

BOARD OF ROAD COMMISSIONERS
FOR OAKLAND COUNTY, MICHIGAN

Thursday, February 2, 2023

1. THE meeting was called to order by the Chair of the Board, Andrea LaLonde at 9:02 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 4, 2022, in compliance with provisions of Act 267 of 1976.

ROLL CALL: LALONDE – PRESENT; QUARLES – PRESENT; McPHERSON – 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
Darryl Heid, Director of Highway Maintenance
David Czerniakowski, Director of Customer Services
Samuel Fitzer, Director of Engineering Department
Mary Gillis, Director of Central Operations
Danielle Deneau, Director of Traffic-Safety
Pam Cahill, Director of Human Resources
Craig Bryson, Public Information
Shannon Miller, Deputy-Secretary/Clerk of the Board

Chair LaLonde welcomed and introduced new commissioner, Eric D. McPherson, as well as introductions of staff to Commissioner McPherson.

2. Chair LaLonde lead the Pledge of Allegiance to the Flag.
3. MOVED BY: QUARLES SUPPORTED BY: McPHERSON

THAT the Board approve the agenda for February 2, 2023, as written.

MOTION CARRIED UNANIMOUSLY

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

Jessica Geyer
5901 Red Coat Lane
West Bloomfield, MI 48322

Ms. Geyer presented the Board with concerns of the Special Assessment District (SAD) process, as she was unaware of the procedure when she moved into her home that had been assessed. She inquired about the percentage(s) of requests for improvement that make it through completion and was looking for understanding on how best to address failing roads within subdivisions. Both Dennis Kolar, Managing Director, and Sam Fitzer, Director of Engineering, addressed her questions and offered that some townships provide assistance in the process. They encouraged her to continue raising awareness to communities and representatives.

Joe Andrews
30176 Magnolia
New Hudson, MI 48165

Mr. Andrews returned to the Board looking for updates on road/drainage improvements for Pontiac Trail, Grand River and within his subdivision located in South Lyon. Gary Piotrowicz relayed to Mr. Andrews the drainage study for Pontiac Trail has been completed and the project is lined up for 2026. He also noted the section between 11 Mile Road to the railroad tracks is in the overlay program and the section north of 9 Mile to the city is included in the 2026 project. A small discussion was held addressing the remaining concerns.

5. MOVED BY: QUARLES SUPPORTED BY: McPHERSON

THE Board approve the minutes of January 19, 2023, 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 happy to report that Oakland County is now at low on the CDC community transmission level as of last week's data. In fact, the entire state, except for Monroe County, is now at low. There are no counties at high. Oakland County's 7-day average case count is down to around 80. We had 7 cases reported within the agency last month, for the second month in a row.

We will continue to monitor the data as it updates weekly and make any necessary changes. As always, employees are encouraged to stay home when they are sick, wash their hands, mask up where and when appropriate, so that we can all do our part to maintain a safe and healthy workplace.

- 7A. MOVED BY: QUARLES SUPPORTED BY: McPHERSON

RESOLVED, that checks numbered 508353 through 508412; and ACH payments 54873 through 54927 numbered 115 be approved for payment for an aggregate amount of \$2,767,099.17 and, checks 507099, and 507103 voided; 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: McPHERSON

RESOLVED, that checks numbered 508413 through 508454; and ACH payments 54928 through 54957 numbered 72 be approved for payment for an aggregate amount of \$722,228.06 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: McPHERSON

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

	63992	Through		64049	Construction Permits
W	0005	Through	W	0017	Driveway Permits

MOTION CARRIED UNANIMOUSLY

9. MOVED BY: QUARLES SUPPORTED BY: McPHERSON

WHEREAS, CLIPPER COURT and LAKE KNOLLS DRIVE, platted in Seymour Lake Knolls No. 1; COVEY HILL DRIVE, LAKE KNOLLS DRIVE, and MC INTYRE COURT, platted in Seymour Lake Knolls No. 2; all in Section 35, Brandon Township, Oakland County, Michigan, are public streets under the jurisdiction of the Board; and

WHEREAS, on January 20, 2023 the Board of County Road Commissioners received an application by petition for a Special Assessment Road Improvement Project; and

WHEREAS, as provided by Act 246, Michigan State Statute for the year 1931 as amended, this petition was circulated to obtain more than 51% of the lineal footage of lands fronting or touching each and all of the described streets said frontages being certified as CLIPPER COURT - 0.00%, COVEY HILL DRIVE - 0.00%, LAKE KNOLLS DRIVE - 5.55%, MCINTYRE COURT - 21.19%.

