Liptak to discuss concerns with the recently constructed structures. Kelenske had made a video showing a local fruit hauling semi attempting to maneuver unsuccessfully thru the CR-643/M-204 intersection, reinforcing the need for corrective action. Liptak informed Kelenske that MDOT will be looking into this issue to consider a possible future modification to the curbing at that location.

Meeting with Village of Suttons Bay-Elm Street: Kelenske met with Village Manger Larrea and Facilities Manager Miller to discuss options how the Village can pursue fixing Elm Street, referring them to a local engineer to assist their efforts.

Follow up on Bugai Road extension: Kelenske contacted Grand Traverse County Road Commission Manager Brad Kluczynski to see if they have any plans to finish the Bugai Road extension. Kelenske learned that GTCRC is focused on resolving the east/west bypass initiative before they would consider the possibility of a Bugai Road extension project in the distant future.

Whitney Avenue (Firelane #5) Omena Point: staff is currently waiting for a response from the attorney representing the property owner seeking to abandon this street as to what course of action they are planning on pursuing. Kelenske is recommending the Road Commission Board should oppose any effort to abandon/vacate this street and continue with the past practice of protecting our county roads ending at water to protect the public's ability to access water.

Reynolds Street/Janko Lawsuit mediation: A mediation session held on October 1st in Traverse City attended by the plaintiffs, their attorney, Leland Township representatives and their attorney, Kelenske and attorney William Henn and Gayle Cummins of the Michigan County Road Commission Self Insurance Pool ended with little progress made. It is unknown at this time whether there will be a follow up mediation session scheduled or if the case will proceed to trial.

Engineer of Record-award contract: While several quotes have been received, Kelenske reported he is still waiting for clarification from one of the applicants before he would be ready to make a recommendation to the Board.

Also, Kelenske introduced Keith Moore who started today filling the Engineering Technician position.

Eckerle: in regards to plowing M-204 this winter, what is the plan for plowing the bump-outs? He also asked if the Board could do anything to strengthen Kelenske's position for negotiating with MDOT to fix/remove the bump-outs. Kelenske declined, stating he would have preferred MDOT and Leland Township had included the Road Commission during the design phase which could have avoided the situation we presently have. In response to plowing, Kelenske stated the curbs would probably be marked to avoid hitting them with the plow truck's underbody scraper. And given the current curb configuration, parking space would be lost from having to avoid the extended curbs.

Joyce asked Kelenske to check the St. Joseph Street/M-204 intersection which also has the same configuration, and to use our lead and tandem to determine if the same restrictive conditions exist at that location.

Eckerle then asked who would be paying for fixing the M-204 bump-outs. Kelenske replied that as both were MDOT project, they would provide the funds and not the Road Commission.

Popa offered two comments. In regards to the M-204 bump-outs, Popa expressed his concerns that trucks could not safely navigate the intersection without impeding traffic.

In regards to Whiney Avenue in Omena, he pointed out Kelenske had made a recommendation and that this topic should be included on the November 5th agenda for further discussion, including a follow up letter to attorney Vermetten.

Nedow provided financial statements updated through the third quarter for the Board to review. When asked by Calhoun about this winter's salt, Nedow replied we have received the bulk of our early salt delivery and that this year's price increased to \$78.11 per ton.

Request to schedule a public hearing: 2020 Road Commission budget:

Nedow asked for a motion to schedule a public hearing for December 3, 2019 to hear comments/questions regarding the proposed 2020 Road Commission budget. He is asking for a motion today so that he has sufficient time to publish the meeting date in the local paper thirty-days prior to when the hearing is to be held.

Motion by Popa, supported by Calhoun to schedule a public hearing for Tuesday, December 3, 2019 at 1:10 p.m. to hear comments/questions regarding the proposed 2020 Road Commission budget.
Ayes: Joyce, Popa, Calhoun, Eckerle and Mikowski. Nays: None. – Motion is hereby approved.

Public Comments: Glenn LaCross spoke, stating something needs to be done about fixing the CR-643/M-204 bump-outs. He stated because the new curbing impedes large trucks and fruit haulers ability to swing out into the intersection without going into the opposing lane or prevent running over the new curbs that extend out into the roadway. LaCross claims the St. Joseph Street/M-204 intersection, where similar bump-outs had also been constructed, has the same constraints. He is suggesting staff should see for themselves and drive a semi with attached fifty-three foot trailer through the intersection at that location too to verify if the same restrictions exists. He then reported expressing his concerns to one of the construction foreman while the curbing was being built and was advised to wait until the structures were finished before determining if his concerns have merit.


Commissioner Comments:


Kelenske then answered several questions asked by Popa and Eckerle.


With no more business to conduct, Joyce adjourned the meeting at 1:30 p.m.


