

**LAPEER COUNTY ROAD COMMISSION  
REGULAR BOARD MEETING  
Wednesday, January 15, 2020  
4:30 p.m.**

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Present: Mr. James Novak, Jr., Chairman; Mr. Dale Duckert, Vice Chairman; Mr. Les Nichols, Member  
In Attendance: Mrs. Linette Weston, Board Secretary; Mr. Erick Pearson, Managing Director; Mr. Zeb  
Schons, Superintendent; Mr. Randy Green

Chairman Novak 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**

**011520-002**

Motion by Commissioner Nichols, seconded by Commissioner Duckert to approve the agenda. Motion  
carried.

**Approval of Prior Board Meeting Minutes**

**011520-003**

Motion by Commissioner Duckert seconded by Commissioner Nichols to approve the Regular Meeting  
minutes for December 30, 2019. Motion carried.

**Approval of Disbursements**

**011520-004**

Motion by Commissioner Nichols, seconded by Commissioner Duckert to approve the Accounts  
Payable and Payroll dated January 16, 2020 in the amount of \$455,808.34. Motion carried.

**Managing Director Report**

Mr. Pearson explained to the Board that Mr. Timothy Smith was retiring on Friday after more than 31  
years of service. Mr. Pearson went on to state that Mr. Smith has been a part of a lot of gravel hauls  
over the years, and when he transferred to the grader position it was the best move for the Road  
Commission because he is a great grader operator. Mr. Pearson stated that Mr. Smith will be missed.  
The Board Members and Mr. Schons extended a thank you to Mr. Smith as well.

**011520-005**

Motion by Commissioner Nichols, seconded by Commissioner Duckert to approve the following  
resolution:

WHEREAS, Timothy Smith worked in the following departments and locations; Laborer in the Lapeer  
Garage in October of 1988; Sign Crew in September of 1989, Tandem Driver in 1990, Truck Operator  
in 1996, Grader Operator in November of 1997 and a Heavy Equipment Operator at the North Branch  
Garage, in May of 2010, and has remained there for the remainder of his career; and,

WHEREAS, Timothy Smith is a devoted and faithful employee of the Lapeer County Road  
Commission; and,

WHEREAS, Timothy Smith has used his talents as a Laborer, Truck Operator and knowledge as a  
Heavy Equipment Operator and Night Patrol to maintain the roads in Lapeer County for the past thirty-  
one plus years; and,

WHEREAS, as a result of Timothy Smith's diligence and strong work ethic, he has contributed greatly  
to the excellent condition of the roads in the Lapeer and North Branch Districts, ensuring the wellbeing  
of all who use them; and,

WHEREAS, Timothy Smith will be retiring January 17, 2020 after more than thirty-one years of outstanding service to the community; and,

WHEREAS, Timothy Smith's dedication and hard work will be missed by one and all.

NOW THEREFORE BE IT RESOLVED, that the Board of Lapeer County Road Commissioners, does hereby extend our sincere thanks and heartfelt gratitude.

BE IT FURTHER RESOLVED, that this resolution be entered into the records of the Board of Lapeer County Road Commissioners, Lapeer County, State of Michigan on this fifteenth day of January, 2020, there to remain forever.

Roll call vote: Mr. Duckert, aye; Mr. Novak, aye; Mr. Nichols, aye. Motion carried.

**011520-006**

Motion by Commissioner Nichols, seconded by Commissioner Duckert to approve the 2019 Final Budget. Motion carried.

**011520-007**

Motion by Commissioner Nichols, seconded by Commissioner Duckert to approve the Amended 2020 Budget with the new Fund Balance. Motion carried.

**011520-008**

Motion by Commissioner Duckert seconded by Commissioner Nichols to approve the 2020 Annual Bid Tabulations. Motion carried.

**011520-009**

Motion by Commissioner Nichols, seconded by Commissioner Duckert to approve TCO#1(14)2020 in accordance with the Engineer's recommendation, that Saginaw Road (Structure 5389) over South Branch of Flint River between Davis Lake Road and Plum Creek Road in Mayfield Township be posted as follows:

Single Unit Vehicle- 32 Tons Gross Load

Two Unit Vehicle- 41 Tons Gross Load

Three Unit Vehicle- 57 Tons Gross Load

Motion carried.

**011520-010**

Motion by Commissioner Nichols, seconded by Commissioner Duckert to approve TCO#1(16)2020 in accordance with the Engineer's recommendation, that Burnside Road (Structure 5378) over Cedar Creek between Lake Pleasant Road and Jefferson Road in North Branch Township be posted as follows:

Single Unit Vehicle- 42 Tons Gross Load

Two Unit Vehicle- 68 Tons Gross Load

Three Unit Vehicle- 82 Tons Gross Load

Motion carried.

**011520-011**

Motion by Commissioner Duckert seconded by Commissioner Nichols to approve the Amended Road Name Sign Replacement Policy. Motion carried.

**011520-012**

Motion by Commissioner Nichols, seconded by Commissioner Duckert to declare Equipment #8238, 1989 Stanley Pole Saw as Surplus. Motion carried.

Mr. Pearson reported to the Board that Marathon Township has asked for a letter of support for a grant application for the development of the Marathon Township Park.

**011520-013**

Motion by Commissioner Duckert seconded by Commissioner Nichols to authorize Mr. Gingell to write a letter of support on behalf of the Lapeer County Road Commission for the development of the Marathon Township Park. Motion carried.

**Public Comment**

Mr. Randy Green

Mr. Green was present to explain to the Board that he had missed the Annual Bid deadline for Roadside Mowing and would like the opportunity to have the item bid again. Mr. Green went on to state that he is aware there were no other bidders.

Mr. Pearson stated that as he explained previously to Mr. Green, the rules are strictly adhered to in order to protect the integrity of the bidding process.

Mr. Nichols stated that MDOT follows the same rules and he also has been denied submitting a late bid.

Mr. Novak stated that he missed a bid deadline with the Road Commission years ago and was also denied the opportunity to submit the bid.

Mr. Pearson stated that we have had several bidders in the past years miss the deadline and we have always denied the bids.

Chairman Novak declared the meeting adjourned at 4:50 p.m.

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James Novak Jr., Chairman

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Linette Weston, Board Secretary

**LAPEER COUNTY ROAD COMMISSION  
REGULAR BOARD MEETING  
Wednesday, January 29, 2020  
4:30 p.m.**

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Present: Mr. James Novak, Jr., Chairman; Mr. Dale Duckert, Vice Chairman; Mr. Les Nichols, Member  
In Attendance: Mrs. Linette Weston, Board Secretary; Mr. Erick Pearson, Managing Director; Mr. Zeb Schons, Superintendent; Mr. Destain Gingell, County Highway Engineer

Chairman Novak 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**

**012920-015**

Motion by Commissioner Nichols, seconded by Commissioner Duckert to approve the agenda. Motion carried.

**Approval of Prior Board Meeting Minutes**

**012920-016**

Motion by Commissioner Duckert seconded by Commissioner Nichols to approve the Regular Meeting minutes for January 15, 2020. Motion carried.

**Approval of Disbursements**

**012920-017**

Motion by Commissioner Nichols, seconded by Commissioner Duckert to approve the Accounts Payable and Payroll dated January 30, 2020 in the amount of \$396,302.47. Motion carried.

**Approval of Road Project Agreements**

**012920-018**

Motion by Commissioner Nichols, seconded by Commissioner Duckert to approve the three Road Project Agreements.

Imlay Township

504-011-204022 Brush Axe and Tree Removal Program, Estimated Cost: \$10,000/\$5,000

Township/\$5,000 LCRC

504-011-204023 Ditching Program, Estimated Cost: \$10,000/\$5,000 Township/\$5,000 LCRC

Rich Township

504-018-204724 Castle Road between Beck and McKibbon Roads. Repair bridge deck with 1-inch steel plate and anchor down with lag bolts to the deck and blend the edges with cold patch.

Estimated Cost: \$12,000/Bridge Fund \$6,000/LCRC \$6,000

Motion carried.

**Managing Director Report**

**012920-019**

Motion by Commissioner Nichols, seconded by Commissioner Duckert to approve the 2019 Annual Financial Report and 2019 Act 51 of 1951 Report. Motion carried.

**012920-020**

Motion by Commissioner Nichols, seconded by Commissioner Duckert to approve the Letter of Agreement between Lapeer County Road Commission and TPOAM. Motion carried.

**012920-021**

Motion by Commissioner Duckert seconded by Commissioner Nichols to cast the vote for CRA Board of Directors for Association of Southern Michigan County Road Agencies. Motion carried.

Mr. Pearson informed the Board that the mandatory pre-construction meeting for the office remodel was scheduled for 3:30 p.m. on Monday January 27, 2020 and the bids are due on February 7, 2020.

Discussion was held regarding possibly moving the Committee of the Whole Meeting time due to the unavailability of the Board Room during construction.

Mr. Pearson reminded the Board of the Annual Township Meeting to be held on February 18, 2020 at the Arcadia Township Hall.

Mr. Pearson also reported that the Governor's State of the State was being held this evening with her transportation proposal to be unveiled. Mr. Pearson explained that she is going to propose to bond the State Trunkline.

Engineering Report

**012920-022**

Motion by Commissioner Duckert seconded by Commissioner Nichols to approve MDOT Contract Number 19-5642, Job Number 202726CON, Hot mix asphalt base crushing and shaping and resurfacing work along Bronson Lake Road from Millville Road to Carpenter Road; including culvert, permanent signing, and pavement marking work; and all together with necessary related work. Project cost of approximately 18.15%. Chairman Novak and Vice Chairman Duckert to sign. Motion carried.

**012920-023**

Motion by Commissioner Duckert seconded by Commissioner Nichols to approve MDOT Contract Number 19-5654, Job Number 202395CON, The removal and replacement of the structure #5411, which carries Burnside Road over the North Branch Flint River Overflow, Sections 8 & 17, T09N, R10E, Deerfield Township, Lapeer County, Michigan; the reconstruction of the approaches to the structure for approximately 67 feet westerly and 229 feet easterly of the structure; and all together with necessary related work. Project cost 5% or \$34,500.00. Chairman Novak and Vice Chairman Duckert to sign. Motion carried.

**012920-024**

Motion by Commissioner Duckert seconded by Commissioner Nichols to approve MDOT Road Certifications dated December 31, 2019 and allow Chairman Novak to sign. Motion carried.

**012920-025**

Motion by Commissioner Nichols, seconded by Commissioner Duckert to designate Mr. Andrew Dixon as authorized agent for checking vehicles for size, weights, and loads operating on all roads under the Road Commission jurisdiction or as allowed or designated in Lapeer County for the period of January 1, 2020 to December 31, 2020. Motion carried.

**Commissioner Comment**

Mr. Nichols inquired about the Fish Lake/Wilder Extension. Mr. Pearson stated that this project has been shelved for several years due to the lack of available funding. Mr. Nichols stated that citizens are asking for the project to be completed.

Mr. Novak stated that the crews did a good job this weekend during the snow storm.

Mr. Pearson explained that three frost tubes showed no frost in the roadway at this point, unfortunately the roadways are very saturated with moisture.

Chairman Novak declared the meeting adjourned at 4:50 p.m.

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James Novak Jr., Chairman

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Linette Weston, Board Secretary

**LAPEER COUNTY ROAD COMMISSION  
REGULAR BOARD MEETING  
Wednesday, February 12, 2020  
4:30 p.m.**

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Present: Mr. James Novak, Jr., Chairman; Mr. Dale Duckert, Vice Chairman; Mr. Les Nichols, Member  
In Attendance: Mrs. Linette Weston, Board Secretary; Mr. Erick Pearson, Managing Director; Mr. Zeb  
Schons, Superintendent; Mr. Destain Gingell, County Highway Engineer

Chairman Novak 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**

**021220-027**

Motion by Commissioner Nichols, seconded by Commissioner Duckert to approve the agenda. Motion  
carried.

**Approval of Prior Board Meeting Minutes**

**021220-028**

Motion by Commissioner Duckert seconded by Commissioner Nichols to approve the Regular Meeting  
minutes for January 29, 2020. Motion carried.

**Approval of Disbursements**

**021220-029**

Motion by Commissioner Nichols, seconded by Commissioner Duckert to approve the Accounts  
Payable and Payroll dated February 13, 2020 in the amount of \$637,731.20. Motion carried.

**Approval of Road Project Agreements**

**021220-030**

Motion by Commissioner Nichols, seconded by Commissioner Duckert to approve the two Road Project  
Agreements.

Elba Township

504-008-203722 Brush Axe and Tree Removal Program, Estimated Cost: \$10,000/\$5,000

Township/\$5,000 LCRC

504-008-203723 Ditching Program, Estimated Cost: \$10,000/\$5,000 Township/\$5,000 LCRC

Motion carried.

**Managing Director Report**

**021220-031**

Motion by Commissioner Duckert, seconded by Commissioner Nichols to approve the Schedule of  
Values for the Office Remodel Project. Motion carried.

Mr. Pearson spoke briefly about the LCRC/MTA Annual Meeting scheduled for Tuesday, February 18,  
2020 at 7:00 p.m.

**Engineering Report**

Mr. Gingell explained that he is working on project bids.

Mr. Gingell reported that the Bronson Lake project came in lower than expected.

Chairman Novak declared the meeting adjourned at 4:45 p.m.

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James Novak Jr., Chairman

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Linette Weston, Board Secretary

**LAPEER COUNTY ROAD COMMISSION**  
**REGULAR BOARD MEETING**  
**Wednesday, February 26, 2020**  
**4:30 p.m.**

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Present: Mr. James Novak, Jr., Chairman; Mr. Les Nichols, Member

In Attendance: Mrs. Linette Weston, Board Secretary; Mr. Erick Pearson, Managing Director; Mr. Zeb Schons, Superintendent; Mr. Destain Gingell, County Highway Engineer; Mr. Michael Boskee, Elba Township Supervisor

Chairman Novak 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**

**022620-033**

Motion by Commissioner Nichols, seconded by Chairman Novak to approve the agenda. Motion carried.

**Approval of Prior Board Meeting Minutes**

**022620-034**

Motion by Commissioner Novak seconded by Chairman Novak to approve the Regular Meeting minutes for February 12, 2020. Motion carried.

**Approval of Disbursements**

**022620-035**

Motion by Commissioner Nichols, seconded by Chairman Novak to approve the Accounts Payable and Payroll dated February 27, 2020 in the amount of \$355,149.01. Motion carried.

**Approval of Road Project Agreements**

**022620-036**

Motion by Commissioner Nichols, seconded by Chairman Novak to approve the eight Road Project Agreements.

**Attica Township**

504 003 203220 Dust Control, Up to 3 Applications, Road Maintenance, Estimated Cost: \$46,134.60

504 003 203221 Roadside Mowing, 2 Double Passes, LCRC Forces, Estimated Cost: \$12,538.00/  
\$6,269.00 LCRC/\$6,269.00 Township

504 003 203222 Brush Axe & Tree Removal Program, Estimated Cost: \$10,000.00/  
\$5,000.00 LCRC/\$5,000.00 Township

504 003 203223 Ditching Program, Estimated Cost: \$10,000.00/\$5,000.00 LCRC/\$5,000.00 Township

489 003 203224 3,000 Ton Limestone, Spread, Level & Brine, Estimated Cost: \$63,000.00 Township

489 003 203225 3,000 Ton Limestone, Spread, Level & Brine, Estimated Cost: \$63,000.00 Township

**Elba Township**

504 008 203720 Dust Control, Up to 4 Applications, LCRC Forces, Estimated Cost: \$33,350.40

504 008 207221 Roadside Mowing, 2 Double Passes, LCRC Forces, Estimated Cost: \$11,762.00/  
\$5,881.00 LCRC/\$5,881.00 Township

Motion carried.

Managing Director Report

Mr. Pearson stated that the office remodel and security wall is coming along well and scheduled to be completed ahead of schedule.

Mr. Pearson reported to the Board that the meeting was held with the County Press to discuss the details of the proposed road millage.

Engineering Report

022620-037

Motion by Commissioner Nichols, seconded by Chairman Novak to approve the following Resolution:

WHEREAS, Peninsula Court, part of Deerfield Park Plat, Section 21, T9N, R10E, Deerfield Township, Lapeer County, Michigan, described as:

BEGINNING AT THE SOUTHWEST CORNER OF LOT 85 OF DEERFIELD PARK (AS RECORDED LIBER 1, PAGES 45 AND 46, LAPEER COUNTY RECORDS) NORTH 89 DEGREES 03 MINUTES 20 SECONDS EAST 530 FEET(RECORDED) ALONG THE NORTH RIGHT-OF-WAY OF PENINSULA COURT TO THE SOUTHEAST CORNER OF SAID LOT 75, PARALLEL WITH THE NORTH LINE OF SAID SECTION 21, TO A POINT ON THE NORTH RIGHT OF WAY LINE OF SAID PENINSULA DRIVE SOUTH; THENCE ALONG THE NORTH RIGHT OF WAY LINE OF SAID PENINSULA DRIVE SOUTH, ON A CURVE TO THE LEFT WHOSE RADIUS IS 405 FEET(RECORDED), LENGTH IS 296.51 FEET AND WHOSE CHORD IS SOUTH 67 DEGREES 37 MINUTES 05 SECONDS WEST 289 FEET; THENCE ON ANOTHER CURVE TO THE LEFT, WHOSE RADIUS IS 37.80 FEET(RECORDED), LENGTH IS 90.79(RECORDED) AND WHOSE CHORD IS NORTH 22 DEGREES 15 MINUTES 29 SECONDS WEST 70.43 FEET TO A POINT ON THE SOUTH LINE OF SAID PENINSULA COURT; THENCE SOUTH 89 DEGREES 03 MINUTES 20 SECONDS WEST(RECORDED) 232.67 FEET(RECORDED) PARALLEL WITH THE NORTH LINE OF SAID SECTION 21 TO A POINT ON THE EASTERLY RIGHT-OF-WAY OF PENINSULA DRIVE; THENCE ON A CURVE TO THE LEFT WHOSE RADIUS IS 280 FEET(RECORD), LENGTH IS 40.13 FEET AND WHOSE CHORD IS NORTH 04 DEGREES 45 MINUTES 31 SECONDS WEST 40.10 FEET TO THE SOUTHWEST CORNER OF SAID LOT 85 AND THE POINT OF BEGINNING.

WHEREAS, the said **380 feet (0.07 Miles) of Peninsula Court** is located in the Right-Of-Way under the control of the Lapeer County Road Commission and is for public road purposes and is no longer being used as a public road, that no building of any kind or character are situated thereon and that the same should be absolutely abandoned and discontinued;

WHEREAS, said length of Peninsula Court was certified through the Lapeer County Road Commissions Local Road System mileage and the Act 51 Transportation Funds from 1943 through 1955;

WHEREAS, the Lapeer County Road Commission cannot abandon the Right-Of-Way within a Plat, however, it can relinquish jurisdiction of Right-Of-Way to Township;

WHEREAS, public utilities are, or may be, located in the Peninsula Court Right-Of-Way, a fifteen (15) foot wide public utility easement shall be dedicated for the exclusive use of said utilities. Said easement is described as

PART OF THE NORTHWEST QUARTER OF SECTION 21, T9N-R10E, DEERFIELD TOWNSHIP, LAPEER COUNTY, MICHIGAN, DESCRIBED BEGINNING AT THE SOUTHWEST CORNER OF LOT 85 OF DEERFIELD PARK (AS RECORDED LIBER 1, PAGES 45 AND 46, LAPEER COUNTY RECORDS) NORTH 89 DEGREES 03 MINUTES 20 SECONDS EAST 280 FEET(RECORDED) ALONG THE NORTH RIGHT-OF-WAY OF PENINSULA COURT, PARALLEL WITH THE NORTH LINE OF SAID SECTION 21; THENCE SOUTH 00 DEGREES 11 MINUTES 40 SECONDS EAST 40 FEET TO THE SOUTH RIGHT-OF-WAY LINE OF SAID PENINSULA COURT EXTENDED EAST TO THE EAST LINE OF LOT 80 EXTENDED SOUTH; THENCE SOUTH 89 DEGREES 03 MINUTES 20 SECONDS WEST(RECORDED) 276.73 FEET THROUGH SAID PENINSULA COURT RIGHT-OF-WAY AND ALONG SAID SOUTH RIGHT-OF-WAY LINE OF SAID PENINSULA COURT PARALLEL WITH THE NORTH LINE OF SAID SECTION 21 TO A POINT ON THE EASTERLY RIGHT-OF-WAY OF SAID PENINSULA DRIVE; THENCE ALONG A CURVE TO THE LEFT WHOSE RADIUS IS 280 FEET(RECORDED), LENGTH IS 40.13 FEET AND WHOSE CHORD IS NORTH 04 DEGREES 45 MINUTES 31 SECONDS WEST 40.10 FEET TO THE SOUTHWEST CORNER OF SAID LOT 85 AND THE POINT OF BEGINNING.

