

**LAPEER COUNTY ROAD COMMISSION  
REGULAR BOARD MEETING  
Wednesday, October 16, 2013  
4:30 p.m.**

Present: Mr. Gary Howell, Chairman; Mr. Dale Duckert, Vice Chairman; Mr. Michael Hemmingsen, Member  
In Attendance: Mr. William Meinz, County Highway Engineer; Ms. Tami Erickson, Chief Financial Officer; Ms. Linette Daily, Board Secretary; Mr. Erick Pearson, Managing Director; Mr. Ryan Doyle, Assistant Engineer  
Mr. Norman Snoblen, Mr. Ron Cischke, Mr. Daren McLaughlin, Mr. Bill Angerbrandt, Mr. Eric Ostling, Mr. Rick Brandt, Mr. Mike Boskee

Mr. Gary Howell, Chairman, called the meeting to order at 4:30 p.m. in the Meeting Room of the Lapeer County Road Commission Building. The Pledge of Allegiance was recited.

**APPROVAL OF AGENDA**

**101613-145**

Motion by Mr. Hemmingsen, seconded by Mr. Duckert to approve the agenda. Motion carried.

**APPROVAL OF PRIOR BOARD MEETING MINUTES**

**101613-146**

Motion by Mr. Hemmingsen, seconded by Mr. Duckert to approve the Regular Meeting minutes for October 2, 2013. Motion carried.

**APPROVAL OF DISBURSEMENTS**

**101613-147**

Motion by Mr. Duckert, seconded by Mr. Hemmingsen to approve disbursements dated October 17, 2013 in the amount of \$665,387.53. Motion carried.

**APPROVAL OF PROJECTS**

**101613-148**

Motion by Mr. Hemmingsen, seconded by Mr. Duckert to approve the following projects:

**Goodland Township**

**504 009 133805 Replace 18"x30' Cross Culvert, Wheeling Road between Norman and Bowers**

**Estimated Cost: \$1,850.00 (Township Cost)**

**489 009 133807 Haul, Level and Brine – 2,000 Ton Pit Run on Closed Section of Wheeling Road between Bowers and Norman Estimated Cost: \$6,120.00 (Township Cost)**

**Metamora Township**

**504 015 134404 Replace 18"x30' Cross Culvert, 200' North of 3725 Wilder, between Dryden and Sutton Roads Estimated Cost: \$1,820.00 (Township Cost)**

Motion Carried

Mr. Cischke commented that Wheeling Road has been closed for a long time and you couldn't get down it. A cross tube was replaced, Weber Sand and Gravel donated the pit run for the repair and the Road Commission will haul, level and brine the material. Mr. John Smiljanich, District Foreman, stated that the road material worked out nicely on the road. Mr. Cischke stated the he was happy to get the road open so emergency vehicles will be able to use the road again.

**MANAGER'S REPORT**

Mr. Pearson stated that White Road has been paved and has been scheduled for shoulder material on Friday. Mr. Pearson reported that the crush, shape and pave on Hollenbeck Road and the Marathon Road topcoat have also been completed and these shoulders will also be placed on Friday. Mr. Pearson explained that this wraps up the paving for the year.

Mr. Pearson explained that salt in the following quantities will be delivered by the end of next week; 2,000 ton for Imlay City, 1,500 ton for North Branch and 3,000 ton for Lapeer.

**ENGINEERING REPORT**

Mr. Mainz stated that he is working on the two easements on Newark Road for next year's crush, shape and pave project (Federal Aid) between Morris and Broker.

Mr. Doyle reported that he sent a correspondence to the Townships and Sheriff Department requesting their input on the use or disuse of ORVs on county roads. Mr. Howell stated that he spoke briefly with the County Commission at their last regular meeting and introduced the idea of the County Commission, the Road Commission, State Police and the Sheriff Department sitting down and coming up with a reasonable accommodation so we don't have the public not knowing what roads are authorized. Mr. Howell stated that he would like to avoid a situation in which a road in one township is authorized for ORV use and the neighboring township closes the same road to ORV use. Mr. Howell explained that he will attend the County Commission meeting on Thursday and ask for a meeting on November 20, 2013 at 9:00 a.m. here at the Road Commission.

