

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

May 7, 2024

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, Gerald Lucas, at 3:00 p.m.

**PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was recited.

**ROLL CALL**

Present: Commissioners Lucas, MacArthur, and Spaulding.  
Absent: None.

Staff present: Ryan Brege, Managing Director; John Bygden Superintendent; Julia Patterson, Finance Director/Board Secretary.

Others Present: Dan Florip, Road Commission Attorney; County Engineer Rebecca Rivard, Huron Engineering and Surveying; Lisa Wisniewski, Alpena County Sheriff's Department.

**AGENDA**

Moved by MacArthur, seconded by Spaulding, to adopt the agenda as presented. Motion carried unanimously.

**MINUTES**

Moved by Spaulding, seconded by MacArthur, to approve the minutes of the regular meeting of April 2, 2024. Motion carried unanimously.

**COMMUNICATIONS**

Memo from Road Commission Attorney, Dan Florip, regarding the authority for laying out Third Street Extension to Tamarack Road.

**APPEARING BEFORE THE BOARD/PUBLIC COMMENT**

**Julia Oswald**, CPA from Schulze, Oswald, Miller, and Edwards PC appeared before the Board to present a summary of the Annual Financial Report for the year ended December 31, 2023. Ms. Oswald noted there were no significant issues during the audit and that the Alpena County Road Commission is in sound financial condition.

**Jerry Kaschner**, 3621 Werth Road, appeared before the Board to discuss the water drainage on his property.

**Shane Ison**, 149 Bernice Lane, attended the meeting to ask if the Road Commission Board would waive Michigan Legislature MCL-Section 247.171 law to allow his basketball hoop to stay as an encroachment on Bernice Lane.

**MANAGING DIRECTOR REPORT**

Managing Director Ryan Brege reported the following:

- No updates on the county road projects.
- Attended an MDOT meeting with Road Superintendent John Bygden and the Foremen, Dwayne Cauffman and CJ Wise.
- Hired two summer students.
- Anderson Road culvert lining estimate was \$750,000.

**COUNTY ROAD REPORT**

The Superintendent presented the Board with an update on the County Roads.

**MARCH FINANCIAL REPORT**

The Finance Director presented the Cash/Cash Equivalents Financial Report for the month ended March 31, 2024.

**ACT 51 FINANCIAL REPORT REVIEW**

Finance Director Julia Patterson reviewed the 2023 Act 51 Financial Report updating the Board on several line items.

Moved by MacArthur, seconded by Spaulding, that all reports become part of the minutes. Motion carried unanimously.

**BIDS AND QUOTATIONS**

**CULVERT LINING BIDS**

Two bids were received on Thursday, April 11, 2024 for cementitious spray applied pipe lining for Napper Road culvert:

Monchilov Sewer Service. . . . . \$ 64,500.00  
Pipeline Management . . . . . \$166,980.00

Moved by MacArthur, seconded by Spaulding, to award the bid to Monchilov Sewer Service of Fairgrove, Michigan in the amount of \$64,500.00. Motion carried unanimously.

**TRANSPORT AND STOCKPILE 29A COARSE AGGREGATE**

The following three quotes were received May 6, 2024, to transport and stockpile MDOT Specification 29A Coarse Aggregate to one location in Alpena County for use during sealcoating operations:

	<u>Team Elmers'</u>		<u>Goodrich Trucking</u>		<u>C&amp;S Carriers</u>	
<u>Location</u>	<u>Price/ton</u>	<u>Total</u>	<u>Price/ton</u>	<u>Total</u>	<u>Price/ton</u>	<u>Total</u>
Gene Hansen & Sons Trucking 1600 tons	\$4.25	\$6,800.00	\$4.37	\$6,992.00	\$5.00	\$8,000.00

Moved by MacArthur, seconded by Spaulding, to accept the quotation of \$4.25 per ton submitted by Team Elmer's to transport and stockpile MDOT Specification 29A Coarse Aggregate. Motion carried unanimously.

**OLD SALT BARN ROOF REPLACEMENT**

One bid was received on Monday, April 15, 2024 for the old salt barn replacement roof:

Moved by MacArthur, seconded by Spaulding, to accept the bid from ASAP Roofing, Gaylord, MI for a bid of \$46,620.00. Motion carried unanimously.

**APRIL BILLS**

Moved by MacArthur, seconded by Spaulding, to approve the April 2024 bills in the amount of \$500,102.71. Motion carried unanimously.