THEREFORE, BE IT RESOLVED, that it is in the best interest of the public that said 380 Feet (0.07 Miles) of Peninsula Court Right of Way be relinquished to the Township, and a 15-ft wide public utility easement be dedicated per the Attached Abandonment Sketch.

Roll call vote: Mr. Novak, aye; Mr. Nichols, aye. Motion carried.

Chairman Novak declared the meeting adjourned at 4:52 p.m.

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James Novak Jr., Chairman

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Linette Weston, Board Secretary

**LAPEER COUNTY ROAD COMMISSION**  
**REGULAR BOARD MEETING**  
**Wednesday, March 10, 2020**  
**8:00 a.m.**

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Present: Mr. James Novak, Jr. Chairman; Mr. Dale Duckert, Vice Chairman; Mr. Les Nichols, Member  
In Attendance: Mrs. Linette Weston, Board Secretary; Mr. Erick Pearson, Managing Director; Mr.  
Destain Gingell, County Highway Engineer

Chairman Novak called the meeting to order at 8:00 a.m. in the Meeting Room of the Lapeer County  
Road Commission Building. The Pledge of Allegiance was recited.

**Approval of Agenda**

**031020-039**

Motion by Commissioner Nichols, seconded by Commissioner Duckert to approve the agenda. Motion  
carried.

**Approval of Prior Board Meeting Minutes**

**031020-040**

Motion by Commissioner Duckert seconded by Commissioner Nichols to approve the Regular Meeting  
minutes for February 26, 2020. Motion carried.

**Approval of Disbursements**

**031020-041**

Motion by Commissioner Nichols, seconded by Commissioner Duckert to approve the Accounts  
Payable and Payroll dated March 12, 2020 in the amount of \$570,147.73. Motion carried.

**Approval of Road Project Agreements**

**031020-042**

Motion by Commissioner Duckert, seconded by Commissioner Nichols to approve the nine Road  
Project Agreements.

**Burnside Township**

504-005-203422 Brush Axe and Tree Removal Program \$10,000/LCRC \$5,000/Township \$5,000  
504-005-203423 Ditching Program \$10,000/LCRC \$5,000/Township \$5,000

**Hadley Township**

504-010-203920 Dust Control/Up to 3 Applications/LCRC Forces \$38, 296.80 Township  
504-010-203921 Roadside Mowing/2 Double Passes/ LCRC Forces \$10,352/\$5,176 LCRC/\$5176  
Township  
504-010-203922 Brush Axe & Tree Removal Program \$10,000/LCRC \$5,000/Township \$5,000  
504-010-203923 Ditching Program \$10,000/LCRC \$5,000/Township \$5,000

**Marathon Township**

504-013-204221 Roadside Mowing/2 Double Passes LCRC Forces \$11,916/\$5,958 LCRC/\$5,958  
Township  
504-013-204222 Brush Axe and Tree Removal Program \$10,000/\$5,000LCRC/\$5,000 Township  
504-013-204223 Ditching Program \$10,000/\$5,000LCRC/\$5,000 Township  
Motion carried.

Managing Director Report

**031020-043**

Motion by Commissioner Duckert, seconded by Commissioner Nichols to Adopt Resolution to Approve Protecting Local Government Retirement and Benefit Act Application for Waiver and Plan; Retirement Health Benefit Systems:

WHEREAS, the Lapeer County Road Commission recognizes the requirements of Public Act 202 of 2017; and

WHEREAS, the Board of Lapeer County Road Commissioners has completed the Michigan Department of Treasury, Protecting Local Government Retirement and Benefit Act Application for Waiver; Retirement Health Benefit Systems to demonstrate that we have implemented substantial changes to our retirement health care system; and

WHEREAS, the Board of Lapeer County Road Commissioners has committed to continuing to deposit at least \$250,000 into the IRS Section 115 Trust Fund annually;

THEREFORE, BE IT RESOLVED, that the Board of Lapeer County Road Commissioners approves the Michigan Department of Treasury, Application for Waiver dated March 03, 2020.

Roll Call Vote: Ayes: Novak, Nichols, Duckert. Nays: None. Motion carried

Mr. Pearson explained to the Board that the Lapeer County Community Collaborative- Legislative Breakfast set for March 23, 2020 would conflict with the next scheduled Committee of the Whole meeting.

**031020-044**

Motion by Commissioner Duckert, seconded by Commissioner Nichols to cancel the Committee of the Whole Meeting on March 23, 2020. Motion carried.

Engineering Report

**031020-045**

Motion by Commissioner Nichols, seconded by Mr. Duckert to approve the Bid Tabulations for Various Tree Removal Clearing Projects and award in the best interest of the Road Commission. Motion carried.

Mr. Gingell reported that MDOT was reviewing weight restrictions and may possibly lift at the end of the week.

Chairman Novak declared the meeting adjourned at 8:15 a.m.

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James Novak Jr., Chairman

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Linette Weston, Board Secretary

**LAPEER COUNTY ROAD COMMISSION**  
**TELECONFERENCE-REGULAR BOARD MEETING**  
**Wednesday, March 25, 2020**  
**4:30 p.m.**

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Present: Mr. James Novak, Jr. Chairman; Mr. Dale Duckert, Vice Chairman; Mr. Les Nichols, Member; Mrs. Linette Weston, Board Secretary; Mr. Erick Pearson, Managing Director; Mr. Destain Gingell, County Highway Engineer; Mr. Zeb Schons, Superintendent of Operations

Chairman Novak called the meeting to order at 4:30 p.m. via teleconference.

**Approval of Agenda**

**032520-046**

Motion by Commissioner Nichols, seconded by Commissioner Duckert to approve the agenda. Roll Call Vote: Ayes: Novak, Nichols, Duckert. Nays: None. Motion carried

**Approval of Prior Board Meeting Minutes**

**032520-047**

Motion by Commissioner Nichols seconded by Commissioner Duckert to approve the Regular Meeting minutes for March 10, 2020. Roll Call Vote: Ayes: Novak, Nichols, Duckert. Nays: None. Motion carried

**Approval of Disbursements**

**032520-048**

Motion by Commissioner Duckert, seconded by Commissioner Nichols to approve the Accounts Payable and Payroll dated March 26, 2020 in the amount of \$226,635.25. Roll Call Vote: Ayes: Novak, Nichols, Duckert. Nays: None. Motion carried

**Approval of Road Project Agreements**

**032520-049**

Motion by Commissioner Duckert, seconded by Commissioner Nichols to approve the eleven Road Project Agreements.

**Almont Township**

504-001-203020 Dust Control, Up to 3 Applications, Road Maintenance \$48,225.60 Township  
504-001-203021 Roadside Mowing, LCRC Forces, \$13,400/LCRC \$6,700/Township \$6,700  
504-001-203022 Brush Axe and Tree Removal Program \$10,000/LCRC \$5,000/Township \$5,000  
504-001-203023 Ditching Program \$10,000/LCRC \$5,000/Township \$5,000

**Imlay Township**

504-011-204020 Dust Control, Up to 2 Applications, Road Maintenance, \$27,098.00 Township  
504-011-204027 Church Road, Between Brown City Road and Wheeling Road, 18" x 40' Culvert Township

**Metamora Township**

504-015-204420 Dust Control/Up to 3 Applications/LCRC Forces \$45,392.40 Township  
504-015-204421 Roadside Mowing/2 Double Passes/ LCRC Forces \$10,978/\$5,489 LCRC/\$5,489 Township  
504-015-204422 Brush Axe & Tree Removal Program \$10,000/LCRC \$5,000/Township \$5,000  
504-015-204423 Ditching Program \$10,000/LCRC \$5,000/Township \$5,000  
504-015-204424 Barber Road Culverts, Between Dryden Road and Bocker Road, 18"x40' & 24"x40' \$7,890.00 Township

Roll Call Vote: Ayes: Novak, Nichols, Duckert. Nays: None. Motion carried

**Managing Director Report**

**032520-050**

Motion by Commissioner Duckert, seconded by Commissioner Nichols to Cancel Committee of the Whole Meetings through April 6 and cancel the April 8 Regular Meeting. Roll Call Vote: Ayes: Novak, Nichols, Duckert. Nays: None. Motion carried

Mr. Pearson updated the Board regarding the changes the Road Commission has made as a result of the Covid-19 pandemic.

**Engineering Report**

**032520-051**

Motion by Mr. Duckert, seconded by Mr. Nichols to approve Contract No. 20-5082/Job Number 202388CON (Structure #12692) between LCRC and MDOT, Rehabilitation work for the structure #12692, which carries Barnes Road over Squaw Creek Drain, Sections 21 & 28, T10N, R10E, Rich Township, Lapeer County, Michigan; including hot mix asphalt resurfacing work, guardrail replacement, and maintenance of traffic work; and all together with necessary related work. Authorize Chairman Novak and Vice Chairman Duckert to sign. Estimated Cost \$174,200/State \$165,500/LCRC \$8,700. Roll Call Vote: Ayes: Novak, Nichols, Duckert. Nays: None. Motion carried

**032520-052**

Motion by Mr. Nichols, seconded by Mr. Duckert to approve Contract No.20-5094/Job Number 130855CON between LCRC and MDOT, Hot mix asphalt base crushing, shaping, resurfacing, and widening work to accommodate a center-left turn lane along Oregon Road from Millville Road to Suncrest Road; including, storm sewer, concrete curb, gutter and ramp, permanent signing, pavement marking, and pedestrian signal installation work; and all together with necessary related work. Authorize Chairman Novak and Vice Chairman Duckert to sign. Estimated Cost \$974,700/Federal \$337,000/LCRC \$637,700. Roll Call Vote: Ayes: Novak, Nichols, Duckert. Nays: None. Motion carried

Mr. Gingell gave an update on the bidding dates for the upcoming projects and also reported to the Board that his department was continuing to process permits online.

Mr. Schons explained that EOC will be using our crews as needed for supply delivery and set up.

**Public Comment**

No public calls were received.

Chairman Novak declared the meeting adjourned at 4:45 p.m.

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James Novak Jr., Chairman

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Linette Weston, Board Secretary

**LAPEER COUNTY ROAD COMMISSION  
VIRTUAL PHONE-REGULAR BOARD MEETING  
Wednesday, April 22, 2020  
4:30 p.m.**

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Present. James Novak, Jr. Chairman; Mr. Dale Duckert, Vice Chairman; Mr. Les Nichols, Member; Mrs. Linette Weston, Board Secretary; Mr. Erick Pearson, Managing Director; Mr. Destain Gingell, County Highway Engineer; Mr. Zeb Schons, Superintendent of Operations; Mr. Jeff Lutes, Union President

Chairman Novak called the meeting to order at 4:30 p.m. via teleconference.

**Approval of Agenda**

**042220-053**

Motion by Commissioner Nichols, seconded by Commissioner Duckert to approve the agenda. Roll Call Vote: Ayes: Novak, Nichols, Duckert. Nays: None. Motion carried

**Approval of Prior Board Meeting Minutes**

**042220-054**

Motion by Commissioner Duckert seconded by Commissioner Nichols to approve the Regular Meeting minutes for March 25, 2020. Roll Call Vote: Ayes: Novak, Nichols, Duckert. Nays: None. Motion carried

**Approval of Disbursements**

**042220-055**

Motion by Commissioner Nichols, seconded by Commissioner Duckert to approve the Accounts Payable and Payroll dated April 9, 2020 in the amount of \$516,574.47 and April 23, 2020 in the amount of \$563,215.50. Roll Call Vote: Ayes: Novak, Nichols, Duckert. Nays: None. Motion carried

**Approval of Road Project Agreements**

**042220-056**

Motion by Commissioner Duckert, seconded by Commissioner Nichols to approve the six Road Project Agreements.

**Lapeer Township**

504 012 204120 Dust Control, Up to 3 Applications, LCRC Forces, Estimated Cost: \$21,222.00 Township

504 012 204121 Roadside Mowing, LCRC Forces, Estimated Cost: \$9,974.00/\$4,987.00 LCRC/\$4,987.00 Township

504 012 204122 Brush Axe and Tree Removal Program, Estimated Cost: \$10,000/\$5,000 LCRC/\$5,000 Township

504 012 204123 Ditching Program, Estimated Cost: \$10,000/\$5,000 LCRC/\$5,000 Township

**Oregon Township**

504 017 204620 Dust Control, Up to 3 Applications, LCRC Forces, Estimated Cost: \$31,374.00 Township

504 017 204621 Roadside Mowing, LCRC Forces, Estimated Cost: \$13,494/\$6,747 LCRC/\$6,747 Township

Roll Call Vote: Ayes: Novak, Nichols, Duckert. Nays: None. Motion carried

Managing Director Report

Blue Water Highway Conference Quarterly Meeting

Mr. Pearson explained to the Board that all meetings have been cancelled until further notice, which includes the meeting Lapeer County was to host in July. The April meeting was also cancelled and will be rescheduled at a later date.

Operations Update

Mr. Pearson reported to the Board that the staff was working a 40 on/40 off schedule in order to keep employees as separated as possible. The maintenance crews have been working on shoulders, patching asphalt and grading. They have also been removing trees from the roadway when the winds cause them to fall.

Mr. Pearson explained that Governor Whitmer was due to address the State on Friday and would explain the next step in the shutdown. Mr. Pearson stated that MDOT did layoff it's employees for two weeks for budget purposes.

Mr. Pearson explained that the April MTF will give the Road Commission a better picture on the additional cuts that will need to be made with our budget.

Mr. Novak asked if the new millage was still in the works. Mr. Pearson stated that although the millage is truly needed, this election year is going to find financially trying times for much of Lapeer County. Mr. Schons stated that he agreed with Mr. Pearson, but would have the ballot language ready for July if needed.

Superintendent Report

Gravel Production

Mr. Schons explained that 50,000 ton of gravel had been crushed in Ribble Pit and Townships have requested contracts.

Mr. Schons reported that the office remodel has been completed and is a perfect setup for social distancing of the office staff.

Mr. Schons stated that the Road Commission is assisting Emergency Management with Personal Protection Equipment warehousing and distribution.

Mr. Novak stated that he received a thank you from a resident regarding the shoulder work.

Engineering Report

**042220-057**

Motion by Mr. Duckert, seconded by Mr. Nichols to approve the following five TCOs.

In accordance with the Engineer's recommendation, that Structure Number 5400, McKillop Road over Indian Creek between Merrill Road and Jefferson Road in Burlington Township be posted as follows: 10 Tons Gross Load. This TCO supersedes TCO #02(04)2014.

In accordance with the Engineer’s recommendation, that Structure Number 5408, Index Road Bridge over S. Br. Cass River Drain between Howard Road and Gosline Road in Burnside Township be posted as follows: 5 Ton Gross Vehicle Weight. This TCO Supersedes TCO #02(05)2008.

In accordance with the Engineer’s recommendation, that Structure Number 5409, Gosline Road Bridge over S. Br. Cass River Drain between Index Road and Montgomery Road in Burnside Township be posted as follows: 5 Ton Gross Vehicle Weight. This TCO Supersedes TCO #01(05)2008.

In accordance with the Engineer’s recommendation, that Structure Number 5429, Bowman Road over Belle River Drain between Rider Road and Ross Road in Imlay Township be posted as follows: 8 Ton Gross Vehicle Weight. This TCO Supersedes TCO #01(11)1993.

In accordance with the Engineer’s recommendation, that Structure Number 5469, Castle Road over N. Branch of the Flint River between Beck Road and McTaggart Road in Rich Township be posted as follows: 3 Tons Gross Load. This TCO supersedes TCO #1(18)2019.

Roll Call Vote: Ayes: Novak, Nichols, Duckert. Nays: None. Motion carried

**042220-058**

Motion by Commissioner Nichols, seconded by Commissioner Duckert to approve the following bid tabulations and Award in the best interest of the Road Commission.

- Hollow Corners Road Over Sleeper Drain
- 2020 Pavement Marking Program
- Newark Road Rehabilitation
- Elba Road Rehabilitation - Lippincott Road to I-69
- Tubspring Road - Rehabilitation and Overlay
- Myers Road Rehabilitation
- Oregon Road from Millville Road to Suncrest Road “*Lapeer City Limits*” (MDOT CMAQ PROJECT NO. 130855)

Lapeer CRC Let for MDOT

- Single Course HMA Overlay with Cold Milling on M-24
- HMA Overlay on M-90 and Sidewalk Ramp Modifications\_Village of North Branch

Roll Call Vote: Ayes: Novak, Nichols, Duckert. Nays: None. Motion carried

Mr. Gingell explained that the projects are all pending Managing Director and/or Township approval after COVID-19 budget reviews.

Mr. Gingell reviewed current bidding dates for the upcoming projects. Mr. Gingell went on to state that he would like to bring back one summer seasonal worker to continue with County traffic counts.

**Public Comment**

Mr. Jeff Lutes stated that he would like to thank the Board, Mr. Pearson and Mr. Schons for keeping the road crew working during the shutdown. Mr. Novak expressed his thanks to the entire staff. Mr. Duckert stated that it was good to see the graders out working. Mr. Nichols commented that the crews were doing a good job and to keep it up.

Commissioner Comments

Mr. Novak asked if brine was going to be available during the shutdown. Mr. Pearson explained that the brine tanks are ready and we should begin application in two or two and a half weeks or so.

Chairman Novak declared the meeting adjourned at 5:02 p.m.

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James Novak Jr., Chairman

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Linette Weston, Board Secretary

**LAPEER COUNTY ROAD COMMISSION  
VIRTUAL PHONE-REGULAR BOARD MEETING  
Wednesday, May 6, 2020  
4:30 p.m.**

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Present. James Novak, Jr. Chairman; Mr. Dale Duckert, Vice Chairman; Mr. Les Nichols, Member; Mrs. Linette Weston, Board Secretary; Mr. Erick Pearson, Managing Director; Mr. Destain Gingell, County Highway Engineer; Mr. Zeb Schons, Superintendent of Operations; Mr. Jeff Lutes, Union President; Mr. Terry Jostock

Chairman Novak called the meeting to order at 4:30 p.m. via teleconference.

**Approval of Agenda**

**050620-059**

Motion by Commissioner Nichols, seconded by Commissioner Duckert to approve the agenda with the addition of the MDOT Engineering Reimbursement form. Roll Call Vote: Ayes: Novak, Nichols, Duckert. Motion carried

**Approval of Prior Board Meeting Minutes**

**050620-060**

Motion by Commissioner Nichols seconded by Commissioner Duckert to approve the Regular Meeting minutes for April 22, 2020. Roll Call Vote: Ayes: Novak, Nichols, Duckert. Motion carried

**Approval of Disbursements**

**050620-061**

Motion by Commissioner Duckert, seconded by Commissioner Nichols to approve the Accounts Payable and Payroll dated May 7, 2020 in the amount of \$390,175.42. Roll Call Vote: Ayes: Novak, Nichols, Duckert. Motion carried

**Approval of Road Project Agreements**

**050620-062**

Motion by Commissioner Duckert, seconded by Commissioner Nichols to approve the three Road Project Agreements.

**Deerfield Township**

504 006 203521 Roadside Mowing, LCRC Forces, Estimated Cost: \$13,808.00/\$6,904.00

LCRC/\$6,904.00 Township

504 006 203522 Brush Axe and Tree Removal Program, Estimated Cost: \$10,000/\$5,000 LCRC/\$5,000 Township

504 006 203523 Ditching Program, Estimated Cost: \$10,000/\$5,000 LCRC/\$5,000 Township

Roll Call Vote: Ayes: Novak, Nichols, Duckert. Motion carried

**Managing Director Report**

**050620-063**

Motion by Commissioner Duckert, seconded by Commissioner Nichols to approve the Lawn Maintenance Bid Tabulation. Roll Call Vote: Ayes: Novak, Nichols, Duckert. Motion carried

Mr. Pearson explained that as a requirement of Executive Order 2020-70, the Road Commission has put together a COVID-19 Preparedness and Response Plan. Mr. Pearson explained that as essential workers being at the workplace, we are required to have a plan to prevent or minimize the spread of illness while preserving, to the extent possible, the continuity of operations.