Mr. Doyle also stated that he is applying for a DEQ grant for asphalt using scrap tires, in which they will pay 50 percent of the asphalt price. Mr. Doyle explained that he is applying for the approval of five locations. Mr. Doyle went on to state that he is also working on his 2014 High Risk Rural Road and Safety Projects and is reviewing the Request for Proposals for the 2015 roundabout project.

**PUBLIC TIME**

Mr. Daren McLaughlin, Mr. Bill Angerbrandt, Mr. Eric Ostling/Huron Consultants

Mr. Howell stated that Huron Consultants were present as a result of two projects on Dryden Road in which substantial overcharges and substantial time delays occurred. Mr. Howell explained that a meeting was held on Monday in which MDOT was present, but there was perhaps a miscommunication which prevented Huron Consultants from attending, so they asked to appear at this Regular Meeting.

Mr. McLaughlin explained that he is the owner of Huron Consultants, and was excited to get this first project with the Lapeer County Road Commission in 2012. Mr. McLaughlin stated that the Dryden Road project was initially two projects, and appeared to be a routine typical MDOT resurfacing project which was initially on budget and on schedule. The grade inspection meeting was held and they got typical comments back from MDOT.

It then unraveled from there. Mr. McLaughlin went on to state that the comments from MDOT were atypical and unreasonable, and he thought Bill (Mr. Mainz) was frustrated too with the direction MDOT was taking the project. It was also stated that the project became a moving target. They thought they were going on a path, and moving forward with a certain approach and it changes, and it changes again, and it changes again. That has been the frustrating part.

Mr. McLaughlin stated that initially these projects were separate and they had to put them all into one, and that took a lot more time; it wasn't on the initial scope of work, it wasn't bid that way. There was an issue with traffic lights and traffic studies, in which MDOT was also arguing about what needed to be done. Ultimately, the project was separated again. It was a very frustrating first project with the Road Commission, and extremely frustrating endeavor mainly with regard to our interaction with MDOT.

Mr. McLaughlin added that this has been the most atypical MDOT project they have ever had and the multiple communications and multiple emails with the Road Commission engineering group, with both expressing their frustration with the additional requirements MDOT kept adding on. It was unreasonable and not expected for a routine project like this.

Mr. Bill Angerbrandt stated that he is the sales manager for Huron Consultants and has been doing sales for almost forty years. Mr. Angerbrandt explained that it is his responsibility to make sure the customer is happy, but they can't fix something they don't know about. Mr. Angerbrandt stated it wasn't until seven days after he made his final phone call that out of the blue, he was told that anyone was unhappy. He stated that the email printouts that he brought with him today implore over and over to expedite the project and 'what's was the status'.

Mr. Angerbrandt went on to state that the emails state that the project was turned over to a Rita Levine, who sent back all kinds of alterations which caused delays, and the emails show that the traffic controller engineers couldn't agree if they needed a study or didn't need one. There were constant delays in this project that they didn't have anything to do with. The emails show it over and over again. 'What's the status' is the most commonly referred to quotation in all of this.

Mr. McLaughlin stated that he would like to fix this and would like an opportunity to be held accountable, and be given the opportunity to see this project through. He stated that he would make sure that moving forward this project would not go over the initial construction budget, and then go ahead and judge them after that.

Mr. Ostling stated that the project was ready to submit when he left Huron Consultants in 2012. Mr. Ostling gave an explanation of the delays that he was aware of.

Mr. McLaughlin ended with stating that he believes the delays are MDOT driven and can be explained in the emails, and he would encourage the Board to read them.