BOARD OF COUNTY ROAD COMMISSIONERS
OF LEELANAU COUNTY

By 
Bob Joyce, Chairman

By 
John Popa, Vice Chairman

By 
Jim Calhoun, Member

By 
Tom Eckerle, Member

By 
Greg Mikowski, Member

Attest: 
Joel T. Nedow-Secretary to the Board

A rescheduled regular meeting of the Board of County Road Commissioners of Leelanau County was called to order by Chairman Bob Joyce at 5:00 p.m. on Tuesday, November 5, 2019 at 10550 E. Eckerle Road, Suttons Bay, Michigan. Present: Chairman Bob Joyce, Vice-chairman John Popa, members Jim Calhoun, Tom Eckerle and Greg Mikowski. Also present: Manager Justin Kelenske and Finance Manager/Secretary to the Board Joe Nedow. Guests were present.

Agenda: Approved as presented.

Vouchers 42081 thru 42115 in the amount of \$693,192.58 – approved.

Minutes from October 14, 2019 regular meeting – approved.

Public Comments:

Leelanau Enterprise reporter Eric Carlson stated that holding night meetings is not warranted, and he urged the Board to discontinue them in the future.

Leland Township resident Francis Migda offered his thoughts as to possible liability exposure the Road Commission could face as the result of issuing a permit allowing stonework/landscaping to remain in the platted First Street road right of way located in the Village of Leland.

Appointments: None.

Communications: None.

Manager's report:

Project update: all paving projects have been completed for the year. Kelenske complimented both garages for working well together which resulted in quality improvements which the public will appreciate for years to come. Crew members have been busy with grading our seasonal and gravel roads, marking their plow routes and preparing the plow trucks for winter.

Staff is presently working on our 2020 construction project list and is planning to present it to the Board when completed.

Whitney Avenue (Fire lane #5) Omena Point: Staff processed a Freedom of Information Act request submitted by attorney Vermitten asking for documentation of maintenance activities at this location.

Reynolds Street/Janko Lawsuit mediation: Our corporate counsel informed Kelenske that Leland Township's attorney will be taking the lead in the litigation process going forward. To date, there has been no new developments.

Kelenske then answered several questions from Board members on the following topics: pine tree leaning over M-204 reported to Joyce; Setterbo Road and if there are plans to finish fog sealing it next summer; suggestion to hire retirees to mow along county roads during the summer months; and an update on a Peterbilt truck that is in need of significant engine repairs.

Motion: authorizing Manager to award Engineer of Record bid:

Kelenske stated that after sifting through the submitted bids, he is recommending Goslin-Czubak as our Engineer of Record citing their staff has worked on our road construction projects in the past and is familiar with the services needed.

Motion by Popa supported by Calhoun authorizing the Manager to accept the Engineer of Record bid submitted by Goslin-Czubak provided doing so would be in the best interests of the Leelanau County Road Commission.

Discussion: None.

Ayes: Joyce, Popa, Calhoun, Eckerle and Mikowski. Nays: None. – Motion is hereby adopted.

Authorize purchase of two brush chippers:

Kelenske reported these two new units will replace a chipper in Maple City and the oldest models in Suttons Bay. He also pointed out that there are sufficient funds available so delaying the purchase until next year is not warranted. The quote was obtained through Sourcewell (eliminating the need to solicit competitive bids). Nedow stated that as these items are not listed on our 2019 Capital Acquisition Expenditure budget, a motion is needed to amend the budget for this purchase.

Motion by Calhoun supported by Mikowski to amend the 2019 Leelanau County Road Commission Expenditure budget, by increasing Capital Acquisition budget by \$128,000.00 for the purchase of two new brush chipper units.

Discussion: Eckerle asked if this adjustment only impacts this line item and does not take funds from another expenditure category. Nedow said this motion impacts the Capital Acquisition expenditure category only and no other budgeted category.

Ayes: Joyce, Popa, Calhoun, Eckerle and Mikowski. Nays: None. – Motion is hereby adopted.

Motion by Popa supported by Calhoun authorizing the Manager to accept the \$127,974.00 Sourcewell bid provided by Vermeer of Michigan provided doing so would be in the best interests of the Leelanau County Road Commission.

Discussion: None.

Ayes: Joyce, Popa, Calhoun, Eckerle and Mikowski. Nays: None. – Motion is hereby adopted.

Offer from Michigan Paving & Materials to extend 2019 pricing:

Michigan Paving & Materials Company submitted a letter dated November 4, 2019 offering to extend 2019 emulsion and fog seal prices for next year's sealcoat operation. Kelenske is recommending the Board accept the offer because emulsion and fog seal prices are forecasted to increase next season. Since the Road Commission has been stockpiling 34CS slag this past summer for next year's seal coat operation, locking in the price for emulsion and fog seal early makes sense and would thus allow our crews to start earlier next summer.

Page 2 (Continued)

Motion by Calhoun supported by Popa authorizing the Manager to accept Michigan Paving & Materials offer to extend 2019 emulsion bid price (\$2.14/gallon for CRS-2M) and fog seal bid price(\$1.44/gallon for CQSEA) for next year's construction season if doing so would be in the best interests of the Leelanau County Road Commission.

Discussion: None.

Ayes: Joyce, Popa, Calhoun, Eckerle and Mikowski. Nays: None. – Motion is hereby adopted.

Public Comments: None.

