

**REGULAR MEETING**

The regular meeting of the Board of County Road Commissioners of Iron County was held on Tuesday, July 16, 2024, at 8:30 a.m. in the Road Commission office at 800 W. Franklin Street, Iron River, Michigan.

Chairman Schmidt led the Pledge of Allegiance and opened the meeting.

Present for the roll call were Chairman Ernie Schmidt, Vice-Chairman Ron Frailing, Commissioners Jim Cihak, Chuck Battan and Dan Germic, Also, present were Superintendent Brad Toivonen, Finance Director Michelle Johnson, HR-PR Administrators Patti Leonoff and Brynn Tomas, Foreman Dean Stolberg, Iron County Commissioner Ean Bruette, Mastodon Twp. Trustee Dave Smith, Alpha Village President Peter LaPin, and Attorney Mark Tousignant. Members of the public include Martha and Jenine Kuhl, Russ Stolberg, Mark Klink, and Jerry Maness.

Zoom attendees-Bill Henn-MCRCSIP, Molly Ombrello, Kim Camomilli.

**ADDITIONS TO THE AGENDA**

Finance Director Johnson requested the following additions:

New Business i.) Reschedule date of August 2024 Regular Meeting  
Minutes To Be Approved c.) Special Meeting of June 19<sup>th</sup>, 2024

Agenda was accepted with the requested additions with a motion by Commissioner Cihak, and support by Battan.

Ayes: All

Nays: None

Motion carried.

**MINUTES TO BE APPROVED**

The following minutes were presented: Audit and Regular Meetings of June 10<sup>th</sup>, 2024, Public Hearing of June 19<sup>th</sup>, 2024, and Special Meeting of June 19<sup>th</sup>, 2024.

A motion by Commissioner Germic, supported by Frailing to accept the above minutes.

Ayes: All

Nays: None

Motion carried.

**DISBURSEMENTS TO BE APPROVED**

The disbursements to be approved included:

a. Payrolls of:	\$ 143,145.52
b. Prepaid Claims of:	150,972.34
c. Accounts Payables of:	287,198.04
d. Fuel Order	20,068.20
<b>Total:</b>	<b>\$ 601,384.10</b>

Motion by Commissioner Battan, supported by Germic, to approve the Audit Committee Report dated June 30, 2024, covering the above disbursements.

Roll call vote: Ayes- Cihak, Battan, Germic, Frailing, Schmidt

Nays: None

Motion carried.

## **SUPERINTENDENT'S REPORT**

Interim Supr. Toivonen reviewed his report:

### Gravel:

Osterlund Rd- Spoke with the property owner about doing test boring; need more details regarding how much of the property the owner is looking to sell and price before committing our crew or a boring crew to doing testing.

Iron City Crushing- Amasa Pit crushing was completed on June 13<sup>th</sup> and the quality of the material is very good. Our crew built a loading pad and installed gates.

Iron River Garage- Scott reached out to a few contractors to get estimates for building repairs. Several items, including the roof, need repair and we want to get a plan in place to budget for them over the next few years.

Oss Garage- Johnson Controls will be performing inspections on the pump house and sprinkler system.

### Primary Roads:

CR 424 Phase 5-2023 Project- Closed out with MDOT

CR 424 Phase 6- Preconstruction meeting was held July 11<sup>th</sup>., with construction scheduled to run August 12<sup>th</sup> through the 29<sup>th</sup>. The curve correction superelevation will be able to be incorporated into the MDOT contract which will be a savings.

Baumgartner Phase 4-Project was completed July 9<sup>th</sup>, with permanent signs going in yesterday. The final inspection is next Monday.

Brule Mountain Rd Phase 5- Project was completed July 8<sup>th</sup> and we have received positive feedback from residents. The final inspection will be next Monday.

Hagerman Lake Rd.- ICRC crews will be doing culvert work this fall, as will the scoping and engineering for all phases of the project. Bids will go out in February.

Buck Lake Rd. (2022)-Additional paperwork being submitted this week.

