

APPROVED

**MINUTES for the
REGULAR MEETING OF THE
KALKASKA COUNTY ROAD COMMISSION
HELD ON THURSDAY, APRIL 11, 2013, AT 8:00 A.M.
AT THE OFFICE LOCATED AT 1049 ISLAND LAKE ROAD, KALKASKA, MICHIGAN**

ITEM 1 - PLEDGE OF ALLEGIANCE

Meeting called to order by the Chair at 8:00 a.m. Pledge of Allegiance.

ITEM 2 - ROLL CALL

Upon roll call, the following Commissioners responded:

Allen, Present
Corrado, Not Present
Cox, Present
Gill, Present
Walter, Present

In addition, the following person(s) were present: Paul Wisniewski, Manager; Becky Jerry, Clerk.

ITEM 3 – ADDITIONS TO AGENDA

None.

ITEM 4 – APPROVAL OF AGENDA

Motion by Gill to approve Agenda presented, seconded by Warren. Four ayes, no nays. Motion carried.

ITEM 5 - CONFLICT OF INTEREST

Conflict of Interest Roll Call: Allen, no; Corrado, absent; Cox, no; Gill, no; Walter, no.

ITEM 6 – PUBLIC COMMENT

Those individuals without appointments may give public comment in compliance with Section D & Appendix A of Procedure Policy.

None.

ITEM 7 – MINUTES/PAYROLL

Regular Meeting Minutes dated March 11, 2013.

Motion by Cox to approve the Regular Meeting minutes dated March 11, 2013 as presented, seconded by Gill. Discussion. Chair asked Manager if the following items from last Board minutes were taken care of: 1. Bids; Manager responded yes; 2. Letter pertaining to Manistee Lake; Manager unsure; 3. Letter to Boardman; 4. Estimates to Townships; 5. Motion regarding NWMCOG; Manager responded he had been in contact with them. Directed to respond in writing. **Four ayes, no nays. Motion carried.**

Motion by Gill to approve Payroll 6 in the amount of \$35,841.76, seconded by Allen. Roll call vote: Gill, yes; Allen, yes; Cox, yes; Walter, yes. Four ayes, no nays. Motion carried.

Motion by Gill to approve Payroll 7 in the amount of \$43,528.75 seconded by Cox. Roll call vote: Gill, yes; Cox, yes; Allen, yes; Corrado, yes; Walter, yes. Four ayes, no nays. Motion carried.

ITEM 8 – ACCOUNTS PAYABLE/FINANCE REPORT

Motion by Gill to approve C/3-3 in the amount of \$109.99, seconded by Cox. Roll call vote: Gill, yes; Cox, yes; Allen, yes; Walter, yes. Four ayes, no nays. Motion carried.

Motion by Gill to approve C/3-4 in the amount of \$25,663.10, seconded by Cox. Roll call vote: Gill, yes; Allen, yes; Cox, yes; Walter, yes. Four ayes, no nays. Motion carried.

Motion by Gill to approve C/3-5 in the amount of \$41.71, seconded by Cox. Roll call vote: Gill, yes; Cox, yes; Allen, yes; Walter, yes. Four ayes, no nays. Motion carried.

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Motion by Gill to approve C/3-6 in the amount of \$229.98, seconded by Allen. Roll call vote: Gill, yes; Allen, yes; Cox, yes; Walter, yes. Four ayes, no nays. Motion carried.

Motion by Gill to approve C/3-7RX in the amount of \$61.99 seconded by Allen. Roll call vote: Gill, yes; Allen, yes; Cox, yes; Walter, yes. Four ayes, no nays. Motion carried.

Motion by Gill to approve C/3-8 in the amount of \$244.60, seconded by Allen. Roll call vote: Gill, yes; Cox, yes; Allen, yes; Corrado, yes; Walter, yes. Four ayes, no nays. Motion carried.

Motion by Gill to approve C/4-Prepays in the amount of \$2,210.07, seconded by Cox. Roll call vote: Gill, yes; Cox, yes; Allen, yes; Walter, yes. Four ayes, no nays. Motion carried.