Commissioner Comments:

Popa suggested that when future meetings are opened with reciting the Pledge of Allegiance, the phrase "one Nation under God" should be one phrase without a comma or a pause.


As to Midga's comments earlier in the meeting, Popa stated the Road Commission's permit application includes an indemnification clause that holds the Road Commission harmless for the structures allowed in the road right of way. Midga responded to Popa, stating his opinion that in general, road end incursions are a mess and that there needs to be a process created to monitor them better.

Eckerle asked Kelenske for updates on; efforts to resolve the M-204/CR-643 bump-outs; whether the Village of Suttons Bay is following thru with plans to fix Elm Street within the Village; and what is being done to prevent MDOT from constructing bump-out curbs on M-22 in the Village of Suttons Bay similar to what was built in the Village of Lake Leelanau.

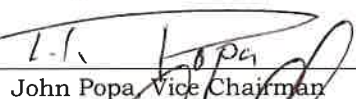
With no more business to conduct, Joyce adjourned the meeting at 1:33 p.m.

BOARD OF COUNTY ROAD COMMISSIONERS
OF LEELANAU COUNTY


By


Bob Joyce, Chairman


By


John Popa, Vice Chairman

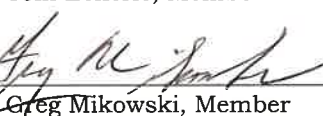
By


Jim Calhoun, Member

By


Tom Eckerle, Member

By


Greg Mikowski, Member

Attest:


Joel T. Nedow-Secretary to the Board

A regular meeting of the Board of County Road Commissioners of Leelanau County was called to order by Vice-chairman John Popa at 1:00 p.m. on Tuesday, November 19, 2019 at 10550 E. Eckerle Road, Suttons Bay, Michigan. Present: Vice-chairman John Popa, members Jim Calhoun, Tom Eckerle and Greg Mikowski. Chairman Bob Joyce was absent. Also present: Manager Justin Kelenske and Finance Manager/Secretary to the Board Joe Nedow. Guests were present.

Agenda: Approved as presented.

Vouchers 42116 thru 42156 in the amount of \$365,823.96 – approved.

Minutes from November 5, 2019 regular meeting – approved.

Public Comments: None.

Appointments: At 1:05 p.m. the Board met with Leelanau County Administrator Chet Janik, County Clerk Michelle Crocker, Chief Deputy Clerk Jennifer Zywicki and Chairman of the Leelanau County Board of Commissioners William Bunek to discuss the County's intent to approve a five-year audit service agreement with Rehmann Robson LLC that includes the Road Commission.

Bunek explained that he had been contacted to request someone from the County to attend today's meeting so that the Road Commission Board members could ask questions and to have the opportunity to comment on the proposal. At the November 12, 2019 Executive Board session, a motion was adopted to recommend accepting a five-year audit proposal that also includes a recommendation for Leelanau County would pay for the Road Commission's financial audits for each year of the proposal instead of every-other year as it had been doing for the past several years. Janik stated the Road Commission is a major component of the County's audit, so having the County's auditing firm for the Road Commission would assure audit consistency and be a cost savings. He stated that no board action is requested or required as approving this proposal including the Road Commission is within the County Boards authority. He acknowledged the Road Commission Board could choose to have a separate audit of their own if desired in addition to the audit paid for by the County. Janik concluded his comments by stating the County Board is expected to approve the audit contract with Rehmann during their regular session scheduled later tonight.

Further discussions ensued whereby each Road Commissioner offered their thoughts. When Calhoun asked why the proposal was not brought to the Board's attention when first incepted, Bunek and Janik acknowledged they should have and offered their apologies for the oversight. At the end of the discussion, Popa, Eckerle and Mikowski voiced no objections to the proposal.

Bunek also offered comments on the difficulty he personally encountered this past spring in having his utility permit application approved in a timely manner. While he understood Johnson was in the process of retiring, he suggested the Road Commission should implement a policy to keep better track of pending permit applications to prevent unnecessary delays in processing them as he had experienced. Kelenske agreed, stating corrective measures have already been implemented which he feels should ensure all permit applications are promptly handled. He then offered his apologies to Bunek for how long it took to issue the permit.

Manager's report:

Kelenske offered his report on last week's heavy snowfall and praised the efforts of crew members and staff for providing snowplowing service under trying conditions. Nedow provided financial information reporting the cost to the Road Commission for the two day storm amounted to \$78,000.00 in manpower, overtime, equipment, fuel usage and winter mix used costs.

Mikowski asked Kelenske if staff had considered contacting the local television stations to let the public know to stay off the roads during last week's heavy snowfall. Calhoun asked for an update on the follow up to last summer's Ironman M-72 and county road closures investigation being conducted by the County Board. Leelanau Enterprise reporter Carlson informed the Board a full report is being presented during tonight's County Board meeting including approving a request to the State Attorney General to investigate whether or not State law had been circumvented. As for Mikowski's comments, Carlson stated Emergency Management is normally the entity that issues county-wide warning advisories.