**050620-064**

Motion by Commissioner Duckert, seconded by Commissioner Nichols to approve the Lapeer County Road Commission COVID-19 Preparedness and Response Plan. Roll Call Vote: Ayes: Novak, Nichols, Duckert. Motion carried

**050620-065**

Motion by Commissioner Duckert, seconded by Commissioner Nichols to approve the MDOT Engineering Reimbursement. Roll Call Vote: Ayes: Novak, Nichols, Duckert. Motion carried

Mr. Pearson explained to the Board that MDOT has informed him that there will be limited mowing and no Adopt a Highway Programs. Mr. Pearson stated that the current prediction is for an 8.3 percent reduction in MTF, which means we will need to make a budget amendment within the coming months after the receipts are received.

**Superintendent Report**

Mr. Schons explained that the North Branch crews are conducting shoulder maintenance, the dust control will begin on the primary system next week and come ditching and culvert replacement has also begun. Mr. Schons stated that the MISDIG markers are 2-3 weeks behind which will slow our work slightly.

**Engineering Report**

**050620-066**

Motion by Mr. Duckert, seconded by Mr. Nichols to approve the Bid Tabulations for the Barnes Road Over Squaw Creek Drain Rehabilitation and award in the best interest for the Road Commission. Roll Call Vote: Ayes: Novak, Nichols, Duckert. Motion carried

**050620-067**

Motion by Commissioner Nichols seconded by Commissioner Duckert to approve the Bid Tabulations for the Barnes Road Rehabilitation & Overlay- M-24 to Silverwood Road. Roll Call Vote: Ayes: Novak, Nichols, Duckert. Motion carried

**050620-068**

Motion by Commissioner Nichols seconded by Commissioner Duckert to approve the Bid Tabulations for the Oregon Road Rehabilitation- Washburn Road to Elba Road and Oregon Road Rehabilitation- Elba Road to Indian Road. Roll Call Vote: Ayes: Novak, Nichols, Duckert. Motion carried

Mr. Gingell stated the Bronson Lake project will begin on May 11, 2020 and the road will be closed. Mr. Gingell reported that the traffic counts are also underway.

**Public Comment**

Mr. Terry Jostock asked if Committee of the Whole minutes were available. Mrs. Weston stated that they were available by request.

**Commissioner Comments**

Mr. Duckert stated that he did get some complaints about the berm being pulled, but they appear to be straightened out now.

Mr. Nichols questioned how the Columbiaville project bids could be so far off of the Engineers estimate. Mr. Pearson explained that this project was not a Road Commission project.

Mr. Novak stated that the got calls in favor of and against the pulling of the shoulders.

Chairman Novak declared the meeting adjourned at 4:40 p.m.

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James Novak Jr., Chairman

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Linette Weston, Board Secretary

**LAPEER COUNTY ROAD COMMISSION**  
**VIRTUAL PHONE-REGULAR BOARD MEETING**  
**Wednesday, May 20, 2020**  
**4:30 p.m.**

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Present. Mr. James Novak, Jr. Chairman; Mr. Dale Duckert, Vice Chairman; Mr. Les Nichols, Member; Mrs. Linette Weston, Board Secretary; Mr. Erick Pearson, Managing Director; Mr. Destain Gingell, County Highway Engineer; Mr. Zeb Schons, Superintendent of Operations

Chairman Novak called the meeting to order at 4:30 p.m. via teleconference.

**Approval of Agenda**

**052020-069**

Motion by Commissioner Nichols, seconded by Commissioner Duckert to approve the agenda. Roll Call Vote: Ayes: Novak, Nichols, Duckert. Motion carried

**Approval of Prior Board Meeting Minutes**

**052020-070**

Motion by Commissioner Nichols seconded by Commissioner Duckert to approve the Regular Meeting minutes for May 6, 2020. Roll Call Vote: Ayes: Novak, Nichols, Duckert. Motion carried

**Approval of Disbursements**

**052020-071**

Motion by Commissioner Duckert, seconded by Commissioner Nichols to approve the Accounts Payable and Payroll dated May 21, 2020 in the amount of \$446,029.82. Roll Call Vote: Ayes: Novak, Nichols, Duckert. Motion carried

**Approval of Road Project Agreements**

**052020-072**

Motion by Commissioner Duckert, seconded by Commissioner Nichols to approve the thirty-three Road Project Agreements in the amount of \$1,880,479.62.

**Almont Township**

504-001-203025 Hollow Corners Culvert between Kidder and Glover 36" x 36' Estimated Cost: \$6,966.00 Township

504-001-203026 Hough Road Culvert between Kidder and Scotch Settlement 18" x 40' Estimated Cost: \$4,636.00 Township

504-001-203028 Hollow Corners Road Culvert over Sleeper Drain 103" x 71" x 131' Estimated Cost: \$80,836.00/ \$40,418 Bridge Fund/\$40,418 Township

489-001-203029 Tubspring Road between Howland and Kidder Road Overlay Estimated Cost: \$231,646.00 Township

**Arcadia Township**

504-002-203122 Brush Axe & Tree Removal Program Estimated Cost; \$10,000/LCRC \$5,000/Township \$5,000

504-002-203123 Ditching Program, Estimated Cost; \$10,000/LCRC \$5,000/Township \$5,000

**Dryden Township**

504-007-203620 Dust Control, Up to 3 Applications, Road Maintenance Estimated Cost: \$49,898.40 Township

504-007-203621 Roadside Mowing, LCRC, Estimated Cost: \$12,252.00/LCRC \$6,126.00/Township \$6,126.00

504-007-203622 Brush Axe & Tree Removal Program Estimated Cost; \$10,000/LCRC \$5,000/Township \$5,000

504-007-203623 Ditching Program Estimated Cost; \$10,000/LCRC \$5,000/Township \$5,000

489-007-203624 5,000 Ton Limestone, Leveled and Brined Estimated Cost: \$110,250.00 Township

504-007-203625 Lake George Road, Between Hough and County Line, Culvert 15" x 50' Estimated Cost: \$9,377 Township

504-007-203626 Hollow Corners Road between Hodges and Lake George Road, 18" x 40' Culvert Estimated Cost: \$3,011.00

504-007-203627 Hodges Road between Hollow Corners and Sutton, 18" x 40' Culvert Estimated Cost: \$3,011 Township

489-007-203629 12,000 Ton Gravel, Ribble Pit, Haul, Spread Level (Upcharge for longer run) Estimated Cost: \$143,040.00

**Elba Township**

504-008-203724 Washburn Road Culvert at Lippincott, 18" x 40' Estimated Cost: \$5,321.00 Township

489-008-203725 Elba Road Rehabilitation, between Lippincott and I-69, Tree removal, culvert replacement, drainage, embankment, restoration, traffic control, inspection Estimated Cost: \$325,174.03 Township

**Goodland Township**

504-009-203820 Dust Control, One Application, Road Maintenance Estimated Cost: \$17,586.00 Township

**Lapeer Township**

489-012-204125 Myers Road, Between Bowers Road and Imlay City Road Crush, shape, pave, shoulders Estimated Cost: \$394,426.00 Township

**Mayfield Township**

504-014-204320 Dust Control, Up to 4 Application, LCRC Estimated Cost: \$13,550.40 Township

504-014-204321 Roadside Mowing, LCRC, Two Mowings Estimated Cost: \$12,976/LCRC \$6,488/Township \$6,488

504-014-204322 Brush Axe and Tree Removal Program, Estimated Cost; \$10,000/LCRC \$5,000/Township \$5,000

504-014-204323 Ditching Program, Estimated Cost; \$10,000/LCRC \$5,000/Township \$5,000

**Metamora Township**

489-015-204425 Gravel, 10,000 Ton @\$11.27/Ton, Load, Haul, Brine Estimated Cost: \$112,700.00 Township

**North Branch Township**

504-016-204520 Dust Control, Up to 3 Applications, Road Maintenance, Estimated Cost: \$61,056.79 Township

504-016-204522 Brush Axe and Tree Removal Program, Estimated Cost; \$10,000/LCRC \$5,000/Township \$5,000

504-016-204523 Ditching Program, Estimated Cost; \$10,000/LCRC \$5,000/Township \$5,000

504-016-204524 Five Lakes Road Culvert between Oak Grove and Gravel Creek, 15” x 32’ Estimated Cost: \$2,200 Poly

**Oregon Township**

504-017-204622 Brush Axe and Tree Removal Program, Estimated Cost; \$10,000/LCRC \$5,000/Township \$5,000

504-017-204623 Ditching Program, Estimated Cost; \$10,000/LCRC \$5,000/Township \$5,000

504-017-204624 Flint River Road Ditching, 12” x 30’ Culvert Estimated Cost: \$54,730.00 Township

489-017-204625 Smith Road, 350 Ton Gravel and Ditching, 12” x 210’ Culverts Estimated Cost: \$117,786.00 Township

489-017-204626 Carpenter Road, 500 Ton Gravel, Estimated Cost: \$8,350.00 Township

Roll Call Vote: Ayes: Novak, Nichols, Duckert. Motion carried

**Managing Director Report**

Mr. Pearson spoke briefly about the Road Project Agreements and gave an explanation of the Heavy Maintenance Road Project Agreements.

Mr. Pearson reported that we were working with MDOT to assist Midland County with the use of our Type III Barricades. Mr. Pearson explained that Mr. Schons has been communicating with Mr. Art Buck, Superintendent/Midland County Road Commission, regarding assistance they may need.

Mr. Pearson stated that he has recently been asked if the millage will still be on the ballot. Mr. Pearson explained to the Board that the Committee for the millage proposal was unable to gather for their kick-off meeting in March and will be rescheduling very shortly to discuss the feasibility of moving forward with the proposal.

Mr. Pearson explained that MDOT has approached the Road Commission and is asking to make a cut in the current budget. Mr. Pearson stated that we agreed to cancel the Transportation Work Authorization (TWA) for ditching on the state trunklines in the amount of \$100,000.00.

**Superintendent Report**

Mr. Schons explained that the primary dust control should be wrapped up today and the crews will begin the Township Dust Control projects. Mr. Schons spoke briefly about the emergency cross culvert project on Fish Lake Road which has caused a closure.

Mr. Schons reported that the crews will begin the ditching work on Elba Road tomorrow.

**Engineering Report**

Mr. Gingell stated that there are two crews working on Bronson Lake Road, and the Oregon Road project will start next week.

**Finance Director Report**

Mrs. Weston thanked the Board for the finished office remodel project. Mrs. Weston stated that having the project almost complete when the pandemic hit the State worked out perfectly. The office staff was able to move into the new offices and keep the separation required. Mrs. Weston went on to state that the security glass at the front desk will also provide the needed protection for the employees and the public when the doors reopen again. Mrs. Weston stated that a big thank you needs to go out to Mr. Brain Brittan and the Family Building Company crew as they went out of their way to get the project complete earlier than scheduled.

**Public Comment**

No public comment was received.

**Commissioner Comments**

Mr. Novak stated that he would like to have the Board return to having meetings at the Road Commission. Mr. Duckert and Mr. Nichols agreed. Mr. Pearson stated that the staff and the public will continue to participate in the meeting virtually in order to maintain the required safe distancing.

Mr. Nichols stated that the roads look nice and the crews are doing a good job. Mr. Duckert reported that the rain beat up the roads again.

Chairman Novak declared the meeting adjourned at 4:56 p.m.

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James Novak Jr., Chairman

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Linette Weston, Board Secretary

**LAPEER COUNTY ROAD COMMISSION**  
**VIRTUAL PHONE-REGULAR BOARD MEETING**  
**Wednesday, June 3, 2020**  
**4:30 p.m.**

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Present. Mr. James Novak, Jr. Chairman; Mr. Dale Duckert, Vice Chairman; Mr. Les Nichols, Member; Mrs. Linette Weston, Board Secretary; Mr. Erick Pearson, Managing Director; Mr. Destain Gingell, County Highway Engineer; Mr. Zeb Schons, Superintendent of Operations; Mr. Terry Jostock; Mr. Jeffrey Lutes

Chairman Novak called the meeting to order at 4:30 p.m. via teleconference.

**Approval of Agenda**

**060320-073**

Motion by Commissioner Duckert, seconded by Commissioner Novak to approve the agenda. Roll Call Vote: Ayes: Novak, Duckert. Motion carried

**Approval of Prior Board Meeting Minutes**

**060320-074**

Motion by Commissioner Duckert seconded by Commissioner Novak to approve the Regular Meeting minutes for May 20, 2020. Roll Call Vote: Ayes: Novak, Duckert. Motion carried

**Approval of Disbursements**

**060320-075**

Motion by Commissioner Duckert, seconded by Commissioner Novak to approve the Accounts Payable and Payroll dated June 4, 2020 in the amount of \$416,608.49. Roll Call Vote: Ayes: Novak, Duckert. Motion carried

**Approval of Road Project Agreements**

**060320-076**

Motion by Commissioner Duckert, seconded by Commissioner Novak to approve the thirteen Road Project Agreements in the amount of \$752,879.92.

**Burnside Township**

489-005-193404 Gravel Project, Load, Haul, Level & Brine @ \$11.30/Ton Estimated Cost: \$180,000.00

504-005-203424 Marsh Road Culvert, Between Brooks and Burnside, 18" x 48' Restoration  
Estimated Cost: \$3,617.72 Township

504-005-203425 Wilcox Road (#7104) Culvert, Between M-53 and Churchill, 18" x 36' & Clean Out  
Ditch on Both Ends Estimated Cost: \$2,798.43 Township

**Goodland Township**

504-009-203821 Roadside Mowing- LCRC Forces Estimated Cost: \$6,161/LCRC \$3,081/Township  
\$3,081

**Imlay Township**

504-011-204026 Petz Road, Between Brown City Road and Wheeling, 18" x 40' Culvert Estimated  
Cost: \$4,182.00 Township

504-011-204028 Doran Road South of Address #268, 18" x 40' Culvert Estimated Cost: \$3,000.00  
Township

489-011-204029 Newark Road- Reek Road to Bowman Road, Crush, Shape and Pave Estimated Cost: \$521,185.00 Township

**Rich Township**

504-018-204722 Brush Axe and Tree Removal Program,  
Estimated Cost: \$10,000/\$5,000 LCRC/\$5,000 Township

504-018-24723 Ditching Program  
Estimated Cost: \$10,000/\$5,000 LCRC/\$5,000 Township

504-018-204725 Swaffer Road Culvert, Between M-24 and Kelch Road, 18” x 30’  
Estimated Cost: \$1,797.33 Township

504-018-204726 Murphy Lake Road Culvert, Between Rich Road and McIntyre Road, 18” x 50’  
Estimated Cost: \$3,254.39 Township

504-018-204727 Dwyer Road Culvert, Between Mowatt Road and McTaggart Road, 24” x 37’  
Estimated Cost: \$3,281.78 Township

504-018-204728 #1645 Sarles Road, Between Thayer and Chamberlain 24” x 44’ and Skew outlet 5 feet East Estimated Cost: \$3,602.27 Township

Roll Call Vote: Ayes: Novak, Duckert. Motion carried

**Managing Director Report**

Mr. Pearson spoke briefly about the Oversize Rocks and Boulders Bid. Mr. Pearson explained that the three pits have accumulated a large quantity of large stones after the crushing process, and it was decided to clean up the pits and put them out to bid. Mr. Pearson stated that there is approximately 100 ton available for sale.

**060320-077**

Motion by Commissioner Duckert, seconded by Commissioner Novak to approve the bid tabulations for Oversize Rocks and Boulders and award in the best interest of the Road Commission. Roll Call Vote: Ayes: Novak, Duckert. Motion carried.

Mr. Pearson stated that he spent two hours on a webinar with MDOT and Treasury which addressed the current financial condition and the potential 11% reduction in the Michigan Transportation Fund for road agencies. Mr. Pearson stated that the reductions are anticipated to continue until 2022. Mr. Pearson explained that the representatives stated that there has been a loss of 200,000 Michigan jobs and the delayed search for new jobs and lack of driving by students and travelers will continue to affect the funding. Mr. Pearson reported that the \$325 million-dollar General Fund allotment may be removed along with the lower than expected marijuana tax transfers. Mr. Pearson stated that he is also concerned about the \$600 million general fund allocation that was slated for next year. Mr. Pearson went on to state that the Road Commission receipts are currently \$829,000 below the 2019 receipts.

At 4:42 p.m. Mr. Les Nichols joined the meeting.

Mr. Pearson reported that the mowing program has started and it is taking approximately a day or a day and a half to get through each township, and we are on track to have everything mowed before July 4<sup>th</sup>. Mr. Pearson stated that he would like to give a shout out to the crew that is making the new program a success.

**Superintendent Report**

Mr. Schons stated that the gravel haul is going extremely well because the crew is exceeding the minimum ton/day goal, and actually hauled 3,200 ton for the past two days. The crew will move to Dryden Township next.

Mr. Schons stated the brine crew has gotten through four townships already and are coming in under the estimated costs. Mr. Schons reported that the mechanics are doing a stellar job to keep all of the equipment up and running, which keeps the projects on target.

Mr. Schons gave an update on the Elba Road project.

Mr. Pearson then added that Labor Negotiations will begin on Thursday with the Association group, which is made up of Supervisors, Engineering and Clerical staff.

**Engineering Report**

Mr. Gingell reviewed the proposed changes to the Sign Policy. Discussion ensued.

**060320-078**

Motion by Commissioner Duckert, seconded by Commissioner Nichols to approve the updated Sign Policy as written. Roll Call Vote: Ayes: Novak, Duckert, Nichols. Motion carried.

Mr. Gingell gave an update on the Bronson Lake Road Project and the Oregon Road project. Mr. Gingell reported that the school has requested that Oregon Road be reopened for two drive through graduation parade events.

Mr. Gingell gave updates on the other projects he is also working on.

Mr. Gingell reported that the Road Commission has been using Bid Express for all of the construction projects and stated that it is going well and has been a great tool for getting the bids advertised, especially during the shutdown.

Mr. Gingell went on to speak about the General Squier Road bid that was opened. Mr. Gingell stated that there were three bidders, but one was incomplete.

**Public Comment**

No public comment was received.

Commissioner Comments

Mr. Duckert spoke about the Bowman Road Bridge and the hardship it would cause if it ever closed. Mr. Gingell explained that the Township has submitted the bridge for Critical Bridge funding. Mr. Gingell stated that he applauds the Townships for their willingness to apply for critical bridge funds for the repair of their township bridges. Mr. Gingell went on to briefly explain how the bridges are scored by a committee.

Chairman Novak declared the meeting adjourned at 5:11 p.m.

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James Novak Jr., Chairman

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Linette Weston, Board Secretary

**LAPEER COUNTY ROAD COMMISSION  
REGULAR BOARD MEETING  
Wednesday, June 17, 2020  
4:30 p.m.**

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Present. Mr. James Novak, Jr. Chairman; Mr. Les Nichols, Member; Mrs. Linette Weston, Board Secretary; Mr. Erick Pearson, Managing Director; Mr. Destain Gingell, County Highway Engineer; Mr. Zeb Schons, Superintendent of Operations; Mr. Terry Jostock; Mr. Jeffrey Lutes

Excused: Mr. Dale Duckert, Vice Chairman

Chairman Novak called the meeting to order at 4:30 p.m.

**Approval of Agenda**

**061720-080**

Motion by Commissioner Nichols, seconded by Commissioner Novak to approve the agenda.

Motion carried

**Approval of Prior Board Meeting Minutes**

**061720-081**

Motion by Commissioner Nichols seconded by Commissioner Novak to approve the Committee of the Whole Meeting minutes for March 9, 2020 and Regular Meeting minutes for June 3, 2020. Motion carried.

**Approval of Disbursements**

**061720-082**

Motion by Commissioner Nichols, seconded by Commissioner Novak to approve the Accounts Payable and Payroll dated June 18, 2020 in the amount of \$437,278.68. Motion carried.

**Approval of Road Project Agreements**

**061720-083**

Motion by Commissioner Nichols, seconded by Commissioner Novak to approve the fourteen Road Project Agreements in the amount of \$321,662.34.