Pavement Marking- Bates-Amasa Rd. has been completed. 424 and Stager Lake crossings have yet to be done.

Asset Management- Looking to contract Doug to perform PASER road ratings and get a good inventory of our road system and how the underfunding of roads is affecting it.

FHWA-ER Program 2023 Flooding-Waiting for the final authorizations from MDOT so we can submit for reimbursement on the preliminary engineering. Project has been going smoothly and a February 2025 letting for construction at all six sites is expected.

### Local Roads:

Trybom Dr.- Permits should be submitted in the next few weeks.

2024 Local Projects- All projects came in under budget.

Pakkala Rd. and West Townline Rd. have been completed. Positive feedback has been coming in. There was a complaint about the overlay that was done on Golden Lake Trl. The Stambaugh Twp. Supervisor and Bacco's Representative went out to look at it with Brad. The issues are cosmetic in nature, structurally the project sound.

**Mastodon Township:**

Buck Lake Rd.-Guardrail was damaged last winter by a driver and repairs need to be made. Will be contracting this out due to the extent of repairs needed. Finance Director Johnson has contacted MCRCSIP to help us to try and recoup some of the repair costs through the driver's car insurance.

Rainbow Trail-There have been complaints received about a rock in the road. We will be replacing a culvert on Bara Rd. and can address the issue on Rainbow Trail while the crew is in the area.

**FEMA/Legislative Appropriations:**

Representative Jen Hill had been working to get some legislative appropriations for the six Counties affected by the flooding. In the end, she was able to get one million dollars that is being shared with Baraga and Marquette counties, which are within her district. No news from Representative Markkanen for our district but maybe there will be news next week at the MCRCSIP conference downstate.

Section19-Legislation was approved for ten-million-dollars, but there has been no news as to whether these funds would be able to be applied retroactively to our request for Barry Rd.

**Equipment:**

Chassis-Delivery is on time; The Western Star is in Iron Mountain getting the final pieces added as to the bid specs and should be ready in a couple weeks. The International s a month out. Wings are still expected in September.

Office Copier- Michelle got a good price through MiDeal to purchase a new color copier/scanner for the office. Delivery is expected on Wednesday, and it will pay for itself in about a year. The maintenance contract for this new machine is \$160.00/yr. less than the current outdated machine.

Quad axel boxes- The chassis' were brought down to the dealer during the week of July 4<sup>th</sup> and the boxes are expected to arrive at the dealer this week. It is anticipated that it will take a week per truck to get the work completed.

**Employment:**

Seasonal HEOP, MDOT Night Patrol- Advertisements will go out mid-August.

Civil Engineer/ Construction Manager-Will start advertising through Stang in November.

HR-PR Administrator- Brynn Tomas started and has been training with Patti. Everything is going very well.

**Bridges:**

Idlewild Rd.-Fortune Cr.-A situation occurred over the 4<sup>th</sup> of July holiday, where a truck driver drove past the multiple bridge closed signs, had nowhere to turn around and was then belligerent towards a resident that lives there. It was decided that a type III barricade will be put into the south bound lane during summer months to physically aid in preventing large vehicles from being able to travel past the bridge closed signs.

Bridge Inspections are scheduled for August/ early September.

**Miscellaneous:**

MCRCSIP- Mike Phillips will be performing a construction site visit in early August.

**Break from the Superintendent Report to accommodate the Zoom Meeting for Old Business.**

## **OLD BUSINESS**

### **PETITION FOR PARTIAL ABANDONMENT OF TREELINE DR.**

Commissioner Schmidt informed all parties that a draft of an easement was received, and he felt that the restrictions and stipulations within the draft were excessive and unacceptable.

Molly Ombrello, Plaintiffs' attorney, explained that the easement proposal was sent to all parties. She wanted to know what the road commission's concerns would be if an agreement were able to be negotiated between Camomilli's, Peterson's, Kuhl's and Stolberg's. Her clients are open to discussion and the concerns/revisions she has received will be discussed with them.