Kelenske reported that new Engineer Tech Keith Moore is making excellent progress in tackling the various aspects associated with his new position. He affirmed his intent to use the services of the Engineer of Record whenever there is a need for designing a road project requiring significant engineering beyond what staff can provide.

Comments were offered by Eckerle and former Road Commission employee Mike Zeits.

Review/approve County road millage ballot language for 2020 primary election:

Motion by Calhoun supported by Mikowski, to approve the 2020 road millage ballot language as presented and to ask the Leelanau County Board of Commissioners to include the road millage renewal in the August 4, 2020 primary election. The proposal reads as follows:

Roads and Highways Maintenance and Repair Millage Renewal Proposal

For the sole purpose of funding general operating expenses to be incurred in maintenance and repair of roads and highways within the County of Leelanau, at the same millage level previously approved by the voters every two years since 1986, shall the Constitutional limitation upon the total amount of taxes which may be assessed in one (1) year upon all property within the County of Leelanau, Michigan, be renewed at 0.5000 mill (\$0.5000 per \$1,000 of Taxable Value) for a period of two (2) years (2020-2021) inclusive?

If approved and levied in full, this millage will raise an estimated \$1,439,634 for road and highway maintenance and repair general operating expenses in the first calendar year of the levy based on taxable value. In accordance with State law, the millage will be disbursed to the Leelanau County Road Commission, and the Villages of Empire, Northport, and Suttons Bay.

Ayes: Calhoun, Popa and Joyce. Nays: None. – Motion approved.

Nedow informed the Board the millage language was last reviewed by the County’s attorney David Stoker in December 2013. In addition, the total millage proceeds reported above will be revised this coming spring once property values have been adjusted for Board of Reviews for new home construction and home purchases. Kelenske will be contact Leelanau County Administrator Janik to ask for an appointment with the Leelanau County Board of Commissioners in February 2020 to ask them to approve placing our road millage renewal request on the August 2020 primary ballot.

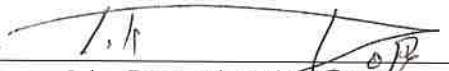
Public Comments: None.


Commissioner Comments:

Heard comments from Mikowski and Calhoun about last week’s heavy snowfall. Popa offered comments on the upcoming Paul Bunyan regional meeting and also on the next Leland Dam Authority meeting. Eckerle requested including on the next meeting’s agenda to discuss possible changes to the Board Meeting Rules allowing Commissioners to engage in a two-way dialog with members of the audience if circumstances warrant.

With no more business to conduct, Popa adjourned the meeting at 1:54 p.m.

BOARD OF COUNTY ROAD COMMISSIONERS
OF LEELANAU COUNTY

By 
John Popa, Vice Chairman

By 
Jim Calhoun, Member

By 
Tom Eckerle, Member

By 
Greg Mikowski, Member

Attest: 
Joel T. Nedow-Secretary to the Board

A regular meeting of the Board of County Road Commissioners of Leelanau County was called to order by Chairman Bob Joyce at 1:00 p.m. on Tuesday, December 3, 2019 at 10550 E. Eckerle Road, Suttons Bay, Michigan. Present: Chairman Bob Joyce, Vice-chairman John Popa, members Jim Calhoun, Tom Eckerle and Greg Mikowski. Also present: Manager Justin Kelenske and Finance Manager/Secretary to the Board Joe Nedow. Guests were present.

Agenda: Approved as presented.

Vouchers 42157 thru 42184 in the amount of \$124,402.16 – approved.

Minutes from November 19, 2019 regular meeting – approved.

Public Comments: None.

Communications Items:

-Emails dated November 22, 2019 and November 26, 2019 from Alexander Janko addressed jointly to Leland Township and to the Road Commission.

Nedow informed the Board both messages were forwarded to the Road Commission's corporate counsel who advised the Board to only acknowledge receipt of both emails without comment or discussion due to the on-going Reynolds Street litigation.

Manager's report:

Crews have been busy plowing snow and cutting dead trees along various county roads. Because of high water levels and recent high winds, several roads bordering Grand Traverse Bay are experiencing significant erosion requiring immediate attention. Several locations have already been repaired, two on M-22 between Suttons Bay and Traverse City and one on CR-640 north of the Village of Northport. Kelenske will be meeting with the Leelanau County Drain Commissioner to discuss possible funding sources that could be utilized for fixing other locations where the high water has eroded the embankments adjacent to our roadways.

Kelenske is also working with the Leland Township Supervisor to see if the Township will have funds to contribute toward the proposed road projects planned for next summer. In addition, the CR-669 culvert replacement/FLAP grant project is scheduled to go out for bids this February 2020.

Nedow reported his intent to publish the County Snow Removal Ordinance in an upcoming edition of the Leelanau Enterprise.