Motion by Gill to approve C/4-2 in the amount of \$152,233.66, seconded by Allen. Roll call vote: Gill, yes; Allen, yes; Cox, yes; Walter, yes. Four ayes, no nays. Motion carried.

Motion by Gill to approve C/4-3 in the amount of \$105.83, seconded by Cox. Roll call vote: Gill, yes; Cox, yes; Allen, yes; Walter, yes. Four ayes, no nays. Motion carried.

Motion by Gill to approve C/4-4 in the amount of \$111,442.00 seconded by Cox. Roll call vote: Gill, yes; Cox, yes; Allen, yes; Walter, yes. Four ayes, no nays. Motion carried.

Motion by Gill to approve Check Register ending March 31, 2013, seconded by Cox. Roll call vote: Gill, yes; Cox, yes; Allen, yes; Walter, yes. Four ayes, no nays. Motion carried.

Gill discussed the following:

1. Receipts.
2. MTF funds.
3. Financial Report/Escrow accounts.
4. Distribution Report/Equipment charges. Discussion.
5. Act 51. Discussion. **Motion by Gill to approve the 2012 Act 51 Report pending the results of the audit, seconded by Allen. Roll call vote: Gill, yes; Allen, yes; Cox, yes; Walter, yes. Four ayes, no nays. Motion carried.**
6. Radio purchase. **Motion by Gill to approve the purchase of up to two radios per month if funds are available, seconded by Allen. Discussion. Management to check on radio prices. Roll call vote: Gill, yes; Allen, yes; Cox, yes; Walter, yes. Four ayes, no nays. Motion carried.**
7. Finance & Human Resource Seminar May 14-16. **Motion by Gill, to send the Finance Director/Clerk to the Finance and Human Resource Seminar may 14-16 for the approximate amount of \$375.00, seconded by Allen. Roll call vote: Gill, yes; Allen, yes; Cox, yes; Walter, yes. Four ayes, no nays. Motion carried.**
8. Sign bids. Discussion. **Motion by Gill to accept and award the sign bids that are determined to be in the best interest of the Kalkaska County Road Commission, seconded by Allen. Roll call vote: Gill, yes; Allen, yes; Cox, yes; Walter, yes. Four ayes, no nays. Motion carried.**
9. Halliday Sand and Gravel bid. Discussion. **Motion to neither accept nor deny bid from Halliday Sand and Gravel, but to negotiate options for winter maintenance sand of which could include a multi-year deal, seconded by Allen. Roll call vote: Gill, yes; Allen, yes; Cox, yes; Walter, yes. Four ayes, no nays. Motion carried.**

ITEM 9 – APPOINTMENTS

None.

ITEM 10 – OLD BUSINESS

A. Bid recommendations from Manager.

1. Asphalt (Skip Patch): **Motion by Gill to accept the bid received from Payne and Dolan for the amount of \$18,963.60, seconded by Allen. Roll call vote: Gill, yes; Allen, yes; Cox, yes; Walter, yes. Four ayes, no nays. Motion carried.**

