

August 6, 2009

The regular meeting of the Board of Cass County Road Commissioners was called to order by Chairman Krempec at 9:00 A.M. and the Pledge of Allegiance to the flag was said in unison.

Board Members Present: Commissioner Powers, Commissioner Bowser, Commissioner Celie, Commissioner Poehlman and Chairman Krempec.

CCRC Staff Present: Louie Csokasy, Rick Janssen, Joe Bellina and Grace Chester.

INTRODUCTION OF VISITORS

Public Present: Barbara Dempsey (Ontwa Twp.), Pete Fournier (Porter Twp.), Roseann Marchetti (Ontwa & Parks Commission), Bruce Campbell (Water Resources), Keith McKenzie (Volinia Twp.), and County Commissioner Gordon Bickel.

Agenda Additions

1. Legislative Meeting update
2. Closed Sessions (2)

APPROVE AMENDED AGENDA

Commissioner Poehlman moved to approve the agenda as amended. Commissioner Powers seconded and the motion was carried.

PUBLIC COMMENTS

The following public comments were made:

Marchetti: Thanked CCRC for the paving job on Christiana Lake Road and said it was now a pleasure to drive on it.

Bickel: Thanked CCRC for removal of dead deer at Anderson and Runkle.

Keith McKenzie: Said that he "lived on the roughest road in Cass Co. (McKenzie St.)" and discussed with the Board options for improving the road. As a temporary measure, he asked that some additional liquid calcium chloride be put down and said that he is willing to cover the expense. As a more permanent measure, McKenzie said that he is supportive of a road millage for Volinia Township and/or Cass County as a whole and is willing to work toward it. Per McKenzie "Something needs to be done, the roads are getting worse and will only continue to do so."

Road Superintendent Janssen said that chloride application would be better after rain instead of when the roads are so dry. Chairman Krempec said that CCRC will look into the matter and someone will get back to Mr. McKenzie.

APPROVAL OF MINUTES

Commissioner Powers moved to approve the minutes of 7-23-09. Commissioner Poehlman seconded and the motion was carried.

SPECIAL MEETINGS & MILEAGE

Poehlman	SW Commission-NATS	Niles	4 hrs	18 miles
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COMMITTEE REPORTS

FINANCE COMMITTEE

Per Commissioner Bowser, the Committee met to review and approved for payment the current payables. Bowser discussed the current cash flow situation and said that things are looking up for the FY end but there is still a month to go.

POLICY COMMITTEE

Committee Chairman Powers said that committee has yet to meet but offered plans to meet on Monday before departure for the Southwestern Road Commission Council meeting.

SW COMMISSION-NATS

Commissioner Poehlman attended the last meeting and brought back a copy of a transportation study and long range plan. He noted that there is a big interest in establishing walking trails and Poehlman said that if there was any public interest in this project, individuals should contact the Southwestern Michigan Commission to become involved.

MANAGER'S UPDATE

Manager Csokasy noted that there were two separate presentations at Milton Township. On July 30, summer engineering intern, Josh Marschke, presented an engineering study on Surges Road for a road plan with recommendations on water management. Csokasy noted that the presentation was well done.

As part of the three-year road plan, a meeting was held with Milton Township to discuss the Gumwood/Ironwood intersection. Results of the recent traffic count showed that Gumwood Road has the highest traffic volume of any other local road in Cass County.

Projects: There are currently seventy-one road projects with three state projects completed and submitted for payment.

Townships: Five additional road contracts requested by Howard Township and four contracts in Marcellus Township are in process.

Policy: Work on redefining a new Tree Policy has developed into a larger project and will now include all activities that are defined as "outside the white lines." Csokasy described this as CCRC work not done specifically in the roadway. The Manager will report back to the board as this review goes forward.

Roadside Spraying: Plans are in development regarding a countywide spraying program to control brush and grass on road right of ways. Csokasy will continue the study to determine cost and effectiveness of various methods and materials.