**Almont Township**

504-01-203030 Talbot Drive, Off Shoemaker Road/ ½ Mile North of Dryden Road, Jet Cross Culvert  
Estimated Cost: \$1,000.00 Township

**Attica Township**

489-003-2032262 8,000 Ton of Gravel, Spread, Level and Brine At \$12.80/Ton  
Estimated Cost: \$102,400.00 Township

**Burlington Township**

504-004-203322 Brush Axe and Tree Removal Program, Estimated Cost: \$10,000/LCRC  
\$5,000/Township \$5,000

504-004-203323 Ditching Program, Estimated Cost: \$10,000/LCRC \$5,000/Township \$5,000

489-004-203324 5,570 Tons Processed Road Gravel, Estimated Cost: \$58,835.00 Township

**Burnside Township**

504-005-203426 Howard Road Culvert, between Montgomery and Index Estimated Cost: \$2,689.32

**Deerfield Township**

504-006-203524 Haul 10 Tons of Pit Gravel to Huckleberry Circle and level in turn-around at End.  
Estimated Cost: \$138.39 Township

490-006-203525 Dockham Road at Crystal Creek Drain Culvert, 71" x 47" x 33'  
Estimated Cost: \$11,535.06/Bridge Fund \$5,767.53/Township \$5,767.53

504-006-203526 Gleaners Hall Road Culvert, between Johnson and M-90 approximately 400' South of M-90 with a 18" x 36' Estimated Cost: 2,949.18 Township

504-006-203527 Johnson Road Culvert, 200' west of Fish Lake Road, 18" x 44'  
Estimated Cost: \$3,175.00 Township

504-006-203528 Johnson Mill Road Culvert, between Address 2400 and 2421, West of Fish Lake Road, 24" x 65' Repave and restoration, Estimated Cost: \$12,119.74 Township

**North Branch Township**

504-016-204521 Roadside Mowing, 1 Summer Double Pass, LCRC Estimated Cost: 3,344.50 Township

504-016-204525 Swoish Road Culvert, 700' West of Cedar Creek Road, 24" x 40'  
Estimated Cost: \$3,631.15 Township

**Rich Township**

489-018-204729 9,500 Ton Processed Gravel, Estimated Cost: \$99,845.00 Township  
Motion carried.

**Managing Director Report**

Mr. Pearson asked the Board to review the Michigan County Road Commission Self-Insurance Pool Board of Directors At-Large Representative Ballot and stated it would be voted upon at the next Regular Meeting.

Mr. Pearson then stated that the County Road Association has kicked off the 2021 Legislative Priorities Process and asked the Board to review this document as well for discussion at the next Regular Meeting.

Mr. Pearson explained that he wanted to acknowledge the employees working on the 2020 gravel hauls, Roadside Mowing Program and LCRC Dust Control. Mr. Pearson stated that the gravel haul tons hauled per day have been above and beyond the estimated amounts and higher than previous hauls with the same equipment. Mr. Pearson reported that the shop needs credit as well, as they have the equipment ready to go and keep it running. Mr. Pearson explained that higher tons hauled per day means a savings to the contracted Townships.

Mr. Pearson informed the Board that the Roadside Mowing is one day ahead of schedule and that is all due to the guys in the mowers and once again the shop. Mr. Pearson explained that the program is currently \$11,000 under the total estimated for the townships that are complete, and should be finished next Thursday. Mr. Pearson stated that this is a savings for the Townships involved.

Mr. Pearson then moved to the dust control and reported that all of the LCRC contracted applications are complete and this program is \$9,400 under budget to the Townships as well. Mr. Pearson stated this program is working, but it is not feasible for the Road Commission to do all of the townships, which works well with the two contractors that continue to cover the north and the east townships.

Mr. Pearson stated that there is a court date on Thursday at 1:30 p.m. for the KWA matter and he met with Bedrock today regarding the oversize rocks and boulders in the pits.

Finance Director Report

Mrs. Weston explained to the Board that on Tuesday, June 16, 2020 while reviewing the website, she discovered that the meeting schedule had not been changed back to open meetings after the Governor’s Executive Order allowed remote meetings, and the Committee of the Whole meetings not cancelled. Mrs. Weston informed the Board that the oversight was immediately requested to be updated. Mrs. Weston went on to state that she also spoke with legal counsel to confirm that the posting on the door was adequate notice. Mrs. Weston explained that because the meeting was on the same date and time as originally scheduled, and on the same date as the doors to the Road Commission were opened again, the website update was missed, and she apologized for the confusion.

At 4:45 p.m. Mr. Schons left the meeting.

Engineering Report

**061720-084**

Motion by Mr. Nichols, seconded by Mr. Novak to approve the contract between MDOT and the LCRC: Part A- Hot mix asphalt base crushing, shaping and resurfacing work along Elba Road from Highway I-69 northerly to Davison Road; including ditching, culvert replacement, permanent signing and pavement marking work; and altogether with necessary related work

Part B- hot mis asphalt base crush crushing, shaping and resurfacing work along Elba Road at the Highway I-69 Interchange; including shoulder work; and altogether with necessary related work

Cost Participation

Grand Total Estimated Cost	\$1,595,600	\$96,000	\$1,691,800
Less Federal Surface Transportation Funds	\$ 939,960	-0-	\$ 939,960
Less State TED Funds	\$ 236,237	-0-	\$ 236,237
BALANCE- LCRC	\$ 419,403	\$96,200	\$ 515,603

And authorize Mr. Destain Gingell, County Highway Engineer, to sign.  
Motion carried.

Mr. Gingell went on to speak about the Marathon Township non-motorized trail-way bid tabulation and stated there were two bids available. Mr. Gingell stated that he will follow up with the Township.

**061720-085**

Motion by Mr. Nichols, seconded by Mr. Novak to approve the Bid Tabulations for the Marathon Township Trail-way and award in the best interest of the Road Commission. Motion carried.

Mr. Gingell gave an overview on the Bronson Lake project, Oregon Road project and Hollow Corners/Glover Road culvert project.

**Public Comment**

Mr. Lloyd Smith, 46 Fish Lake Road

Mr. Smith stated that he wanted to control the water from running into his field, with an intercepting ditch. Mr. Smith stated that the rains wash down the slope and he has done some work to help the situation. Mr. Novak stated the Mr. Gingell, the County Highway Engineer, will review the sight.

Mr. Smith then went on to ask if someone could also look at the culvert as he believes it may be too short.

Mr. Terry Jostock, Road Commissioner Candidate

Mr. Jostock asked if GPS units were placed in all of the vehicles. Mr. Pearson stated that there are GPS units in most of the equipment. Mr. Jostock then asked if there were GPS units in Mr. Pearson and Mr. Schons vehicles. Mr. Pearson explained that there was a unit placed in his Dodge Durango when the units were purchased, but when the vehicle was totaled the unit was taken out and placed into another piece of equipment at that time. Mr. Pearson stated that Mr. Schons' pick-up also has a GPS unit installed in it. Mr. Lutes acknowledged that he actually installed the unit. Mr. Jostock explained that someone asked about it.

Mr. Jostock then asked about the roadside mowing allocation and if the Townships can use the allocation with a contractor. Mr. Pearson stated they cannot use the allocation with a contractor. Mrs. Weston stated the Township can apply their regular allocation to the mowing done by a contractor. Mr. Jostock asked where the match money comes from. Mr. Pearson stated that the Road Commission receives Michigan Transportation Funds from the State.

Mr. Jostock stated he would like to see the meetings to be posted live on the internet.

Mr. Novak then stated that he believes Mr. Jostock should apologize to the Board for his comments on Facebook, as it made it sound like the Board had done something illegal. Mr. Jostock stated that it was his Fifth Amendment right.

Mr. Jeff Lutes

Mr. Lutes asked if the millage was moving forward. Mr. Pearson stated that the committee still has not gotten together to make that decision after the pandemic shut down.

Mr. Lutes stated that Astec Asphalt was building a road back to their plant off of Peck Road. Mr. Lutes stated that Peck Road is in good shape and doesn't want to see it get damaged. Mr. Gingell stated that Astec did get a permit and wanted to use Peck Road because it was difficult to get out on M-53 with the traffic. Mr. Gingell explained that they travel back and forth to their shop to work on their trucks. Mr. Gingell will follow up.

Commissioner Reports and Comments

None received.

Chairman Novak declared the meeting adjourned at 5:11 p.m.

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James Novak Jr., Chairman

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Linette Weston, Board Secretary

**LAPEER COUNTY ROAD COMMISSION  
REGULAR BOARD MEETING  
Wednesday, July 1, 2020  
4:30 p.m.**

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Present. Mr. James Novak, Jr. Chairman; Mr. Dale Duckert, Vice Chairman; Mr. Les Nichols, Member; Mrs. Linette Weston, Board Secretary; Mr. Erick Pearson, Managing Director; Mr. Destain Gingell, County Highway Engineer; Mr. Zeb Schons, Superintendent of Operations; Mr. Terry Jostock

Chairman Novak called the meeting to order at 4:30 p.m.

**Approval of Agenda**

**070120-087**

Motion by Commissioner Duckert, seconded by Commissioner Nichols to approve the agenda.  
Motion carried

**Approval of Prior Board Meeting Minutes**

**070120-088**

Motion by Commissioner Nichols seconded by Commissioner Duckert to approve the Regular Meeting minutes for June 17, 2020. Motion carried.

**Approval of Disbursements**

**070120-089**

Motion by Commissioner Nichols, seconded by Commissioner Duckert to approve the Accounts Payable and Payroll dated July 1, 2020 in the amount of \$614,320.56. Motion carried.

**Approval of Road Project Agreements**

**070120-090**

Motion by Commissioner Duckert, seconded by Commissioner Nichols to approve the four Road Project Agreements for Marathon Township in the amount of \$143,264.37.

490-013-204224 Peters Road Culvert, 38" x 57" x 54' poly and repave  
Estimated Cost: \$15,851.19/Bridge Fund \$7,925.60/Township \$7,925.59

504-013-204225 Hart Lake Road Culvert, 18' x 30' poly, Estimated Cost: \$2,661.18 Township

489-013-204226 6,000 Ton Gravel @ \$12.93/Ton, Load, Level and Brine  
Estimated Cost: \$77,580.00 Township

504-013-204227 Hollenbeck Road-Marathon Township Park Non-Motorized Trailway Connectors  
Estimated Cost: \$47,172.00/ Non-Motorized \$46,172.00/Township \$1,000.00  
Motion carried.

Managing Director Report

**070120-091**

Motion by Commissioner Nichols, seconded by Commissioner Duckert to cast a vote for the two incumbents for Board of Directors At-Large Representatives for Michigan County Road Commission Self-Insurance Pool. Motion carried.

Mr. Pearson stated he wanted to give an explanation of the current funding for the Lapeer County Road Commission in light of the Covid-19 pandemic. Mr. Pearson explained that Michigan Transportation Funds (MTF) that were:

- Collected in March and received in May were down 10% from 2019, or \$99,929.85,
  - Collected in April and received in June were down 12% from 2019, or \$106,406.57,
  - Collected in May and received in July were down 32% from 2019, or \$319,248.30,
- For an overall shortfall of \$1,148,756.75 thus far.

Mr. Pearson went on to report that the Office of Revenue and Tax Analysis (ORTA) calculated in February 2018 that the MTF estimate for 2020 would be **\$11,683,024.56** which included the \$325,000,000 in Redirected Income Tax Transfers, which is the figure he used for the 2020 Revenue Budget. In February 2020 that estimate was revised to **\$12,474,374.76** and included PA 588 of 2018 Supplemental and Marijuana Tax Transfers. Mr. Pearson stated that based on the current MTF receipts, in order to make the revenue budget, we will have to have payments in the amount of \$1,229,436 for the next four months. Mr. Pearson informed the Board that the June MTF amount was \$677,688.12.

Mr. Pearson reported that the State Budget Shortfall Agreement was reached in Lansing on June 29, 2020, but there is no mention of road funding or the assurance of the redirected Income tax transfers.

Mr. Pearson explained that he will be proposing the following Capital budget amendments:

Cancel Purchase of Excavator:	\$157,000
Cancel Purchase of One Ton Truck:	\$ 40,000
Cancel Purchase of Remote for Overhead Crane:	<u>\$ 3,295</u>
	\$200,295

Mr. Pearson went on to state that he is also putting the following projects on hold:

Wilder Road Overlay from Imlay City Road to Bowers	\$ 125,000
General Squier Road Reconstruction from Bishop to Rochester	<u>\$1,300,000</u>
	\$1,750,295

Mr. Pearson explained that he is also considering the three overlay projects in the amount of \$716,868 for General Squier Road from Bishop to the Village of Almont as bubble projects that can be pulled if needed. Mr. Pearson stated that the Road Commission is not in a comfortable position at this time, but will continue with the Federal Aid projects as the funding on them is substantial.

Mr. Pearson reported that we currently have two vacant positions, but are not hiring at this time.

Mr. Novak asked if there had been a decision regarding the millage. Mr. Schons explained that the group hasn't been willing to meet in person, so a Zoom meeting may need to be initiated.

Superintendent Report

Mr. Schons reported that the gravel haul is shutdown until after the 4<sup>th</sup> of July holiday, and that has allowed the crews to do some brush mowing and patching. Mr. Schons went on to state that some of the townships will begin their second dust control application.

Mr. Schons explained that the gravel haul in Burnside Township was awesome and the crews hit the quotas. This project should finish below the estimated cost.

Mr. Schons then addressed the Board regarding a question asked at the last Regular Meeting on June 17, 2020, after he had left the meeting. Mr. Schons stated that on June 18, 2020 upon arriving to work, he asked the Shop Foreman and a mechanic to verify that the GPS unit on his truck was still in place and also had not been tampered with. Mr. Schons also offered the Board members a copy of his tracking history for the date of the meeting listing all entries from 5:30 a.m. to 5:00 p.m.

Engineering Report

Mr. Duckert asked Mr. Gingell if the meeting had occurred with EGLE yet regarding the size and placement of culverts.

Mr. Gingell stated that he is putting together a letter with the consultant, listing all of the concerns, and asking for clarification regarding authority to move a drain.

**070120-091**

Motion by Mr. Nichols, seconded by Mr. Duckert to approve TCO 1(08)2020 Rescinding TCO #4(08)2006 establishing a 45-mph zone along Davison Road from Millville Road westerly 2,115 feet. Motion carried.

Mr. Gingell explained that although this TCO is rescinded, the speed limit still exists, but is now under the jurisdiction of the City of Lapeer.

Mr. Gingell gave an update on the following projects: Bronson Lake Road, Barnes Road, Myers Road and Elba Road north and south.

**Public Comment**

Mr. Jostock stated that the stakes on Myers Road look off center. Mr. Gingell explained that some of the stakes are just road offsets. Mr. Gingell also stated that the project has been reduced to just paving, so there will not be any ditching.

Commissioner Reports and Comments

It was asked if the Elba projects were combined. Mr. Schons explained that Elba Township wanted to go forward with the ditching portion of their project in may or June and Pave after July 1, and the federal project bids are due July 10, 2020.

Chairman Novak declared the meeting adjourned at 5:07 p.m.

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James Novak Jr., Chairman

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Linette Weston, Board Secretary

**LAPEER COUNTY ROAD COMMISSION  
REGULAR BOARD MEETING  
Wednesday, July 15, 2020  
4:30 p.m.**

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Present. Mr. James Novak, Jr. Chairman; Mr. Dale Duckert, Vice Chairman; Mr. Les Nichols, Member; Mrs. Linette Weston, Board Secretary; Mr. Erick Pearson, Managing Director; Mr. Zeb Schons, Superintendent of Operations; Mr. Daniel LeClair, Greentech Engineering, Inc.; Mrs. Cyndi Duckert

Chairman Novak called the meeting to order at 4:30 p.m. The Pledge of Allegiance was recited.

Mr. Pearson asked the Board to add and Executive Session to the agenda for the purpose of discussing a settlement strategy for hearing.

**Approval of Agenda**

**071520-093**

Motion by Commissioner Duckert, seconded by Commissioner Nichols to approve the agenda with the addition of an Executive Session.

Motion carried.

**Approval of Prior Board Meeting Minutes**

**071520-094**

Motion by Commissioner Nichols seconded by Commissioner Duckert to approve the Regular Meeting minutes for July 1, 2020. Motion carried.

**Approval of Disbursements**

**071520-095**

Motion by Commissioner Duckert, seconded by Commissioner Nichols to approve the Accounts Payable and Payroll dated July 16, 2020 in the amount of \$263,249.07. Motion carried.

**Approval of Road Project Agreements**

**071520-096**

Motion by Commissioner Nichols seconded by Commissioner Duckert to approve the following Road Project Agreement:

Hadley Township

504-010-203924 Fox Lake Road and Honert Road, Placement of Advanced Warning Signs for Equestrian Riding Area Estimated Cost: \$400.00 Township. Motion carried.

**071520-097**

Motion by Commissioner Duckert seconded by Commissioner Nichols to approve the following Road Project Agreement:

Oregon Township

504-017-204626 Hayes Road at Reamer Road Culvert, 18" x 40' and Ditching  
Estimated Cost: \$8,843.00 Township

Motion carried.

**Managing Director Report**

Mr. Daniel LeClair, Greentech Engineering, Inc.

Mr. LeClair was present to speak to the Board about allowing a variance to use an existing roadway approach for a driveway approach for the proposed Ivy Terrace development. Mr. Pearson explained that the Road Commission needs the geometrics in order to make an informed decision. Mr. LeClair stated he will submit an application for review.

Mr. Pearson distributed his proposed Budget Amendment and asked the Board to review it for approval at the next Regular Meeting.

**Superintendent Report**

Mr. Schons reported that the second round of grading and brining was underway and the gravel haul has moved out of the Burnside Road pit to allow for additional crushing of the remaining gravel.

Mr. Schons stated that the Road Commission is seeing a few of the Townships cancelling Road Project Agreements as a result of anticipated revenue reductions.

**Public Comment**

No public present.

**Commissioner Reports and Comments**

Mr. Duckert asked about a ditching concern on Belle River Road east of Lake Pleasant Road. Mr. Schons stated he will check with the District Foreman.

Mr. Duckert then asked to have the intersection of Attica and Blacks Corners Road looked at for brush control. Mr. Schons stated that the brush axe was in that area and he would send them to this location.

**071520-098**

Motion by Commissioner Nichols seconded by Commissioner Duckert to go into closed session for the purpose of discussing a settlement strategy for upcoming hearing. Roll Call Vote: Duckert, aye; Novak, aye; Nichols, aye. 3 ayes. Motion carried unanimously at 4:47 p.m.

**071520-099**

Motion by Commissioner Nichols seconded by Commissioner Duckert to go out of closed session at 4:57 p.m. Motion carried.

**071520-100**

Motion by Commissioner Duckert seconded by Commissioner Nichols to approve the minutes of the closed session. Motion carried.

Chairman Novak declared the meeting adjourned at 4:58 p.m.

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James Novak Jr., Chairman

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Linette Weston, Board Secretary

**LAPEER COUNTY ROAD COMMISSION  
REGULAR BOARD MEETING  
Wednesday, July 29, 2020  
4:30 p.m.**

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Present. Mr. James Novak, Jr. Chairman; Mr. Dale Duckert, Vice Chairman; Mr. Les Nichols, Member; Mrs. Linette Weston, Board Secretary; Mr. Erick Pearson, Managing Director; Mr. Zeb Schons, Superintendent of Operations; Mr. Terry Jostock; Mr. Michael Boskee, Mr. Jeffrey Lutes

Chairman Novak called the meeting to order at 4:30 p.m. The Pledge of Allegiance was recited.

**Approval of Agenda**

**072920-102**

Motion by Commissioner Nichols, seconded by Commissioner Duckert to approve the agenda.  
Motion carried.

**Approval of Prior Board Meeting Minutes**

**072920-103**

Motion by Commissioner Nichols seconded by Commissioner Duckert to approve the Regular Meeting minutes for July 15, 2020. Motion carried.

**Approval of Disbursements**

**072920-104**

Motion by Commissioner Duckert, seconded by Commissioner Nichols to approve the Accounts Payable and Payroll dated July 30, 2020 in the amount of \$585,135.77. Motion carried.