Appointments: At 1:10 p.m. Joyce opened the public hearing to listen to comments and questions concerning the proposed draft of the 2020 Road Commission budget. Nedow provided an oral summary, explaining how he came up with the various budget line items comprising the revenues and expenditures categories. While MDOT is forecasting our 2020 Michigan Transportation Funds to increase 9.9%, his forecasted reflects a conservative 8.5% increase. Total revenues are set at \$9,372,250 (approximately \$300,000.00 than last year's budget) and expenditures at \$9,791,400.00, \$804,900.00 higher than last year. The increased expenditure for 2020 reflects the anticipated additional Michigan Transportation Funds and County millage levy revenues as well as the unspent funds carried over from this year. Capital purchases include two heavy plow trucks fully equipped; a four foot roller with trailer; a new grader to replace the aging Dresser grader at Maple City, and three cab/chassis one ton trucks. The proposed draft includes additional funding for paving and continuation of our summer seal coat operation.

Further discussion ensued as to what engines to order for the one-ton trucks. Joyce provided his opinion that staff should order diesel engines instead of gasoline engines, and Eckerle suggested staff should look into replacing the engines in the existing one-ton cab & chassis trucks instead of purchasing new units. Nedow stated the grader included in Capital Acquisition budget is priced as a new unit, but staff would consider purchasing a used grader in good condition at a lower price if one can be located. Popa offered his thoughts on crack filling. Even though the budget line item for this activity is the same as last year, he is concerned that the actual expenditure reported for 2019 is significantly under what was budgeted.

No comments were offered for or against the proposed budget, orally or written. Joyce then closed the public hearing at 1:29 p.m. and returned to regular session.

At 1:30 p.m. the Board met with Solon Township resident Raymond Pleva, who provided a Power-point presentation on Solon Township's plans to construct a proposed Cedar River Marina project. Pleva explained the various aspects of the project, including; dredging a portion of Victoria Creek to accommodate a new dock and decking; upgrading the existing pedestrian bridge, refurbish the boat launch to improve accessibility for canoes and kayaks; construct additional parking, and install new ADA walkways and build ADA compliant restrooms. Pleva also added this project would benefit County residents and visitors alike by allowing all to enjoy the unique attributes the Cedar River watershed has to offer.

Pleva reported the cost of these improvements is estimated to be \$900,000.00 and funds have already been pledged from various sources for this project. He is asking the Board to provide a letter of support for this endeavor and to determine if the Roads Commission would be willing to truck donated fill material to the recently cleared property near the park to fill in a low spot. Kelenske stated he would be willing to look into Pleva's request to see if the spot is within the County road right of way.

Motion by Calhoun supported by Popa directing the Road Commission Manager to write a letter on behalf of the Road Commission supporting Solon Township's efforts for the Cedar River Marina project.

Discussion: None.

Ayes: Joyce, Popa, Calhoun, Eckerle and Mikowski. Nays: None. – Motion is hereby adopted.

Offer to extend 2019 Gasoline and Diesel fuel pricing to 2020:

In a letter dated November 22, 2019 Bayshore Oil & Propane offered to extend their 2019 pricing for the Road Commission into the entirety of 2020, with margins remaining the same. Nedow provided his recommendation to accept the offer.

Motion by Calhoun supported by Popa to accept Bayshore Oil & Propane's offer to extend their 2019 pricing into 2020 as doing so would be in the best interests of the Leelanau County Road Commission.

Discussion: None.

Ayes: Joyce, Popa, Calhoun, Eckerle and Mikowski. Nays: None. - Motion is hereby adopted.

Discussion: alter/edit Board Rules:

At the November 19, 2019 regular meeting, Eckerle requested to include this topic on today's agenda. He would like to discuss the possibly of altering the Board Meeting Rules to allow Board members to interact with the audience on matters brought before the Board. Staff presented a suggested revision to Section 6.2 *Conduct of Meetings - Rights and Duties of Board members* which would read "Board members may engage in a dialogue with members of the public who address the Board, provided the questions are deemed necessary to clarify a request/issue and that the discussion results in expediting a possible solution to a specific issue."

Further discussion ensued. While Joyce and Eckerle voiced their support to the proposed change, Popa expressed his objections why the Meeting Rules should remain unchanged. No comments were offered by Calhoun or Mikowski. Nedow stated that part of the January 7, 2020 Organizational Meeting would require the Board adopting Meeting Rules for that year, and he is recommending postponing any final decision on suggested edits until then.. After further discussion, Nedow was asked to include this topic on the December 17th meeting agenda and to include any suggested edits the other Board members wish to consider.

Public Comments: Current County and former Muskegon County Road Commission Chairman Bud Black addressed the Board, offering his thoughts as to how Board meetings should be conducted, suggesting all comments should be channeled through the Board Chairman. He also expressed his disappointment that reports he read of how past meeting have been conducted in local newspaper and suggested the Chairman ought to do a better job controlling the meetings.

Recently retired Road Commission employee Dan Schaub voiced his opinion that more enforcement is needed to keep signs out of the road right ways.

Leelanau Enterprise reporter Eric Carlson stated he thought it a good idea to incorporate the proposed changes for public comment into the Board Meeting Rules.

Commissioner Comments:

Popa thanked Schaub for his comments, stating he is in agreement with what he suggested.

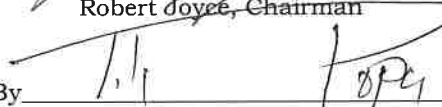
Calhoun expressed his appreciation to the crew members who stabilized the washout on CR-640.