Financials: Decrease in cash reserves for July of \$166,700 due to below projected amounts for MTF funds and township contract payments. Csokasy reported that we will end the fiscal year in a better cash position than at the beginning.

Operations: The second application of dust control has been completed.

Paving: Cut back to two days a week to concentrate on catching up requests for service with the goal of faster response time. Csokasy noted that 1,000 requests for service have been logged so far this year and for the first time there are no requests for pothole repair in the system that are more than 30 days old.

Equipment: Expectations are for good participation in the upcoming Grader Bid opening. Plans are being reviewed for the purchase of boom mowers and a crack sealer. Csokasy said that this relates to the "outside the white lines" program.

ENGINEER'S UPDATE

Chief Engineer Joe Bellina reported that three Rural Task Force Projects have been completed: Calvin Center, Marcellus Highway & Indian Lake Rd. Bellina has been working with the Brenda Schuur of the accounting department on the MDOT online contract billing process which should speed up receipt of project payments.

Drainage: Work continues to work on the Mason and Brownsville Streets drainage problems and solutions. The DEQ permit for Mason St has been filed.

Milton Township: Bellina said that he has been working on cost estimates for a road project on Surges Road and will have something available for the next meeting.

Traffic Counts: Stopped in Pokagon due to work on M-51 and the detour which Bellina would give an inaccurate view of the usual local road traffic patterns.

Engineering Intern: Bellina commended the job done by the summer engineering intern and told the Board that Josh had good computer skills and took on the Surges Road presentation.

Projects: Csokasy said that the Engineering Department is working on coordinating the 2009 federal/state/stimulus projects internally and starting work on projects for submission for FY 2010. This year approximately \$900,000. was generated and as it now stands \$1, 400,000. is anticipated for 2010.

Redfield St. Bridge: In answer to a question, Bellina reported no significant change in the status of the bridge at this time.

UNFINISHED BUSINESS

TREE POLICY

Csokasy continued with discussion that began in the Manager's report. He reported that he has seen a number of spraying presentations from various vendors to learn about their materials and application process and has reviewed reports from the CRAM web site and gathered information from other road commissions. Csokasy said that unless a spraying process is implemented to replace the current mechanical process there will be no effective way to keep brush and roadside mowing under control and he asked for sense of the Board's feelings.

Powers said that he sees no way to do the job without spraying and it would be less expensive but noted that in the past there was a problem with a company hired to spray that got the bid because they were lowest. Powers said to make sure that the companies are thoroughly checked out beforehand. Csokasy responded that the state does not require that the lowest bid be accepted. Poehlman said that something has to be done, CCRC cannot keep up presently.

Csokasy reported on a cost study from the Lenaway County Manager that showed a \$100,000 savings on mowing costs by using a spraying program. Csokasy also said that there will be an opt out for residents who object, but if they elect to do that, they are responsible for keeping the right of way at their property mowed and the brush cut.

Fournier asked if there would be an opportunity for public input before a decision is made and Csokasy said that yes there would be a meeting for that purpose.

MOTION

Commissioner Powers moved to authorize the Manager to look into a spraying program and report back to the Board in three months with his conclusions. Commissioner Poehlman seconded and the motion was carried.

LEGISLATIVE MEETING

Powers updated the Board on the August 24 meeting here (10:00 A.M.) and said that he has contacted the six

legislators and their attendance is dependent upon the voting schedule. Berrien, VanBuren and St. Joseph CRC are attending and Powers said that the discussion will center on road funding for this part of the state.

NEW BUSINESS

SET BUDGET HEARING DATE

Powers moved to set Thursday, September 17, 2009 at 10:00 a.m. for the FY 2010 Budget Hearing. Poehlman seconded and the motion was carried.

MDOT RESOLUTIONS/CONTRACTS (5)

Commissioner Powers moved to waive the reading of each individual resolution and instructed the Clerk to place each resolution in its entirety into the meeting minutes. Commissioner Poehlman seconded and the motion was carried.

