

**REGULAR MONTHLY MEETING  
DICKINSON COUNTY ROAD COMMISSION  
TUESDAY, MAY 9, 2023**

The Regular Monthly Meeting of the Dickinson County Road Commission was held on Tuesday, May 9, 2023 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 Bilski, Commissioner Olson, Commissioner Brisson, Commissioner Johnson and Commissioner Carey

ABSENT:

Also present were: Jim Harris, Managing Director; Lance Malburg, Engineer; Todd Donaldson, Superintendent of Roads; Henry Wender, County Board Liaison; Karen Edberg, Sagola Township; Bob Edberg, Sagola Township; Don Minerick, Sagola Township; Ryan Mulder, Sagola Township; Mike Cline, Sagola Township Supervisor; Louis Sturm, Waucedah Township Supervisor; Mike Badini, Breitung Township; Mike Pohlson, Dickinson County Road Commission; and Mike Salczenko, Dickinson County Road Commission.

CITIZEN'S TIME: Bob Edberg, Sagola Township presented a letter and a petition signed by several residents who oppose crushing back the Leeman Road to gravel. Ryan Mulder, Sagola Township raised concerns about the Silver Lake Road/ORV trail.

APPROVE/AMEND AGENDA: Chairman Carey asked if anyone had any amendments to the agenda. A motion was made by Commissioner Bilski and supported by Commissioner Brisson to add the Silver Lake discussion to the agenda to 10.2. All ayes, and the motion carried.

APPROVE REPORTS: A motion was made by Commissioner Brisson and supported by Commissioner Bilski 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 Brisson and supported by Commissioner Johnson to approve the minutes from the Special Meeting held on March 25, 2023 and the Regular Meeting held on April 11, 2023. All ayes and the motion carried.

APPROVE PAYMENTS: A motion was made by Commissioner Bilski and supported by Commissioner Olson to approve payrolls in the amount of \$180,119.20. Roll Call Vote: Commissioner Johnson – aye, Commissioner Brisson – 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 \$328,334.53. Roll Call Vote: Commissioner Brisson – aye, Commissioner Johnson – aye, Commissioner Bilski – aye, Commissioner Olson – aye, and Chairman Carey – aye. The motion carried.

A motion was made by Commissioner Bilski and supported by Commissioner Brisson to approve material bills in the amount of \$122,440.29. Roll Call Vote: Commissioner Bilski – aye, Commissioner Johnson – aye, Commissioner Olson – aye, Commissioner Brisson – aye, and Chairman Carey – aye. The motion carried.

The total for the approved was \$630,894.02.

SIGN CONTRACT WITH BACCO FOR COUNTY ROAD 577 GLASS & RUBBER PROJECT: A motion was made by Commissioner Brisson and supported by Commissioner Olson to sign the contract with Bacco for the County Road 577 Glass & Rubber project. Roll Call Vote: Commissioner Brisson – aye, Commissioner Bilski – aye, Commissioner Olson – aye, Commissioner Johnson – aye, and Chairman Carey – aye. The motion carried.

SIGN CONTRACT WITH MJ VANDAMME FOR DUST CONTROL MINERAL WELL BRINE: A motion was made by Commissioner Bilski and supported by Commissioner Johnson to sign contracts with MJ VanDamme for the Dust Control Mineral Well Brine. Roll Call Vote: Commissioner Johnson – aye, Commissioner Olson – aye, Commissioner Brisson – aye, Commissioner Bilski – aye, and Chairman Carey – aye. The motion carried.

SILVER LAKE ROAD DISCUSSION: Managing Director Harris stated that he has a legal opinion from Road Commission Attorney Steve Tinti, but needs a motion and support to waive attorney client privilege so the opinion can be shared with others. A motion was made by Commissioner Brisson and supported by Commissioner Bilski to waive the attorney client privilege. Roll Call Vote: Commissioner Bilski – aye, Commissioner Olson – aye, Commissioner Brisson - aye, Commissioner Johnson – aye, and Chairman Carey – aye. The motion carried.

