

BOARD OF ROAD COMMISSIONERS
FOR OAKLAND COUNTY, MICHIGAN

Thursday, July 22, 2021

1. THE meeting was called to order by the Chair of the Board, Andrea LaLonde at 9:00 A.M. in the Board Room of the County Road Commission Offices, 31001 Lahser Road, Beverly Hills, Michigan. Initial notice of the meeting was posted on November 09, 2020, in compliance with provisions of Act 267 of 1976.

An updated notice of the meeting with remote participation access was posted on April 2, 2020, in compliance with provisions of Act 267 of 1976, Section 3a and other applicable sections.

ROLL CALL: LALONDE – PRESENT; QUARLES – PRESENT; FOWKES – PRESENT

Dennis Kolar, Managing Director
Gary Piotrowicz, Deputy Managing Director
Jennifer Henderson, General Counsel
Melissa Williams, Director of Finance Department
Brad Knight, Director of Planning and Environmental Concerns – Remote/Beverly Hills, MI
Darryl Heid, Director of Highway Maintenance – Remote/Waterford, MI
David Czerniakowski, Director of Customer Services – Remote/Waterford, MI
Samuel Fitzer, Director of Engineering Department
Mary Gillis, Director of Central Operations – Remote/Waterford, MI
Danielle Deneau, Director of Traffic-Safety – Remote/Waterford, MI
Pam Cahill, Director of Human Resources – Remote/Beverly Hills, MI
Craig Bryson, Public Information
Shannon Miller, Deputy-Secretary/Clerk of the Board

2. Chair LaLonde lead the Pledge of Allegiance to the Flag.

3. MOVED BY: FOWKES SUPPORTED BY: QUARLES

THAT the Board approve the agenda for July 22, 2021, as written.

MOTION CARRIED UNANIMOUSLY

4. Chair LaLonde recognized the following members of the public who wished to address the Board:

Joe Andrews
30176 Magnolia
New Hudson, MI 48165

Mr. Andrews requested the timing of the left turn arrow be extended for the signal at Milford and Lyon Road in New Hudson. He also noted the condition of Pontiac Trail and an ongoing drainage issue that needs to be addressed, along with a request for Martindale south of Pontiac Trail to be reviewed. A small discussion was held to answer a few of his concerns, including Dennis Kolar, Managing Director, informing him that a request for seal coating in the Arbors of Lyon subdivision needs to be addressed by the homeowner's association. Chair LaLonde and Commissioner Fowkes thanked Mr. Andrews for attending.

Eugene Otulakowski
2850 E Oakwood Road
Oxford, MI 48371

Mr. Otulakowski attended remotely via phone conference. He informed the Board that he and his neighbors felt they were in a forgotten area regarding maintenance and conditions of surrounding roads. He has concerns for emergency vehicles, visibility issues, as well as deterioration to vehicles due to "over" chloriding. He noted the number of calls into our Customer Service Department. Roads of concern include Ray Road, North Oxford, Noble Road, Oakwood and Kingsbury. Chair LaLonde thanked Mr. Otulakowski for reaching out and asked that Darryl Heid, Director of Highway Maintenance, follow-up with him after the meeting.

5. MOVED BY: QUARLES SUPPORTED BY: FOWKES

THE Board approve the minutes of July 8, 2021, as written.

MOTION CARRIED UNANIMOUSLY

6. Chair LaLonde asked Dennis Kolar, Managing Director, to review the status of State and Local Executive orders in place addressing the COVID-19 pandemic. Mr. Kolar presented the following:

We are now almost a month into our all in-person schedules. It has been a busy month for our teams, and we are proud of the work they are doing each day. We continue to enforce our Response Plan and conduct daily self-screenings. There have not been any reported cases of COVID to date this month.

Oakland County continues to see low case rates locally and the county is above the state average with respect to vaccination rates. The state has moved to reporting COVID data only twice a week, on Tuesdays and Fridays.

In light of this progress, we are initiating our plan for re-opening our buildings to the public next month. For safety purposes, we will require masks for those entering our buildings and for those interacting with the public. The safety of our employees and the motoring public remains our number one priority.