**Approval of Road Project Agreements**

**072920-105**

Motion by Commissioner Nichols seconded by Commissioner Duckert to approve the following Road Project Agreements:

**Arcadia Township**

504-002-203124 Replace culvert on Gark Road between Youngs Road and Summers Road, 18" x 36' poly,

Estimated Cost: \$2,893.00 Township

504-002-203125 Replace culvert on Ostrom Road between Mitchell Lake Road and Youngs Road, 15" x 34' poly, Estimated Cost: \$2,481.78 Township

504-002-203126 Replace culvert on Stanton Lake Road between Spaulding and Slattery, 18" x 30' poly, Estimated Cost: \$2,994.00 Township

504-002-203127 Replace culvert on Cedar Creek Road between Stanton Lake Road and Dead End, 18" x 40' poly, Estimated Cost: \$3,042.00 Township

504-002-203128 Replace culvert on Mitchell Lake Road between Ostrom Road and Bowers Road, 18" x 44' poly, Estimated Cost: \$3,369.00 Township

**Elba Township**

504-008-203726 Ditching Oglethorpe Drive between Davison and Georgia Drive  
Estimated Cost: \$8,893.00 Township

**Goodland Township**

504-009-203824 Replace culvert on Martin Road between M-53 and Blacks Corners Road, 24” x 42’  
Estimated Cost; \$3,200.00 Township  
Motion carried.

**Managing Director Report**

**072920-106**

Motion by Mr. Duckert, seconded by Mr. Nichols to approve 2020 Annual Certification of Employee-related Conditions. Motion carried.

Mr. Pearson then gave an explanation of the changes he is making to the 2020 Budget. Mr. Pearson stated the reduction in Michigan Transportation Funds during the COVID-19 shutdown forced him to also reduce the expenditures that were approved last September. Mr. Pearson explained that he anticipates a \$1.2 million dollar revenue shortfall, thus forcing him to reduce expenses by approximately \$1.5 million dollars.

**072920-107**

Motion by Mr. Nichols, seconded by Mr. Duckert to approve the proposed budget amendments dated July 29, 2020. Motion carried.

Mr. Pearson stated that he would like to have the approval of the resolution to present to the Board of Commissioners for the road millage proposal. Mr. Pearson explained that the shutdown has caused an untimely delay in getting a decision from the committee whether to move forward or not, but he would like to have the language ready to go if it has support.

**072920-108**

Motion by Mr. Duckert, seconded by Mr. Nichols to approve Resolution to Place Road Millage Proposal of 1.85 mills on the November 2020 ballot.

WHEREAS, State, County and Municipal roads are deteriorating at a record pace due to lack of funding for maintenance for over 10 years; and

WHEREAS, the Lapeer County Road Commission desires to place a road millage proposal of 1.85 mills on the November 2020 ballot; and

WHEREAS, all 1.85 mills raised within the jurisdiction of Cities and Villages would be disbursed to the Cities and Villages of Lapeer County; and

WHEREAS, of the 1.85 mills raised outside of the Cities and Villages, .555 mills will be disbursed to the Lapeer County Road Commission, and 1.295 mills will be disbursed directly to the Townships. All funds received from the road millage shall be utilized for road and bridge repairs and maintenance; and

WHEREAS, the Lapeer County Road Commission currently allocates a total of \$700,000 to the Townships as a match for defined road projects, and will continue with this practice throughout the millage term; and

WHEREAS, the Lapeer County Road Commission pledges to continue to allocate an equivalent level of funding for heavy maintenance projects countywide throughout the millage term, with the understanding this level of funding may fluctuate due to unforeseen weather events.

NOW, THEREFORE BE IT RESOLVED, that the Board of County Road Commissioners for the County of Lapeer, this 29th day of July hereby commit to the aforementioned disbursements from the revenues collected from the proposed road millage.

BE IT FURTHER RESOLVED that this Resolution be forwarded to the Lapeer County Board of Commissioners.

Roll call vote: Mr. Duckert, aye; Mr. Novak, aye, Mr. Nichols, aye. Motion carried.

Mr. Duckert stated that he believes the millage should be decided by the Lapeer County voters.

**Superintendent Report**

Mr. Schons reported that the gravel hauls should be wrapped up either Thursday or Monday depending upon the weather. Mr. Schons stated that the second application of dust control was underway and the second roadside mowing program would begin the Wednesday after the primary election to allow for sign removal.

Mr. Schons asked the Board to declare equipment #8105, 1986 Woods 10' Pull behind Mower as surplus as it is no longer being used.

**072920-108**

Motion by Mr. Duckert, seconded by Mr. Nichols to declare Equipment #8105 as surplus. Motion carried.

**Engineering Report**

Mr. Gingell gave an update on his current construction projects including, Elba Road, Myers Road, Burnside Road Bridge and Barnes Road. Mr. Gingell also reported that he was compiling his 2021 Heavy Maintenance Projects for the new fiscal year.

**Public Comment**

**Mr. Terry Jostock**

Mr. Jostock stated that he understands what it is like to mow around the signs in the right of way and agreed it was a good idea to wait until after the primary election to begin the next mowing.

Mr. Jostock then stated he had a couple questions that were asked of him while he has been out campaigning.

Mr. Jostock asked Mr. Duckert why Road Maintenance was brining his driveway when they were doing Bowman Road.

Mr. Duckert stated that first off, the Road Commission brined Bowman Road and then three days later, Eisenhardt came out and brined his driveway, just like they have done the past three years, which he has paid for. Mr. Schons asked Mr. Lutes, the Truck Operator who was in charge of the dust control application if he did brine Bowman Road. Mr. Lutes stated that he did place brine on Bowman Road when Road Maintenance broke down and the roads had been graded and needed brine.

Mr. Duckert then asked if he was not allowed to have brine put on his long driveway just because he is a Road Commissioner. Mr. Jostock stated that he did defend him in the accusation, but wanted to ask it anyway.

Mr. Jostock then stated that he also had a question regarding Mr. Novak’s haul route for his gravel pit on Summers Road. Mr. Jostock questioned if a certain amount of gravel was supposed to be applied to that roadway. Mr. Novak stated that the material needed is scheduled by the supervisor and he has done that in the past.

Mr. Pearson stated that Mr. Novak does have an agreement with the Road Commission that the Engineering Department is in charge of.

**Mr. Michael Boskee**

Mr. Boskee asked if the Cities and Villages had agreed to forgo the TIFA and DDA portion of the millage. Mr. Pearson stated that although that would be the desired result, the extended delay of the decision making regarding the Road Millage Proposal has prevented the Committee from asking for those requests.

**Commissioner Reports and Comments**

Mr. Novak asked Mrs. Weston to enquire with our attorney if a Board Member can be recalled for missing too many meetings.

Chairman Novak declared the meeting adjourned at 4:56 p.m.

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James Novak Jr., Chairman

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Linette Weston, Board Secretary

**LAPEER COUNTY ROAD COMMISSION  
REGULAR BOARD MEETING  
Wednesday, August 12, 2020  
4:30 p.m.**

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Present. Mr. James Novak, Jr. Chairman; Mr. Les Nichols, Member; Mrs. Linette Weston, Board Secretary; Mr. Erick Pearson, Managing Director; Mr. Zeb Schons, Superintendent of Operations; Mr. Jeffrey Lutes

Excused: Mr. Dale Duckert, Vice Chairman

Chairman Novak called the meeting to order at 4:30 p.m. The Pledge of Allegiance was recited.

**Approval of Agenda**

**081220-111**

Motion by Commissioner Nichols, seconded by Commissioner Novak to approve the agenda.  
Motion carried.

**Approval of Prior Board Meeting Minutes**

**081220-112**

Motion by Commissioner Nichols seconded by Commissioner Novak to approve the Regular Meeting minutes for July 29, 2020. Motion carried.

**Approval of Disbursements**

**081220-113**

Motion by Commissioner Nichols, seconded by Commissioner Novak to approve the Accounts Payable and Payroll dated August 13, 2020 in the amount of \$1,276,469.85. Motion carried.

**Approval of Road Project Agreements**

**081220-114**

Motion by Commissioner Nichols seconded by Commissioner Novak to approve the following 10 Road Project Agreements for Deerfield Township in the amount of \$402,511.00:

504-006-203529 Paved Portion of Barnes Lake Road-Tree Removal Estimated Cost: \$15,000.00 Township

504-006-203530 Skelton Road from Lou Alice to Barnes Lake Road, Tree Removal Estimated Cost: \$33,000.00 Township

504-006-203531 Millis Road from White Road to Johnson Mill Road, Tree Removal Estimated Cost: \$32,500.00 Township

489-006-203532 2,000 Ton of 23A Limestone, Barnes Lake Road between End of Pavement and Lonsberry Estimated Cost: \$43,300.00 Township

489-006-203533 16,000 Tons of Gravel, Lonsberry, Skelton, Dockham and Millis Estimated Cost: \$172,600.00 Township

489-006-203534 2,500 Tons of Gravel, Oak Grove between Fish Lake Road and Five Lakes Road Estimated Cost: \$22,875.00 Township

489-006-203535 500 Tons of Gravel, Lakeshore Drive at Indian Trail, Pull berm and light ditching  
Estimated Cost: \$10,176.00 Township

504-006-203536 Oak Grove Road between Fish Lake Road and Five Lakes Road, Ditch and cut trees,  
restoration Estimated Cost: \$41,331.00 Township

504-006-203537 Millis Road between White Road and Laur Road, Ditch east side, install 2 culverts,  
restoration Estimated Cost: \$19,119.00 Township

504-006-203538 Laur Road between Millis Road east to the bottom of the hill on the south side, Ditch  
approximately 500 feet and remove trees, Estimated Cost: \$12,610.00 Township  
Motion carried.

**081220-115**

Motion by Commissioner Nichols seconded by Commissioner Novak to approve the following Road  
Project Agreements for Oregon Township:

489-017-204628 Ferns Road, 250 Ton Gravel Estimated Cost: \$5,819.00 Township  
Motion carried.

**Managing Director Report**

Mr. Pearson stated that the Road Commission received a letter from Road Maintenance Corporation,  
regarding a recent topic of dust control application for private customers. Mr. Pearson read the  
following letter:

To Whom it May Concern:

It has been brought to my attention that there has been a complaint about my company doing some  
private driveways and not others.

We do private commercial driveways. Those driveways are usually wider and have a turn-a-round at the  
back for our trucks to maneuver around.

We are quite specific on any driveway we chloride. They must meet a certain criteria, be it private or  
commercial.

Patricia Eisenhardt

Mr. Pearson reported that Governor Whitmer's Executive Order 2020-165 extends the state of  
emergency until September 4, 2020.

Mr. Pearson spoke briefly about the MDOT 5-Year proposed projects.

**Superintendent Report**

Mr. Schons reported that the second round of dust control was underway and Oregon, Elba and Hadley  
Townships were once again under the estimated cost. Mr. Schons explained that the roadside mowing  
crew had completed five townships already. Mr. Schons stated that the disc mower is running between  
5 and 7 mph.

Mr. Schons stated that most projects are getting wrapped up, but now have added the Deerfield gravel  
project.

**Engineering Report**

**081220-116**

Motion by Commissioner Nichols, seconded by Commissioner Novak to approve Bid Tabulations for: Cold milling and resurfacing within specified limits, a 1.5” HMA overlay, on M-24 over the Fostoria Drain. Motion carried.

Mr. Gingell gave an update on his current construction projects.

**081220-117**

Motion by Commissioner Nichols, seconded by Commissioner Novak to approve the following resolution:

**WHEREAS:** Lapeer County Road Commission is responsible for the capital maintenance of Saginaw Road, and has identified the need for rehabilitation of said road between Lapeer Road (M-24) and City Limits of Lapeer located in Mayfield Township, Lapeer County, Michigan; And

**WHEREAS:** Lapeer County Road Commission is committed to improving the safety, and condition of Saginaw Road by adding a turn lane at Davis Lake Road, widening lane widths for safe travel and rehabilitating the road surface; And

**WHERE AS,** Lapeer County Road Commission wishes to have a fast, safe and efficient transportation network for its citizens; and,

**WHERE AS,** Lapeer County Road Commission has experienced growth and continues to grow placing further burden on the transportation network; and,

**WHERE AS,** the Lapeer County Road Commission have reviewed cost estimates for rehabilitation and widening of Saginaw Road and the budget of the Road Commission will not allow replacement of this road without additional funds from other sources; and,

**WHEREAS:** Lapeer County Road Commission is seeking grant funding through the U.S. Economic Development Administration’s Public Works Program. The 20% match requirement for said grant will be matched with local funds. These funds are not encumbered in any way; And

**WHEREAS:** The Board of County Road Commissioners has the sole authority to commit the organization to potential grant awards, and has designated County Highway Engineer Gingell to have authority to sign and execute any and all grant documents; And

**NOW, THEREFORE, BE IT RESOLVED** that Board of Lapeer County Road Commissioners is committed to the project, and approves the County Highway Engineer to submit the project for Grant Funding.

Roll call vote: Mr. Novak, aye; Mr. Nichols, aye

Absent: Mr. Duckert

Motion carried.

**Public Comment**

No public comment was received.

**Commissioner Reports and Comments**

Mr. Nichols stated that the Myers Road rehabilitation looks good.

Chairman Novak declared the meeting adjourned at 4:55 p.m.

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James Novak Jr., Chairman

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Linette Weston, Board Secretary

**LAPEER COUNTY ROAD COMMISSION  
REGULAR BOARD MEETING  
Wednesday, August 26, 2020  
4:30 p.m.**

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Present. Mr. James Novak, Jr. Chairman; Mr. Dale Duckert, Vice, Chairman; Mr. Les Nichols, Member; Mrs. Linette Weston, Board Secretary; Mr. Erick Pearson, Managing Director; Mr. Zeb Schons, Superintendent of Operations; Mr. Jeffrey Lutes

Chairman Novak called the meeting to order at 4:30 p.m. The Pledge of Allegiance was recited.

**Approval of Agenda**

**082620-119**

Motion by Commissioner Duckert, seconded by Commissioner Nichols to approve the agenda.  
Motion carried.

**Approval of Prior Board Meeting Minutes**

**082620-120**

Motion by Commissioner Duckert seconded by Commissioner Nichols to approve the Regular Meeting minutes for August 12, 2020. Motion carried.

**Approval of Disbursements**

**082620-121**

Motion by Commissioner Duckert, seconded by Commissioner Nichols to approve the Accounts Payable and Payroll dated August 27, 2020 in the amount of \$1,545,312.93. Motion carried.

**Approval of Road Project Agreements**

**082620-122**

Motion by Commissioner Duckert seconded by Commissioner Nichols to approve the following one Road Project Agreements for Attica Township and four for North Branch Township in the amount of \$165,808.00:

Attica Township

504-003-203227 N Youngs Road Culvert, between Bowers and Imlay City Road, 18" x 40'

Estimated Cost: \$3,000.00 Township

North Branch Township

504-016-204523 Old State Road Ditching, At Intersection of Jones Road, 12" x 70' Culvert

Estimated Cost: \$5,755.00/ \$2,877.50 LCRC/\$2,877.50 Township

504-016-204526 Jones Road Ditching, North of Oak Grove to low area, 12" x 30' Culvert at cemetery

Estimated Cost: \$7,018.00 Township

489-016-204527 Burnside Road at Slattery Road, 18" x 36' culvert and paved approach

Estimated Cost: \$24,935.00 Township

489-016-204528 14,000 Ton Gravel, Old State Road, Jones Road, Oak Grove Road, Jefferson Road

Estimated Cost: \$128,100.00 Township

Motion carried.

**Managing Director Report**

Mr. Pearson explained that he was finalizing the 2021 Budget and stated that there is way more need than there is funding. Mr. Pearson reported that the Federal Aid and the Bridge projects are top priority as they are highly funded with State and Federal Funds.

Mr. Pearson stated that the second grader has been delivered.

**Superintendent Report**

Mr. Schons reported that the gravel hauls and roadside mowing program are close to wrapping up. Mr. Schons explained that the mowers will be moving to the State Highways next.

Mr. Novak stated that the crew doing the roadside mowing has done a good job. Mr. Schons explained that it took a little time to get the program dialed in, but it is working out better than expected.

Mr. Schons reported that the concrete project on I-69 will begin after Labor Day.

**Engineering Report**

Mr. Gingell gave an update on his current status of his construction projects.

**082620-123**

Motion by Commissioner Duckert, seconded by Commissioner Nichols to approve TCO #2(18)2020 In accordance with the Engineer's recommendation, that Barnes Road over Squaw Creek Drain between M-24 and Mowatt Road in Rich Township be posted as follows: OPEN TO LEGAL WEIGHT, This TCO supersedes TCO #1(18)2014.

Roll call vote: Mr. Novak, aye; Mr. Nichols, aye; Mr. Duckert, aye. Three ayes.

Motion carried.

Mr. Gingell reported that his Engineering Department had a goal to record 330 miles of traffic counts. The department was able to log 436 miles. Mr. Gingell stated that the Summer Help along with Mrs. Schroeder have done a great job.

Mr. Novak also expressed his appreciation as asked that it be passed along to them as well.

**Public Comment**

No public comment was received.

**Commissioner Reports and Comments**

Chairman Novak declared the meeting adjourned at 4:50 p.m.

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James Novak Jr., Chairman

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Linette Weston, Board Secretary

**LAPEER COUNTY ROAD COMMISSION  
REGULAR BOARD MEETING  
Wednesday, September 9, 2020  
4:30 p.m.**

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Present. Mr. James Novak, Jr. Chairman; Mr. Dale Duckert, Vice, Chairman; Mr. Les Nichols, Member; Mrs. Linette Weston, Board Secretary; Mr. Erick Pearson, Managing Director; Mr. Zeb Schons, Superintendent of Operations; Mr. Destain Gingell; County Highway Engineer; Mr. Jeffrey Lutes; Mr. Tommy Carr, Jr.; Mr. Ryan Doyle

Chairman Novak called the meeting to order at 4:30 p.m. The Pledge of Allegiance was recited.

**Approval of Agenda**

**090920-124**

Motion by Commissioner Nichols, seconded by Commissioner Duckert to approve the agenda.  
Motion carried.

**Approval of Prior Board Meeting Minutes**

**090920-125**

Motion by Commissioner Duckert seconded by Commissioner Nichols to approve the Regular Meeting minutes for August 26, 2020. Motion carried.

**Approval of Disbursements**

**090920-126**

Motion by Commissioner Nichols, seconded by Commissioner Duckert to approve the Accounts Payable and Payroll dated September 10, 2020 in the amount of \$1,304,850.20. Motion carried.

**Managing Director Report**

Mr. Pearson asked the Board to approve the following Resolution for employee, Mr. Jack Jostock.

**090920-127**

Motion by Commissioner Duckert seconded by Commissioner Nichols to approve the following Resolution for Mr. Jack Jostock:

WHEREAS, Jack Jostock started working at the Road Commission in April of 1990 as a Laborer in the Lapeer Garage, then in May of 1991 moved to a Heavy Equipment Operator at the Imlay Garage, in 1993 became Working Foreman and on March 19 of 1996 moved to District Foreman for the Lapeer Garage, and has remained there for the remainder of his career; and,

WHEREAS, Jack Jostock was a dedicated, outstanding and faithful employee of the Lapeer County Road Commission; and,

WHEREAS, Jack Jostock has used his talents as a Laborer, Operator, Working Foreman and knowledge as a District Foreman to maintain the roads in Lapeer County for the past thirty plus years; and,

WHEREAS, as a result of Jack Jostock's conscientiousness and strong work ethic, he has contributed greatly to the excellent condition of the roads in the Lapeer District, ensuring the wellbeing of all who use them; and,

WHEREAS, Jack Jostock retired on August 31, 2020 after more than thirty years of brilliant service to the community; and,

WHEREAS, Jack Jostock’s dedication and hard work will be missed by one and all.

NOW THEREFORE BE IT RESOLVED, that the Board of Lapeer County Road Commissioners, does hereby extend our sincere thanks and heartfelt gratitude.

BE IT FURTHER RESOLVED, that this resolution be entered into the records of the Board of Lapeer County Road Commissioners, Lapeer County, State of Michigan on this Ninth day of September, 2020, there to remain forever.

Roll Call Vote: Mr. Duckert, aye; Mr. Novak, aye; Mr. Nichols, aye. Three ayes, Motion carried.

Mr. Pearson stated that he has been friends with Mr. Jostock for forty plus years and he will miss him. Mr. Schons added that he worked in maintenance under Mr. Jostock for ten years and for three years as working foreman and is grateful for the knowledge he passed along to him.