Managing Director Harris stated that Attorney Steve Tinti's legal opinion is that he believes the road in question (Silver Lake Road) was a state highway that was cancelled and that after extensive research there is no evidence that this is a county road. He further stated that he has a meeting next week with Attorney Tinti and will present him with easements that were provided by Ryan Mulder of Sagola Township for further review. A discussion took place.

**LAW OFFICE OF STEVEN J. TINTI**

STEVEN J. TINTI, ATTORNEY

201 S. FIFTH STREET (U.S. 2), P.O. BOX 98  
CRYSTAL FALLS, MI 49920  
(906) 875-7151702 NORWAY STREET (U.S. 2)  
NORWAY, MICHIGAN 49876  
(906) 567-8100

August 5, 2022

ATTORNEY/CLIENT PRIVILEGE - waived per approval of OCRC Board (Regular monthly meeting Tuesday May 9, 2023)

E-MAIL [jim@dickinsonerc.com](mailto:jim@dickinsonerc.com), [todd@dickinsonerc.com](mailto:todd@dickinsonerc.com)Jim Harris  
Todd Rowell  
Dickinson County Road Commission  
P.O. Box 519  
Iron Mountain, MI 49861

Re: Route Known as "Silver Lake Road"

Dear Gentlemen:

In reviewing the State Highway Commission correspondence dated February 20, 1936 with the provisions of Public Act 334 of 1913 and Public Act 74 of 1929, the route of the state trunk line previously established includes the Sawyer Lake Road to the intersection of what is referred to as "Silver Lake Road", thence on "Silver Lake Road" until coming back on the alignment of the existing M-95. The correspondence indicated this portion of the state trunk line was "cancelled." The correspondence further indicates that the "cancelled" portion of "trunk line [was] established September 26, 1919." The portion now referred to as "Silver Lake Road" appears to have not been maintained, certified and/or claimed as a county road by the Board of County Road Commissioners of the County of Dickinson after February 20, 1936.

The word "cancelled" can be construed as this portion of the state trunk line (which formerly was a county road) was longer to be part of the state trunk line or possibly was "cancelled" before the same became built as part of the state trunk line. The power to "... change, alter or abandon the location of any portion of any trunk line highway now established or which may hereinafter be established by legislative authority . . ." was added by 74 PA 1929 to the powers of the State Highway Commissioner. It is my educated guess that this route of the state trunk line was being "cancelled" as the rerouted state trunk line route became in service. The notation of "-7.2 miles" in the upper right corner of the correspondence seems to support this possibility. It is possible that the Michigan Department of Transportation may have records on this rerouting that should be sought out and reviewed.

Jim Harris  
Todd Rowell  
Dickinson County Road Commissioner  
Page 2  
August 5, 2022

At this time, unless the Board of County Road Commissioners of the County of Dickinson has undiscovered records of county maintenance or county certification after February 20, 1936, it is my belief that the "Silver Lake Road" is not currently under the control or jurisdiction of the Board of County Road Commissioners of the County of Dickinson. It would appear that the historical deeds which apply to the "Silver Lake Road" real estate were either for an old county road that became a state trunk line road on September 26, 1919 and that was subsequently cancelled or were obtained in preparation for part of a state trunk line project that was subsequently cancelled. In either case, the Board of County Road Commissioners of the County of Dickinson has as of this date not located any records for in excess of 100 years to show "Silver Lake Road" has been maintained, certified and/or claimed as a county road.

If additional records are found, these initial conclusions may need to be revised to reflect the impact of any new information discovered. Once all possible known records have been reviewed, if the present initial conclusions are correct, the adoption of a resolution identifying the deeds of record for "Silver Lake Road" and indicating that the Board of County Road Commissioners of the County of Dickinson has not maintained, certified and/or claimed as a county road "Silver Lake Road" since prior to September 26, 1919 may be advisable. A certified copy of any resolution that is adopted should then be recorded at the Dickinson County, Michigan Register of Deeds Office.

If there are any questions, please feel free to contact me.