NOW, THEREFORE, BE IT RESOLVED, that pursuant to Act 246, the application by petition for a Special Assessment Improvement Project for each and all of the described streets has been found to be **INVALID**; and

BE IT FURTHER RESOLVED, that this Board hereby orders that a copy of this resolution shall be served by First Class Mail to each owner of, or party in interest in property to be assessed, at their address as shown upon the latest local tax records.

MOTION CARRIED UNANIMOUSLY

10. MOVED BY: QUARLES SUPPORTED BY: McPHERSON

WHEREAS, The Board of County Road Commissioners of the County of Oakland ("Board") owns the property where the PVR facilities are located, which is identified by Tax Parcel ID No. 13-24-251-003 ("Property"), which is in the Township of Waterford, Oakland County, Michigan;

WHEREAS, the Mainland Drain Drainage District ("Mainland") requested an easement over the Property in order to construct, operate, maintain, repair or replace the Mainland Drain ("Mainland Drain Easement");

WHEREAS, the County of Oakland ("County") requested easements over the Property in order to construct, operate, maintain, repair, or replace a sanitary sewer system ("Sanitary Easement"), to construct, operate, maintain, repair, or replace an underground communications/fiber system ("Communications Easement"), and to construct, operate, maintain, repair, or replace an underground primary power electrical system ("Primary Power Easement");

WHEREAS, this Board has considered the necessity and advisability of the matter and in its judgment, it is in the best interest of the public to approve and grant the Mainland Drain Easement to Mainland and to approve and grant the Sanitary Easement, Communications Easement, and Primary Power Easement to the County;

NOW, THEREFORE, BE IT RESOLVED that the Board approves and grants the Mainland Drain Easement to Mainland and approves and grants the Sanitary Easement, Communications Easement, and Primary Power Easement to the County.

BE IT FURTHER RESOLVED that the Board authorizes the Managing Director to execute said four (4) easements on behalf of the Board.

MOTION CARRIED UNANIMOUSLY

11. MOVED BY: QUARLES SUPPORTED BY: McPHERSON

WHEREAS, this Board is in the process of replacing the Bear Creek Court Culvert in the Township of Oakland, County of Oakland, State of Michigan, being Road Commission Project Number 56624 ("Project");

WHEREAS, Bear Creek Court in the Township of Oakland is a sub-local road under the jurisdiction and control of the Board;

WHEREAS, the Project requires the acquisition of a temporary easement ("Temporary Easement") over a parcel of land ("Property") that is known as Parcel Number 5, part of Tax Parcel No. 10-28-227-001, and commonly known as Bear Creek Park. 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 October 26, 2022, estimating the just compensation for the Temporary Easement to be \$2,139.00;

WHEREAS, the owner has executed a Temporary Easement in the total amount of \$2,139.00. This amount is equal to the estimated just compensation;

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

Bear Creek Association, Inc.
1157 Bear Creek Ct.
Rochester, MI 48306

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 Temporary Easement, as proposed, over the Property, and the Board authorizes payment of \$2,139.00 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

12. MOVED BY: QUARLES SUPPORTED BY: McPHERSON

WHEREAS, Mode Development, Inc., as developer of Sorelle Estates, a condominium project within Section 23, Oakland Township, wishes to dedicate the roads within said condominium project as public; which roads are more fully described in the records of the Board's Engineering Department; and

WHEREAS, Oakland Township supports the request for public dedication of the roads; and

WHEREAS, the developer has requested "Concept" approval from this Board for acceptance of the subject roads as part of the county road system; and

WHEREAS, the Board's County Highway Engineer has reviewed this matter and recommends that such "Concept" approval be granted by the Board; and

WHEREAS, in the Judgment of the Board acceptance of said roads into the county road system, subject to the conditions set forth below, would be in the best interest of the public.

