

**OFFICIAL PROCEEDINGS
OF THE
ALPENA COUNTY ROAD COMMISSION**

January 5, 2016

The Board of County Road Commissioners of the County of Alpena met in regular session on the above date. The meeting was called to order by the Chairman, Darrel A. Spragg, at 3:00 p.m.

ROLL CALL

Present: Commissioners Tom Heise and Darrel Spragg.
Absent: Commissioner Fred Sterns.

Staff present: Larry Orcutt, Managing Director; Curt Gonyea, Superintendent; Julia Patterson, Finance Director; James Mazrum, Road Commission Attorney, and Susan Crowell, Board Secretary.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

AGENDA

Moved by Heise, seconded by Spragg, to adopt the agenda as presented. Motion carried unanimously.

MINUTES

Moved by Heise, seconded by Spragg, to approve the minutes of the regular meeting of December 15, 2015, and the special meeting of December 30, 2015. Motion carried unanimously.

MANAGING DIRECTOR REPORT

Managing Director Larry Orcutt presented a brief update on the following:

- A grade inspection meeting is scheduled January 6 with MDOT representatives to review preliminary plans and comments for the resurfacing of Nicholson Hill Road from Bushey Road to Wolf Creek Road. The project is still on target for an April bid opening.
- Working with MDOT on preliminary plans and provisions for a grade inspection for the Werth Road from US-23 to Piper Road project.
- Alpena County Road Commission trucks were involved in two accidents this past week while performing snow removal duties. Both accidents involved motorists attempting to pass the Road Commission trucks and there were no injuries.
- The Alpena County Road Commission will be the feature story in Saturday's Lifestyle section of the The Alpena News.

COMMISSIONERS' COMMENTS

Commissioner Heise questioned the positioning of the manhole covers along Werth Road from US-23 to Piper Road and how much it would take to move them to the right or to the left. Managing Director Larry Orcutt will consult with Huron Engineering regarding the possibility of relocating the manhole covers along this segment of Werth Road.

Mr. Orcutt noted that there is not sufficient funding to complete paving improvements beyond Lowell Avenue. MDOT is also suggesting the existing curb be replaced as part of this project. The cost of the curb replacement is estimated at approximately \$100,000 at 100 percent Road Commission expense. Huron Engineering agrees that the existing curb does not need to be replaced. This and other issues will be resolved in the grade inspection process.

COUNTY ROAD REPORT

The Superintendent presented the County Road Report for the period December 7, 2015, through December 27, 2015.

Moved by Heise, seconded by Spragg, that all reports become a part of the minutes. Motion carried unanimously.

DECEMBER 2015 BILLS

Moved by Heise, seconded by Spragg, to approve the December 2015 bills in the amount of \$453,956.97. Motion carried unanimously.

PURCHASES

Moved by Heise, seconded by Spragg, to approve the following purchases:

<u>Item</u>	<u>PO/Inv.</u>	<u>Date</u>	<u>Description</u>	<u>Amount</u>
1	592866	12/28/15	Besser Alpena, stainless steel truck box repair to Truck No. 93.	\$ 900.00
2	7730	12/31/15	Creative Benefits & Insurance Solutions, underground storage tank insurance Renewal for 2016.	\$ 6,509.78
3	53639-1	12/31/15	Municipal Employees' Retirement System, employer voluntary contribution.	\$300,000.00
4	520010	12/29/15	Oscar W. Larson Co., performed cathodic testing on (3) underground storage tanks.	\$ 500.00
<i>Total Purchases:</i>				<u><u>\$307,909.78</u></u>

Motion carried unanimously.

CONTRACT PAYMENTS

There were no Contract Payments for approval.

BOARD RECESS

The Chairman adjourned the meeting at 3:26 p.m. for recess.

BOARD RECONVENED

Board Secretary, Susan Crowell, reconvened the meeting at 3:27 p.m.

ROLL CALL

Present: Commissioners Heise and Spragg.
Absent: Commissioner Sterns.

The first order of business was the election of officers.

CHAIRMAN

Moved by Heise, seconded by Spragg, that Darrel A. Spragg be nominated as Chairman of the Board for 2016. There being no further nominations, a unanimous vote was cast in favor of Mr. Spragg.