Property owner Dean Stolberg asked some questions about making the road seasonal or decertifying, prompting discussion and a determination that both methods would still leave the road open to the public, varying only in the level of maintenance performed by the road commission. As explained by Bill and Brad, seasonal roads are public roads that are not plowed by the road commission. We still maintain the ROW, but this would reduce MTF funding for snow funds we receive. Decertified roads are a public ROW; the road commission would lose all funding for the road and would cease all maintenance. When a road is abandoned, the road goes back to the adjacent property owners and is private property.

Bill Henn, MCRCISIP recommended allowing additional time, for a second time, for the parties affected by the easement to negotiate and possibly come to an agreement. Discussions are occurring, which could result in all concerns being resolved.

Dave Smith, Mastodon Twp. Trustee expressed that Mastodon Twp. did not want to improve the road unless Stambaugh Twp. was improving their end as well. Dean offered that he felt Stambaugh Twp. would be willing to improve and maintain their section of the road. Commissioner Schmidt thought we would need that in writing.

Commissioner Schmidt offered to hold an additional special meeting on July 31, 2024 @ 9:00 a.m.

### **Resume Superintendents Report**

Fiber Optic-AEG-The subcontractors that had worked on Bristol Rd. and were supposed to begin Lind Rd. shut down for the 4<sup>th</sup> and returned to Florida; for whatever reason they are not coming back. L&H began on Paint River Rd., but progress is not progressing as they had planned.

JSI/Midway-Permit review began last week, and revisions are in progress.

Teamsters- Office staff and Commissioner Schmidt met with the Stewards and Union Rep. for an informational meeting to review alternate health insurance plan options the Union offers to save money for both the Commission and the employees. Three alternate plans were received and while there were changes in coverage, there was a minimal reduction in premiums. Michelle and Patti are requesting quotes from other carriers as a comparison. At that meeting, the first negotiation meeting was set to follow the regular meeting in September.

Fahrner Emulsion Demo-The road that was initially planned to be used for the test strip was just treated with chloride, so it will be performed on a 1/2 mile section of Brule River Rd. and will need to be closed overnight to cure after the emulsion is applied. This has been rescheduled to mid-August.

Drain Commissioner- There has been an excessive amount of beaver activity at all three regulated lakes.

Stager Lake-Excessive beaver activity is causing issues with water covering docks and running into basements. Contacted the USDA to have them trap. However, the landowners in the area did not want that because of their dogs.

Sunset Lake- Traps were set up and beaver activity decreased some, only to be replaced by someone putting material in front of the dam. There was evidence again this year of hand cut brush being put in where the

crews had previously removed brush from beavers. Crews have been going out 2-3 times a week to remedy issues. Game cameras have since been purchased and photos are sent to the app immediately.  
Fortune Lk.- Beaver activity has slowed some.  
The budget allotted from County for the year has almost been completely spent and there are still several months to go.

Commissioner Frailing asked for an update on the Bates waterline issue and if it was going to be completed before our road project.

### **DELEGATIONS**

Commissioner Schmidt asked Dean Stolberg, Stambaugh Trustee and Dave Smith, Mastodon Trustee, to carry information back to their respective Boards pertaining to the Treeline Dr. road abandonment and the Fahrner emulsion demonstration.

Stambaugh Twp.-Dean reported that the only complaint their Board had received was about the issue at Golden Lake Trail that was discussed during the Superintendent's report.

Mastodon Twp- Dave asked if the road commission reclaimed the shoulder and reused the material. Commissioner Battan explained that we had received many complaints from the public when we did this in the past because of how rough this process makes the road surface. Dave also introduced Peter LaPin as the President of Alpha. Mr. LaPin was requesting information and assistance in getting the bump in the road at the edge of the Village, over the waterline, fixed. Superintendent Toivonen will put together an estimate for the Village.

County Commissioner Bruette relayed that budget amendment would be necessary to increase funds for the drain commission. Michelle had let Lynette know a budget amendment will be needed when the June billing was submitted. Superintendent Toivonen recommended that the budget be doubled to ensure the rest of the year is covered. He has also received complaints about the condition of Way Dam, Channing and Franks Rd.