Sincerely,

  
Steven J. Tinti

kh  
d:harris@rowell.050522r

**AWARD TURNERS GRADE/GRAND OAK LOCAL ROAD PROJECT:** A discussion ensued regarding the increase in costs from previous bids received this year. Managing Director Harris then read the bids aloud. A motion was made by Commissioner Bilski and supported by Commissioner Brisson to award project to low bidder Bacco Construction in the amount of \$176,871.80. Roll Call Vote: Commissioner Olson – aye, Commissioner Johnson – aye, Commissioner Brisson – aye, Commissioner Bilski – aye, and Chairman Carey – aye. The motion carried.

**2023 Turners Grade Rd. / Grand Oak Dr.**

**BID TAB**

Bid Opening 05/02/2023 12:00 Noon

| Turners Grade Rd. / Grand Oak Dr. |          |      | Engineer Estimate |               | Bacco        |               | Payne & Dolan |               |
|-----------------------------------|----------|------|-------------------|---------------|--------------|---------------|---------------|---------------|
| ITEM                              | QUANTITY | UNIT | UNIT PRICE        | COST          | UNIT PRICE   | COST          | UNIT PRICE    | COST          |
| Mobilization                      | 1        | LSum | \$ 14,200.00      | \$ 14,200.00  | \$ 15,000.00 | \$ 15,000.00  | \$ 21,000.00  | \$ 21,000.00  |
| Pulverize Existing Asphalt        | 8,770    | Syd  | \$ 1.10           | \$ 9,647.00   | \$ 0.87      | \$ 7,629.90   | \$ 0.90       | \$ 7,893.00   |
| Roadway Grading                   | 34.1     | Sta  | \$ 475.00         | \$ 16,197.50  | \$ 709.00    | \$ 24,176.90  | \$ 475.00     | \$ 16,197.50  |
| 22A Gravel Base                   | 100      | Ton  | \$ 40.00          | \$ 4,000.00   | \$ 34.90     | \$ 3,490.00   | \$ 35.00      | \$ 3,500.00   |
| HMA, EL (or LVSP)                 | 1,150    | Ton  | \$ 93.00          | \$ 106,950.00 | \$ 106.00    | \$ 121,900.00 | \$ 113.00     | \$ 129,950.00 |
| Monument Box Adjust               | 0        | Ton  |                   | \$ -          |              | \$ -          |               | \$ -          |
| Traffic Control, Complete         | 1        | LSum | \$ 5,000.00       | \$ 5,000.00   | \$ 4,675.00  | \$ 4,675.00   | \$ 5,000.00   | \$ 5,000.00   |

AS READ \$ 176,871.80 \$ 183,540.50  
 AS CALCULATED \$ 155,994.50 \$ 176,871.80 \$ 183,540.50

**AWARD SOUTH SPRUCE STREET LOCAL ROAD PROJECT:** Managing Director Harris read the bids aloud. A motion was made by Commissioner Bilski and supported by Commissioner Olson to award the project to low bidder Bacco Construction in the amount of \$90,012.03. Roll Call Vote: Commissioner Johnson – aye, Commissioner Brisson – aye, Commissioner Bilski – aye, Commissioner Olson – aye, and Chairman Carey – aye. The motion carried.