7A. MOVED BY: QUARLES SUPPORTED BY: FOWKES

RESOLVED, that checks numbered 504472 through 504520; and, ACH payments 51962 through 52000 numbered 88 be approved for payment for an aggregate amount of \$923,542.58; and,

FURTHER RESOLVED, that the Oakland County Treasurer be directed to pay the checks from the funds in the County Road Account.

MOTION CARRIED UNANIMOUSLY

7B. MOVED BY: QUARLES SUPPORTED BY: FOWKES

RESOLVED, that checks numbered 504521 through 504608; and, ACH payments 52001 through 52034 numbered 122 be approved for payment for an aggregate amount of \$2,738,954.83; and,

FURTHER RESOLVED, that the Oakland County Treasurer be directed to pay the checks from the funds in the County Road Account.

MOTION CARRIED UNANIMOUSLY

8. MOVED BY: QUARLES SUPPORTED BY: FOWKES

THAT Permits applications issued by the Road Commission for Oakland County, Customer Service Department, be approved and become effective on the date issued:

	62325	Through		62369	Construction Permits
S	0439	Through	S	0478	Driveway Permits

MOTION CARRIED UNANIMOUSLY

9. MOVED BY: QUARLES SUPPORTED BY: FOWKES

Edward J. Duda, Jr. has served as a Mechanic New Hire, Mechanic, and Tandem Float Driver; and

WHEREAS, Edward J. Duda, Jr. has been a valued employee of the Road Commission for Oakland County since March 11, 1996; and

WHEREAS, he served the Road Commission for Oakland County and the citizens of Oakland County for 25 years and 5 months to his retirement on August 1, 2021; and

NOW, THEREFORE, BE IT RESOLVED that the Board extends to Edward J. Duda, Jr. its sincere appreciation of his dedicated service and best wishes for his retirement.

MOTION CARRIED UNANIMOUSLY

10. MOVED BY: QUARLES SUPPORTED BY: FOWKES

WHEREAS, this Board is in the process of reconstructing Milford Road over Buckhorn Creek in the Township of Rose, County of Oakland, State of Michigan, being Road Commission Project Number 55893 ("Project");

WHEREAS, Milford Road in the Township of Rose is a county primary road under the jurisdiction and control of the Board;

WHEREAS, the Project requires the acquisition of a highway easement ("Highway Easement") and temporary easement ("Temporary Easement") over a vacant parcel of land ("Property") that is known as Parcel Number 1, part of Tax Parcel No. 06-22-327-002. The Property is more particularly described in the records of this Board's Engineering Department, with said description being incorporated by reference herein;

WHEREAS, Carl Bradley, State Certified General Appraiser, has prepared an appraisal report, dated April 23, 2021, estimating the just compensation for the Highway Easement to be \$774.00 and the just compensation for the Temporary Easement to be \$86.00, with the total just compensation being \$860.00;

WHEREAS, the owner has executed a Highway Easement in the amount of \$774.00 and a Temporary Easement in the amount of \$86.00, for a total amount of \$860.00, which is equal to the total estimated just compensation;

WHEREAS, the Property has the following record ownership and parties in interest:

Michigan Nature Association
2310 Science Parkway, Suite 100
Okemos, MI 48864

WHEREAS, the Board has reviewed the relevant materials regarding the Property and is otherwise informed about the subject matter;

NOW, THEREFORE, BE IT RESOLVED this Board hereby approves the Highway Easement and Temporary Easement, as proposed, over the Property, and the Board authorizes payment of \$860.00 to the owners and parties in interest in exchange for the conveyance. The Board further authorizes the Right of Way Division to complete the transaction and record the necessary documents with the Oakland County Register of Deeds.

