

KCRC Board Meeting Minutes

October 10, 2023

Meeting Time: 2:00 p.m.

Present: Olson, Bracco & Karvonen

Absent: None

Staff Present: Jesse Patrick, Finance Director; Greg Kingstrom, P.E., Engineer/Manager, Chris Cronenworth, Foreman

Guests: Don Piche, Chad Helppi, Mike LaMotte, Kathy McEvers, Rodger Kershner, Dan Steck, Bob Kauppi, Art Niebzidoski, Mary Long

Meeting was called to order at 2:00 p.m. by Commissioner Olson and the Pledge of Allegiance was recited.

Commissioner Bracco moved to approve the agenda as presented. Commissioner Karvonen supported the motion. Ayes: 3, Nays: 0. Motion carried.

The regular meeting minutes of September 12, 2023 were reviewed and approved by a motion of Commissioner Karvonen and supported by Commissioner Bracco. Ayes: 3, Nays: 0. Motion carried.

Voucher #28291 and #28292, and Master Vouchers #19-2023 and #20-2023 in the total amount of \$1,269,168.98 were audited by the Commissioners. Commissioner Bracco motioned to pay the bills as presented. Supported by Commissioner Karvonen. Ayes: 3, Nays: 0. Motion carried.

The Financial Statement was presented by Jesse Patrick, Finance Director.

Opportunity for public comment was offered. The following was received:

Art Niebzidoski commented regarding the on-going activities by the Contractor hired by EGLE on Gay Park Road, east of Coal Dock Road, and on the Gay Sands. Mr. Niebzidoski claims that Gay Park Road ROW is his property, not public Right of Way (ROW) and is upset with the work that has occurred. Engineer/Manager explained that the soil boring investigations were performed within the existing public ROW of Gay Park Road. KCRC's annual Act 51 Certification maps have designated this road ROW for decades. Engineer/Manager explained that a KCRC ROW Permit was issued to Coleman Engineering and MJO Contracting to perform the soil boring investigation work. All necessary permits were obtained by Federal & State agencies to complete the work by EGLE and their Consultants. He was again informed that EGLE and USACE are directing this work, not KCRC. This site investigation work is part of the ongoing feasibility study for the Buffalo Reef Project.

Roger Kirshner requested when the Fitzgerald's petition to abandon would be made available. Engineer/Manager stated that it would be available for review upon processing and would be included in the meeting minutes.

Kathy McEvers asked about the size of the area being requested to be abandoned. Engineer/Manager explained that is the entire length of the Fitzgerald's Hotel/Restaurant (Lots 5, 6, 7) x 20' southward of the north ROW line. Current ROW is 60' wide. Abandonment would result in 40' wide remaining ROW adjacent to these lots. An exhibit may be included with the submitted petition to abandon and with the forthcoming public notice.

Bob Kauppi asked again if KCRC would sell the stamp sand in Gay to private parties. Engineer/Manager explained that we were advised by our auditor not to sell materials (sand, gravel, culverts, etc.). Furthermore, other road commissions do not sell products or services to individuals, for public entities should not compete with private sector Contractors and vendors.

Chad Helppi of GEI Consultants introduced himself and firm in regards to the current RFQ issued for professional services.

Unfinished Business:

Petition to abandon ROW adjacent to Fitzgerald's Hotel and Restaurant was delivered to KCRC on September 18, 2023 by Mike LaMotte. Engineer/Manager verified the petition met the requirements of the statute. Motion was made by Commissioner Bracco to set a Public Hearing on December 12, 2023 at 2:00 p.m. local time, in advance of regular monthly Board meeting. It is KCRC's understanding that separate approvals from the Keweenaw County Zoning Dept. and are on-going. Engineer/Manager will complete the required notifications and public hearing postings, as required, in accordance with MCL 224.18. A vote on the petition will be made at a later date.

James LaMotte submitted a letter to KCRC and Keweenaw County requesting relief from the Stop Work Order on Fitzgerald's addition, issued by County Zoning & Building Department. Mr. LaMotte would like to winterize the addition and acknowledges that all work "...is at my own risk and will not be taken into consideration and is not to be used or considered in any way in any future determinations to be made...". KCRC did not issue the Stop Work Order, but will not object to or favor release of enforcement of order.