NOW, THEREFORE, BE IT RESOLVED that this Board grants "Concept" approval to accepting Pompilio Drive and Willis Drive in the Sorelle Estates condominium project, within Section 23, Oakland Township, into the county road system, subject to the following conditions:

1. That the plans and specifications for the construction of the required road and road drainage improvements shall be reviewed and approved by the Road Commission, prior to construction.
2. Preliminary plan and construction plan approvals confer upon the developer the conditional right that the general terms and conditions under which approval was granted will not be changed for a period of 2 years from date of approval. The 2-year period may be extended by the Road Commission.
3. That all such construction shall be in accordance with this Board's current standards and specifications for subdivision streets.
4. That the developer shall comply with all other requirements as outlined in the Board's published "Rules and Regulations for Street Development".
5. That the developer shall comply with all requirements as outlined in the Board's published "Permit Rules, Specifications and Guidelines" including obtaining driveway permits. Issuance of driveway permits does not indicate acceptance of the streets by the Board.
6. That the Road Commission shall have the right to perform material and construction inspection; and that inspection, administrative and signing costs incurred by the Road Commission, shall be paid by the developer, consistent with the relevant provisions of the Board's "Rules and Regulations for Street Development".
7. That, upon satisfactory completion of construction, the developer shall cause an acceptable Engineer's certificate to be submitted to the Road Commission.
8. That the developer shall submit a dedication or conveyance instrument acceptable to the Road Commission; together with satisfactory evidence (including a title policy commitment, if requested by the Road Commission) of the legal authority of the dedicator or grantor to dedicate or convey the subject roads.
9. That the master deed and bylaws of said condominium project shall contain provisions establishing powers of the condominium association to sign petitions for, and to act on behalf of, all condominium co-owners in all statutory proceedings regarding special assessment improvements of the subject roads.

10. That the master deed and bylaws of said condominium shall provide easements for road storm drainage outside of the road right-of-way and specify provisions for maintenance of the drainage facilities therein in a form acceptable to both the Road Commission and Township.

BE IT FURTHER RESOLVED that upon satisfactory compliance by the developer, with all of the above conditions, the Board will formally accept the subject roads into the county road system and will thereafter provide routine maintenance.

MOTION CARRIED UNANIMOUSLY

13. MOVED BY: QUARLES SUPPORTED BY: McPHERSON

WHEREAS, the Board of County Road Commissioners of the County of Oakland has accepted Deeds which convey public dedication of the road rights-of-way for the following streets within unplatted developments:

LYON TOWNSHIP (Cert. Map Page T11)

<u>DEVELOPMENT</u>	<u>STREET NAME</u>	<u>LIBER</u>	<u>PAGE</u>
DEVONSHIRE PHASE 1 Section 36 See attached Exhibit 230202A	ABINGDON STREET (0.16 mi) BARNSTAPLE COURT (0.05 mi) BARNSTAPLE DRIVE (0.13 mi) TORBAY DRIVE (0.39 mi)	57564	401-410

WHEREAS, said Deeds are recorded with the Oakland County Register of Deeds; and

WHEREAS, the streets have been constructed to a state that they are now open to traffic.

NOW, THEREFORE, BE IT RESOLVED that the Board of County Road Commissioners of the County of Oakland has jurisdiction and control over the aforementioned roads and right-of-way for public road purposes; and

BE IT FURTHER RESOLVED, that Notice of Determination of the Board to adopt and take over the above-mentioned roads as the portion of the county road system of the County of Oakland be given the necessary governmental agencies and published in a newspaper, printed and circulated in this county, once in each week for three consecutive weeks in accordance with the statutes in such cases made and provided; and

BE IT FURTHER RESOLVED, that the Board notify the Michigan Department of Transportation of the adoption of said road as part of the county road system of the County of Oakland.

ROLL CALL: AYES: LALONDE, QUARLES, McPHERSON
NAYES: NONE

MOTION CARRIED UNANIMOUSLY

14. MOVED BY: QUARLES SUPPORTED BY: McPHERSON

WHEREAS, Section 5, act 51, Public Act of 1951, as amended, required the Road Commission to submit an annual certification report of all the mileages in the County Primary road system and County Local road system for approval by the State Transportation Commission; and

WHEREAS, the mileages on the respective systems are based on the certified lengths of roads and streets under our jurisdiction which are open to public travel and are amended and summarized as follows for period ending December 31, 2022.

<u>COUNTY WIDE:</u>	
Primary Roads	843.71
Local Roads	1,915.76
County Total	2,759.47
<u>WITHIN URBAN AREA:</u>	
Primary Roads	746.47
Local Roads	1,691.59
Urban Area Total	2,438.06

NOW, THEREFORE, BE IT RESOLVED, that these mileages be amended and certified for December 31, 2022, by the Board of Oakland County Road Commissioner's; and

BE IT FURTHER RESOLVED, that the Chairman be authorized to sign on behalf of the Board the cover sheet of the maps depicting the roads.

