

**REGULAR MONTHLY MEETING
DICKINSON COUNTY ROAD COMMISSION
TUESDAY, FEBRUARY 8, 2022**

The Regular Monthly Meeting of the Dickinson County Road Commission was held on Tuesday, February 8, 2022 at 6:00 P.M. at the Road Commission office located at 1107 S. Milwaukee Ave., Iron Mountain, MI 49801.

The meeting was called to order by Chairman Carey and the Pledge of Allegiance was recited.

PRESENT: Commissioner Johnson, Commissioner Bilski, Commissioner Olson, Commissioner Brisson, and Commissioner Carey

ABSENT: None

Also present were: Jim Harris, Managing Director; Missy Berger, Director of Finance; Todd Donaldson, Dickinson County Road Commission; Steve Tinti, Road Commission Attorney; Henry Wender, County Board Liaison; Louis Sturm, Waucedah Township; Mike Pohlson, Dickinson County Road Commission; Gabe Rowell, Dickinson County Road Commission; Guy Livermore, Dickinson County Road Commission; Timothy Compton, Breen Township and Ben Aho, Breen Township.

CITIZEN'S TIME: Ben Aho, Breen Township, informed the Board of his concerns regarding access to his property on Old Ball Park Road and his request to have this matter promptly resolved. Timothy Compton, Breen Township, informed the Board of his concerns with the property lines on Old Ball Park Road. Chairman Carey stated that this is an agenda item and will be discussed additionally at that time.

APPROVE/AMEND AGENDA: Chairman Carey asked if anyone had any amendments to the agenda. Being none, a motion was made by Commissioner Brisson and supported by Commissioner Bilski to approve the agenda. All ayes, and the motion carried.

APPROVE REPORTS: A motion was made by Commissioner Bilski and supported by Commissioner Olson to approve the Managing Director, Director of Finance, Engineer, Superintendent, and Construction Supervisor reports as presented. All ayes and the motion carried.

APPROVE MINUTES: A motion was made by Commissioner Bilski and supported by Commissioner Brisson to approve the minutes from the January 11, 2022 Regular Meeting. All ayes and the motion carried.

APPROVE PAYMENTS: A motion was made by Commissioner Bilski and supported by Commissioner Brisson to approve payrolls in the amount of \$166,610.43
Roll Call Vote: Commissioner Brisson – aye, Commissioner Johnson – aye, Commissioner Olson – aye, Commissioner Bilski – aye, and Chairman Carey – aye.
The motion carried.

A motion was made by Commissioner Bilski and supported by Commissioner Olson to approve time checks in the amount of \$234,569.31. Roll Call Vote: Commissioner Johnson – aye, Commissioner Brisson – aye, Commissioner Bilski – aye, Commissioner Olson – aye, and Chairman Carey – aye. The motion carried.

A motion was made by Commissioner Brisson and supported by Commissioner Bilski to approve material bills in the amount of \$147,968.79. Roll Call Vote: Commissioner Brisson – aye, Commissioner Johnson – aye, Commissioner Bilski – aye, Commissioner Olson – aye, and Chairman Carey – aye. The motion carried.

The total for the approved was \$549,148.53

VOTE FOR (1) CANDIDATE FOR THE CRA BOARD OF DIRECTORS:

Managing Director Harris explained his confidence in and respect for Dirk Heckman and offered his support in a vote for Dirk Heckman. A motion was made by Commissioner Bilski and supported by Commissioner Brisson to vote for Dirk Heckman for the CRA Board of Directors. Roll Call Vote: Commissioner Olson – aye, Commissioner Johnson – aye, Commissioner Bilski – aye, Commissioner Brisson – aye and Chairman Carey – aye. The motion carried.

HEALTH INSURANCE DISCUSSION: Director of Finance Berger informed the Board that after the Union Contract was finalized the TPOAM Union Representative recommended and the Union President then presented an alternative to our current coverage. The new coverage is through Western Michigan Health Insurance Pool. A lengthy discussion regarding the different plans presented, the plan the Union requested and the financial benefits to the Road Commission took place. A motion was made by Commissioner Bilski and supported by Commissioner Olson to approve the change of plans and to adopt and approve Director of Finance Berger to certify the Resolution authorizing membership into the Western Michigan Health Insurance Pool for a minimum of 3 years. Roll Call Vote: Commissioner Olson – aye, Commissioner Brisson – aye, Commissioner Bilski – aye, Commissioner Johnson – aye, and Chairman Carey – aye. The motion carried.