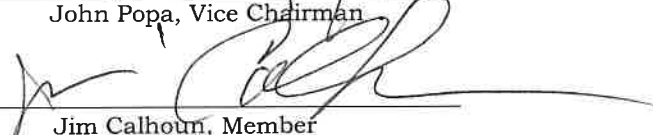
Eckerle offered this thoughts on snow plowing from this past weekend. He received numerous complaints from people complaining the plow drivers were going too fast and that many trucks traveling with their underbody blade up. He further stated he had followed a plow truck from Traverse City traveling northbound on M-22 and noticed the driver was depositing the snow scraped off the center of the road and deposited it into a lane that was already clear. He would like Kelenske to provide cost information at the next meeting. He also asked Kelenske to explore moving the sanders to the center of the truck instead of to the driver's side of the truck. Joyce suggested Eckerle could discuss these matters with Kelenske after the meeting, but Eckerle refused, stating he wanted his comments on the record.


With no more business to conduct, Joyce adjourned the meeting at 2:20 p.m.

BOARD OF COUNTY ROAD COMMISSIONERS
OF LEELANAU COUNTY


By 
Robert Joyce, Chairman

By 
John Popa, Vice Chairman

By 
Jim Calhoun, Member

By 
Tom Eckerle, Member

By 
Greg Mikowski, Member

Attest: 
Joel T. Nedow-Secretary to the Board

A regular meeting of the Board of County Road Commissioners of Leelanau County was called to order by Chairman Bob Joyce at 1:00 p.m. on Tuesday, December 17, 2019 at 10550 E. Eckerle Road, Suttons Bay, Michigan. Present: Chairman Bob Joyce, Vice-chairman John Popa, members Jim Calhoun, Tom Eckerle and Greg Mikowski. Also present: Manager Justin Kelenske and Finance Manager/Secretary to the Board Joe Nedow. Guests were present.

Agenda: Approved as presented.

Vouchers 42185 thru 42224 in the amount of \$248,604.24 – approved.

Minutes from December 3, 2019 regular meeting – approved.

Public Comments: None.

Communications Items:

-Email dated December 9, 2019 from Alexander Janko to the Leland Township Board (copy to Road Commission) offering comments related to Leland Township's Community Recreation Plan for years 2020-2024. The Board acknowledged receipt of the message but offered no comments.

-Email dated December 10, 2019 from Anthony Forton who lives at 9181 S. Coleman Road Maple City. Forton strongly opposes the construction of a commercial driveway on a parcel adjacent to his property. Forton expressed his belief that "allowing a commercial driveway at the top of Coleman Road to access this property is creating a recipe for disaster". He is asking the Road Commission for a formal response to his concerns.

In an email dated December 13, 2019, Kelenske informing Forton that according to the guidelines set by the American Association of State Highway and Transportation Officials (AASHTO), the location of the proposed commercial driveway does meet the necessary sight distance requirements for safe egress/ingress onto our county road. He also informed him that the Road Commission has jurisdiction over issues within the road right of way but not on private property or any property outside the right of way.

Appointments: None.

Manager's report:

Crews have been busy plowing snow, cutting trees and fixing various shoreline washouts along county and MDOT roadways.

Salting and sanding procedure: At a recent safety meeting with the entire crew held at the Suttons Bay garage, Kelenske reviewed proper snow plowing procedures and tactics, including:

- Plowing speeds limited to 30 mph, and maximum sanding speed no greater than 25 mph which Kelenske feels should significantly reduce the bouncing effect of the salt and increase the effectiveness in reducing the hard-pack of snow on the driving lanes.
- Underbody blades down when possible while traveling to scheduled routes, and drivers reminded to communicate among themselves to prevent the removal of winter mix material placed by previous drivers.
- Kelenske reported that many years ago, this Road Commission, along with many other road commissions in our area, use to spread winter mix in the middle of the drive lane. But over the years, Kelenske learned that there have been numerous studies to show this to be less effective at removing hard-pack and ice from the roadways than the method being used today; placing the winter mix towards the center of the road. Kelenske also reported that he had spoken to several counties and experienced members at other road agencies about this who affirmed placing the salt/sand mix in the center of the road is the best and most effective process.

Kelenske also provided data for the cost of a plow truck with operator per hour; one yard of winter mix and cost for underbody blades as requested by Eckerle at the December 3rd regular meeting.

One ton cab & chassis: Kelenske is proceeding with plans to replace two 2006 Ford 6.0L diesel trucks and a 1998 Dodge truck with three new 2020 Chevy cab & chassis with 6.6 liter gasoline engines. Kelenske explained his reasoning for selecting the gasoline over the diesel engines that is based upon the type of work to be done and on the manufacturers' recommendation that long periods of low engine idle are not suited for this type of diesel engine.

Kelenske also attended a recent Ironman planning session where he again expressed the Road Commission's concerns with the event impeding ingress-egress into Leelanau County to the race organizers as had happened last summer.