MOTION CARRIED UNANIMOUSLY

15. MOVED BY: QUARLES SUPPORTED BY: McPHERSON

WHEREAS, the Michigan Department of Transportation (MDOT) administers the Transportation Economic Development Fund - Category "A" program to promote increased economic potential and improve the quality of life through support of job creation and retention in Michigan; and

WHEREAS, eligible recipients include all county road commissions in the State of Michigan; and

WHEREAS, General Motors (GM) is investing \$4 billion to convert the Orion Assembly plant to produce electric trucks using the General Motors developed Ultium Platform, which gives the company the flexibility to build vehicles for every customer and segment. This investment is expected to create more than 2,350 new jobs at Orion and retain approximately 1,000 current jobs when the plant is fully operational. General Motors estimates the new jobs at Orion will be filled by a combination of General Motors transferees and new hires. Electric truck production, including the Chevrolet Silverado EV and electric GMC Sierra, will begin at Orion in 2024. The Orion investment will drive significant facility and capacity expansion at the site, including new body and paint shops and new general assembly and battery pack assembly areas. Production of the Chevrolet Bolt EV and EUV will continue during the plant's conversion. Site work has already begun.; and

WHEREAS, the project includes total removal of existing pavement and replacement with 10" of hot mix asphalt and replacement of curb and gutter on Brown Road from Jamm Road to South Giddings Road, Giddings Road from Brown Road to Silverbell Road and Silverbell Road from Giddings Road to M-24 (Lapeer Road). The project will include construction of a left-turn lane on Brown Road from approximately N. Atlantic Boulevard to the existing left turn lane at Giddings Road. Construction of right turn lanes at GM gate 3, GM gate 4, and GM haulway yard gate. Construction of storm sewer separation along Brown Road and Giddings Road. Installation of traffic signals at GM gate 1, GM gate 3, and GM gate 4. Construction of right turn flare at GM gate 1; and

WHEREAS, the Board of County Road Commissioners for Oakland County, Michigan, the Charter Township of Orion, the City of Auburn Hills, and the Federal Surface Transportation Program will enter into a local cost participation agreement for \$5,000,000 in local match for the project; and

WHEREAS, the Board of County Road Commissioners for Oakland County, Michigan will serve as lead agency, issue construction permits for work in the road right-of-way, coordinate the design of the project and provide staff to inspect and administer the construction activities and properly maintain the roads after project completion; and

WHEREAS, this Board authorizes the Managing Director to submit any necessary application or other paperwork to facilitate the project after completion; and

NOW, THEREFORE, BE IT RESOLVED, that the Board of Road Commissioners for Oakland County, Michigan actively seeks Transportation Economic Development Fund - Category "A" funds for the rehabilitation and reconstruction of Brown Road; Giddings Road; and Silver Bell Road and hereby directs that the application for funding be submitted to the Michigan Department of Transportation, Office of Economic Development.

MOTION CARRIED UNANIMOUSLY

16. MOVED BY: QUARLES SUPPORTED BY: McPHERSON

THAT the Board approve and sign Contract Authorization No. 8 for 2021 Maintenance Concrete Patch Program, Project No. 2021904 in the amount of \$34,275.00 or 271.6% increase over the original contract price of \$1,270,248.00 with Cipparrone Contracting, Inc., 30555 Southfield Road Suite 250, Southfield, MI 48076.

MOTION CARRIED UNANIMOUSLY

17. MOVED BY: QUARLES SUPPORTED BY: McPHERSON

WHEREAS, this Board did enter into a Subdivision Bond dated February 17, 2022 by and between Devonshire of Lyon LLC, a Michigan Limited Liability Company, hereinafter referred to as the principal, the Board of County Road Commissioners of the County of Oakland, a Public Body Corporate, hereinafter referred to as the Board, and North American Specialty Insurance Company, hereinafter referred to as Surety; and

WHEREAS, the Principal did deposit the sum of \$112,000.00 with the Surety to guarantee certain road and road drainage improvements in the subdivision known as Devonshire Phase 1, Lyon Township, Section 36, Work Order No. SD0016; and

WHEREAS in the judgment of the Engineering Department and this Board sufficient improvements have been made in connection with the road and road drainage in the above mentioned subdivision to permit the release of \$112,000.00 to the Principal leaving a balance of None in said Subdivision Bond.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Road Commissioners, County of Oakland, hereby authorizes and directs North American Specialty Insurance Company to release the sum of \$112,000.00 to the Principal leaving a balance of None in said Subdivision Bond.