**PURCHASES**

Moved by Spaulding, seconded by MacArthur, to approve the following purchases in the amount of \$94,742.15:

Item	PO/Inv.	Date	Description	Amount
1	346-228945	4/10/24	Auto Value Ossineke, new Air conditioner for the shop (budgeted for 2024).	\$4,669.95
2	77246	4/20/24	Cogitate Software, PFA support for accounting software.	\$2,854.00
3	INv75536	4/25/24	Dornbos Sign, Inc., various replacement street signs.	\$3,743.16
4	MIALP205139	3/26/24	Fastenal Company, for 16 sets of tire chains for trucks.	\$4,760.00
5	6048	4/5/24	Forward Energy Co., 2,601 gallons nolead gasoline at 2.724 per gallon.	\$7,085.12
6	PO 123	4/29/24	Forward Energy Co., 2,700 gallons nolead gasoline at 2.714 per gallon.	\$7,327.80
7	177072	4/23/24	Michigan Paving & Materials Co., 2,560.22 gallons of AMS Seal at \$2.17 per gallon plus 0.31 cents per gallon hauling rate.	\$6,349.35
8	82250	3/31/24	Schulze, Oswald, Miller & Edwards PC, progress billing for 2023 Year-end Audit.	\$10,000.00
9	1006267	4/3/24	Scotland Oil Co., 12,000 gallons diesel fuel at \$2.9308 per gallon.	\$35,169.60
10	710184	4/12/24	Team Elmer's, 579.21 tons of 23A gravel at \$7.80 per ton for county roads.	\$4,517.83
11	057W18120	4/19/24	W.W.Williams, replace DEF Dosing Unit on Gradall #137.	\$4,647.96
12	057P19440	5/7/24	W.W.Williams, emissions after treatment for Truck #090.	\$3,617.38
<b>TOTAL PURCHASES</b>				<b>\$94,742.15</b>

Motion carried unanimously.

**CONTRACT PAYMENTS**

Moved by MacArthur, seconded by Spaulding, to approve the following contract payments in the amount of \$15,660.25:

1	6212	4/8/24	Huron Engineering and Surveying, Inc., survey services for Lake Winyah Road.	\$2,707.50
2	6211	4/8/24	Huron Engineering and Surveying, Inc., survey services for Third and Tamarack Streets.	\$7,942.75
3	7581	5/3/24	Scott Civil Engineering Co., Long Rapids Road Bridge Design Engineering.	\$5,010.00

**TOTAL CONTRACT PAYMENTS \$15,660.25**

Motion carried unanimously.

**COMMISSIONERS COMMENTS**

Commissioner Spaulding commented that his neighbor said his road has never been better and commended the crew for a great job.

Commissioner Lucas commented that when the dirt is being put back on the gravel road after country curbing, the limestone base is bad and makes the road messy.

Commissioner MacArthur stated that the overall the roads have been very good this spring.

**ALPENA COUNTY AIRPORT ROAD  
AMENDATORY MDOT CONTRACT NO. 24-5192  
JOB NO. 211778CON  
CONTROL SECTION EDD 04000**

**RESOLUTION**

Moved by Commissioner Spaulding and seconded by Commissioner MacArthur, that Ryan J. Brege, Managing Director, and Julia Patterson, Secretary, are hereby authorized to sign the contract between the Michigan Department of Transportation and the Board of County Road Commissioners of the County of Alpena, Michigan, for the following described project:

EDD 04000; JOB #211778CON  
Hot mix asphalt base crushing, shaping and resurfacing along Airport Road from M-32 northerly approximately 0.7 miles; and all together with necessary related work.

Carried by a vote as follows:

Ayes: Commissioner Lucas, MacArthur, and Spaulding.  
Nays: None  
Absent: None

**TOWNSHIP DUST CONTROL AGREEMENT**

Moved by Spaulding, seconded by MacArthur, to approve the following Road Agreement for Dust Control:

	Township	ACRC	Total
	<u>Match</u>	<u>Match</u>	<u>Estimate</u>
<b><i>Green Township</i></b>			
2024 Local Road Dust Control Program			
35% Solution/Brine	\$20,000.00	\$0.00	\$20,000.00
<b><i>Long Rapids Township</i></b>			
2024 Local Road Dust Control Program			
35% Solution/Brine	\$31,500.00	\$0.00	\$31,500.00
<b><i>Ossineke Township</i></b>			
2024 Local Road Dust Control Program			
35% Solution/Brine	\$30,500.00	\$0.00	\$30,500.00

**Sanborn Township**

2024 Local Road Dust Control Program

35% Solution/Brine \$30,500.00 \$0.00 \$30,500.00

**Wellington Township**

2024 Local Road Dust Control Program

35% Solution/Brine \$6,500.00 \$0.00 \$6,500.00

Motion carried unanimously.