RESOLUTION/CONTRACT: MATTHEWS ST.

WHEREAS...the Board of County Road Commissioners for the County of Cass, Michigan desires their Chairman, Leroy Krempec, to sign a negotiated contract with the Michigan Department of Transportation (MDOT) for the following:

MDOT Contract Number 09-5452

Control Section	ARUL 14442
Job Number	107107
Project:	ARRA 0914(021)
Federal Item No.	JJ 3521
CFDA No.	20.205 (Highway Research Planning & Construction)

Hot mix asphalt resurfacing work along Matthews Street from Decatur Road easterly to Cherry Grove Road; including aggregate shoulders and pavement marking work; and all together with necessary related work.

NOW THEREFORE BE IT RESOLVED...that Chairman Krempec is hereby authorized to sign the negotiated contract and Clerk Grace Chester is authorized to attest by also signing the negotiated contract.

Powers moved to authorize the Board to sign the resolution and to authorize the Chairman and the Clerk to sign the contract. Poehlman seconded and the motion was carried.

The resolution was declared adopted 8-06-09

RESOLUTION/CONTRACT: BEEBE & FIR RDS.

WHEREAS...the Board of County Road Commissioners for the County of Cass, Michigan desires their Chairman, Leroy Krempec, to sign a negotiated contract with the Michigan Department of Transportation (MDOT) for the following:

MDOT Contract Number 09-5487

Control Section	ARU 14400
Job Number	107354
Project:	ARRA 0914(032)
Federal Item No.	JJ 3576
CFDA No.	20.205 (Highway Research Planning & Construction)

Single course chip seal work along Beebe Road from Highway US -12 northerly to Runkle Road and along Fir Road from Redfield Road northerly to Highway US-12; and all together with necessary related work.

NOW THEREFORE BE IT RESOLVED...that Chairman Krempec is hereby authorized to sign the negotiated contract and Clerk Grace Chester is authorized to attest by also signing the negotiated contract.

Powers moved to authorize the Board to sign the resolution and to authorize the Chairman and the Clerk to sign the contract. Poehlman seconded and the motion was carried.

The resolution was declared adopted 8-06-09.

PINE LAKE ST.

WHEREAS...the Board of County Road Commissioners for the County of Cass, Michigan desires their Chairman, Leroy Krempec, to sign a negotiated contract with the Michigan Department of Transportation (MDOT) for the following:

MDOT Contract Number 09-5488

Control Section ARU 14400
Job Number 106063
Project: ARRA 0914(034)
Federal Item No. JJ 3581
CFDA No. 20.205 (Highway Research Planning & Construction)

Single course chip seal work along Pine Lake Street from Highway M-60 to Anderson Road; and all together with necessary related work.

NOW THEREFORE BE IT RESOLVED...that Chairman Krempec is hereby authorized to sign the negotiated contract and Clerk Grace Chester is authorized to attest by also signing the negotiated contract.

Powers moved to authorize the Board to sign the resolution and to authorize the Chairman and the Clerk to sign the contract. Poehlman seconded and the motion was carried.

The resolution was declared adopted 8-06-09.

RESOLUTION/CONTRACTS-DEWEY LAKE RD.

WHEREAS...the Board of County Road Commissioners for the County of Cass, Michigan desires their Chairman, Leroy Krempec, to sign a negotiated contract with the Michigan Department of Transportation (MDOT) for the following:

MDOT Contract Number 09-5489

Control Section ARL 14027
Job Number 106804
Project: ARRA 0914(033)
Federal Item No. JJ 3577
CFDA No. 20.205 (Highway Research Planning & Construction)

Single course chip seal work along Dewey Lake Road from Highway M-51 easterly to Glenwood Road; and all together with necessary related work.

NOW THEREFORE BE IT RESOLVED...that Chairman Krempec is hereby authorized to sign the negotiated contract and Clerk Grace Chester is authorized to attest by also signing the negotiated contract.