MOTION CARRIED UNANIMOUSLY

11. MOVED BY: QUARLES SUPPORTED BY: FOWKES

WHEREAS, on September 24, 2020, the Board of County Road Commissioners (the "Board") previously approved and adopted the Fiscal Year 2021 Budget;

WHEREAS, the increase in staffing and purchase of a Shoulder Maintainer in the Southfield District has necessitated the need for a Shoulder Maintainer position to perform shoulder maintenance operations more efficiently within the Southfield District;

WHEREAS, the authorized positions within Exhibit Form A-7 for the Highway Maintenance Department includes forty-eight (48) Tandem Float Drivers and three (3) shoulder Maintainer positions, the reclassification of a Tandem Float Driver to Skilled Laborer I position would reduce the number of Tandem Float Drivers to forty-seven (47) and increase the number of Shoulder Maintainer positions to four (4);

NOW, THEREFORE, BE IT RESOLVED, that the Board hereby approves reclassifying a Tandem Float Driver position to a Shoulder Maintainer position to the Highway Maintenance Department on the Salary Authorized Position List, Exhibit Form A-7, within the Road Commission for Oakland County Fiscal Year Budget for 2021.

MOTION CARRIED UNANIMOUSLY

12. MOVED BY: QUARLES SUPPORTED BY: FOWKES

A small discussion was held on the request for a Total Compensation Study.

MOVED TO TABLE BY: QUARLES SUPPORTED BY FOWKES

MOTION CARRIED UNANIMOUSLY

13.1. MOVED BY: QUARLES SUPPORTED BY: FOWKES

WHEREAS, Article VII, Section 29 of the Michigan Constitution of 1963 provides in part that no person operating a public utility shall have the right to the use of the highways, streets, alleys or other public places of any county for wires, poles, pipes, tracks, conduits or other utility facilities, without the consent of the constituted authority of the county; and further provides that, except as otherwise provided in that Constitution, the right of all counties to the reasonable control of their highways, streets, alleys and public places is reserved to such local unit of government;

WHEREAS, Act 283 of 1909 provides in part that a person shall not construct, operate, maintain or remove a facility or perform any other work within the right of way of a county road, except sidewalk installation and repair, without first obtaining a permit from the county road commission having jurisdiction over the road;

WHEREAS, ACT 200 of 1969 provides for regulation of driveways, banners, events and parades in to, upon and over highways, and for the prescription of requirements, issuance of permits, and promulgation of rules therefor;

WHEREAS, Act 283 of 1909 and Act 200 of 1969 provide that the Board of County Road Commissioners may after a public hearing adopt requirements and rules, and

WHEREAS, the Board of County Road Commissioners of the County of Oakland has promulgated rules entitled "Road Commission for Oakland County Permit Rules, Specifications and Guidelines" for administration of aforesaid statutes;

WHEREAS, after the required public notice was published, a public hearing was held at the Paul Van Roekel Service Center, located at 2420 Pontiac Lake Road, Waterford, Michigan 48327, on June 23, 2021, at which time there were no objections;

WHEREAS, this Board hereby determines that the rules, as promulgated, are consistent with the public safety and are based upon the traffic volumes, drainage requirements, and the character of the use of land adjoining the highways and other requirements of the public interest, and that the rules do prescribe reasonable standards for the design and construction within the public right of way; and

WHEREAS, from the findings of the Board it is deemed appropriate to adopt the rules so as to regulate and manage activity in and affecting the public right of way;

NOW, THEREFORE, BE IT RESOLVED, that:

1. The Department of Customer Services' "Permit Rules, Specifications and Guidelines," dated June 23, 2021, be and are hereby adopted.
2. All prior rules, standards and procedures conflicting with this resolution are hereby repealed.
3. The effective date of aforesaid Department of Customer Services' "Permit Rules, Specifications and Guidelines" shall be October 1, 2021.

MOTION CARRIED UNANIMOUSLY

13.2. MOVED BY: QUARLES SUPPORTED BY: FOWKES

WHEREAS, Article VII, Section 29 of the Michigan Constitution of 1963 provides in part that no person operating a public utility shall have the right to the use of the highways, streets, alleys or other public places of any county for wires, poles, pipes, tracks, conduits or other utility facilities, without the consent of the constituted authority of the county; and further provides that, except as otherwise provided in that Constitution, the right of all counties to the reasonable control of their highways, streets, alleys and public places is reserved to such local unit of government.