Shoreline preservation: with water levels near an all-time high, the recent strong winds have taken a toll on our County shorelines, specifically at two locations where our road right of way is experiencing significant erosion from wave action on Grand Traverse Bay. He is working with The Leelanau County Drain Commissioner and Village and Township officials to determine how best to repair the two locations in question; one at South Shore Drive and the other on Lee Point Road. Preliminary engineering estimates to stabilize both locations is approximately \$110,000.00,

Administrative Compensation adjustments: Kelenske is planning to authorize cost of living raises for eligible staff members to start with the first payroll in 2020.

Kelenske then responded to questions from Eckerle and Joyce about the topics covered in his report. In regards to the administrative cost-of-living adjustments, Joyce asked about the percentage Kelenske is planning on using to which he replied with 2.5%.

Eckerle asked Kelenske to investigate why it takes several days before hard packed snow is removed from the roads. He repeated his opinion that having the sander in the middle of the truck instead of behind the driver side is more effective and suggested Kelenske could outfit one truck to verify if his suggestion has merit. Kelenske declined, stating the evidence he found does not support what Eckerle is proposing. He also informed Eckerle the testing for placing a sander in the middle of the truck had already been done by other road agencies and he is satisfied to what the other road agencies have learned that placing the sander discharge chute on the driver side is the most effective and economical method.

Joyce stated he sees a lot of early traffic on M-22 through the Village of Suttons Bay, and the Village routinely calls their road crew in early to get ahead of the snowfall. He suggested the Road Commission could do the same to prevent the snow from hard packing on the road surface before the morning traffic.

Popa offered comments, stating his viewpoint that last January, Priest had provided information to the Board on this subject supporting Kelenske's conclusions. As such, he feels Board members should not be involved in the day-to-day operations of the Road Commission or pressure the Manager into altering how road maintenance is being done. Joyce disagreed, stating his comments are merely advisory based upon his experiences working for a municipal entity. As such, he further added Kelenske is not being pressured and can choose to follow or ignore any recommendations. Eckerle also disagreed with Popa's comments, stating his focus as a Board member is to hold Road Commission employees accountable and Popa's observations do not apply to this road commission.

Nedow provided a copy of emails between himself and lead auditor Paul Matz of Rehmann Robson on shuffling some of the duties he performs to prevent future audit reports do not include the audit finding – Lack of Segregation of Duties by the Finance Manager. Matz had provided a list of incompatible duties noted by past auditors which Nedow used to shift some of his duties to the Manager and the Administrative Assistant. In his most recent email, Matz approved of the changes implemented which he feels should be sufficient to prevent future audit finding. However, because these corrective measures were not instituted until December, the lack of segregation of duties observation would likely still appear in the 2019 audit with a footnote that corrective measures had been implemented.

Resolution 19-04: approve 2020 Road Commission budget:

Motion by Calhoun, supported by Mikowski to adopt the following Resolution Number 19-04 which reads as follows:

- BE IT RESOLVED**, that a public hearing was held on December 3, 2019 with no oral or written inquiries received regarding the proposed budget, and
- BE IT RESOLVED** that this resolution shall be both the general appropriation resolution and the budget adoption resolution of the Leelanau County Road Commission for the year ended December 31, 2019. This resolution adopts proposed revenues and expenditures as presented in the accompanying 2020 budget document. Total revenues for 2020 are adopted as \$9,372,250.00 and total expenditures as \$9,791,400.00, and
- BE IT FURTHER RESOLVED**, that no Leelanau County Road Commission member or employee of the Commission shall expend any funds or obligate any expenditure except pursuant to appropriations authorized by the budget document. Changes in amounts appropriated by the Commission shall require approval of the Commission, and
- BE IT FURTHER RESOLVED**, that Finance Manager Joel T. Nedow is hereby charged with general supervision of the execution of the 2020 budget adopted by the Commission, and
- BE IT FURTHER RESOLVED** that this resolution is to take effect January 1, 2020.

Roll call vote: Joyce – aye; Popa – aye; Calhoun – aye, Eckerle – aye and Mikowski - aye. Resolution is hereby adopted.

2020 Road Commission Budget Summary

REVENUES		EXPENDITURES	
<u>Transportation Funds:</u>		<u>Primary Roads:</u>	
Engineering	\$10,000.00	Preservation-Structural Imp.	\$1,400,000.00
Primary Roads	\$3,197,000.00	Routine Maintenance	\$1,708,000.00
Local Roads	\$1,606,400.00		
Primary Roads-Urban	\$90,200.00	<u>Local Roads:</u>	
Local Roads-Urban	\$42,400.00	Preservation-Structural Imp.	\$1,200,000.00
Snow Removal Funds	\$275,000.00	Routine Maintenance	\$2,196,000.00
Forest Road Funds	\$39,750.00		
State Maintenance	\$650,000.00	State Maintenance	\$650,000.00
State – TWA	\$100,000.00	State – TWA	\$100,000.00
Township Contributions	\$225,000.00	Capital Outlay-Net	\$1,046,000.00
Taxes Receivable	\$1,360,000.00	Equipment Expense – Net	(\$9,000.00)
Salvage Sales	\$3,000.00	Fringes & Insurances	\$1,432,000.00
Contributions: Other/public	\$10,000.00	Administrative Expense – Net	<u>\$68,400.00</u>
BIA/Other Grants	\$225,000.00		
Sale-Federal Aid	\$562,500.00		
Permits & Fees	\$65,000.00		
G/L on Disposal of Equipment	\$35,000.00		
Interest Earned	\$36,000.00		
Allowance-Depreciation	\$820,000.00		
Gain on Aggregate	<u>\$20,000.00</u>		
Total Revenues:	\$9,372,250.00	Total Expenditures	\$9,791,400.00