MOTION CARRIED UNANIMOUSLY

18. MOVED BY: QUARLES SUPPORTED BY: McPHERSON

THAT the Board approve and sign the Local Cost Participation Agreement with the Charter Township of Oakland for Gunn Road, Rochester Road to end of pavement; Project No. 57082, and authorize the Managing Director to execute the agreement on behalf of the board.

MOTION CARRIED UNANIMOUSLY

19. MOVED BY: QUARLES SUPPORTED BY: McPHERSON

THAT the Board approve and sign the Road Paving Service Agreement with Bloomfield Township / Township Administered SAD No. 425 for Kirkway Subdivision Improvement Project; Project No. 03133 (57112), and authorize the Managing Director to execute the agreement on behalf of the board.

MOTION CARRIED UNANIMOUSLY

20. MOVED BY: QUARLES SUPPORTED BY: McPHERSON

THAT the Board approve and sign the Project Development Services Agreement with The Mannik & Smith Group, Inc. for Grand River Avenue, Napier Road to Wixom Road; Project No. 56001, and authorize the Managing Director to execute the agreement on behalf of the board.

In discussion on the motion, Commissioner McPherson inquired about a responsible bidder policy. General Counsel Jennifer Henderson responded and made reference to County Road Law and existing policy. Managing Director Dennis Kolar also responded that The Mannik & Smith Group is a pre-qualified contractor approved by the Board.

MOTION CARRIED UNANIMOUSLY

21. MOVED BY: QUARLES SUPPORTED BY: McPHERSON

THAT bids were advertised for, electronically opened and posted on Tuesday, December 27, 2022 for Aggregate Spreader Parts, Monroe, Annual Estimated Quantities, IFB No. 3460. 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 one response(s) received.

THE Board accept and award the bid to the sole bidder meeting specifications from Truck & Trailer Specialties, Inc., Dutton, MI in the amount of \$39,352.95, with terms of net 30-45 days, FOB destination; and the Board authorize the Managing Director to act on behalf of the Board.

MOTION CARRIED UNANIMOUSLY

22. MOVED BY: QUARLES SUPPORTED BY: McPHERSON

THAT bids were advertised for, received, electronically opened and posted on Tuesday, January 17, 2023 for: Traffic Signal Modernization at 9 Locations, Project No. 902022-1:

Contractor's Name	Amount of Bid
Dan's Excavating, Inc.	\$ 2,184,106.55
Rauhorn Electric, Inc.	\$ 2,250,609.35
J. Ranck Electric, Inc.	\$ 2,588,844.29

THE Board accept the proposal of the low bidder Dan's Excavating, Inc.; in the amount of \$2,184,106.55, that all other bids be rejected, and the Board authorize the Managing Director to act on behalf of the Board to proceed with requirements to execute a contract for this Project upon receipt of the necessary bonds and insurance and all other related documents.

MOTION CARRIED UNANIMOUSLY

23. MOVED BY: QUARLES SUPPORTED BY: McPHERSON

TCO NO.: TS 757-14-2023

WHEREAS, under the provisions of Chapter VI of Act No. 300, Public Acts of Michigan of 1949, as amended (Michigan Vehicle Code), this Board is authorized to place and maintain traffic control devices and traffic control signals on any highway under its jurisdiction for the purpose of regulating, warning or guiding traffic; and

WHEREAS, Rochester Road and Stoney Creek Road are county roads under the jurisdiction of this Board and, in the interest of public safety it is deemed necessary to place and maintain certain traffic control devices and/or signals on said highways to regulate, warn or guide traffic.

NOW, THEREFORE BE IT RESOLVED, that at the intersection of Rochester Road and Stoney Creek Road, in the Charter Township of Oakland, a traffic signal shall be installed and operated in accordance with the Board's Policy as directed by the Director of Traffic-Safety.

BE IT FURTHER RESOLVED, that a certified copy hereof be filed with the County Clerk of the County of Oakland, Michigan.

MOTION CARRIED UNANIMOUSLY

24. There was no new business.

25. THERE being no further business to come before the Board of Road Commissioners, Oakland County, Chair LaLonde adjourned the meeting at 9:42 A.M.

Shannon Miller, Deputy-Secretary/Clerk of the Board