2024 Road Millage update was given by Engineer/Manager. Selection of roads/streets has not been made. Engineer/Manager is waiting for responses from local utility companies related to future underground work. Depending on upcoming utility work, HMA paving of initially selected streets may be delayed. Proposed 2024 underground utility work will be known by October 31st. Engineer/Manager will advise Board of 2024

Millage project locations at November meeting. HMA Paving may be done at alternate locations in 2024 to avoid proposed utility work.

New Business:

Engineer/Manager presented 2023 Paving Projects invoice from Walbec Group (Payne & Dolan, Inc.) for completed projects on Bete Gris Road and Gay-Lac La Belle Road. Bete Gris Road was funded by Countywide Millage and KCRC funds; Gay-Lac La Belle Road was funded by Federal Aid Buyout funds and KCRC funds. Commissioner Karvonen motioned to approve the invoice and was supported by Commissioner Bracco. Ayes: 3, Nays: 0. Motion carried.

Engineer/Manager presented an overview and scoring of the Statement of Qualifications received from U.P. Engineers & Architects, Inc. (UPEA) and GEI Consultants. Request for Qualifications was issued to hire a consultant to assist KCRC with EGLE grant received for the feasibility and preliminary design for the relocation of 1 mile of Gay-Lac La Belle Road southwest of Point Isabelle. A motion was made by Commissioner Bracco to hire UPEA and was supported by Commissioner Karvonen. Ayes: 3, Nays: 0. Motion carried.

Engineer/Manager presented Michigan Wetland Board application to purchase additional property near Gay to be included in the Wetland Mitigation Bank for Local Transportation Agencies. Property serves as a wetland mitigation reserve for road & bridge construction projects that impact wetlands., KCRC would be the applicant agency on behalf of MiWB. Engineer/Manager requested approval to execute and submit application. A motion was made by Commissioner Bracco authorizing Engineer/Manager to sign and submit application. Motion was supported by Commissioner Karvonen. Ayes: 3, Nays: 0. Motion carried.

Engineer/Manager provided update on the Inter-Governmental Agreement to provide snow removal services by KCRC on Mount Horace Greeley Road to the County owned tower. Currently, County attorney and KCRC attorney are finalizing language. Engineer/Manager requested authorization to sign, once language is agreed to by both parties. Commissioner Karvonen motioned to authorize Engineer/Manager to execute upon agreeable terms. Motion was supported by Commissioner Bracco. Ayes: 3, Nays: 0. Motion carried.

Engineer/Manager presented MDOT Letter of Understanding for Winter 2023-2024 services for maintenance of State Trunkline, under current contract. Commissioner Karvonen motioned to authorize Engineer/Manager to execute Letter of Understanding. Motion was supported by Commissioner Bracco. Ayes: 3, Nays: 0. Motion carried.

Board discussed re-scheduling of the November Board meeting due to staff and Commissioner conflicts. A motion was made by Commissioner Bracco to change Board

meeting to Monday, November 13th at 2:00 p.m. Motion was supported by Commissioner Karvonen. Ayes: 3, Nays: 0. Motion carried.

Opportunity for public comment was offered.

Mr. Niebzidoski asked to obtain the documents regarding the public ROW on Gay Park Road. Mr. Niebzidowski stated his deed does not reference any ROW or easements thru his property. Mr. Niebzidoski was directed to submit a request for the documents via FOIA. Engineer/Manager will provide information and the format required for FOIA request.

Other:

KCRC received County Road Association Self Insurance Fund (CRASIF) award for one of the lowest employee injury rates in the State of Michigan for the period 2022-2023.

Discussed the damage that occurred to the Cedar Bay Road earlier this summer by private party. Resolution of matter is being pursued by attorney.

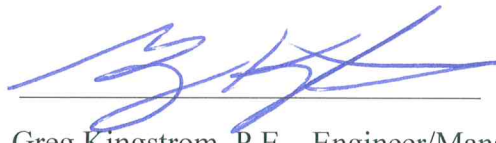
Correspondence was sent to law enforcement regarding KCRC sign theft that occurred in August month.

Other items of routine business were discussed.

The meeting was adjourned at 2:55 p.m. by motion of Commissioner Bracco and supported by Commissioner Karvonen. Ayes: 3, Nays: 0. Motion carried.



Richard Olson, Chairman



Greg Kingstrom, P.E., Engineer/Manager