### **COMMITTEE REPORTS**

d. Equipment- Commissioner Schmidt requested the Equipment Committee meet with the Foreman to put together a list of necessities for the budget.

### **PUBLIC COMMENT**

Jerry Maness, a resident of Franks Rd. brought forth complaints about the level of the road and water backing up into his house. Commissioner Schmidt said we will check into it.

### **NEW BUSINESS**

#### **AUTHORIZATION OF SIGNERS-NORTHERN INTERSTATE BANK**

Finance Director Johnson requested to update the signers on the Northern Interstate Bank A/P account with the hiring of new personnel. Authorized signers would then be Michelle Johnson, Brad Toivonen and Brynn Tomas.

Motion by Commissioner Frailing, support by Cihak to update the signature cards at Northern Interstate Bank by adding Brynn Tomas and removing Patti Leonoff and Doug Tomasoski.

Ayes:All

Nays: None.

Motion carried.

### **MOTOTOLA RADIOS**

Finance Director Johnson obtained a quote for Motorola APX N50 radios using our MiDeal contract through the State of Michigan; ten radios, ten chargers, device programming and a three-year warranty for \$39,824.70. State of Michigan activation fees are not included, as they are handled directly by the State, and will be a few hundred dollars per radio. We will be receiving money back from our FY21 State Trunkline Audit that was recently completed and can use some of those funds to pay for the radios in full. She recommended approval of spending up to \$45,000 to ensure that the State fees are covered. Superintendent Toivonen will make sure that the frequency will match the one that Law Enforcement uses prior to ordering.

Motion by Commissioner Battan, with support from Germic, to purchase ten Motorola radios through MiDeal at a cost not to exceed \$45,000.

Roll call vote: Ayes-Cihak, Frailing, Germic, Battan, Schmidt

Nays: None

Motion carried.

### **RFP-GRAVEL CRUSHING-DEER LAKE ROAD**

Superintendent Toivonen will be going out for bids for gravel crushing next year in the Deer Lk. Area. He is looking to put up 15,000 tons within a five-to-ten-mile radius of the four corners area, on the north side of the lake. This would allow us to gradually gravel from Bone Lake to Camp Creek, south of Deer Lk. Rd. Board approval is not necessary to go out for bids; they agree it is a good plan.

### **MERS RESOLUTION ESTABLISHING AUTHORIZED SIGNATORIES**

The MERS authorized signatory resolution, establishing the Superintendent/ Manager and Finance Director positions as authorized representatives of the Iron County Road Commission, was adopted in a motion by Commissioner Cihak, with support from Germic.

Ayes: All

Nays: None

Motion carried.

### **LOAN SIGNING RESOLUTION-2025 WESTERN STAR TANDEM CHASSIS**

Moved by Commissioner Germic, with support from Commissioner Cihak, to adopt the Resolution authorizing Superintendent/ Manager Bradley P. Toivonen to sign the loan paperwork with First Bank for the purchase of the 2025 Western Star tandem axel chassis.

Roll call vote-Ayes: Battan, Cihak, Germic, Schmidt

Abstained: Frailing

Nays: None

Motion carried.

### **LOAN SIGNING RESOLUTION- 2025 INTERNATIONAL TANDEM CHASSIS**

Moved by Commissioner Battan, with support from Commissioner Germic, to adopt the Resolution authorizing Superintendent/ Manager Bradley P. Toivonen to sign the loan paperwork with First Bank for the purchase of the 2025 International tandem axel chassis.

Roll call vote- Ayes: Cihak, Germic, Battan, Schmidt

Abstained: Frailing

Nays: None

Motion carried.

### **CRA BALLOT: REVISED CRA CONSTITUTION AND BYLAWS**

Moved by Commissioner Germic, with support from Commissioner Frailing, to vote yes in approval of the revised CRA constitution and bylaws.

