

EATON COUNTY ROAD COMMISSION

May 12, 2020

A regular meeting of the Eaton County Board of Road Commissioners was held by video conferencing, as allowed by Executive Order No. 2020-48(COVID-19), with video conferencing set up for public participation on May 12, 2020.

The meeting was called to order at 8:38 a.m. by Chairman Lyons.

Members present: Commissioners Lyons, Lamoreaux, Aitch-Guerrant, Eldred and Frazier

Others present: Blair Ballou, Matt Hannahs and Patty Loosemore

Motion by Lamoreaux and seconded by Eldred that the agenda be approved with the following additions: d.) Consider Carr Bros gravel bid extension; e.) Consider Ivy MMR Resolution; f.) Consider Asphalt bid award. Motion carried.

The Chairman asked if the minutes of the April 28, 2020 meeting were correct as presented. Motion by Eldred and seconded by Lamoreaux to approve the April 28, 2020 meeting minutes as presented. Motion carried.

Public Comment: None

The following vouchers were presented:

d.) VO. 51	(04/28/20)	Payroll	\$	75,994.57
e.) VO. 52	(04/30/20)	Accounts Payable	\$	13,963.69
f.) VO. 53	(05/06/20)	Accounts Payable	\$	21,207.19

Motion by Lamoreaux and seconded by Eldred that the vouchers with total expenditures of \$111,165.45 be approved. Roll call vote: Ayes: Lyons, Lamoreaux, Eldred, Frazier and Aitch Guerrant; Nays: None. Motion carried.

The Board reviewed and discussed the COVID-19 Preparedness and Response Plan as presented by Engineer/Manager, Mr. Ballou. Motion by Eldred and seconded by Lamoreaux to approve the COVID-19 Preparedness and Response Plan as presented. Roll call vote: Ayes: Lyons, Lamoreaux, Eldred, Frazier and Aitch Guerrant; Nays: None. Motion carried.

The Board reviewed and discussed the Lamar Miller Driveway variance on Allegan as presented by Assistant County Engineer, Mr. Hannahs. Motion by Eldred and seconded by Lamoreaux to approve the Lamar Miller Driveway variance on Allegan as presented by Assistant County Engineer, Mr. Hannahs. Roll call vote: Ayes: Lyons, Lamoreaux, Eldred, Frazier and Aitch Guerrant; Nays: None. Motion carried.

The Board reviewed and discussed the bridges selected for the MDOT Local Bridge Funding application as presented by Assistant County Engineer, Mr. Hannahs.

<u>Priority</u>	<u>Road</u>	<u>Crossing</u>	<u>Treatment</u>	<u>Twp</u>
1	Vermontville Hwy (2345)	Little Thornapple Rv	Rehabilitation	Chester
2	Mulliken Rd (2353)	Thornapple River	Preventative Maint	Chester

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2	Ainger Road (2352)	Battle Creek River	Preventative Maint	Walton
2	Bunker Highway (2397)	Grand River	Preventative Maint	Eaton Ra
2	Waverly Rd (2361)	Grand River	Preventative Maint	Hamlin
3	Smithville Rd (2403)	Grand River	Preventative Maint	Hamlin
4	Webster Rd (2362)	Grand River	Rehabilitation	Delta
5	Marshall Rd (2364)	Big Creek	Preventative Maint	Walton

Motion by Lamoreaux and seconded by Eldred to approve these eight bridges for 2023 Fiscal Year Bridge applications.

Roll call vote: Ayes: Lyons, Lamoreaux, Eldred, Frazier and Aitch Guarrant; Nays: None. Motion carried.

The Board reviewed and discussed a contract extension with Carr Bros & Sons, Inc. for the 2020 aggregate surface course program and maintenance gravel as recommended by Engineer/Manager, Mr. Ballou. Motion by Lamoreaux and seconded by Eldred to approve a contract extension with Carr Bros. & Sons, Inc for the 2020 aggregate course program and maintenance gravel as presented by Engineer-Manager, Mr. Ballou.

Roll call vote: Ayes: Lyons, Lamoreaux, Eldred, Frazier and Aitch Guarrant; Nays: None. Motion carried.

The Board reviewed and discussed the passing of a resolution to support the change of ownership of Ivy MMR, LLC as recommended by Engineer/Manager, Mr. Ballou.

Commissioner Timothy J. Lamoreaux motioned for the adoption of the following resolution:

WHEREAS, the Eaton County Road Commission (the "Commission") is a party to an agreement with Ivy MMR, LLC, a Michigan limited liability company ("Ivy MMR"), in which Ivy MMR agreed to provide certain dust control services in Eaton County (the "Dust Control Contract"). The pricing for years 2020 and 2021 for the Dust Control Contract were awarded to Ivy MMR by the Commission on January 22, 2020.

WHEREAS, on May 8, 2020, Ivy MMR informed the Commission that it has been in negotiations with Corrigan Oil regarding the sale of substantially all of the assets of Ivy MMR to certain affiliates of Corrigan Oil including the assignment of the Dust Control Contract and the sale of the brine well used to perform the Dust Control Contract (the "Sale Transaction"). As a condition of the closing of the Sale Transaction, Ivy MMR and the purchaser, Salt Solutions, LLC d/b/a Corrigan Environmental Services ("Purchaser"), request that the Commission consent to the assignment of the Dust Control Contract.

NOW THEREFORE, BE IT RESOLVED, by the Board of Commissioners of the Commission as follows:

RESOLVED, the Commission hereby consents to the assignment of the Dust Control Contract by Ivy MMR to Purchaser and the assumption by Purchaser of Ivy MMR's obligations under, and performance of, the Dust Control Contract from and after the closing of the Sale Transaction, if and when such closing occurs. This resolution and Commission's consent are expressly contingent upon the closing of the Sale Transaction and such assignment and assumption of the Dust Control Contract.

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The motion was supported by Commissioner Lauren K. Aitch-Guerrant and carried on a roll call vote.

Roll call vote: Ayes: Lyons, Lamoreaux, Eldred, Frazier and Aitch Guerrant; Nays: None. Motion carried.

The Board reviewed and discussed HMA Resurfacing Contract A bid results as presented by Assistant County Engineer, Mr. Hannahs. Motion by Eldred and seconded by Frazier to award HMA Resurfacing Contract A to Lakeland Asphalt Corp, being the low bidder.

Roll call vote: Ayes: Lyons, Lamoreaux, Eldred, Frazier and Aitch Guerrant; Nays: None. Motion carried.

The Assistant County Engineer, Mr. Hannahs updated the Board on the status of 2020 projects and engineering staff work schedules.

The Engineer/Manager, Mr. Ballou updated the board on the status of Canal/Columbia Rd drain and an anonymous letter received regarding Canal/Columbia Rd drain issues. He provided information on road commission employees' work schedules. He updated them on the projected shortfall of MTF funds due to COVID-19. Health Insurance renewal information for 2020-2021 has been received and is being reviewed.

The date and time of the next regular meeting will be Tuesday, May 26, 2020 at 6:00 p.m.

Motion by Frazier and seconded by Lamoreaux to adjourn the meeting at 9:38 a.m. Motion carried.

Benjamin S. Lyons, Chairman

Patricia M. Loosemore, Clerk to the Board