

The regular meeting of the Board of County Road Commissioners of Newaygo County was called to order by the Chairman Gonyon at 8:00 a.m. on Wednesday, February 12, 2025, at the road commission offices.

Commissioners present: William Gonyon, Douglas Harmon, and Lee Fetterley
Staff present: Derek Wawsczyk, Manager and Kerry Hewitt, Clerk
Others present: Kendra Kersten with Walton Contracting and Kody Parks with Rieth-Riley Construction

Motion by Commissioner Fetterley and supported by Commissioner Harmon to approve the minutes of the regular meeting on January 15, 2025. All ayes. Motion carried.

Motion by Commissioner Harmon and supported by Commissioner Fetterley to approve the following vendor checks, ach vendor payments, and payroll checks:

January 31, 2025:

Vendor checks # 65797 - # 65824 and ACH Vendor checks elect. # 14239 - # 14266 in the amount of \$362,562.83 and Payroll checks # 60028 - # 60042 in the amount of \$140,825.80.

All ayes. Motion carried.

February 14, 2025:

Vendor checks # 65825 - # 65850 and ACH Vendor checks elect. # 14267 - # 14298 in the amount of \$260,723.79 and Payroll checks # 60043 - # 60058 in the amount of \$128,806.74.

All ayes. Motion carried.

Public Comment: none

Award Bid: Upfit model year “new” cab and chassis units

Motion was made by Commissioner Fetterley and supported by Chairman Harmon to accept management's recommendation, to award the upfit of two spreader body units and one dump body unit to Truck & Trailer Specialties, Inc. All ayes. Motion carried.

Bid Opening: Asphalt paving in various locations

	Rieth- Riley Price per ton	Rieth- Riley Total Contract	MI Paving & Materials Price Per Ton	MI Paving & Materials Total Contract
LOCATIONS -				
<u>ASHLAND TOWNSHIP</u>				
116th St. at Sandy Creek Crossing approximately 850 ft. Pave, approx. 350 tons with valley gutter			Surface Mixture: HMA, LVSP Mix tier 1 MDOT spec.	
	\$87.41	\$30,593.50	\$117.50	\$41,125.00
TOTAL BID FOR ASHLAND TOWNSHIP:		\$30,593.50		\$41,125.00
<u>BRIDGETON TOWNSHIP</u>				
112th St. west of Warner Ave. approximately 1.3 miles Pave, approx. 2,285 tons			Surface Mixture: HMA, LVSP Mix tier 1 MDOT spec.	
	\$72.50	\$165,662.50	\$87.85	\$200,737.25
South River Dr. from Stone Rd. going west approximately 1.5 miles Overlay, approx. 1,800 tons			Surface Mixture: HMA, 5E1 tier 1 MDOT spec.	
	\$74.49	\$134,082.00	\$87.85	\$158,130.00
TOTAL BID FOR BRIDGETON TOWNSHIP:		\$299,744.50		\$358,867.25
<u>DENVER TOWNSHIP</u>				
Maple Island Rd. between 3 Mile Rd. and 4 Mile Rd. approximately 1.0 mile Wedge, approx. 500 tons Overlay, approx. 1,300 tons			Surface Mixture: HMA, 5E1 tier 1 MDOT spec.	
	\$77.56	\$38,780.00	\$100.00	\$50,000.00
	\$75.97	\$98,761.00	\$83.00	\$107,900.00
TOTAL BID FOR DENVER TOWNSHIP:		\$137,541.00		\$157,900.00
<u>NCRC PRIMARY LOCATIONS</u>				
Monroe St. from Poplar Ave. to Mullen Creek Bridge (Old M-20) approximately 2.18 miles Wedge, approx. 400 tons Overlay, approx. 3,060 tons			Surface Mixture: HMA, 5E1 tier 1 MDOT spec.	
	\$89.08	\$35,632.00	\$120.00	\$48,000.00
	\$70.00	\$214,200.00	\$86.75	\$265,455.00
TOTAL BID:		\$249,832.00		\$313,455.00
72nd St. west of Warner Ave. approximately 4,350 ft. Wedge, approx. 500 tons Overlay, approx. 1,070 tons			Surface Mixture: HMA, 5E1 tier 1 MDOT spec.	
	\$78.11	\$39,055.00	\$100.00	\$50,000.00
	\$77.43	\$82,850.10	\$92.00	\$98,440.00