Ayes: All

Nays: None

Motion carried.

**MEETING DATES**

Moved by Commissioner Battan, with support from Frailing, to change the date of the August regular meeting to August 20, 2024, and hold a Special Meeting for Treeline Dr. on July 31, 2024, 9:00 a.m.

Ayes: All

Nays: None

Motion carried.

**INFORMATIONAL**

- 5572's for MERS and OPEB have been submitted to the State. The MERS Pension is 69.1% funded and OPEB remains at zero. Finance Director Johnson will be presenting information regarding starting an OPEB Trust through MERS at the next meeting.
- CRA Board issued a revised Statewide Schedule of Permits and encourages road commissions to adopt the increased fees.
- Senate Bill 465/Public Act 72 of 2024 was signed into law. Motorists are required to stay at least 200' from an active snowplow and at least 20' behind when stopped.
- CRA provided information about road funding model being performed in Utah, transitioning road funding from gallons of gas consumed to a mileage-based user fee.

**ATTORNEY'S REPORT**

Attorney Tousignant offered advice to put thought into the options for road funding and what they entail.

**COMMISSIONERS' COMMENTS**

Commissioner Schmidt sincerely hoped that an agreement can be reached on the road abandonment that will benefit all parties.

At 10:25 a.m. with no further business to come before the Board, it was motioned by Germic, supported by Cihak to adjourn.

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Ernie Schmidt, Chairman

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Michelle Johnson, Clerk of the Board

# Resolution Establishing Authorized Signatories for MERS Contracts and Service Credit Purchase Approvals



1134 Municipal Way Lansing, MI 48917 | 800.767.MERS (6377) | Fax 517.703.9711

www.mersofmich.com

This Resolution is entered into under the provisions of 1996 PA 220 and the Municipal Employees' Retirement System of Michigan ("MERS") Plan Document, as each may be amended.

This resolution is being adopted by the governing body of the participating entity and applies to all reporting units of said participating entity.

**WHEREAS**, Iron County Road Commission ("Employer") is a participating municipality with the Municipal Employees' Retirement System of Michigan ("MERS") and has adopted one or more retirement, insurance, investment or other post-employment benefit products administered by MERS;

**WHEREAS**, MERS requires signatures of an authorized representative of the Employer to execute contracts with MERS, the entry of which is authorized by the governing body and permitted under the applicable MERS Plan Document(s);

**WHEREAS**, the Employer wishes to designate certain job position(s), the holder(s) of which may sign MERS' contracts relating to the adoption, amendment and termination of MERS' products, and defined benefit service credit purchase approvals on behalf of Employer to implement decisions and actions of the governing body;

**WHEREAS**, this Resolution is not intended to apply to MERS forms or any other MERS document except as specifically mentioned herein,

Therefore, the Governing Body resolves:

The holders of the following job position(s) are hereby *Authorized Officials* that can sign: (1) MERS Adoption Agreements, Resolutions, Participation Agreements, Administrative Services Agreements, Withdrawal Agreements and any other contracts between MERS and the Employer with respect to Employer's participation in any MERS-administered product and any amendments and addendums thereto, and (2) MERS Defined Benefit service credit purchase approvals:

1. Superintendent/Manager

Optional additional job positions:

2. Finance Director
3. \_\_\_\_\_

This Resolution may be revoked in writing or amended by the Governing Body at any time, provided that it will not be effective until such writing or amended Resolution is received by MERS. The Governing Body agrees that MERS may rely upon this Resolution as conferring signing authority upon the holders of the above job position(s) to bind Employer with respect to MERS.

Adopted at a regular/special meeting of the Governing Body on July 16, 2024.