WHEREAS, Act 283 of 1909 provides in part that a person shall not construct, operate, maintain or remove a facility or perform any other work within the right of way of a county road, except sidewalk installation and repair, without first obtaining a permit from the county road commission having jurisdiction over the road;

WHEREAS, Act 283 of 1909 and Act 200 of 1969 provide that the Board of County Road Commissioners may after a public hearing adopt a schedule of application and permit fee schedule to cover the costs involved in processing and application and issuing a permit, and

WHEREAS, the Board of County Road Commissioners of the County of Oakland has promulgated a revised application and permit fee schedule for administration of aforesaid statutes;

WHEREAS, after the required public notice was published, a public hearing was held at the Paul Van Roekel Service Center, located at 2420 Pontiac Lake Road, Waterford, Michigan 48327, on June 23, 2021, at which time there were no objections;

WHEREAS, this Board hereby determines that the revised application and permit fee schedule, as promulgated, are appropriate to recover the costs incurred by the Board of County Road Commissioners of the County of Oakland; and

WHEREAS, from the findings of the Board it is deemed appropriate to adopt the aforementioned revised fee schedule;

NOW, THEREFORE, BE IT RESOLVED, that:

1. Revised application and permit fee schedule, dated June 23, 2021, is and is hereby adopted.
2. All prior application and permit fee schedule conflicting with this application and permit fee schedule are hereby repealed.
3. The effective date of aforesaid revised application and permit fee schedule shall be October 1, 2021.

MOTION CARRIED UNANIMOUSLY

14A. MOVED BY: QUARLES SUPPORTED BY: FOWKES

WHEREAS, Clark Road between Meadow Lane and Hogback Lake Road is under the jurisdiction of this Board; and

WHEREAS, the Board has been requested to temporarily close Clark Road between Meadow Lane and Hogback Lake Road in order to facilitate railroad crossing repair; and

WHEREAS, 1917 PA 165, as amended, authorizes this Board to close roads or portions of roads under the jurisdiction of this Board, which roads and portions of roads are under repair; and

WHEREAS, no County road under the jurisdiction and control of this Board shall be closed under the provisions of said Act until suitable barriers have been erected at the ends of the County road under repair, or the closed portion thereof, suitable barriers being those which conform to the Manual of Uniform Traffic Control Devices, adopted pursuant to Section 608 of 1949 PA 300; and

WHEREAS, no County road under the jurisdiction and control of this Board shall be closed under the provisions of 1917 PA 165, as amended, until a suitable detour around said County road is provided and placed in a reasonably safe condition for the passage of traffic, and proper warning signs are installed along said detour as is determined to be necessary to plainly mark the same; and

NOW, THEREFORE, BE IT RESOLVED, that in accordance with the provisions of 1917 PA 165, as amended, Clark Road between Meadow Lane and Hogback Lake Road will hereby be closed on July 26, 2021 through August 3, 2021.

BE IT FURTHER RESOLVED, that a detour is hereby established; such detour route being Hogback Lake Road to Andersonville Road of which all are under the jurisdiction of this Board.

BE IT FURTHER RESOLVED, that the CN Railroad is hereby directed to supply, install, maintain and remove suitable barriers, signs and lighting in accordance with the detour plans supplied by the CN Railroad and with the provisions of the aforesaid statute. The contractor is also directed to provide additional signs as may be required by the Board.

MOTION CARRIED UNANIMOUSLY

14B. MOVED BY: QUARLES SUPPORTED BY: FOWKES

WHEREAS, Rattalee Lake Road between Eagle Road and Terrace Road is under the jurisdiction of this Board; and

WHEREAS, the Board has been requested to temporarily close Rattalee Lake Road between Eagle Road and Terrace Road in order to facilitate railroad crossing repair; and

WHEREAS, 1917 PA 165, as amended, authorizes this Board to close roads or portions of roads under the jurisdiction of this Board, which roads and portions of roads are under repair; and

WHEREAS, no County road under the jurisdiction and control of this Board shall be closed under the provisions of said Act until suitable barriers have been erected at the ends of the County road under repair, or the closed portion thereof, suitable barriers being those which conform to the Manual of Uniform Traffic Control Devices, adopted pursuant to Section 608 of 1949 PA 300; and

WHEREAS, no County road under the jurisdiction and control of this Board shall be closed under the provisions of 1917 PA 165, as amended, until a suitable detour around said County road is provided and placed in a reasonably safe condition for the passage of traffic, and proper warning signs are installed along said detour as is determined to be necessary to plainly mark the same; and

NOW, THEREFORE, BE IT RESOLVED, that in accordance with the provisions of 1917 PA 165, as amended, Rattalee Lake Road between Eagle Road and Terrace Road will hereby be closed on July 28, 2021 through August 6, 2021.