Mr. Novak expressed his appreciation for what Mr. Jostock has done for the Road Commission and wished him well in his retirement.

Mr. Pearson reminded the Board of the Committee of the Whole Meeting added for September 14, 2020 to discuss the 2021 Budget. Mr. Gingell distributed maps with current PASER ratings for the Board to review prior to the meeting. Mr. Pearson stated that he is going to go forward with the projects that have Federal and State Funding.

Mr. Pearson reported the annual inventory count will take place on September 25, 2020.

Mr. Pearson explained that the road salt prices are in with pre fill at \$59.36/ton, which is \$2.47 less than last year, and back up salt is \$56.76 also down \$2.67. Mr. Pearson reported that currently the Imlay barn has 3,000 ton, Lapeer barn has 1,400 ton and the North Branch barn has 1,000 ton.

Mr. Pearson informed the Board that the hours of operation will continue on the 4 ten-hour day schedule through October, with an adjustment of starting time as it continues to stay dark later in the morning.

**Superintendent Report**

Mr. Schons explained that the gravel haul did not operate this week due to the holiday, but will continue next week. Mr. Schons stated the roadside mowing has moved from I-69 to the rest of the State routes.

Mr. Schons reported that the final calculations of the LCRC brining and mowing expenses resulted in a savings of \$67,044.75 to the Townships.

Mr. Schons stated that the I-69 concrete project has started today.

**Engineering Report**

Mr. Gingell asked the Board to approve the following Resolution for employee, Tommy Carr, Jr.  
**090920-128**

Motion by Commissioner Duckert seconded by Commissioner Nichols to approve the following Resolution for Tommy Carr, Jr.:

WHEREAS, Tommy Carr Jr. started at the Road Commission in April of 1987 as a Seasonal Employee in the Engineering Department, in May of 1988 he was hired as an Engineering Aid and in May of 1997 was promoted to the position of Engineering Tech II where he finished the remainder of his career; and,

WHEREAS, Tommy Carr Jr. is a devoted and faithful employee of the Lapeer County Road Commission; and,

WHEREAS, Tommy Carr Jr. has used his talents and knowledge as an Engineering Tech II to maintain and improve the roads in Lapeer County for the past thirty-three years; and,

WHEREAS, Tommy Carr Jr. served as a certified bituminous and sampling technician for Lapeer County Road Commission; and,

WHEREAS, Tommy Carr Jr. served as a certified aggregate testing technician for Lapeer County Road Commission testing thousands of tons of aggregate placed on road network; and,

WHEREAS, Tommy Carr Jr. was a certified concrete testing technician; and,

WHEREAS, Tommy Carr Jr. was a certified nuclear gauge density testing operator; and,

WHEREAS, Tommy Carr Jr. served as a certified MDOT office technician overseeing over seventy State and Federal Aid projects; and,

WHEREAS, Tommy Carr Jr. served over 17 years as a certified PASER rater for Lapeer County and oversaw traffic count program and assisted with sign department for last 20 years; and,

WHEREAS, Tommy Carr Jr. utilized above talents and skills and served as a highly detailed oriented construction inspector on projects in Lapeer County; and,

WHEREAS, as a result of Tommy Carr Jr. diligence and strong work ethic, he has contributed greatly to the excellent condition of the roads in the Lapeer County, ensuring the wellbeing of all who use them; and,

WHEREAS, Tommy Carr Jr. provided a wealth of knowledge to his co-workers in capacity of a historian to history of roads in Lapeer County; and,

WHEREAS, Tommy Carr Jr. retired on March 31, 2020 after thirty-three years of outstanding service to the community; and,

WHEREAS, Tommy Carr Jr. dedication and hard work will be missed by one and all.

NOW THEREFORE BE IT RESOLVED, that the Board of Lapeer County Road Commissioners, does hereby extend our sincere thanks and heartfelt gratitude.

BE IT FURTHER RESOLVED, that this resolution be entered into the records of the Board of Lapeer County Road Commissioners, Lapeer County, State of Michigan on this ninth day of September, 2020, there to remain forever.

Roll Call Vote: Mr. Duckert, aye; Mr. Novak, aye; Mr. Nichols, aye. Three ayes, Motion carried.

Mr. Novak expressed to Mr. Carr that his service has been greatly appreciated.

Mr. Gingell stated that Mr. Carr retired in March, and with the pandemic, the Road Commission had moved to remote meetings, so this presentation was delayed. Mr. Gingell explained that Mr. Carr has been greatly missed as he took with him a wealth of knowledge and history.

**090920-129**

Motion by Commissioner Nichols seconded by Commissioner Duckert to approve the RFPs for the following bridges and bridge preventive maintenance and award in the best interest of the Road Commission:

Saginaw Road Bridge over South Branch of Flint River #5389  
Davison Road from West County Line to Lake Nepessing Road Roundabout

Burnside Road Bridge over the Cedar Creek #5378  
Silverwood Road Bridge over the North Branch of the Flint River #5382

Motion carried.

Mr. Gingell gave an update on the final phases of the construction projects and spoke briefly about the Bottom Creek Drain and Stroup Drain projects.

**Public Comment**

Mr. Ryan Doyle, explained that he had to come to the meeting today comment that the Road Commission wouldn't be what it is today without Mr. Jostock and Mr. Carr, and that it was great working with both of them.

**090920-130**

Motion by Commissioner Duckert seconded by Commissioner Nichols to go into closed session for the purpose of negotiation of Collective Bargaining Agreement. Roll Call Vote: Duckert, aye; Novak, aye; Nichols, aye. 3 ayes. Motion carried unanimously at 5:05 p.m.

**090920-131**

Motion by Commissioner Nichols seconded by Commissioner Duckert to go out of closed session at 5:17 p.m. Motion carried.

**090920-132**

Motion by Commissioner Duckert seconded by Commissioner Nichols to approve the minutes of the closed session. Motion carried.

**090920-133**

Motion by Commissioner Nichols seconded by Commissioner Duckert to approve the Agreement between the Lapeer County Road Commission and the Lapeer County Road Commission Employees, Chapter of Local No. #1071, Affiliated with Council #25, AFSCME, AFL-CIO. Motion carried.

Chairman Novak declared the meeting adjourned at 5:20 p.m.

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James Novak Jr., Chairman

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Linette Weston, Board Secretary

**LAPEER COUNTY ROAD COMMISSION  
REGULAR BOARD MEETING  
Wednesday, September 23, 2020  
4:36 p.m.**

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Present. Mr. James Novak, Jr. Chairman; Mr. Dale Duckert, Vice, Chairman; Mr. Les Nichols, Member; Mrs. Linette Weston, Board Secretary; Mr. Erick Pearson, Managing Director; Mr. Zeb Schons, Superintendent of Operations; Mr. Destain Gingell; County Highway Engineer; Mr. Jeffrey Lutes

Chairman Novak called the meeting to order at 4:36 p.m.

**Approval of Agenda**

**092320-135**

Motion by Commissioner Nichols, seconded by Commissioner Duckert to approve the agenda.  
Motion carried.

**Approval of Prior Board Meeting Minutes**

**092320-136**

Motion by Commissioner Duckert seconded by Commissioner Nichols to approve the Regular Meeting minutes for September 9, 2020. Motion carried.

**Approval of Disbursements**

**092320-137**

Motion by Commissioner Duckert, seconded by Commissioner Nichols to approve the Accounts Payable and Payroll dated September 24, 2020 in the amount of \$881,390.71. Motion carried.

**Road Project Agreements**

**092320-138**

Motion by Commissioner Nichols, seconded by Commissioner Duckert to approve the Road Project Agreement for Lapeer Township.

Lapeer Township

504-012-204126 Sutton Road between Wilder and Metamora Roads, Replace 18" x 48' Culvert

Estimated Cost: \$6,353.00 Township

Motion carried.

**Managing Director Report**

**092320-139**

Motion by Commissioner Duckert, seconded by Commissioner Nichols to approve the Approval of the 2021 Lapeer County Road Commission Budget and 2021 Lapeer County Road Fund General Appropriations Act. Roll call vote: Mr. Duckert, aye; Mr. Novak, aye; Mr. Nichols, aye. Motion carried.

**092320-140**

Motion by Commissioner Nichols, seconded by Commissioner Duckert to Vote to Approve the September 2020 Amendment to the Michigan County Road Commission Self-Insurance Pool By-Laws. Motion carried.

Mr. Pearson gave an update on the maintenance projects that were being completed.

Mr. Pearson reported to the Board that on Saturday, Mr. John Franzel drove one of our tandem trucks to the funeral procession for Mr. Zach Morissette, a Macomb County road worker that was killed while

working on I-94 on Monday. Several Road Commissions participated in the procession to show support. Mr. Pearson stated that he appreciated Mr. Franzel’s contribution. Mr. Pearson also explained that the Lapeer Road Commission will also assist in any road issues that Macomb County may need on our south end while they continue to deal with this tragedy.

Mr. Novak stated that action was a good neighborly thing to do when we can work back and forth.

**Engineering Report**

**092320-139**

Motion by Commissioner Duckert, seconded by Commissioner Nichols to Approve TCO 1(06)2020, In accordance with the Engineer’s recommendation, that Burnside Road over N. Branch of the Flint River overflow (Structure 5411) between O’Brien Road and M-24 in Deerfield Township be posted as follows: Open to Legal Loading. This TCO supersedes TCO #01(06)2019. Motion carried.

Mr. Gingell gave an update on the construction projects and announced that the Bay Regional Bridge Council Meeting will be held virtually on October 12, 2020. This meeting is where the selection of the future bridge projects takes place. Anyone interested can contact Mr. Gingell for online instructions.

**Public Comment**

No public comment received.

Chairman Novak declared the meeting adjourned at 5:00 p.m.

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James Novak Jr., Chairman

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Linette Weston, Board Secretary

**LAPEER COUNTY ROAD COMMISSION  
REGULAR BOARD MEETING  
Wednesday, October 7, 2020  
4:30 p.m.**

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Present. Mr. James Novak, Jr. Chairman; Mr. Dale Duckert, Vice, Chairman; Mr. Les Nichols, Member; Mrs. Linette Weston, Board Secretary; Mr. Erick Pearson, Managing Director; Mr. Zeb Schons, Superintendent of Operations; Mr. Destain Gingell; County Highway Engineer; Mr. Rick Seaman; Mr. Richard Brandt

Chairman Novak 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**

**100720-143**

Motion by Commissioner Nichols, seconded by Commissioner Duckert to approve the agenda. Motion carried.

**Approval of Prior Board Meeting Minutes**

**100720-144**

Motion by Commissioner Nichols seconded by Commissioner Duckert to approve the Public Hearing and the Regular Meeting minutes for September 23, 2020. Motion carried.

**Approval of Disbursements**

**100720-145**

Motion by Commissioner Duckert, seconded by Commissioner Nichols to approve the Accounts Payable and Payroll dated October 8, 2020 in the amount of \$2,302,833.48. Motion carried.

**Managing Director Report**

**100720-146**

Motion by Commissioner Duckert, seconded by Commissioner Nichols to approve the following Resolution:

WHEREAS, Edward Montgomery started with the Road Commission in January of 1997 as a mechanic, 2000 as a Heavy Equipment Operator at the Imlay Garage, 2011 as a Heavy Equipment Operator at the Lapeer Garage, 2018 as a Working Foreman and in July of 2020 a Truck Operator and has remained there for the remainder of his career; and,

WHEREAS, Edward Montgomery is an outstanding and dedicated employee of the Lapeer County Road Commission; and,

WHEREAS, Edward Montgomery has used his skills and knowledge as a Grader Operator, Operator of Heavy Equipment, Truck Operator and Working Foreman to maintain the roads in Lapeer County for the past twenty-three plus years; and,

WHEREAS, as a result of Edward Montgomery's diligence and strong work ethic, he has contributed greatly to the excellent condition of the roads, in all Districts, ensuring the wellbeing of all who use them; and,

WHEREAS, Edward Montgomery retired September 30, 2020 after more than twenty-three years of faithful service to the community; and,

WHEREAS, Edward Montgomery's devotion and hard work will be missed by one and all.

NOW THEREFORE BE IT RESOLVED, that the Board of Lapeer County Road Commissioners, does hereby extend our sincere thanks and heartfelt gratitude.

BE IT FURTHER RESOLVED, that this resolution be entered into the records of the Board of Lapeer County Road Commissioners, Lapeer County, State of Michigan on this seventh day of October, 2020, there to remain forever.

Roll call vote: Mr. Duckert, aye; Mr. Novak, aye; Mr. Nichols, aye. Motion carried.

Mr. Pearson stated that he hired Mr. Montgomery as a mechanic when he was the Shop Foreman/Superintendent/Parts Foreman, so he has had the opportunity to work with him for a long time.

Mr. Pearson reported to the Board that there are currently two bills in Lansing in the House and the Senate that deal with making the option to hold meetings electronically permanent.

Mr. Pearson also gave a brief overview of the Supreme Court ruling regarding the Executive Orders. Mr. Pearson explained that the Road Commission has been advised by our liability insurance provider to continue our safety measures.

#### Superintendent Report

Mr. Schons reported that the maintenance crews were performing ditching, brush axing and culvert replacements. He also stated that they were performing crack sealing on south M-24 for MDOT.

Mr. Schons stated that the equipment was also being prepared for winter operations.

#### Engineering Report

Mr. Gingell stated that he would also like to extend a congratulations to Mr. Montgomery, as it has been a pleasure to work with him as an operator and working foreman. Mr. Gingell went on to state that Mr. Montgomery has taught him a lot with his knowledge of the operations.

#### Public Comment

Mr. Rick Seaman, 1337 Lakeshore Road

Mr. Seaman stated that in 2015 he built a two car garage at his residence which sat 6-8 inches higher than the road, and then two years ago the Road Commission added gravel to the road and the water now runs into his garage. Mr. Seaman stated that this runoff is beginning to rust out his garage door, undermine the cement and ruin stuff in his garage.

Mr. Seaman stated that he met with Mr. Gingell and Mr. Haack regarding the issue and it was decided that a curb would help alleviate the water issue. Mr. Seaman stated that he paid \$1,500 to have the curb installed, but it did not solve the problem, but created a large washout in front of the curb.

Mr. Gingell stated that he gave Mr. Seaman a free permit to work in the right of way to construct the curb, but that the curb was built with a 4-5% grade, which is why the water is still running towards the driveway.

Mr. Gingell also stated that he had a grader operator pull gravel up from the bottom of the hill to fill in the washout. Mr. Gingell explained that Mr. Seaman's property is on a hill and the water is going to flow down that hill.

Mr. Seaman expressed his concern that for three years there was no water problem, not until the new gravel was placed on the road. Mr. Seaman stated that the new grade on the road runs directly towards his driveway.

Mr. Seaman stated that he doesn't want to take this to court, but he will.

Mr. Gingell stated that he spoke with Mr. Hayes, the Deerfield Township Supervisor and he did not want the gravel removed from the roadway. Mr. Seaman asked Mr. Gingell if he showed him the video he sent to him of the waterflow in the rain. Mr. Gingell stated that he did not.

Mr. Pearson stated that he reached out to Mr. Haack, the foreman, and asked about the history of the waterflow. Mr. Haack stated that the water used to run down the middle of the road.

Mr. Novak and Mr. Nichols stated that they reviewed the driveway and can see that the slab doesn't have a proper fall to slope away from the garage. Mr. Seaman stated that two years ago the slab was above the roadway so it wouldn't run into the garage.

Mr. Schons stated that the gravel was placed on the roadway properly and the grade is set well. Mr. Schons stated that there is a seawall on the opposite side of the road, so the water can't run there. Mr. Seaman stated that the seawall is illegal.

Mr. Pearson stated that the Road Commission will have a surveyor perform a topo of the area in order to understand the area better.

Mr. Seaman stated that he was willing to put together an agreement right now to have the curb removed and replaced as the Road Commission recommends as long as there is a guarantee that the water will be gone.

Mr. Seaman asked what the timetable will be for the survey. Mr. Pearson stated that they will be called on Thursday. Mr. Schons asked Mr. Seaman if he had gotten a driveway permit? Mr. Seaman stated that he had gotten a permit to construct the garage, but not for the driveway approach.

Mr. Pearson stated that he will ask the surveyor to expedite the survey.

Mr. Gingell explained that after the topo is completed then we can talk about engineering.

### **Commissioner Comments**

Mr. Nichols stated that the asphalt at Haines and Grosbeck is breaking up. Mr. Schons stated that he has given five or six estimates to the Township for their consideration.

Chairman Novak declared the meeting adjourned at 5:10 p.m.

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James Novak Jr., Chairman

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Linette Weston, Board Secretary

**LAPEER COUNTY ROAD COMMISSION  
REGULAR BOARD MEETING  
Wednesday, October 21, 2020  
4:30 p.m.**

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Present. Mr. James Novak, Jr. Chairman; Mr. Dale Duckert, Vice, Chairman; Mr. Les Nichols, Member; Mrs. Linette Weston, Board Secretary; Mr. Erick Pearson, Managing Director; Mr. Zeb Schons, Superintendent of Operations

Chairman Novak 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**

**102120-148**

Motion by Commissioner Nichols, seconded by Commissioner Duckert to approve the agenda. Motion carried.

**Approval of Prior Board Meeting Minutes**

**102120-149**

Motion by Commissioner Duckert seconded by Commissioner Nichols to approve the Regular Meeting minutes for October 7, 2020. Motion carried.

**Approval of Disbursements**

**102120-150**

Motion by Commissioner Duckert, seconded by Commissioner Nichols to approve the Accounts Payable and Payroll dated October 22, 2020 in the amount of \$320,356.51. Motion carried.

**Approval of Road Project Agreements**

**102120-151**

Motion by Commissioner Nichols, seconded by Commissioner Duckert to approve the three Rich Township Projects:

504-018-204730 Replace Culvert on Kelch Road, 600' South of Brown Road, 18"x 30' poly

Estimated Cost: \$2,850.00 Township

504-018-204731 Replace Culvert at 8880 Squaw Lake Road between Millington and Murphy Lake

Road 18"x 35' poly, Estimated Cost: \$3,048.00 Township

504-018-204732 Replace Culvert at 1245 Murphy Lake Road between M-24 and Kelch Road

Estimated Cost: \$3,250.00 Township

Motion carried.

**Managing Director Report**

**102120-152**

Motion by Commissioner Nichols, seconded by Commissioner Duckert to approve the Amended COVID-19 Preparedness and Response Plan. Motion carried.

Mr. Pearson explained that the Road Commission was moving forward with filling vacancies including selecting Mr. Caleb Schank as Working Foreman for the North Branch District. Mr. Pearson stated that Caleb has good experience and a great work history with the Road Commission.

Mr. Pearson stated that an offer has been made to an applicant for the position of welder/fabricator.

Superintendent Report

**102120-153**

Motion by Commissioner Nichols, seconded by Commissioner Duckert to approve the Snow Removal Bid Tabulations and award in the best interest of the Road Commission. Motion carried.

**102120-154**

Motion by Commissioner Nichols, seconded by Commissioner Duckert to approve the Declaration of Surplus Equipment:

#8009- 1994 Soil Rake

#8124- 2002 Tiger Side Mount Flail Mower

#6273- 2003 Western Pickup Front Mount 9' Snow Blade

#839- 2002 Monroe Underbody Blade

Motion carried.

Engineering Report

Mr. Gingell reported that Elba Road was near completion.

**Public Comment**

No public comment was received.

**102120-155**

Motion by Commissioner Duckert seconded by Commissioner Nichols to go into closed session for the purpose of negotiation of Collective Bargaining Agreement. Roll Call Vote: Duckert, aye; Novak, aye; Nichols, aye. 3 ayes. Motion carried unanimously at 4:38 p.m.

**102120-156**

Motion by Commissioner Nichols seconded by Commissioner Duckert to go out of closed session at 4:45p.m. Motion carried.

**102120-157**

Motion by Commissioner Duckert seconded by Commissioner Nichols to approve the minutes of the closed session. Motion carried.

**102120-158**

Motion by Commissioner Nichols seconded by Commissioner Duckert to approve the Agreement between the Lapeer County Road Commission and the Technical, Professional and Officeworkers Association of Michigan. Motion carried.

Chairman Novak declared the meeting adjourned at 4:47 p.m.