Moved by Spaulding , seconded by MacArthur, to approve the following Road Agreements:

	<u>Township Share</u>	<u>ACRC Share</u>	<u>Total Estimate</u>
<b><u>LONG RAPIDS TOWNSHIP:</u></b>			
<b>Surface Gravel:</b>			
Olsen Rd @ Leer Rd 0.28 mi.	\$ 3,866	\$ 3,866	\$ 7,732
Salina Rd. @ Long Rapids-N.to McKewen 1.04 mi	\$ 18,076	\$ 18,076	\$ 36,152
Enger Rd @ W. of Leer Rd. to Kealing.49 mi	\$ 8,546	\$ 8,546	\$ 17,092
<b>DITCHING:</b>			
Olsen Rd @ 1150'E, of Leer Rd. .047 mi.	\$ 6,669	\$ 1,388	\$ 8,057
<b>TOTAL LONG RAPIDS TOWNSHIP:</b>	<b>\$ 37,157</b>	<b>\$ 31,876</b>	<b>\$ 69,033</b>

	<u>Township Share</u>	<u>ACRC Share</u>	<u>Total Estimate</u>
<b><u>MAPLE RIDGE TOWNSHIP:</u></b>			
<b>Surface Gravel:</b>			
Maple Lane Rd @ Dietz Rd 0.42 mi	\$ 7,231	\$ 7,231	\$ 14,462
Boilore Rd. @ Cathro Rd then N. 0.49 mi	\$ 8,545	\$ 8,545	\$ 17,090
Geronimo Rd @ Sitting Bull Rd. 0.59 mi	\$ 10,788	\$ 10,788	\$ 21,576
Dietz Rd. @ end of pavement .49 mi	\$ 8,545	\$ 8,545	\$ 17,090
<b>TOTAL MAPLE RIDGE TOWNSHIP:</b>	<b>\$ 35,109</b>	<b>\$ 35,109</b>	<b>\$ 70,218</b>

	<u>Township Share</u>	<u>ACRC Share</u>	<u>Total Estimate</u>
<b><u>OSSINEKE TOWNSHIP:</u></b>			
<b>Surface Gravel:</b>			
Bushey Rd. POB at Beaver Lake Rd 0.66 mi	\$ 9,586	\$ 9,586	\$ 19,172
Ratz Rd. POB at Hubbard Lake Rd. 0.34 mi	\$ 5,916	\$ 5,916	\$ 11,832
Indian Reserve Rd. POB at Nicholson Hill .32 mi	\$ 12,000	\$ 12,000	\$ 24,000
Nicholson Hill Rd. POB at Bartz Rd 0.34 mi	\$ 5,916	\$ 5,916	\$ 11,832
<b>Shoulder Gravel:</b>			
Nicholson Hill Rd. POB at Wolf Creek 1.00 mi	\$ 7,500	\$ 7,500	\$ 15,000
<b>TOTAL OSSINEKE TOWNSHIP:</b>	<b>\$ 40,918</b>	<b>\$ 40,918</b>	<b>\$ 81,836</b>

	<u>Township Share</u>	<u>ACRC Share</u>	<u>Total Estimate</u>
<b><u>SANBORN TOWNSHIP:</u></b>			
<b>Surface Gravel:</b>			
Beebe Rd. POB at Ossineke Rd 0.30 mi	\$ 4,382	\$ 4,382	\$ 8,764

Sampson Rd. POB at Nicholson Hill Rd. .36 mi	\$ 5,204	\$ 5,204	\$ 10,408
Tolan Rd. POB 1000' S. of Wilds Rd 0.34 mi	\$ 5,916	\$ 5,916	\$ 11,832
Hubert Rd. POB at Behning Rd 0.51 mi	\$ 8,874	\$ 8,874	\$ 17,748
Lytle Rd. POB Kitter Rd. 0.76 mi	\$ 13,146	\$ 13,146	\$ 26,292
<b>Tree Removal:</b>			
Ossineke Rd. POB 450' NE of US-23 .08 mi.	\$ 6,268	\$ 6,268	\$ 12,536

**Ditching:**

Wilds Rd POB 1,200' E. of Brousseau .34 mi	\$ 6,220	\$ 5,678	\$ 11,898
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<b>TOTAL SANBORN TOWNSHIP:</b>	\$ 50,460	\$ 49,918	\$ 100,378
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**WELLINGTON TOWNSHIP:**