VICE-CHAIRMAN

Moved by Heise, seconded by Spragg, that Fred Sterns be nominated as Vice-Chairman of the Board for 2016. There being no further nominations, a unanimous vote was cast in favor of Mr. Sterns.

The Board Secretary turned the meeting over to the 2015 Chairman, Darrel A. Spragg.

STAFF APPOINTMENTS

A. MANAGING DIRECTOR:

Moved by Heise, seconded by Spragg, that Larry Orcutt be appointed as Managing Director for 2016. Motion carried.

B. BOARD SECRETARY:

Moved by Heise, seconded by Spragg, that Susan D. Crowell be appointed as Board Secretary for 2016. Motion carried unanimously.

C. LEGAL COUNSEL:

Moved by Heise, seconded by Spragg, that the law firm of Gillard, Bauer, Mazrum, Florip, Smigelski & Gulden be retained as the Alpena County Road Commission's Attorneys for 2016. Motion carried unanimously.

SET MEETING DATE, TIME AND PLACE

Moved by Sterns, seconded by Heise, that the regular meetings of the Board of County Road Commissioners of Alpena County for 2016 be held on the first and third Tuesday of each month at 3:00 p.m., in the lower level conference room at the Road Commission offices located at 1400 North Bagley Street, Alpena, Michigan. Motion carried unanimously.

CHECKING ACCOUNT DEPOSITORY

Moved by Heise, seconded by Spragg, to designate First Merit Bank as the checking account depository for the General Road Fund, Payroll Account and Accounts Payable Account for 2016. Also, First Merit Bank, PNC Bank, First Federal, and Chemical Bank, or any other FDIC insured institution maintaining an office in the County that is authorized by statute, be designated as depositories for County Road Funds. Motion carried unanimously.

CHECK SIGNATURE AUTHORIZATION

Moved by Heise, seconded by Spragg, that Larry Orcutt, Managing Director, Susan D. Crowell, Administrative Assistant/Board Secretary, and Julia G. Patterson, Finance Director, are hereby authorized to sign checks for the Payroll Account and for the Accounts Payable Account. Motion carried unanimously.

ATTORNEY'S RETAINER FEE AGREEMENT

Moved by Heise, seconded by Spragg, to authorize the Chairman and Secretary to sign the annual Retainer Agreement, with the law firm of Gillard, Bauer, Mazrum, Florip, Smigelski and Gulden, for one year, from January 1, 2015, to December 31, 2016. The annual retainer fee of \$14,400 per year, payable monthly as the same accrues, at the rate of \$1200 per month. Retained services in excess of 67 hours of legal services shall be billed as additional charges. The Attorneys shall provide a semi-annual billing, showing services performed and time expended on Retained Services. Any additional legal work outside the scope of routine legal work will be at the standard hourly rate charged by the attorney handling the type of service, to the maximum of \$215.00 per hour, plus out-of-pocket expenses. Motion carried unanimously.

WERTH ROAD VIDEOTAPING

Moved by Heise, seconded by Spragg, to approve the cleaning and videotaping of the existing storm sewer on Werth Road from Lowell Avenue to US-23 by Suez at their estimated cost of \$3,080. Motion carried unanimously.

**COUNTY ROAD ASSOCIATION OF MICHIGAN
AMENDMENTS TO CONSTITUTION AND BYLAWS**

Moved by Heise, seconded by Spragg, to approve the two proposed amendments to the County Road Association of Michigan Constitution and Bylaws as recommended by the Board of Directors for Article V, Section 11, to establish a Legal Assistance Standing Committee and to change the name of the Association of Southern Michigan County Road Commissions to the Association of Southern Michigan County Road Agencies, as already approved by the Association of Southern Michigan County Road Agencies. Motion carried unanimously.

NEXT MEETING DATE

The next regularly scheduled meeting of the Board will be 3:00 p.m., Tuesday, January 19, 2016.

ADJOURNMENT

There being no further business to come before the Board, the Chairman declared the meeting adjourned at 3:40 p.m.

Darrel A. Spragg, Chairman

Susan D. Crowell,
Board Secretary