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James Novak Jr., Chairman

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Linette Weston, Board Secretary

**LAPEER COUNTY ROAD COMMISSION  
REGULAR BOARD MEETING  
Wednesday, November 4, 2020  
4:30 p.m.**

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Present. Mr. James Novak, Jr. Chairman; Mr. Dale Duckert, Vice, Chairman; Mr. Les Nichols, Member; Mrs. Linette Weston, Board Secretary; Mr. Erick Pearson, Managing Director; Mr. Zeb Schons, Superintendent of Operations; Mr. Destain Gingell, County Highway Engineer

Chairman Novak 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**

**110420-160**

Motion by Commissioner Nichols, seconded by Commissioner Duckert to approve the agenda. Motion carried.

**Approval of Prior Board Meeting Minutes**

**110420-161**

Motion by Commissioner Nichols seconded by Commissioner Duckert to approve the Regular Meeting minutes for October 21, 2020. Motion carried.

**Approval of Disbursements**

**110420-162**

Motion by Commissioner Duckert, seconded by Commissioner Nichols to approve the Accounts Payable and Payroll dated November 5, 2020 in the amount of \$594,213.25. Motion carried.

**Managing Director Report**

**110420-163**

Motion by Commissioner Duckert, seconded by Commissioner Nichols to approve the 13 MERS Plan Adoption Agreement Addendums including Division numbers: 44020111, 44020113, 44020101, 44020110, 44020112, 440201HD, 440201HC, 440201HB, 440201HA, 440201110490, 440201110488, 440201110487, 440201110489.

Roll Call Vote: Mr. Duckert, aye; Mr. Novak, aye; Mr. Nichols, aye. Three ayes, motion carried.

**Superintendent Report**

**110420-164**

Motion by Commissioner Nichols, seconded by Commissioner Duckert to approve the declaration of #1258 (2000 Sterling Tandem) as Surplus Equipment. Motion carried.

Mr. Schons explained that he is working with MDOT and surrounding counties to prepare a contingency plan in the event assistance is needed on the State roadways.

**Engineering Report**

Mr. Gingell reported that the wearing course has been put down on Elba Road.

**Public Comment**

No public comment was received.

**110420-165**

Motion by Commissioner Duckert seconded by Commissioner Nichols to go into closed session for the purpose of negotiation of Employment Contracts. Roll Call Vote: Duckert, aye; Novak, aye; Nichols, aye. 3 ayes. Motion carried unanimously at 4:38 p.m.

**110420-166**

Motion by Commissioner Duckert seconded by Commissioner Nichols to go out of closed session at 4:50p.m. Motion carried.

**110420-167**

Motion by Commissioner Duckert seconded by Commissioner Nichols to approve the minutes of the closed session. Motion carried.

**110420-168**

Motion by Commissioner Duckert seconded by Commissioner Nichols to approve the five management Employment Contracts. Motion carried.

Chairman Novak declared the meeting adjourned at 4:51 p.m.

\_\_\_\_\_  
James Novak Jr., Chairman

\_\_\_\_\_  
Linette Weston, Board Secretary

**LAPEER COUNTY ROAD COMMISSION  
REGULAR BOARD MEETING  
Wednesday, November 18, 2020  
4:30 p.m.**

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Present. Mr. James Novak, Jr. Chairman; Mr. Dale Duckert, Vice, Chairman; Mr. Les Nichols, Member; Mrs. Linette Weston, Board Secretary; Mr. Zeb Schons, Superintendent of Operations; Mr. Destain Gingell, County Highway Engineer

Chairman Novak 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**

**111820-169**

Motion by Commissioner Nichols, seconded by Commissioner Duckert to approve the agenda. Motion carried.

**Approval of Prior Board Meeting Minutes**

**111820-170**

Motion by Commissioner Nichols seconded by Commissioner Duckert to approve the Regular Meeting minutes for November 4, 2020. Motion carried.

**Approval of Disbursements**

**111820-171**

Motion by Commissioner Duckert, seconded by Commissioner Nichols to approve the Accounts Payable and Payroll dated November 19, 2020 in the amount of \$544,834.29. Motion carried.

**Approval of Road Project Agreement**

**111820-172**

Motion by Commissioner Duckert, seconded by Commissioner Nichols to approve the Road Project Agreement for Almont Township.

504-001-203030 Replace culvert on Hollow Corners Road, 200' East of Muir Road

Estimated Cost: \$3,500.00 Township Motion carried.

**Superintendent Report**

**111820-173**

Motion by Commissioner Nichols, seconded by Commissioner Duckert to approve the bid tabulations for the Used Tandem Axle Day Cab Tractor Trailer and award in the best interest of the Road Commission. Motion carried.

Mr. Schons explained that this truck will be used to pull the brine trailer.

Mr. Schons stated that the Road Commission is required to have a COVID-19 Preparedness and Response Plan in place, which we approved on May 6, 2020. Since that time the plan has had required revisions and additional revisions continue to be issued. In order to accommodate the fluidity of the document, the policy will be amended to allow the plan to be updated by Management as needed.

**111820-174**

Motion by Commissioner Nichols seconded by Commissioner Duckert to approve the Amended COVID-19 Preparedness and Response Plan Policy. Motion carried.

Mr. Schons spoke briefly about the current MHDHS requirements for the organization and will review them with Mr. Pearson on Monday.

Mr. Schons reported that the trucks will all be converted for snow removal by the end of the week, and the three new employees will begin starting the first week of December, and one every week thereafter.

Mr. Schons explained that the Summers Road haul route between Imlay City Road and Bowers received 100 tons of limestone from Mr. Novak.

Mr. Novak stated that he believes that he has put down more material than any one else placed this year.

Mr. Gingell stated that he will look through the records for the year to verify that.

**Engineering Report**

**111820-175**

Motion by Commissioner Nichols seconded by Commissioner Duckert to approve the Resolution to Decertify .99 miles of Diehl Road in Hadley Township. Roll call vote: Mr. Duckert, aye; Mr. Novak, aye; Mr. Nichols, aye. Motion carried.

**111820-176**

Motion by Commissioner Duckert, seconded by Commissioner Nichols to approve the following TCO's:

TCO#2(10)2020 In accordance with Engineer's recommendation, that Pratt Road in Hadley:

Township be posted with the following Speed Limits:

**Twenty-five (25) miles per hour** from a point 1,550-ft west of Hadley Road to a point 1,150-ft east of Hadley Road. Total Zone = 2,700-ft

This TCO supersedes TCO # 1 (10) 2005; and that the necessary signs and advance warning signs shall be erected/removed to give notice of the regulation herein before established.

Approve TCO#1(10)2020 In accordance with the Engineer's recommendation, that Hadley Road in Hadley Township be posted with the following Speed Limits:

**Thirty-five (35) miles per hour** from a point 1,750-ft south of Pratt Road to a point 3,000-ft south of Pratt Road. Total Zone = 1,250-ft

**Twenty-five (25) miles per hour** from a point 1,750-ft south of Pratt Road to a point 1,250-ft north of Pratt Road. Total Zone = 3,000-ft

This TCO supersedes TCO #1 (10) 2004; and that the necessary signs and advance warning signs shall be erected/removed to give notice of the regulation herein before established

Motion carried.

Mr. Gingell spoke about a permit variance for the Lapeer International Dragway, and explained that there was an existing fence on the property when the Road Commission required additional right of way; the additional right of way then put the fence to remain within that right of way. The Road Commission would allow a variance for this existing fence, but when future road construction takes place, the fence shall be relocated outside of right-of-way by the landowner..

Mr. Duckert asked if the Township had approved the variance. Mr. Gingell stated that they had not been asked to approve it. Mr. Novak stated that he would like the Road Commission to check with the Township before approving the variance on a Township road.

Mr. Gingell reported that the wearing course has been placed on Elba Road.

Mr. Gingell reported that Elba Road was open to traffic.

**Public Comment**

No public comment was received.

Chairman Novak declared the meeting adjourned at 5:03 p.m.

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James Novak Jr., Chairman

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Linette Weston, Board Secretary

**LAPEER COUNTY ROAD COMMISSION**  
**REGULAR BOARD MEETING- ELECTRONIC REMOTE ACCESS**  
**Wednesday, December 2, 2020**  
**4:30 p.m.**

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Per the MDHHS Emergency Order under MCL 333.2253, and in accordance with Public Act 228 of 2020, remote access was implemented per the requirements of PA 228 of 2020.

Present. Mr. James Novak, Jr. Chairman; Mr. Dale Duckert, Vice, Chairman; Mr. Les Nichols, Member; Mrs. Linette Weston, Board Secretary; Mr. Zeb Schons, Superintendent of Operations; Mr. Destain Gingell, County Highway Engineer; Mr. Erick Pearson, Managing Director

Chairman Novak called the meeting to order at 4:30 p.m. The Pledge of Allegiance was recited.

**Approval of Agenda**

**120220-178**

Motion by Commissioner Duckert, seconded by Commissioner Nichols to approve the agenda. Motion carried.

**Approval of Prior Board Meeting Minutes**

**120220-179**

Motion by Commissioner Nichols seconded by Commissioner Duckert to approve the Regular Meeting minutes for November 18, 2020. Motion carried.

**Approval of Disbursements**

**120220-180**

Motion by Commissioner Duckert, seconded by Commissioner Nichols to approve the Accounts Payable dated November 19, 2020 in the amount of \$50,110.00 and Accounts Payable and Payroll dated December 3, 2020 in the amount of \$605,853.05. Motion carried.

**Superintendent Report**

**120220-181**

Motion by Commissioner Nichols, seconded by Commissioner Duckert to declare equipment #6284 and #6285 (2002 Volvo Wing Plows), #6356 (2000 Henderson Slide in Salter, and #712 2001 CAT Loader as surplus. Motion carried.

Mr. Schons explained that the Road Commission will cancel the remaining Committee of the Whole meetings due to the closure of the building to the public.

**120220-182**

Motion by Commissioner Duckert, seconded by Commissioner Nichols to cancel the December 14, 2020 and December 28, 2020 Committee of the Whole Meetings. Motion carried.

**Engineering Report**

Mr. Gingell reported to the Board a Public Hearing to present the 2021 Fee Schedule has been advertised for December 16, 2020 at 4:30 p.m. Mr. Gingell stated that he is not proposing any changes to the fee schedule for the 2021 year.

Mr. Gingell explained to the Board that in working with the Lapeer International Dragway (LID) to provide adequate ingress/egress to the site as required, the Road Commission determined that a 50-foot wide future right-of-way easement should be needed. LID is requesting a variance from the requirement to remove the existing fencing and relocate fence to the future 50-foot right of way at this time.

**120220-183**

Motion by Commissioner Duckert, seconded by Commissioner Nichols to approve the permit variance which will allow the Lapeer International Dragway to leave the existing fence within the new 50-foot right-of-way, with the understanding that the landowner shall move the fence at their expense, if the additional right-of-way is required for the expansion, and/or improvement of Roods Lake Road, including drainage. Motion carried.

Mr. Gingell stated that he assumed work would start in 2021, however he has not had this communication with the developer.

Mr. Schons reported to the Board that the COVID-19 virus has affected a few employees at the Road Commission, but we are hopeful that they will recover quickly.

Mr. Schons explained to the Board that the first winter storm went smoothly, and the shop employees need a shout out for having all of the equipment in place and working well. Mr. Schons stated that it was probably a long day for the new employees, but we were fortunate to get some sun which helped burn off the remaining snow and ice left on the roadways.

Mr. Pearson adamantly stated that he hopes all of the employees “Stay Healthy”.

**Public Comment**

No public comment was received.

**Commissioners Reports and Comments**

Mr. Duckert stated that the gravel roads have gotten chopped up with the rain we had, but he knows there isn’t anything that we can do.

Mr. Schons agreed and explained that when the weather turns a little warmer and the roads dry out, we will be grading with every piece of equipment we have.

Mr. Novak asked about the progress of the General Squier Road abandonment. Mr. Gingell stated that the MISDIGs had been ordered to verify utilities and the documents have been forwarded to Dryden Township for their review. Mr. Gingell stated that the abandonment will be presented to the Board at the December 16, 2020 meeting.

Mr. Novak stated that he appreciates all of the employees that worked on Tuesday during the snow event and prays that all that have been affected by the virus will get through it safely.

Being no further business, Chairman Novak declared the meeting adjourned at 4:45 p.m.

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James Novak Jr., Chairman

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Linette Weston, Board Secretary

**LAPEER COUNTY ROAD COMMISSION**  
**REGULAR BOARD MEETING- ELECTRONIC REMOTE ACCESS**  
**Wednesday, December 16, 2020**  
**4:30 p.m.**

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Per the MDHHS Emergency Order under MCL 333.2253, and in accordance with Public Act 228 of 2020, remote access was implemented per the requirements of PA 228 of 2020.

Present. Mr. James Novak, Jr. Chairman; Mr. Dale Duckert, Vice, Chairman; Mr. Les Nichols, Member; Mrs. Linette Weston, Board Secretary; Mr. Zeb Schons, Superintendent of Operations; Mr. Destain Gingell, County Highway Engineer; Mr. Erick Pearson, Managing Director

Guests: Mike Quaine, Joseph Suma, John and Barbara Waslyk, Carole Beckett, John Waslyk, Jr., Brian Wagner, Chalmers Fitzpatrick, Lisa Yarema, Sally Rheume, Diana Mathis, Susan Hough, Michelle Litkouhi, Amanda Shelton, Ruthanne Flory, Linda and Victor Dzenowagis, Sandy Peterson

The Regular meeting commenced following the Public Hearing.

Mr. Pearson asked that a Road Project Agreement for Arcadia Township be added to the agenda.

**Approval of Revised Agenda**

**121620-184**

Motion by Commissioner Nichols, seconded by Commissioner Duckert to approve the revised agenda. Motion carried.

**Approval of Prior Board Meeting Minutes**

**121620-185**

Motion by Commissioner Duckert seconded by Commissioner Nichols to approve the Regular Meeting minutes for December 2, 2020. Motion carried.

**Approval of Disbursements**

**121620-186**

Motion by Commissioner Nichols, seconded by Commissioner Duckert to approve the Accounts Payable and Payroll dated December 17, 2020 in the amount of \$308,265.39. Motion carried.

**Approval of Road Project Agreement**

**121620-187**

Motion by Commissioner Nichols, seconded by Commissioner Duckert to approve the Road Project Agreement for Arcadia Township:

504-002-203129 Remove pine trees on Haines Road between 3947 and 4007 on the north side of road and flush cut the stumps inside the right of way. Estimated Cost: \$7,200.00 Township. Motion carried.

**Managing Director Report**

**121620-188**

Motion by Commissioner Nichols, seconded by Commissioner Duckert to approve the 2021 Meeting and Holiday Schedule as presented. Motion carried.

Mr. Pearson explained that the Road Commission will continue with remote meetings through March 2021.

Mr. Pearson explained to the Board that the Road Commission was moving to a Premium Conversion Plan for pre-tax premium contributions and needed approval of the Certificate of Corporate Resolution adoption the Premium Conversion Plan.

**121620-189**

Motion by Commissioner Duckert, seconded by Commissioner Nichols to approve the Certificate of Corporate Resolution adoption the Premium Conversion Plan and authorize Linette Weston, Finance Director to sign. Roll call vote: Mr. Duckert, aye; Mr. Novak, aye; Mr. Nichols, aye. Motion carried.

Mr. Pearson reported to the Board that the Annual Bids are due January 8, 2021.

Mr. Pearson explained that he has spoken with the President of the Lapeer County MTA, Mr. Ron Cischke, regarding the Annual Township/Road Commission meeting and it has been decided that the meeting will most likely be held remotely.

**Superintendent Report**

Mr. Schons stated that the Road Commission has had a good winter so far. The crews were able to get the roads graded, and then it rained, but for the most part, they held up pretty well.

Mr. Schons reported that the new loader has been delivered.

**Engineering Report**

Mr. Gingell asked the Board to approve the 2021 Fee Schedule.

**121620-190**

Motion by Commissioner Duckert, seconded by Commissioner Nichols to approve the 2021 Fee Schedule. Motion carried.

Mr. Gingell briefly explained the Burke Drain documents to be approved. Mr. Quaine, consultant for the Lapeer County Drain Commission, gave an explanation of the project.

**121620-191**

Motion by Commissioner Duckert, seconded by Commissioner Nichols to approve the Resolution to Approve Agreement to Occupy Road Right-of-Way:

**WHEREAS**, the Burke Drain (“Drain”) is a county drain in the process of being established pursuant to the Michigan Drain Code, Public Act 40 of 1956, as amended (“Drain Code”); and

**WHEREAS**, on October 28, 2019, the Drain Commissioner received a petition requesting the location, establishment, and construction of the Drain pursuant to Chapter 4 of the Drain Code; and

**WHEREAS**, an Order of Necessity was entered on November 13, 2019, determining that the petitioned location, establishment, and construction is necessary and conducive to the public health, convenience or welfare, and the Drain Commissioner further determined that the Drain is necessary for the protection of the public health in Elba Township, in the County of Lapeer, State of Michigan; and

**WHEREAS**, the Drain Commissioner and Road Commission agree that the location, establishment, and construction of the Drain should include the public roads and public road rights-of-way under the control and jurisdiction of the Road Commission, for which permission must be obtained from the Road Commission pursuant to Section 321 of the Drain Code; and

**WHEREAS**, the Drain Commissioner has requested that the Road Commission grant permission for the location, establishment, and construction of the Drain to include existing road drainage structures in and under the roads and road rights-of-way under the jurisdiction of the Road Commission.

**THEREFORE, BE IT RESOLVED**, that the Lapeer County Road Commission approves entering into an agreement with the Lapeer County Drain Commissioner, on behalf of the Burke Drain Drainage District, to grant permission to occupy road rights-of-way held by the Road Commission necessary for the location, establishment, and construction of the Drain, subject to and conditioned upon permission by the Road Commission.

**BE IT FURTHER RESOLVED**, that the Chairperson of the Road Commission Board is hereby authorized to sign any necessary contract documents on behalf of the Road Commission.

Roll call vote: Mr. Duckert, aye; Mr. Novak, aye; Mr. Nichols, aye. Motion carried.

Mr. Gingell asked the Board to approve the Agreement to Occupy Road Right-Of-Way.

**121620-192**

Motion by Commissioner Duckert, seconded by Commissioner Nichols to approve the Agreement to Occupy Road Right-Of-Way:

**WHEREAS**, the Burke Drain (“Drain”) is a county drain in the process of being established pursuant to the Michigan Drain Code, Public Act 40 of 1956, as amended (“Drain Code”); and

**WHEREAS**, on October 28, 2019, the Drain Commissioner received a petition requesting the location, establishment, and construction of the Drain pursuant to Chapter 4 of the Drain Code; and

**WHEREAS**, an Order of Necessity was entered on November 13, 2019, determining that the petitioned location, establishment, and construction is necessary and conducive to the public health, convenience or welfare, and the Drain Commissioner further determined that the Drain is necessary for the protection of the public health in Elba Township, in the County of Lapeer, State of Michigan; and

**WHEREAS**, the Drain Commissioner and Road Commission agree that the location, establishment, and construction of the Drain should include the public roads and public road rights-of-way under the control and jurisdiction of the Road Commission, for which permission must be obtained from the Road Commission pursuant to Section 321 of the Drain Code; and

**WHEREAS**, the Drain Commissioner has requested that the Road Commission grant permission for the location, establishment, and construction of the Drain to include existing road drainage structures in and under the roads and road rights-of-way under the jurisdiction of the Road Commission; and

**WHEREAS**, the Road Commission and the Drain Commissioner agree to cooperate to assure that drainage from properties and roads is unobstructed and that the location, establishment, and construction of the Drain is completed in accordance with the terms of this Agreement.

**NOW THEREFORE**, in consideration of the premises and covenants of each, the parties agree as follows:

1. The Road Commission hereby authorizes the Drain to occupy and be constructed in, under and occupy road rights-of-way held by the Road Commission necessary for the location, establishment, and construction of the Drain, subject to and conditioned upon construction to be performed and constructed as depicted on the map attached hereto as **Exhibit A**. Upon completion of the location, establishment, and construction, described herein, the all impacted portions of the roads and road rights-of-way shall be returned to substantially the same or better condition as such areas were prior to the location, establishment, and construction of the Drain. All excavated areas are to be filled and any impacted sidewalks will be restored or replaced to Road Commission specifications.
  