Powers moved to authorize the Board to sign the resolution and to authorize the Chairman and the Clerk to sign the contract. Poehlman seconded and the motion was carried.

The resolution was declared adopted 8-06-09.

RESOLUTION/CONTRACT: HUNTLY RD.

WHEREAS...the Board of County Road Commissioners for the County of Cass, Michigan desires their Chairman, Leroy Krempec, to sign a negotiated contract with the Michigan Department of Transportation (MDOT) for the following:

MDOT Contract Number 09-5490

Control Section	ARU 14400
Job Number	106074
Project:	ARRA 0914(031)
Federal Item No.	JJ 3575
CFDA No.	20.205 (Highway Research Planning & Construction)

Single course chip seal work along Huntly Road from Holly Street northeasterly to Barron Lake Road; and all together with necessary related work.

NOW THEREFORE BE IT RESOLVED...that Chairman Krempec is hereby authorized to sign the negotiated contract and Clerk Grace Chester is authorized to attest by also signing the negotiated contract.

Powers moved to authorize the Board to sign the resolution and to authorize the Chairman and the Clerk to sign the contract. Poehlman seconded and the motion was carried.

The resolution was declared adopted 8-06-09.

ADVANCE FEDERAL CONTRACT/RESOLUTION APPROVAL

Bellina explained that additional contracts are expected before the next Board meeting and considering that the end of the fiscal year is fast approaching, asked the Board to consider authorizing CCRC staff to complete the necessary documents when received and notify the Board members to come in and sign the resolution and authorize the Chairman and Clerk to sign the contracts. The contracts that may be received are for Pokagon Highway, Calvin Center, Dewey Lake St. Huntley and Elkhart Rd.

Poehlman moved to authorize the CCRC staff to complete the necessary paperwork for MDOT contracts received before the next meeting and authorized the Chairman and Clerk to sign the contracts. Powers seconded and the motion was carried.

PERMITS

09-05-03-9313	Robinway	Marcellus	Ronald Moritz/Troxel Company
09-13-29-9314	School St.	Silvercreek	Grace Hendrickson/John Wise
09-13-10-9315	Topash	Silvercreek	RHC Contracting
09-02-34-9317	Leet Rd.	Howard	Emory Gerschoffer/Affordable Bulldozing
09-11-06-9319	Forest Beach	Pokagon	James Rubino/Chorba

Utilities			
09-02-21-9310	Centerfield	Howard	AT&T
09-09-02-9311	South Sh. Dr.	Ontwa	Semco
09-11-24-9320	Hampshire	Pokagon	Verizon

CLOSED SESSION (1) 9:55 A.M.

Commissioner Powers moved to go into closed session to review material from legal counsel that is considered exempt from public discussion or disclosure by State or Federal statutes and to include the Manager, Clerk and Brenda Schuur in the closed session. Commissioner Poehlman seconded and the motion was carried by unanimous roll call vote.

Commissioner Powers had to leave the meeting at 10:00 A.M.

The Board returned to open session at 10:24 A.M.

MOTION

Commissioner Poehlman moved to authorize the Manager to proceed in the study and implementation of a process to align CCRC retiree benefits with those of the current administration workforce. Commissioner Celie seconded and the motion was carried by unanimous roll call vote (Powers-absent).

CLOSED SESSION (2) 10:25 A.M.

Commissioner Bowser moved to go into closed session to consult with our legal counsel regarding pending litigation and to consider material exempt from public discussion or disclosure by State or Federal statutes and to include the Manager and Clerk. Commissioner Poehlman seconded and the motion was carried by unanimous roll call vote (Powers- absent).

The Board returned to open session at 11:48 A.M.

ADJOURNMENT

Commissioner Bowser moved to adjourn the meeting. Commissioner Celie seconded and the motion was carried.

CLERK Grace Chester

CHAIRMAN Leroy R. Krempec

Approved by Board action 8-20-09