	Township Share	ACRC Share	Total Estimate
<b>Surface Gravel:</b>			
Donald Rd POB Salina Rd 0.13 mi	\$ 2,255	\$ 2,255	\$ 4,510
Crow Rd. POB at Salina Rd 0.28 mi	\$ 4,834	\$ 4,834	\$ 9,668
Hardies Rd POB at Reider School .59 mi.	\$ 10,788	\$ 9,190	\$ 19,978
<b>TOTAL WELLINGTON TOWNSHIP:</b>	\$ 17,877	\$ 16,279	\$ 34,156

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Motion carried unanimously.

**LAKE WINYAH ROAD PROJECT**

Managing Director Ryan Brege reported that the anonymous donor for the Lake Winyah Road project has extended his offer to the Maple Ridge Township portion of the road. Currently, Charter Township of Alpena, the Road Commission, and the donor are paying for Lake Winyah Road resurfacing portion in Charter Township of Alpena. The donor would be willing to pay 1/3 of the cost of the road in Maple Ridge Township, the Road Commission would pay 1/3 of the cost and Maple Ridge Township would participate in a 1/3 of the cost. At this time, Mr. Brege has not heard back from Maple Ridge Township Supervisor John Male whether they are willing to participate in this project. Options were discussed to helping Maple Ridge Township fund the project but if there is no cost share from the Township, the Board will choose not to go forward with the 0.53 mile in Maple Ridge Township.

**RESOLUTION ADOPTING A POLICY REGARDING PUBLIC ACCESS TO AND VIDEO RECORDING ON ROAD COMMISSION PROPERTY**

At the recommendation of MCRC SIP, the following policy was adopted:

**WHEREAS**, the Board of County Road Commissioners of Alpena County has determined that it is necessary and appropriate that the Road Commission adopt a policy, in keeping with principles of the First Amendment of the Constitution of the United States, to address public access to and video recording on Road Commission property, and,

**WHEREAS**, a right to photograph and video record in a public space, including the right to record public officials and employees, arguably exists under the First Amendment, subject to reasonable time, place, and manner restrictions,

**WHEREAS**, most areas of Road Commission property are considered limited access areas, which are not generally open to or occupied by the public, and, therefore, are not subject to any right to photograph or video record under the First

Amendment, but the designated waiting or reception areas in the Road Commission building during the hours in which the building is open to the public and any room being used for a meeting of a public body open to the public under the Open Meetings Act, MCL 15.261 *et seq.*, are considered public areas that are generally open to general public access and occupancy and arguably subject to a right to photograph or video record.

**NOW, THEREFORE, BE IT RESOLVED** that the Board of County Road Commissioners of Alpena County hereby approves and adopts the attached Policy Regarding Public Access to and Video Recording on Road Commission Property.

This Resolution shall become effective immediately upon its adoption.

Yeas: Commissioner MacArthur, Spaulding, and Lucas.  
Nays: None

**NEXT MEETING DATE**

The next regular meeting of the Alpena County Road Commissioners will be held on Tuesday, June 4, 2024, at 3:00 p.m. in the lower level of the Alpena County Road Commission.

Moved by MacArthur, seconded by Spaulding, to go into closed session for the purpose of discussing pending litigation. Motion carried unanimously at 4:37 p.m.

Present for closed session: Commissioner Lucas, MacArthur, and Spaulding.

Absent: None.

Staff present for closed session: Ryan Brege, Managing Director; Julia Patterson, Finance Director/Board Secretary; and John Bygden, Superintendent.

Others present for closed session: Dan Florip, Road Commission Attorney.

The Commissioners discussed the status of pending litigation.

Moved by Spaulding, seconded by MacArthur, to return to open session at 4:47 p.m. Motion carried unanimously.

Open session resumed at 4:47 p.m.

Present for resumption of open session: Commissioner Lucas, MacArthur, and Spaulding.

Absent: None.

Staff present for resumption of open session: Ryan Brege, Managing Director; Julia Patterson, Finance Director/Board Secretary; and John Bygden, Superintendent.

Others present for resumption of open session: Dan Florip, Road Commission Attorney.

Moved by MacArthur, seconded by Spaulding, to accept the strategy proposed by Bill Henn as discussed in closed session. Motion carried unanimously.

There being no further business to come before the Board, the Chairman declared the meeting adjourned at 4:48 p.m.

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Gerald Lucas, Chairman

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Julia G. Patterson,  
Board Secretary