2. The Drainage District is solely responsible for, and shall maintain, the Drainage Structures installed under the roads and within the road rights-of-way described and depicted in the attached **Exhibit A**. The term “Drainage Structures” as used herein shall mean all storm sewer pipes, open ditches, tiles, culverts, trench drains, planting material, manholes, catch basins, vegetation and bio-retention areas residing within the Drainage District for drainage and storm water management purposes. To the extent permitted by law, the Drainage District and the Drain Commissioner, for themselves and their agents, representatives, officials, officers, employees, contractors, successors and assigns, agree to indemnify and hold harmless the Road Commission, including its agents, representatives, officials, officers, employees, successors and assigns, from all claims, demands, suits or causes of action for injuries, losses, or damages related to or arising from the location, establishment, and construction of the Drain or the exercise of their rights, responsibilities and obligations of this Agreement, except for injuries, losses, or damages related to the negligence or intentional act or omission of the Road Commission, its agents or employees.
  
3. The Road Commission shall not be obligated in the future to repair and maintain any Drainage Structures that are located under the roads or within the road rights-of-way that are also within the drainage route and course that have been installed, improved and/or maintained, arising out of or as a result of this Agreement.
  
4. Except as specifically set forth herein, this Agreement does not otherwise alter the Road Commission’s obligations, or rights to governmental immunity as may be provided by law, for road administration, repair and maintenance of roads and road rights-of-way under its control and jurisdiction as provided by law.
  
5. Except as specifically set forth herein, this Agreement does not otherwise alter the Drainage District’s obligations for the location, establishment, and construction of the Drain as provided by law.
  
6. Nothing in this Agreement shall be construed as relieving Lapeer County from special assessments levied for the location, establishment, and construction of the Drain in accordance with the Drain Code.

7. For any future maintenance and/or repair work on the Drain within the Road Commission right-of-way, the Drainage District shall obtain any and all necessary permits from the Road Commission required to perform said construction, maintenance and/or repair work.

8. The parties signing this Agreement on behalf of each party are, by said signatures, affirming that they are authorized to enter into this Agreement for and on behalf of the respective parties to this Agreement.

Roll call vote: Mr. Duckert, aye; Mr. Novak, aye; Mr. Nichols, aye. Motion carried.

Mr. Novak then stated that he would like to turn the meeting over to the Vice Chairman, Mr. Duckert, and recuse himself from the deliberation and vote on this petition because he was the petitioner.

Mr. Gingell gave a brief description of the portion of General Squier Road that was to be abandoned.

Mr. Duckert then asked if there was any public comment regarding this abandonment

**John and Barbara Waslyk**

Mr. Waslyk stated that they support the abandonment would like to keep the wildlife sanctuary that they have there.

Mr. Zeb Schons, Superintendent, explained that he will unmute all Zoom participants one at a time to give all a chance to speak during public comment session.

**Carole Beckett, 5717 Lake George Road**

Ms. Beckett explained that she is the President of the Metamora Equestrian Conservation Alliance, (MECA), which represents about forty members. Ms. Beckett read a prepared letter into the record.

“Metamora Equestrian Conservation Alliance (“MECA”) was formed as a Michigan nonprofit corporation for the purpose of conserving the equestrian and rural lifestyle of the Metamora area which encompasses portions of Oxford, Addison, Dryden, Metamora, Lapeer and Attica Townships. This area was developed as "Horse Country" nearly one hundred years ago and has retained that reputation ever since. Many visitors to the area come because of the equine community and many businesses capitalize on it. The pressures of development have made it necessary for a concerted campaign to preserve this heritage. Key to this community are the dirt roads and private trails. Approximately eighteen months ago MECA has formally secured the right to ride over the land of 29 landowners representing approximately 2,000 acres.

It has come to our attention that Messrs. Novak, Waslyk and Wagner have petitioned the Lapeer County Road Commission to abandon public right-of-way (old General Squier Road between Havens and Lake George) adjacent to their properties. This section of General Squier has been a decertified road for some time, but still remains an asset held by the public for future use. Important to the community at large is the fact that it would allow for public passage without expense to the public. The decertified roads have become a key component of preserving the equestrian trail system unique to our area. They provide key connection across the countryside while at the same time allowing riders and carriage drivers to safely avoid the active rights-of-way, which have dangerously high-speed limits.

Lapeer County's published road abandonment policy (which in fact is the same as the Michigan Statute), puts the decision in the hands of the Road Commission to determine whether an abandonment is in the

best interest of the public. While it is clearly in the interest of the petitioners, it is not in the best interest of the public. Dryden Township concurred at its meeting December 8. By maintaining its interest in the right of way, the County (1) preserves its property rights and ability to reopen a public road in the future (2) preserves important portions of a trail system which supports the equestrian lifestyle, which is an important economic driver in the community and (3) provides venues of safe passage for horses and riders making the roads safer for cars.

MECA's policy is to consider its landowners and community as it furthers its mission. We work with landowners in very creative ways to make sure that our mutual efforts are a win-win. We recognize landowners' rights and recognize the grace they extend in allowing horses to ride through their properties. The reality is, it is often why they moved over here and why they stay. The reality also is that a well-developed trail system will preserve/conservate open tract land and the equestrian lifestyle that makes our heritage and our community so unique. The old decertified roads are an important piece in this system by providing an east-west passage getting horses off of Lake George, Hough and Haven Roads making the roads safer for everyone."

To that end, we contacted the Lapeer County Road Commission in May 2019 to inquire about General Squier Road being blocked off on both ends. After several months of follow-up, we were told that the fence on Mr. Wagner's property "appeared to have been there for a while." When we inquired about the gate installed by Mr. Novak, Chairman of the Lapeer County Road Commission, we were assured that in this context he was a landowner and would be treated like any other landowner and would therefore have to remove the gate. The gate was never opened or removed. Instead, this action followed. It is as though the Road Commission turned a blind eye and became complicit in denying public access."

John and Barbara Waslyk, 4970 Fox Chapel Drive

Mr. Waslyk stated that he has been at this location for about thirty-one years. Mr. Waslyk stated that the road was decertified at that time and has not been touched since that time. He stated it has turned into a beautiful wildlife refuge. Mr. Waslyk ended with stating that he, Mr. Wagner and Mr. Novak pay taxes on their property and they support the abandonment.

John Waslyk, Jr.

Brian Wagner, 5038 Lake George Road

Mr. Waslyk stated he does not want the road opened. Mr. Wagner stated that the fences have been there his whole life and he is thirty-one years old.

Chalmers Fitzpatrick, 4434 Hough Road

Finished Carole Beckett's Letter

"In a recent discussion with one of our board members, Mr. Novak stated that if the Road Commission failed to abandon the decertified portion of General Squier Road that abuts his property, he would file a lawsuit. The action that Mr. Novak threatens to bring against his own agency (for his own personal gain) would be a tragic expenditure of public time and funds. An adverse possession claim, while arcane to the public (whose interests we are trying to protect), is well known to Mr. Novak. It will be a very fact intensive effort and we don't believe all of the facts are on Mr. Novak's side. We have approached Mr. Novak, Mr. Wagner and Mr. Waslyk in an attempt to work out an alternate East-West throughway which would be acceptable to them. We are hopeful that we can work out a mutually beneficial result, however, we cannot count on that and the stakes are too high.

We are confident that after Chairman Novak abstains from deliberation and voting, the remaining unbiased members will see the value in protecting the asset it holds for the greater public and deny the request for abandonment. In the alternative, should Messrs. Novak, Wagner and Waslyk be interested in memorializing an alternate acceptable route, we request that Road Commission table this request to allow adequate time for such

solution in which case we would be happy to support the kind gentlemen's request to this Commission at that time."

Ms. Fitzpatrick went on to state that the gated road looks like a private road and they have treated as such. It was not until the Dryden Township meeting that they learned that all of this time it has been a public decertified road that is gated and shut off from the community. Ms. Fitzpatrick also stated that to the point of it being a wildlife sanctuary and wetland, the horses won't bother it. They ride in Jonathon Woods and Seven Ponds and can still have nature preserved.

Lisa Yarema

Ms. Yarema stated that she grew up in Dryden and her family farm on Casey Road is nearly one-hundred years old. When John and her four kids decided to move back, they intentionally picked this area. The decertified roads have made it safe to get off of the roads as the cars are traveling faster. She explained, that we need to keep these roads that are beneficial to our community and our future community. Ms. Yarema stated she knows the Novaks and the Wagners, but would love for the road to stay decertified and not be abandoned.

Sally Rheume

Ms. Rheume stated she agrees with opening the road and sees no harm in it. To keep it for a few individuals, when it is a road for the public; she doesn't understand. She went on to state, it should be open.

Diane Mathis, Hosner Road

Ms. Mathis is on the Board of MECA, and stated that preservation is their mission. Ms. Mathis stated she would like to see this portion of General Squier to stay decertified and not let it go to abandonment. She stated, they think that preserving the green spaces and trailways is key to this area.

Susan Hough, 5047 Blood Road

Ms. Hough stated she is a lifetime resident of Lapeer County and has ridden horses all over Lapeer County during her lifetime. Ms. Hough spoke about how a network of off-road trails is positively impactful for both quality of life for the residents and economic development of the community. Ms. Hough stated that decertified roads are an important piece of many trail systems. Decertified roads allow safe passage between existing roads and trails and allow for lawful riparian access to bodies of water, such as Whigville Creek. Ms. Hough stated that she hasn't ridden this section for over twenty-five years, as the last time she went in that area she was turned away by gates. As for a wildlife refuge, Ms. Hough stated that the property owners might not want to discontinue the activities that would consider it a wildlife refuge. Ms. Hough explained that she understands the property owners do pay taxes to the center of the easement, as does she, but that is part of the public good. Ms. Hough went on to state that the decertified roads are an asset to this county and would hate to see it abandoned, because once it is abandoned, it is very unlikely that comparable access in this location will be made available to the public.

Michelle Litkouhi, 5251 Bordman

Ms. Litkouhi stated she is a horse person, a hiker and a member of the Sierra Club and stated she is eager to see it open. Ms. Litkouhi stated she respects it when a gate is up and don't challenge that. If she would have known it was decertified, she would have used it and maintained it.

Amanda Shelton, 2775 East Oakwood Road

Ms. Shelton stated that she is also a member of MECA, and actively rides with the Metamora Hunt. Ms. Shelton stated that she grew up in Michigan, moved out of state and then specifically moved back to this area because it is horse country. Ms. Shelton stated that we need to protect our heritage.

Ruthanne Flory, 3104 Jonathon Road

Ms. Flory stated that she has lived here seven years, but grew up on Hough Road and in the 60s and 70s she rode that easement all of the time and there was never any destruction by the horses. There was never a gate when she lived there; there was always a pass through. She wishes it to go back to the easement that it was and does not want it abandoned. Ms. Flory went on to state that she is not for any type of motorized vehicles on it; just hiking and horses to maintain the character of the area.

James Novak

Mr. Novak stated that his family has owned the farm for 42 years, and ever since he was a kid, there has never been anyone that he has known, that has ever gone through that easement because it was so bound up. Mr. Novak stated that there has always been a fence or a gate across there for the entire time he has owned this property. Mr. Novak stated that he does not want it open and would like it abandoned.

Linda Dzenowagis, 3405 Rock Valley Road

Ms. Dzenowagis stated that she and her husband moved out here decades ago because of the bridle pass and the equestrian feel and she agrees it is why people move out here. Ms. Dzenowagis would like to keep the road open.

Victor Dzenowagis, 3405 Rock Valley Road

Mr. Dzenowagis stated that he comes at this from the preservation perspective. Mr. Dzenowagis stated that they bought the White Horse Inn about eight years ago and decided to preserve it. He stated that you can always abandon the road in the future if the trail doesn't work out, but once you make the call, there's no going back. Mr. Dzenowagis stated that until the way is clear, he would like to stay with the status quo.

Sandy Peterson, 5438 Casey Road

Ms. Peterson stated that they have owned their farm for almost a hundred years and is opposed to abandonment for the beauty and preservation of all people, not just three.

Mr. Gingell reported that the Lapeer County Road Commission received a petition on November 30, 2020 to abandon a portion of General Squier Road, Right of Way, between Lake George Road and Havens Road located in Dryden Township that contains the signatures of all abutting property owners. This petition was receipted and notified Dryden Township for review. Today we received a draft copy of the Dryden Township Regular Board Meeting minutes held December 8, 2020 in which the board voted 4-1 against the abandonment. Mr. Gingell reported that the meeting minutes also indicated a letter in opposition to the abandonment was read by Carole Beckett, and stated that the Board has also been forwarded the letter from Carole Beckett, President of the Metamora Equestrian Conversation Alliance. On November 30, 2020 a letter was sent to the utility companies seeking any information if there were public utilities located within the proposed abandonment segment, and have not received any confirmed utilities within, the utility companies have all responded with no conflict, and are waiting for one utility company to send their response back.

Mr. Gingell reported that this segment was first certified in 1936, and in 1955 the westerly 0.92 miles were decertified. On December 9, 2020 the proposed abandonment section of right of way was walked and he observed multiple fences in the right of way, various sizes of trees were growing where the road bed was once located, overgrown where property owners are not maintaining and observed where property owners were maintaining. Mr. Gingell stated that it was wet in areas and if there were ditches, they have not been maintained.

Mr. Gingell explained that this roadway has not been maintained by the Road Commission. Mr. Gingell reported that there is an east-west certified road system; Hough Road to the south and Casey Road to the north that the Road Commission does maintain for the travel of the public.

Mr. Gingell read the proposed resolution.

Mr. Duckert asked if the roadway was to be open and ungated, would there be any way to keep out motorists with 4-wheel drive pickups, dirt bikes and 4-wheelers?

Mr. Gingell stated that it would be open for all travel. Mr. Duckert then inquired, "so it could not be labeled as just a horse or walking path?" Mr. Gingell responded, to his knowledge, that is correct.

### **121620-193**

Motion by Commissioner Nichols, seconded by Commissioner Duckert to grant the abandonment and thus approve the Resolution to abandon a portion of General Squier Road:

WHEREAS, General Squier Road Right of Way is located in Section 21 and 28 of Dryden Township, T06N, R11E, described as a sixty-six foot (66') wide Right-Of-Way whose centerline is generally described as commencing at the Southwest ¼ corner of Section 21, thence easterly along the South Section Line of Section 21 to the Southeast ¼ corner of Section 21;

WHEREAS, 1.0 mile of General Squier Road was certified through the Lapeer County Road Commission's Local Road System mileage and the Act 51 Transportation Funds from 1936 through 1955;

WHEREAS, the Board of Road Commissioners decertified the westerly 0.92 miles of Right of Way at a Regular Board Meeting on April 15, 1955;

WHEREAS, The Board of Road Commissioners received a Petition requesting Abandonment of a Portion of the General Squier Road Right of Way is located in Section 21 and 28 of Dryden Township, T06N, R11E, described as a sixty-six foot (66') wide Right-Of-Way whose centerline is described as commencing at the Southwest ¼ corner of Section 21, thence easterly along the South Section Line of Section 21, 2,003.13-ft to the Point of Beginning, thence continuing easterly along said south section line 667.71-ft more or less to the South ¼ corner, thence continuing easterly along the said south section line 2,241.50-ft to the Point of Ending, said point of ending is also 422.4-ft (0.08 miles) westerly of the Southeast ¼ corner along the south section line of said Section 21;

WHEREAS, the above described **2,909.21-ft (0.55 miles) of General Squier Road** does not border, cross, is adjacent to, nor ends at a lake or stream;

WHEREAS, the above described **2,909.21-ft (0.55 miles) of General Squier Road** is located in the Right-Of-Way under the control of the Lapeer County Road Commission and is for public road purposes and is no longer being used as a public road, that no buildings of any kind or character are situated thereon and that the same should be absolutely abandoned and discontinued;

**THEREFORE, BE IT RESOLVED, that it is in the best interest of the public that said 2,909.21-Feet (0.55 Miles) of General Squier Road be absolutely abandoned and discontinued.**

BE IT FURTHER RESOLVED, that a true copy of this resolution shall be provided to the Clerk of the Township of Dryden and a true copy also be recorded in the Lapeer County Register of Deeds' office.

Roll call vote: Mr. Duckert, aye; Mr. Novak, abstain; Mr. Nichols, aye. Motion carried.

**Public Comment**

Susan Hough, 5047 Blood Road

Ms. Hough asked the Board how a citizen taxpayer can get access to a decertified road that is gated. What is the process for getting that gate removed?

Mr. Gingell stated that he will respond to Ms. Hough directly by email or mail.

Linda Dzenowagis

Ms. Dzenowagis wanted to let Mr. Duckert know that motorized vehicles are not allowed on decertified roads; there are no vehicles going through, they are trails. No one wants cars going through decertified roads.

Michelle Litkouhi

Ms. Litkouhi stated that she posted her opinions on the chat and that people should not play favoritism.

Chalmers Fitzpatrick

Ms. Fitzpatrick stated that she believes that Mr. Gingell's answer regarding motorized vehicles influenced the vote, and should be addressed. She also stated that she reached out to Mr. Novak to see if there was any work around, and that it should have at least been tabled until Mr. Novak is off of the Commission.

John and Barbara Waslyk

Mr. Waslyk stated his is satisfied with the vote.

Sally Rheaume

Ms. Rheaume stated that motorized vehicles are not allowed on trails, if that is any type of reasoning to get this closed down, it was the wrong reason. There won't be any 4-wheelers on there like there aren't any on Polly Ann Trail and Rails to Trails.

Diane Mathis

Ms. Mathis stated that it sure sounds like the decision was made prior to the meeting.

Ruthanne Flory

Ms. Flory stated that she disagreed with the abandonment and that it seems like it was a priorly arranged decision by the guys on the Commission that are all probably friends.

Amanda Sheldon

Ms. Sheldon stated she empathizes with the board members having to make this decision and Mr. Gingell's presentation clearly was prepared to knock down anybody who was in favor. She stated the 55-mph speed limit on Hough and Casey is a dangerous road system on a horse or to a runner.

**Commissioners Reports and Comments**

Mr. Nichols stated that he was in Columbiaville and they did a nice job on that bridge.

Mr. Duckert stated that he traveled a lot of these gravel roads and was surprised that they got them back into decent shape after the snow we had. That is tough on these gravel roads, so thank the guys for getting them back in shape.

Being no further business, Chairman Novak declared the meeting adjourned at 5:56 p.m.

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James Novak Jr., Chairman

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Linette Weston, Board Secretary

# Board of Lapeer County Road Commissioners

820 Davis Lake Road  
Lapeer, MI 48446

**AGENDA**  
**REGULAR BOARD MEETING**  
**ELECTRONIC REMOTE ACCESS**  
**Wednesday, December 30, 2020**  
**4:30 p.m.**

James Novak, Jr., Chairman  
Dale Duckert, Vice Chairman  
Les Nichols, Member

- Call to Order
- Pledge of Allegiance
- Approval of Agenda
- Approval of Prior Board Meeting Minutes for December 16, 2020.
- Approval of Accounts Payable and Payroll in the amount of \$593,976.81 dated December 31, 2020.
- **Managing Director Report**  
Motion to Declare 4 pieces of equipment as surplus:  
#8237 1988 Hyd Pole Saw  
#8239 1989 Hyd Pole Saw  
#8240 1992 Hyd Pole Saw  
#9735 1987 Backpack Blower
- **Engineering Report**  
Motion to approve the Bid Tabulations and award in the best interest of the Road Commission pending availability of funding between the Road Commission and Metamora Township.  
  
**Gardner Road Bridge over S. Br. Flint River** - The Work consists of furnishing all labor, material, and equipment required for removal of existing structures, **installation of a 23 foot by 7 foot precast concrete box culvert**, backfill, embankment, earth excavation, aggregate surface cse, guardrail, restoration, and related work as specified.  
**Barber Road Bridge over S. Br. of Flint River** - The Work consists of furnishing all labor, material, and equipment required for removal of existing structures, **installation of a 25 foot by 6 foot precast concrete box culvert**, backfill, embankment, earth excavation, aggregate surface cse, guardrail, restoration, and related work as specified.  
**Davison Lake Road Culvert over S. Br. of Flint River** - The Work consists of furnishing all labor, material, and equipment required for removal of existing structures, **installation of a 19 foot by 4 foot precast concrete box culvert**, backfill, embankment, earth excavation, aggregate surface cse, guardrail, restoration, and related work as specified.
- 2021 Organization
- Public Time
- Commissioner Reports and Comments
- Adjournment