BE IT FURTHER RESOLVED, that a detour is hereby established; such detour route being Eagle Road to E. Davisburg Road to Terrace Road of which all are under the jurisdiction of this Board.

BE IT FURTHER RESOLVED, that the CN Railroad is hereby directed to supply, install, maintain and remove suitable barriers, signs and lighting in accordance with the detour plans supplied by the CN Railroad and with the provisions of the aforesaid statute. The contractor is also directed to provide additional signs as may be required by the Board.

MOTION CARRIED UNANIMOUSLY

15A. MOVED BY: QUARLES SUPPORTED BY: FOWKES

THAT the Board approve the request for Appropriation Transfer No. 21-15 in the amount of \$519,050 to redistribute budget and transfer funds for additional expense due to COVID 19 cleaning and supplies, changes to District 8/Lab project and vector disposal station from Diesel Fuel to Miscellaneous Line Items.

MOTION CARRIED UNANIMOUSLY

15B. MOVED BY: QUARLES SUPPORTED BY: FOWKES

THAT the Board approve the request for Appropriation Transfer No. 21-17 in the amount of \$2,088,100 for additional budget for 2021 Gravel Haul Program, funded by Consumers Energy Pipeline Permit (\$1,800,000) and various township revenue (\$288,100).

MOTION CARRIED UNANIMOUSLY

16A. MOVED BY: QUARLES SUPPORTED BY: FOWKES

THAT the Board approve and sign the Traffic Signal Engineering Services Agreement with Orchard, Hiltz and McCliment, Inc. for Orchard Lake Road, Middlebelt Road to Old Telegraph Road; Project No. 55011, and authorize the Managing Director to execute the agreement on behalf of the board.

MOTION CARRIED UNANIMOUSLY

16B. MOVED BY: QUARLES SUPPORTED BY: FOWKES

THAT the Board approve and sign the Geotechnical Engineering Services Agreement with G2 Consulting Group, LLC for Novi Road, 9 Mile Road to 10 Mile Road; Project No. 55051, and authorize the Managing Director to execute the agreement on behalf of the board.

MOTION CARRIED UNANIMOUSLY

17A. MOVED BY: QUARLES SUPPORTED BY: FOWKES

THAT the Board approve and sign the Federal Aid Funds Purchase Agreement with Keweenaw County Road Commission for Novi Road / Rochester Road; Project Nos. 56341 / 56351, and authorize the Managing Director to execute the agreement on behalf of the board.

MOTION CARRIED UNANIMOUSLY

17B. MOVED BY: QUARLES SUPPORTED BY: FOWKES

THAT the Board approve and sign the Federal Aid Funds Purchase Agreement with Osceola County Road Commission for Novi Road / Rochester Road; Project Nos. 56341 / 56351, and authorize the Managing Director to execute the agreement on behalf of the board.

MOTION CARRIED UNANIMOUSLY

18. MOVED BY: QUARLES SUPPORTED BY: FOWKES

WHEREAS, this Board, in cooperation with the Michigan Department of Transportation, has programmed the hot mix asphalt surface removal and paving work along Pontiac Trail from Haggerty Road to Green Lake Road, in the Charter Township of West Bloomfield, as Road Commission for Oakland County Project No. 55041; and

WHEREAS, this Board has received Michigan Department of Transportation Contract No. 21-5298 for:

PART A – FEDERAL PARTICIPATION

Hot mix asphalt surface removal and paving, widening, drainage repairs, concrete curb and gutter repairs, guardrail, signing and pavement markings along Pontiac Trail from Haggerty Road to Green Lake Road; and all together with necessary related work.