BOARD OF Road Commissioners OF
Dickinson County

**RESOLUTION AUTHORIZING PUBLIC ENTITY MEMBERSHIP
IN THE WEST MICHIGAN HEALTH INSURANCE POOL ("WMHIP") FOR A MINIMUM
THREE-YEAR PERIOD**

PREMISES

A. The Western Michigan Health Insurance Pool ("WMHIP") is a Public Employer Pooled Plan ("PEPP") that provides pooled self-funded health insurance coverage, as authorized by the Public Employees Health Benefit Act, Act 106 of 2007.

B. WMHIP has received from the Michigan Department of Insurance and Financial Services ("DIFS") a certificate of registration authorizing establishment of the PEPP.

C. The Board has had opportunity to consider the obligations of the Public Entity to WMHIP and PEPP plans, and services available to the Public Entity by WMHIP, and has carefully reviewed the WMHIP Amended Trust Agreement and Bylaws.

D. The Board desires to authorize membership of the Public Entity in the WMHIP for a minimum period of three years.

NOW, THEREFORE, the Board of the Public Entity hereby resolves:

1. The Board approves the WMHIP Amended Trust Agreement and bylaws, and accepts WMHIP provision of Public Entity self-funded, pooled health insurance coverage under the PEPP plan.

2. The Superintendent, Manager, or CFO of the Public Entity or, with their approval, the person appointed by the Board as WMHIP Trustee or Alternate Trustee, is hereby authorized to

execute all documents necessary for the Public Entity to become a Member in the WMHIP PEPP plan.

3. The Board hereby confirms its appointment of the following persons as Trustee and Alternate Trustee to serve as Trustee when the initial Trustee is not available or in attendance to carry out the Trustee's duties:

Missy Berger

Katie Davis

As required by law, neither the Trustee nor the Alternate Trustee is an owner, officer, or employee of any third-party administrator or any other third party providing services to WMHIP. The Trustee and Alternate Trustee shall serve until replaced by action of the Board. Once appointments are made known to the WMHIP, the persons appointed shall remain in office until the WMHIP receives evidence of appointment of other persons. Evidence of proper appointment of the Trustee and Alternate Trustee shall be a certified copy of the resolution passed by the Board, indicating the names of the designated Trustee and/or Alternate Trustee. Failure of the Public Entity to designate a Trustee, or the failure of that Trustee/Alternate Trustee to participate on the Board of Trustees, shall not affect the responsibilities or duties of the Public Entity under the Amended Trust Agreement.

4. The Public Entity shall continue participation in the WMHIP for a minimum of three full years under its PEPP plan.

5. All resolutions and parts of resolutions insofar as they conflict with the provisions of this Resolution be and the same are hereby rescinded.

CERTIFICATE

I hereby certify that the foregoing is a true and complete copy of a resolution adopted by the Board of Road Commissioners of Dickinson County Public Entity, _____ County(ies), State of Michigan, at a Regular meeting held on 2/8, 2022, and that this meeting was conducted and public notice of this meeting was given pursuant to and in full compliance with the Open Meetings Act, being Act 267, Public Acts of Michigan, 1976, and that the minutes of this meeting were kept and will be or have been made available as required by this Act.

I further certify that the following Members were present at this meeting:

Commissioners
Dale Johnson, Allan Bilski, Quinn Olson, Dave Brisson, Jim Carey and that the following Members were absent none.

I further certify that the foregoing resolution was moved by Member Bilski and seconded by Member Olson.

I further certify that the following Members voted for adoption of the foregoing resolution:

Johnson, Bilski, Olson, Brisson, Carey and that the following Members voted against adoption of this resolution:
none.

Mary Berger
Secretary

APPROVE PA 202 WAIVER FOR PENSION: Director of Finance Berger informed the Board the waiver is required to show that the Road Commission is continuing to address the underfunded status of the Pension. A brief discussion took place. A motion was made by Commissioner Brisson and supported by Commissioner Bilski to approve the waiver application. Roll Call Vote: Commissioner Brisson – aye, Commissioner Johnson – aye, Commissioner Olson – aye, Commissioner Bilski – aye, and Chairman Carey – aye. The motion carried.

PROJECT DISCUSSION: Managing Director Harris informed the Board of the Planning Session that took place earlier in the day regarding the Local Road Projects for 2022. A handout was given to the Board showing the various projects proposed by the Townships. Managing Director Harris stated the 75%/25% contractor option was utilized this year due to budget constraints resulting from the carryover of projects from 2021 to 2022. A lengthy discussion took place regarding potential funding from the County Board, Township concerns, Road Commissions funding policy and work that could be performed by the Road Commission forces to reduce some contractor costs. A motion was made by Commissioner Bilski and supported by Commissioner Johnson to authorize bids for Township Projects with the temporary change in policy for 2022. Roll Call Vote: Commissioner Johnson – aye, Commissioner Brisson – aye, Commissioner Bilski – aye, Commissioner Olson – aye, and Chairman Carey – aye. The motion carried.