Mr. Hemmingsen and Mr. Howell asked why the November 1, 2012 deadline was not met. Mr. McLaughlin stated that he thought they had a complete set of documents into MDOT for the April letting. Mr. Howell asked about the MDOT quote that the plans were woefully incomplete. Mr. McLaughlin stated that this was puzzling to him, because when they met with MDOT for the GI, there were minor revisions to make and they made them and submitted them to MDOT.

Mr. Hemmingsen asked about the project having to be submitted four times to be approved. Mr. McLaughlin explained that MDOT kept changing the rules and changing the requirements and adding more issues on to what they originally agreed to.

Mr. Howell then asked about the cost of the project being so vastly off from the estimate. Mr. McLaughlin stated that when the scope of a project changes this much, the cost changes. Mr. Ostling stated that he did not know the initial estimate of the project. Mr. Ostling explained that the initial proposal from the Road Commission had 24 feet wide pavement, 6 foot shoulders with a 2 ½ inch overlay. The scope of the project now is a 28 foot wide pavement, including trenching and aggregate, additional guardrail and approaches.

Mr. Hemmingsen stated that the Request for Proposal stated that the project shall be designed to AASHTO and/or 3R standards in accordance with a typical MDOT Federal-Aid project. Mr. McLaughlin stated that that is what they thought they had done. Mr. McLaughlin explained that all the parties met and there was an understanding of what the expectation were and that occasionally some things may not be practical and may not be required.

Mr. Howell asked if he could be provided a copy of the emails which were mentioned earlier, and that no action would be taken on this matter at this time.

Mr. Ron Cischke, Goodland Township Supervisor

Mr. Cischke was present to speak about a problem that he is having in Goodland Township where a farmer is planting crops into the right of way, which is obstructing vision. Mr. Cischke went on to state that this individual is also spraying herbicide in the ditches and killing all of the vegetation which leads to erosion. Mr. Cischke stated that he has spoken with Mr. Larkin Martinez, a Pesticide Specialist with the DEQ, and Mr. Martinez suggested that the Township create an ordinance.

Mr. John Smiljanich, Imlay District Foreman stated that when the farmer sprays he gets everything in the area and all of the ditch vegetation is killed and it causes washouts. It was also stated that the ditches are being damaged when the farmer drives his equipment into them as he plants and harvests into the right of way. It was stated that the farmer is Mr. Lynn Walton.

It was agreed upon to send Mr. Walton a letter regarding the issue with the crops and the spraying and explain that the Road Commission cannot allow this practice to continue and if it does during the next planting season that the crops will be cut down.

Mr. Cischke ended with a compliment to Mr. Pearson regarding the information he provided at the Supervisor's Meeting about the funding options.

Mr. Michael Boskee, Elba Township Supervisor

Mr. Boskee asked about the roundabout that is being proposed in his township. Mr. Doyle stated that it is in the early stages, so he doesn't have a lot of information to pass along, but will keep Elba Township informed and invited to the meetings.

Mr. Boskee went on to state that Elba Township has \$400,000 for paving that they are waiting to give the county, but can't get approval to proceed. Mr. Pearson stated that the Road Commission has a policy on what processes the Townships can go direct with a contractor and paving is not one of them. Mr. Boskee explained that they got a better price than what the Road Commission offered them to do the jobs. It was suggested that a compromise be sought that would benefit both sides on this issue. It was suggested that these township jobs could be bid separately without the MDOT prequalification requirement, and thus these contractors would be able to bid with the Road Commission.

**101613-149**

Motion by Mr. Duckert, seconded by Mr. Hemmingsen to authorize the engineering department to bid the Elba Township paving projects without the MDOT pre-qualification requirement. Motion carried.

**Mr. Rick Brandt, Hadley Township Supervisor**

Mr. Brandt stated that he had nothing to report at tonight's meeting.

**COMMISSIONER REPORTS AND COMMENTS**

Mr. Duckert reported that the roadside mowing looks good.

Mr. Howell declared the meeting adjourned at 6:03 p.m.

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Gary Howell, Chairman

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Linette Daily, Board Secretary