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2. Twin Lake Road (Coldsprings Township). **Motion by Gill to approve the bid with Payne and Dolan for Twin Lake Road in Coldsprings Township for the amount of \$124,517.60 for road wedge and \$10,229.60 for shoulder work pending Coldsprings Township's approval, seconded by Allen. Roll call vote: Gill, yes; Allen, yes; Cox, yes; Walter, yes. Four ayes, no nays. Motion carried.**
3. Twin Lake Road (Blue Lake Township). **Motion by Gill to approve the bid with Payne and Dolan for Twin Lake Road in Blue Lake Township for the amount of \$67,206.70 for road wedge pending Blue Lake Township's approval, seconded by Cox. Roll call vote: Gill, yes; Cox, yes; Allen, yes; Walter, yes. Four ayes, no nays. Motion carried.**
4. Aarwood Road (Clearwater Township 22'x2975). Discussion. **Motion by Gill to approve the bid with Rieth Riley for Aarwood Road in Clearwater Township for the amount of \$43,738.26 for road wedge pending Clearwater Township's approval, seconded by Cox. Roll call vote: Gill, yes; Cox, yes; Allen, yes; Walter, yes. Four ayes, no nays. Motion carried.**
5. Aarwood Road (Clearwater Township 22'x7380). Discussion. **Motion by Gill to approve the bid with Rieth Riley for Aarwood Road in Clearwater Township for the amount of \$107,228.44 for road wedge pending Clearwater Township's approval, seconded by Cox. Roll call vote: Gill, yes; Cox, yes; Allen, yes; Walter, yes. Four ayes, no nays. Motion carried.**
6. Phelps Road (Rapid River Township 22'x550' OR 22'x3240') Discussion. **Motion by Gill to approve the bid with Payne and Dolan for 550' Phelps Road project in the amount of \$31,081.00 OR 3240' Phelps Road project in the amount of \$128,744.80 pending Rapid River Township's approval, seconded by Cox. Roll call vote: Gill, yes; Cox, yes; Allen, yes; Walter, yes. Four ayes, no nays. Motion carried.**
7. Emulsions. Discussion. **Motion by Gill to authorize management to purchase materials for the best price based upon received bids that would be in the best interest of the Road Commission, seconded by Cox. Roll call vote: Gill, yes; Cox, yes; Allen, yes; Walter, yes. Four ayes, no nays. Motion carried.**
8. Dust control. Discussion. Question as to if the Road Commission will be funding or requesting Townships to be responsible for. Letter was sent to Townships but issue is still not clear. Clerk to pull November 2012 minutes and historical data on brine costs. Further discussion.

Chair called for a break.

Chair called the meeting back to order at 8:47 a.m.

8. Dust control continued...Operations Director explained the permitting process and what Townships paid for brining in 2012. Discussion was held on the process not being fair for those Townships who do not have a millage. Further discussion on providing cost analysis and subcontracting work. Board requested copy of November 2012 minutes and copy of letter forwarded to Townships. **Motion by Gill to take matter to Finance Committee, seconded by Cox.** Manager discussed new process of redoing roads by adding clay to keep roads in better shape for a longer period of time and that the purchase of the new graders would better serve in this process. He further stated the Road Commission was wasting man hours by just floating the roads. Board requested list of roads and clarification on what was forwarded to Townships. **Four ayes, no nays. Motion carried.** Further discussion held.
9. Garbage service. **Motion by Gill to approve the bid from American Waste at a cost of \$70.00 per month, seconded by Cox. Roll call vote: Gill, yes; Cox, yes; Allen, yes; Walter, yes. Four ayes, no nays. Motion carried.**
10. Chip Seal. Discussion. **Motion by Gill to approve the bid of C&C Contractors in the event the Road Commission proceeds with chip seal work, seconded by Cox. Roll call vote: Gill, yes; Cox, yes; Allen, yes; Walter, yes. Four ayes, no nays. Motion carried.**
11. Coldpatch Material. Discussion. **Motion by Gill for Management to purchase Coldpatch materials which would serve in the best interest of the Road Commission, seconded by Cox. Further discussion. Roll call vote: Gill, yes; Cox, yes; Allen, yes; Walter, yes. Four ayes, no nays. Motion carried.**
12. Pavement Marking. Discussion. **Motion by Gill for Management to approve the pavement marking bid which would serve in the best interest of the Road Commission, seconded by Allen. Further**

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discussion. Roll call vote: Gill, yes; Allen, yes; Cox, yes; Walter, yes. Four ayes, no nays. Motion carried.