Discussion: alter/edit Board Rules:

Popa submitted his written comments as to why he believes the Board Rules should not be altered. He opined that Board members “should not engage in a dialogue with members of the public unless the person is presenting a topic that is on the agenda.” As such, he would prefer to keep the rules as is. Staff provided an updated revision to what they had submitted at the December 3rd meeting that any interaction between Board member(s) and the public would channel through the Chairman, and the Chairman would determine if the questions are deemed necessary.

After further discussion, no action was taken and the matter deferred to the January 7, 2020 Organizational meeting.

2019 year-end budget adjustments:

Nedow provided a list of budget adjustments to the 2019 revenue and expenditure line items along with brief explanations for each requested adjustment.

Motion by Popa supported by Calhoun to approve the following list of year-end adjustments:

Revenues:

Increases to: MTF-Primary Road \$75,000.00; MTF- Local Road \$50,000.00; MTF-Primary Road/Urban \$15,000.00; MTF-Local Road/Urban \$10,000.00; MTF-Snow Removal Funds \$30,000.00; State Trunkline-Maintenance \$105,000.00; State Trunkline-TWA \$65,000.00; Road Millage \$10,000.00; Fees/Permits \$8,000.00; Interest Income \$30,000.00; Allowance for Depreciation \$30,000.00 and Gain on Sale of Aggregate \$14,000.00.

Decreases to: State Trunkline-Audit \$6,000.00; Township Contributions \$210,000.00; NCRS/BIA/Other Grants \$225,000.00 and Gain/Loss of Disposal of Equipment \$1,000.00.

Expenditures:

Increases to: Primary Road-Routine Maintenance \$175,000.00; Local Road-Routine Maintenance \$215,000.00; State Trunkline Routine Maintenance \$105,000.00; State Trunkline TWA \$65,000.00; Fringes/Insurances \$25,000.00 and Administrative Expenses-Net \$30,000.00.

Decreases to: Primary Road Preservation \$240,000.00; Local Road Preservation \$275,000.00 and Capital Outlay \$100,000.00.

Discussion: None.

Ayes: Joyce, Popa, Calhoun, Eckerle and Mikowski. Nays: None. – Motion is hereby approved.

Request motion to reserve \$150,000.00 for emergency culvert replacement/high water eroding road right of ways:

Nedow explained the original 2019 budget included an additional voluntary \$150,000.00 contribution to the Road Commission’s defined benefit pension plan, similar to what had been make in past years. With the Road Commission facing \$110,000.00 unplanned expenditure for fixing the South Shore Drive and Lee Point Road erosion, staff is recommending eliminating the voluntary pension payment and instead use the funds to pay for stabilizing the road right of ways being eroded. Nedow also stated being proactive with funding would be prudent given the water levels in Grand Traverse Bay are expected to rise over the next several months and the possibility of other locations being threatened are possible.

Motion by Calhoun supported by Mikowski to formally restrict/reserve \$150,000.00 for the purpose of providing the financial means to address emergency culvert repair projects and shore up road right of ways undermined/threatened by high water erosion.

Discussion: Eckerle asked Kelenske for his input on this request who voiced his support.

Ayes: Joyce, Popa, Calhoun, Eckerle and Mikowski. Nays: None. – Motion is hereby approved.

Approve date for January 2020 Organizational meeting:

Motion by Popa supported by Calhoun to schedule the Leelanau County Road Commission Organizational Board meeting for Tuesday, January 7, 2020 starting at 1:00 p.m. at the Suttons Bay facility.

Discussion: none.

Ayes: Joyce, Popa, Calhoun, Eckerle and Mikowski. Nays: None. – Motion is hereby approved.

Public Comments: None.

Commissioner Comments:


Mikowski: stated he hopes the \$150,000.00 the Board reserved for shoring up the road-side embankments at South Shore Drive and Lee Point road will be sufficient.


Joyce: expressed his concerns that the water levels on Grand Traverse Bay are expected to continue to rise in the coming months and possibly lead to further erosion.


Calhoun reminded the other Board members that the Superintendent usually begins patrolling before 3:00 a.m. on snow days and is doing a good job.

With no more business to conduct, Joyce adjourned the meeting at 2:00 p.m.


BOARD OF COUNTY ROAD COMMISSIONERS
OF LEELANAU COUNTY


By 
Robert Joyce, Chairman

By 
John Popa, Vice Chairman

By 
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Attest: 
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