**2023 Spruce Street**

**BID TAB**

Bid Opening 05/02/2023 12:00 Noon

| Spruce Street                |          |      | Engineer Estimate |              | Bacco        |              | Payne & Dolan |              |
|------------------------------|----------|------|-------------------|--------------|--------------|--------------|---------------|--------------|
| ITEM                         | QUANTITY | UNIT | UNIT PRICE        | COST         | UNIT PRICE   | COST         | UNIT PRICE    | COST         |
| Mobilization                 | 1        | LSum | \$ 6,200.00       | \$ 6,200.00  | \$ 14,700.00 | \$ 14,700.00 | \$ 21,000.00  | \$ 21,000.00 |
| Culv, Rem, Less Than 24 Inch | 1        | Each | \$ 780.00         | \$ 780.00    | \$ 782.00    | \$ 782.00    | \$ 1,800.00   | \$ 1,800.00  |
| Pulverize Existing Asphalt   | 3,823    | Syd  | \$ 1.10           | \$ 4,205.30  | \$ 1.21      | \$ 4,625.83  | \$ 1.10       | \$ 4,205.30  |
| Roadway Grading              | 12.8     | Sta  | \$ 475.00         | \$ 6,080.00  | \$ 724.00    | \$ 9,267.20  | \$ 700.00     | \$ 8,960.00  |
| Concrete Removal             | 80       | Syd  | \$ 10.00          | \$ 800.00    | \$ 32.40     | \$ 2,592.00  | \$ 36.00      | \$ 2,880.00  |
| CONC. PAVT, MISC, 6 Inch     | 25       | Syd  | \$ 60.00          | \$ 1,500.00  | \$ 161.00    | \$ 4,025.00  | \$ 150.00     | \$ 3,750.00  |
| Manhole Cover, Adjust        | 2        | Each | \$ 500.00         | \$ 776.00    | \$ 776.00    | \$ 1,552.00  | \$ 600.00     | \$ 1,200.00  |
| Culv, CL A, CSP, 12 Inch     | 40       | Ft   | \$ 140.00         | \$ 5,600.00  | \$ 115.00    | \$ 4,600.00  | \$ 92.70      | \$ 3,708.00  |
| HMA, EL (or LVSP)            | 371      | Ton  | \$ 93.00          | \$ 34,503.00 | \$ 110.00    | \$ 40,810.00 | \$ 108.00     | \$ 40,068.00 |
| HMA Approach                 | 10       | Ton  | \$ 150.00         | \$ 1,500.00  | \$ 207.00    | \$ 2,070.00  | \$ 245.00     | \$ 2,450.00  |
| Erosion Control Silt Fence   | 60       | Ft   | \$ 5.00           | \$ 300.00    | \$ 6.05      | \$ 363.00    | \$ 10.00      | \$ 600.00    |
| Traffic Control, Complete    | 1        | LSum | \$ 6,225.00       | \$ 6,225.00  | \$ 4,625.00  | \$ 4,625.00  | \$ 5,000.00   | \$ 5,000.00  |

AS READ \$ 90,012.03 \$ 95,621.30  
 AS CALCULATED \$ 68,469.30 \$ 90,012.03 \$ 95,621.30

**AWARD 2023 NON-MOTORIZED SIDEWALK PROJECT WITH PROPOSED REVISIONS:** Managing Director stated this bid was tabled in a previous meeting to meet with Breitung Township. A discussion took place. A motion was made by Commissioner Brisson and supported by Commissioner Bilski to award the 2023 Non-Motorized Sidewalk project with proposed revisions to low bidder Bacco Construction in the amount of \$177,488.70. Roll Call Vote: Commissioner Olson – aye, Commissioner

Johnson – aye, Commissioner Bilski – aye, Commissioner Brisson – aye, and Chairman Carey – aye. The motion carried.