13. Chip Seal Aggregates. Discussion. **Motion by Gill for Management to purchase materials at the best price based upon received bids which would serve in the best interest of the Road Commission, seconded by Cox. Further discussion. Roll call vote: Gill, yes; Cox, yes; Allen, yes; Walter, yes. Four ayes, no nays. Motion carried.**

14. Crack Seal Material and Application. Discussion. **Motion by Gill for Management to purchase materials at the best price based upon received bids which would serve in the best interest of the Road Commission, seconded by Cox. Further discussion. Roll call vote: Gill, yes; Cox, yes; Allen, yes; Walter, yes. Four ayes, no nays. Motion carried.**

ITEM 11 – NEW BUSINESS

A. All Season Road List dated April 11, 2013. Operations Director explained road classifications and provide recommendations to the Board. Discussion. **Motion by Gill to approve the All Season Road List dated April 11, 2013, seconded by Cox. Four ayes, no nays. Motion carried.**

B. Designated Road List dated April 11, 2013. **Motion by Gill to approve the Designated Road List dated April 11, 2013, seconded by Cox. Four ayes, no nays. Motion carried.**

TOWNSHIP SUPERVISORS:

Dean McCullough, Blue Lake Township, informed Board that the Township will sign the contract for Twin Lake Road as soon as they receive. He informed Management that gravel is needed along the exposed new pavement on Twin Lake Road. In addition, he stated that coordinating the brining schedule with the Townships would be helpful; pot holes on Sunset Trail; continued problem on CR612.

C. Town Hall Meeting April 19 in Manton. Discussion.

ITEM 14 – CORRESPONDENCE AND REPORTS

Manager's Report:

Discussion was held on the following:

1. First aid training.
2. Safety training.
3. Paser training.
4. Past practices.
5. Purchase of new trucks.
6. Capital expenses/graders/loader.
7. Trout Festival participation.
8. Possible purchase of additional vehicles from Leelanau County Road Commission.
9. Tractor for sale.
10. Salt shed cost. Discussion.
11. Townships were all sent bids for projects.
12. Open house.
13. Weight restrictions.
14. Meeting with Grand Traverse County Road Commission regarding Baggs Road. Tentative letter completed.
15. Innis Road Project Manager. Letting date of Innis Road project was April 8.

Operations Director informed Board of the following:

1. Lake County Road Commission offered \$3,500.00 for the tractor up for sale. Discussion.
2. Received safety grant on Shippy Road; need to go out for design engineering. Further discussion.
3. In process of getting support letters for West Sharon Bridge application.

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4. Fixing equipment number 79.
5. Opening access to stock pile so it can dry.
6. 4-10's.
7. Smith Lake Pit lease.

Policy Report:

Corrado stated they would be reviewing policies at next month's meeting and communications issues.

Personnel Report:

Incorporating with Commissioners' Report. Cox requested Management check into insurance liability on shop pit. Discussion.

Safety Report:

Discussion was held on the following:

1. Pit liability.
2. Tailgate sheets.
3. Temporary employees.
4. Fire inspections.
5. AED for shop and office.
6. Safety wear.
7. Chainsaw safety.
8. Tire rotation on equipment.
9. Formal MIOSHA incident reporting.

ITEM 14 – CLOSED SESSION FOR TELECONFERENCE CALL WITH ATTORNEY REGARDING NEGOTIATIONS AND CLOSED SESSION MINUTES DATED APRIL 11, 2013.

Motion by Cox at 9:35 a.m. to go into Closed Session for teleconference call with Attorney regarding negotiations and Closed Session Minutes dated April 11, 2013, seconded by Allen. Roll call vote: Cox, yes; Allen, yes; Gill, yes; Walter, yes. Four ayes, no nays. Motion carried.

Motion by Cox at 10:42 a.m. to come back into Open Session, seconded by Gill. Roll call vote: Cox, yes; Gill, yes; Allen, yes; Walter, yes. Four ayes, no nays. Motion carried.