APPROVE RFP FOR COUNTY ROAD 581 HILL-CUT PROJECT: Managing Director Harris informed the Board Engineer Malburg requested the RFP for consultants. Consultants were going to be utilized on this project, but now that there is

a shortage in the Engineering Department there is a need for additional engineering help. A brief discussion took place regarding the costs and testing required. A motion was made by Commissioner Bilski and supported by Commission Olson to award Coleman Engineering the RFP for the County Road 581 Hill-Cut project in the amount of \$49,110.00 . Roll Call Vote: Commissioner Johnson – aye, Commissioner Brisson – aye, Commissioner Bilski – aye, Commissioner Olson – aye, and Chairman Carey – aye. The motion carried.

APPROVE RFP FOR COUNTY ROAD 569 BRIDGE REPLACEMENT:

Managing Director Harris stated that Engineer Malburg requested the RFP for bridge design, surveying and other related work. A brief discussion took place. A motion was made by Commissioner Brisson and supported by Commissioner Johnson to award UP Engineering the RFP for the approximate amount of \$80,400. Roll Call Vote: Commissioner Bilski – aye, Commissioner Olson – aye, Commissioner Johnson – aye, Commissioner Brisson – aye, and Chairman Carey – aye. The motion carried.

PLOW TRUCK DISCUSSION: Managing Director Harris stated that due to the current economic realities and delays in manufacturing he and Shop Foreman McDonald are requesting to bid for new trucks now, to be delivered in 2023, and payments to begin in 2024. A discussion took place. A motion was made by Commissioner Olson and supported by Commissioner Bilski to authorize Managing Director Harris to go out for Plow Truck Bids. Roll Call Vote: Commissioner Johnson – aye, Commissioner Bilski - aye, Commissioner Olson – aye, Commissioner Brisson – aye, and Chairman Carey – aye. The motion carried.

OLD BALL PARK ROAD DISCUSSION WITH ATTORNEY TINTI: Road Commission Attorney Tinti explained to the Board and audience the different Michigan Road Laws that have been enacted over the years. He further explained the research that he has done to date. Attorney Tinti stated that the road was not a Township turnover road and not a State turnback road. The road first appeared on the Road Commission certification maps in 1963 and the portion under asphalt is clearly a county road. The decision that the Board makes needs to be based upon the records we have, and be able to defend and maintain the issue if a dispute comes later. He further stated that we have ruled out somethings and are trying to get the last details together. There is nothing conscience from the Road Commission as a policy or direction regarding this road. He stated that drivers did plow beyond the asphalt to avoid backing up or turning around. To date Attorney Tinti stated that he has not found public records showing public usage that are not property owners, and that is a critical element in order to make a viable claim to a highway by user. He lastly stated that he is not finished researching this issue and that no final determination has been made. Chairman Carey informed the audience that when an opinion has been made by Attorney Tinti it would be made public.

COUNTY BOARD LIAISON: Henry Wender, County Board Liaison informed the Board that he had met with County Controller Bousley and Managing Director Harris regarding the CARES money that the county has received. He stated that the County Board has some priority pet projects that they would like to take care of. He further stated that the money would have to be spent on a road projects, and suggested that at the next Township Association all involved should discuss this matter further.

TOWNSHIP COMMENTS: None

CITIZENS TIME: Timothy Compton stated some of the issues he has had with neighbors.

COMMISSIONERS PRIVILEGE: Chairman Carey introduced the new Superintendent of Roads Todd Donaldson, who then gave the Board a short description of his work background.

Commissioner Johnson inquired about the plan for mowing this summer.

Commissioner Bilski commended the Road Crew for their snow plowing efforts during the last couple of storms and the good job they did on keeping the roads open.

Managing Director Harris stated that the Supervisor from Breen Township contacted him regarding when road restrictions are put on. A brief discussion took place. He went on to state that Commissioner Bilski inquired about options for funding and SIB loan was discussed for Cheese Factory Road and we would research what needs to be done to secure this type of loan. Chairman Carey mentioned contacting the Mills to see if they could assist with funding for the Cheese Factory Road.

Director of Finance Berger informed the Board of the overages on the County Road 577 & 573 bridges bid, but the projects are not capped. The split is 95%/5%. She also reminded the Board that the March meeting will be held on Monday, March 7th.

A motion was made by Commissioner Bilski and supported by Commissioner Johnson to adjourn. All ayes, and the motion carried. The meeting adjourned at 7:25 P.M.

Jim Carey, Chairman

Missy Berger, Secretary