PART B – NO FEDERAL PARTICIPATION

Irrigation along limits as described in PART A; and all together with necessary related work.

WHEREAS, paragraph 19 of Contract No. 21-5298 states:

“This contract shall become binding on the parties hereto and of full force and effect upon the signing thereof by the duly authorized officials for the parties hereto and upon the adoption of the necessary resolutions approving said contract and authorizing the signatures thereto of the respective officials of the REQUESTING PARTY, a certified copy of which resolution shall be attached to this contract.”

NOW, THEREFORE, BE IT RESOLVED that this Board approves Michigan Department of Transportation Contract No. 21-5298 for hot mix asphalt surface removal and paving work along Pontiac Trail from Haggerty Road to Green Lake Road, in the Charter Township of West Bloomfield, Oakland County, Michigan; and by this resolution authorizes the Managing Director to execute the contract on behalf of the Board.

MOTION CARRIED UNANIMOUSLY

19. MOVED BY: QUARLES SUPPORTED BY: FOWKES

THAT the Board approve and sign Contract Authorization No. 2 for District 8 Building / Lab Renovation in the amount of \$50,479.29 or 2.67% increase over the original contract price of \$3,108,535.53 with F.H. Martin, 28740 Mound Road, Warren, MI 48092.

MOTION CARRIED UNANIMOUSLY

20A. MOVED BY: QUARLES SUPPORTED BY: FOWKES

THAT bids were advertised for, electronically opened and posted on Tuesday, May 18, 2021 for Security Camera Replacement and Expansion at All RCOC Locations, RFP 03-2021. A complete tabulation of bids exported from MITN/Bid Net Direct shall remain on file in the Clerk's Office of the Road Commission. Bids were solicited from several suppliers with seven response(s) received.

THE Board accept and award the bid to the low proposal meeting specifications from AOB Security LLC, dba Security Designs, Farmington Hills, MI in the amount of \$228,046.75; all other proposals be rejected and the Board authorize the Managing Director to act on behalf of the Board.

MOTION CARRIED UNANIMOUSLY

20B. MOVED BY: QUARLES SUPPORTED BY: FOWKES

THAT bids were advertised for, electronically opened and posted on Tuesday, June 15, 2021 for Telescopic Sign Posts, Annual Estimated Quantities, IFB No. 1385.1. A complete tabulation of bids exported from MITN/Bid Net Direct shall remain on file in the Clerk's Office of the Road Commission. Bids were solicited from several suppliers with four response(s) received.

THE Board accept and award the bid to the low bidder meeting specifications from Unistrut Detroit, Wayne, MI, in the amount of \$17,500.00, with terms of net 30 days, FOB destination; all other bids be rejected and the Board authorize the Managing Director to act on behalf of the Board.

MOTION CARRIED UNANIMOUSLY

21A. MOVED BY: QUARLES SUPPORTED BY: FOWKES

THAT the Board approve the purchase of Mastic Hot Applied Patching Product utilizing the State of Michigan Sourcewell Contract No. 052417-CFC from National Highway Maintenance System Ltd., LLC, Akron, OH for an estimated amount of \$85,633.20.

MOTION CARRIED UNANIMOUSLY

21B. MOVED BY: QUARLES SUPPORTED BY: FOWKES

THAT the Board approve the purchase of four Mid-Sized Signal Boom Trucks utilizing the State of Michigan MiDeal Contract No. 071B7700167 from Altec Industries, Inc., Indianapolis, IN in the amount of \$672,148.00.

MOTION CARRIED UNANIMOUSLY

22. Chair LaLonde brought up the recent tanker fire incident that occurred on I-75 in Troy to review the emergency response plan within the agency and outside communities/emergency personnel. Dennis Kolar, Managing Director, will target the first meeting in September to present an overview of coordination/communication among the parties involved in an emergency event.

22. THERE being no further business to come before the Board of Road Commissioners, Oakland County, Chair LaLonde adjourned the meeting at 9:57 A.M.

Shannon Miller Digitally signed by Shannon Miller
Date: 2021.08.05 10:40:48 -04'00'

Shannon Miller, Deputy-Secretary/Clerk of the Board