**2023 Sidewalk Repairs**

**Bid Tab**

Bid Opening

02/07/2023 12:00 Noon

| 2023 Sidewalk Repairs      |          |      | Engineer Estimate |              | Bacco Construction |              |
|----------------------------|----------|------|-------------------|--------------|--------------------|--------------|
| Item                       | Quantity | Unit | Unit Price        | Cost         | Unit Price         | Cost         |
| Mobilization               | 1        | Lsum | \$ 5,300.00       | \$ 5,300.00  | \$ 28,200.00       | \$ 28,200.00 |
| Detectable warning surface | 80       | Ft   | \$ 45.00          | \$ 3,600.00  | \$ 62.50           | \$ 5,000.00  |
| Sidewalk remove            | 1,090    | Syd  | \$ 6.00           | \$ 6,540.00  | \$ 7.20            | \$ 7,848.00  |
| Trenching (excavation)     | 180      | Syd  | \$ 12.00          | \$ 2,160.00  | \$ 35.80           | \$ 6,444.00  |
| Slope restoration          | 510      | Syd  | \$ 12.00          | \$ 6,120.00  | \$ 13.80           | \$ 7,038.00  |
| 4 inch concrete sidewalk   | 9,025    | Sft  | \$ 6.00           | \$ 54,150.00 | \$ 9.40            | \$ 84,835.00 |
| 6 inch concrete sidewalk   | 1,235    | Sft  | \$ 8.00           | \$ 9,880.00  | \$ 10.70           | \$ 13,214.50 |
| 4 inch concrete ramp       | 30       | Sft  | \$ 8.00           | \$ 240.00    | \$ 13.60           | \$ 408.00    |
| 6 inch concrete ramp       | 995      | Sft  | \$ 9.00           | \$ 8,955.00  | \$ 12.40           | \$ 12,338.00 |
| Curb Removal               | 14       | Ft   | \$ 15.00          | \$ 210.00    | \$ 46.10           | \$ 645.40    |
| Ramp Curb                  | 14       | Ft   | \$ 27.50          | \$ 385.00    | \$ 90.20           | \$ 1,262.80  |
| Gravel Approach, CI II     | 10       | Ton  | \$ 40.00          | \$ 400.00    | \$ 184.00          | \$ 1,840.00  |
| HMA Patching               | 10       | Ton  | \$ 160.00         | \$ 1,600.00  | \$ 198.00          | \$ 1,980.00  |
| Traffic Control, Complete  | 1        | Lsum | \$ 10,000.00      | \$ 10,000.00 | \$ 6,435.00        | \$ 6,435.00  |

AS READ \$ 177,488.70  
 AS CALCULATED \$ 109,540.00 \$ 177,488.70

**AUTHORIZE CHAIRMAN & 2 MEMBERS TO SIGN MDOT ENGINEERING REIMBURSEMENT:** A motion was made by Commissioner Bilski and supported by Commissioner Olson to authorize the Chairman and two (2) Board members to sign the Engineering Reimbursement Form. Roll Call Vote: Commissioner Bilski – aye, Commissioner Olson – aye, Commissioner Brisson - aye, Commissioner Johnson – aye, and Chairman Carey – aye. The motion carried.

**TURNER ROAD EXTENSION DISCUSSION:** Managing Director Harris informed the Board that it would cost approximately \$31,500 to extend the Turner Road Project approximately 500 feet to beyond Chellar Lane. A motion was made by Commissioner Johnson and supported by Commissioner Olson to extend the Turner Road project in the amount of approximately \$31,500. Roll Call Vote: Commissioner Brisson – aye, Commissioner Bilski – aye, Commissioner Olson – aye, Commissioner Johnson – aye, and Chairman Carey – aye. The motion carried.

**JACOBSON ABANDONMENT DISCUSSION:** Managing Director Harris informed the Board that the abandonment is of a street and alley in East Kingsford near Breitung Ave. and paperwork has been submitted to Attorney Tinti. He further stated that Attorney Tinti might have everything thing together by the special meeting later in the month, and that a decision could be made then whether to proceed or not. Additionally, no public hearing is needed because there are only two adjacent landowners.

**COUNTY BOARD LIAISON:** County Board Liaison Henry Wender had nothing to report.

TOWNSHIP COMMENTS: None

CITIZENS TIME: Don Minerick, Sagola Township inquired who installed the gate on Silver Lake Road. A brief discussion ensued.

COMMISSIONERS PRIVILEGE Todd Donaldson stated that CUPPAD will be at the Township Association meeting the following week.

Engineer Malburg informed the Board that he could not find help for the Engineering Department this summer, and this will make things more difficult. He further stated that Breitung Township requested Old Carney Lake Road and Haystack estimates and not sure when he will have them ready.

Managing Director Harris informed the Board of the summons for litigation that was received regarding Old Ball Park Road, and that the information has been turned over to the attorney and the insurance pool. He then stated of the need for a special meeting the week of the 22<sup>nd</sup>, and Director of Finance Berger will be reaching out to the Board to finalize a date and time.

A motion was made by Commissioner Bilski and supported by Commissioner Olson to adjourn. All ayes, and the motion carried. The meeting adjourned at 6:44 P.M.

  
\_\_\_\_\_  
Jim Carey, Chairman  
\_\_\_\_\_  
Jim Harris, Acting Secretary