MOTION TO IMPLEMENT PART OF THE LAST BEST OFFER TO STEELWORKERS DATED DECEMBER 3, 2012

Motion by Cox to approve the following, seconded by Gill:

WHEREAS, the Steelworkers Collective Bargaining Agreement expired by its terms on May 31, 2012; and

WHEREAS, the parties negotiated on multiple occasions in an attempt to negotiate a successor agreement; and

WHEREAS, the parties participated in mediation and proceeded to Fact Finding on November 2, 2012, and December 5, 2012; and

WHEREAS, the Fact Finder issued his recommendation on January 25, 2013; and

WHEREAS, the Road Commission has carefully reviewed and considered the merits of the recommendations of the Fact Finder; and

WHEREAS, at the request of the Union, two additional negotiation sessions have occurred since the recommendation of the Fact Finder was issued; and

WHEREAS, as of today's date the parties have been unable nevertheless to arrive at an agreement on the remaining issues; and

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WHEREAS, it is necessary for budget and operational purposes to implement certain aspects of the Employer's Last Best Offer.

IT IS RESOLVED:

1. The Road Commission shall implement its Last Best Offer dated December 3, 2012, on issues #1, #2, #3, #4, part of #5, #6, #7, #8, #9, #10, part of #11B and #12 only, and not issue #11A, to be effective on April 12, 2013 (a copy of the Last Best Offer is attached as partially implemented), and shall provide the Union and employees in the bargaining unit with written notice of such implementation prior in time to the effective date, which is April 12. Also included as part of said Resolution is the Revised Employer Package Proposals (TA'd portions only) dated April 19, 2012.

Roll Call Vote: Cox, yes; Gill, yes; Allen, no; Walter, yes. Three ayes, one nay. Motion carried.

Motion by Gill to utilize as much savings as practicable from the implementation of the Last Best Offer to the Steelworkers to pay for the retirement unfunded liability of approximately \$4 million for the Steelworkers' unit, seconded by Cox. Roll call vote: Gill, yes; Cox, yes; Allen, yes; Walter, yes. Four ayes, no nays. Motion carried.

Motion by Cox to instruct Becky Jerry to contact MERS for information regarding the MERS Bridge plan and then to report back to the Board, seconded by Gill. Roll call vote: Cox, yes; Gill, yes; Allen, yes; Walter, yes. Four ayes, no nays. Motion carried.

Motion by Gill to approve the Media Statement and to forward immediately to the Traverse City Record Eagle, Leader & Kalkaskian, TV's 7&4, 9&10 and Fox, seconded by Cox. Roll call vote: Gill, yes; Cox, yes; Allen, yes. Walter, yes. Four ayes, no nays. Motion carried.

Motion by Gill to approve the Closed Session minutes dated April 11, 2013, seconded by Cox. Four ayes, no nays. Motion carried.

Clerk directed to notice out Motions to Tonya DeVore and Employees.

ITEM 14 – CORRESPONDENCE AND REPORTS, CONTINUED....

Chairman's Report:

1. Asset Management.
2. CRAM News.
3. Paul Bunyan on April 16.
4. MCRCSIP.
5. Open house April 25 at Prein & Newhof.
6. ORV data to CRAM.
7. Bond permits.

ITEM 15 – MISCELLANEOUS, PUBLIC COMMENT & OTHER

Those individuals without appointments may give public comment in compliance with Section D & Appendix A of Procedure Policy.

OTHER:

Discussion was held on the following:

1. 4-10's. Discussion to postpone due to weather. **Motion by Gill to implement 4-10's at discretion of Management, seconded by Cox. Further discussion. Four ayes, no nays. Motion carried.**
2. Hotel reimbursement. Discussion. **Motion by Allen to reimburse Mike Cox for hotel costs, seconded by Cox. Discussion. Roll call vote: Allen, yes; Cox, yes; Gill, yes (Mr. Gill wanted it noted for this time only); Walter, yes. Motion carried.**

Public Comment:

Stuart Rogers said that he has seen a great improvement over the last two years for work done by the road commission employees. Also discussed extra traffic on Wood Road; millage.

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Commissioner Gill requested it be reflected in the minutes to commend the brush chopper crew for a nice job done.

ITEM 16 – ADJOURNMENT

Motion by Cox to adjourn meeting at 11:09 a.m., seconded by Gill. Four ayes, no nays. Motion carried.

Louis Walter, Chair

Rebecca Jerry, Clerk