Authorized signature (must be currently in a position named above): Bradley P. Toivonen

Name: Brad Toivonen

Title: Superintendent/ Manager

Witness signature: Brynn Tomas

Witness name: Brynn Tomas

Witness title: HR-PR Administrator



# Board of County Road Commissioners



Ernest Schmidt, Chairman  
Ron Frailing, Vice Chairman  
Chuck Battan, Member  
Dam Germic, Member  
Jim Cihak, Member

Of  
**IRON COUNTY**  
800 W. Franklin Street  
IRON RIVER, MI 49935-1047

Telephone: (906) 265-6686  
FAX: (906) 265-6680  
[www.ironcountyroads.com](http://www.ironcountyroads.com)  
info@ironcountyroads.com

Bradley P. Toivonen  
Interim Superintendent/Manager

Michelle Johnson  
Finance Director/Clerk

Brynn Tomas  
HR-PR Admin/ Assistant Finance  
Director

## RESOLUTION

**WHEREAS** the BOARD OF COUNTY ROAD COMMISSIONERS OF THE COUNTY OF IRON STATE OF MICHIGAN is obtaining financing from First Bank for the purchase of a 2025 Western Star 47X Tandem Truck Chassis,

And **WHEREAS**, the BOARD OF COUNTY ROAD COMMISSIONERS OF THE COUNTY OF IRON, STATE OF MICHIGAN desires Bradley P. Toivonen, Superintendent/Manager to sign the loan paperwork,

**THEREFORE, BE IT RESOLVED**, the BOARD OF COUNTY ROAD COMMISSIONERS OF THE COUNTY OF IRON, STATE OF MICHIGAN hereby authorizes Superintendent/ Manager Bradley P. Toivonen to sign the loan paperwork and all it entails.

The resolution was made by Commissioner Germic with support from Commissioner Cihak.

On a roll call vote-

Ayes- Battan, Cihak, Germic, Schmidt

Abstain- Frailing

Nays- None

Motion carried

I hereby certify that the foregoing is a true and correct copy of a resolution offered and duly adopted by the Board of County Road Commissioners of the County of Iron at a meeting held this 10<sup>th</sup> day of July 2024.

Signed: \_\_\_\_\_

Michelle Johnson, Finance Director/ Clerk

# Board of County Road Commissioners

Of

## IRON COUNTY

800 W. Franklin Street  
IRON RIVER, MI 49935-1047

Telephone: (906) 265-6686

FAX: (906) 265-6680

[www.ironcountyroads.com](http://www.ironcountyroads.com)

[info@ironcountyroads.com](mailto:info@ironcountyroads.com)

Bradley P. Toivonen  
Interim Superintendent/Manager

Michelle Johnson  
Finance Director/Clerk

Brynn Tomas  
HR-PR Admin/ Assistant Finance  
Director



Ernest Schmidt, Chairman  
Ron Frailing, Vice Chairman  
Chuck Battan, Member  
Dam Germic, Member  
Jim Cihak, Member

## RESOLUTION

**WHEREAS** the BOARD OF COUNTY ROAD COMMISSIONERS OF THE COUNTY OF IRON STATE OF MICHIGAN is obtaining financing from First Bank for the purchase of a 2025 International HX 520 SFA Tandem Truck Chassis,

And **WHEREAS**, the BOARD OF COUNTY ROAD COMMISSIONERS OF THE COUNTY OF IRON, STATE OF MICHIGAN desires Bradley P. Toivonen, Superintendent/Manager to sign the loan paperwork,

**THEREFORE, BE IT RESOLVED**, the BOARD OF COUNTY ROAD COMMISSIONERS OF THE COUNTY OF IRON, STATE OF MICHIGAN hereby authorizes Superintendent/ Manager Bradley P. Toivonen to sign the loan paperwork and all it entails.

The resolution was made by Commissioner Battan with support from Commissioner Germic.

On a roll call vote-

Ayes- Cihak, Germic, Battan, Schmidt

Abstain-Frailing

Nays-None

Motion carried

I hereby certify that the foregoing is a true and correct copy of a resolution offered and duly adopted by the Board of County Road Commissioners of the County of Iron at a meeting held this 10<sup>th</sup> day of July 2024.

Signed:

A handwritten signature in blue ink that reads "Michelle Johnson".

Michelle Johnson, Finance Director/ Clerk