	TOTAL BID:	\$121,905.10	\$196,440.00
80th St. from Maple Island Rd. to Fitzgerald Ave. approximately 7,900 ft. Overlay, approx. 1,900 tons	Surface Mixture: HMA, 5E1 tier 1 MDOT spec.	\$76.28 \$144,932.00	\$91.65 \$174,135.00
	TOTAL BID:	\$144,932.00	\$174,135.00
	Surface Mixture: HMA, LVSP Mix tier 1 MDOT spec.		
11 Mile Rd. from Comstock Ave. to the east approximately 2.04 miles Pulverize, approx. 26,400 sq. yds. Pave, approx. 2,760 tons		\$0.49 \$12,936.00 \$70.59 \$194,828.40	\$0.49 \$12,936.00 \$103.61 \$285,963.60
	TOTAL BID:	\$207,764.40	\$298,899.60
	Surface Mixture: HMA, 5E1 tier 1 MDOT spec.		
11 Mile Rd. from Warner Ave. west approximately 4,100 ft. Wedge, approx. 890 tons		\$78.09 \$69,500.10	\$119.95 \$106,755.50
	TOTAL BID:	\$69,500.10	\$106,755.50

Motion was made by Commissioner Harmon and supported by Commissioner Fetterley, to accept management's recommendation and award asphalt paving bid to low bid per township/location, Rieth-Riley Construction Co., Inc. All ayes. Motion carried.

Bid Opening: Installation of timber piling and pier caps for Elm Ave. bridge

BIDDER: JOHN HENRY EXCAVATING, INC.				
ITEM	Price Each		Qty.	Total Cost
Drive 30-foot Abutment Piles	\$1,000.00	EA	14	\$14,000.00
Drive 20-foot Wing Piles	\$750.00	EA	8	\$6,000.00
Construct and install Pier Caps				\$12,900.00
TOTAL BID:				\$32,900.00

BIDDER: RIVERWORKS CONSTRUCTION				
ITEM	Price Each		Qty.	Total Cost
Drive 30-foot Abutment Piles	\$1,311.00	EA	14	\$18,354.00
Drive 20-foot Wing Piles	\$1,606.00	EA	8	\$12,848.00
Construct and install Pier Caps				\$10,065.00
TOTAL BID:				\$41,267.00

BIDDER: WALTON CONTRACTING, INC.				
ITEM	Price Each		Qty.	Total Cost
Drive 30-foot Abutment Piles	\$2,200.00	EA	14	\$30,800.00
Drive 20-foot Wing Piles	\$2,200.00	EA	8	\$17,600.00
Construct and install Pier Caps				\$3,250.00
TOTAL BID:				\$51,650.00

BIDDER: 45TH PARALLEL MARINE INC.				
ITEM	Price Each		Qty.	Total Cost
Drive 30-foot Abutment Piles	\$2,550.00	EA	14	\$35,700.00
Drive 20-foot Wing Piles	\$1,700.00	EA	8	\$13,600.00
Construct and install Pier Caps				\$4,000.00
TOTAL BID:				\$53,300.00

BIDDER: J.E. KLOOTE CONTRACTING, INC.				
ITEM	Price Each		Qty.	Total Cost
Drive 30-foot Abutment Piles	\$2,900.00	EA	14	\$40,600.00
Drive 20-foot Wing Piles	\$2,900.00	EA	8	\$23,200.00
Construct and install Pier Caps				\$14,000.00
TOTAL BID:				\$77,800.00

BIDDER: ASI ENVIRONMENTAL TECHNOLOGIES, INC.				
--	--	--	--	--

ITEM	Price Each	Qty.	Total Cost
Drive 30-foot Abutment Piles	\$4,000.00 EA	14	\$56,000.00
Drive 20-foot Wing Piles	\$3,000.00 EA	8	\$24,000.00
Construct and install Pier Caps			\$2,000.00
TOTAL BID:			\$82,000.00

Bids will be reviewed and awarded at a later date.

Bid Opening: Bituminous Chip Seal/Fog Surface Treatment

This work shall consist of all labor, materials, and equipment required to chip seal as specified.

Approx. 250,000 sq. yds.

COMPANY	LABOR & EQUIPMENT		MATERIAL		TOTAL
	per sq. yd.	Total	per sq. yd.	Total	
Fahrner Asphalt Sealers, LLC	\$0.790	\$197,500.00	1.920 <i>MDOT spec. 34CS - slag aggregate</i>	\$480,000.00	\$677,500.00
Pavement Maintenance Systems, LLC	\$1.200	\$300,000.00	1.860	\$465,000.00	\$765,000.00

Motion was made by Commissioner Fetterley and supported by Commissioner Harmon to award Bituminous Chip Seal and Fog Surface Treatment to low bid, Fahrner Asphalt Sealers, LLC. All ayes. Motion carried.

Bid Opening: Permanent sheet piling – 40th St. at Bigelow Creek

Permanent sheet piling shall be paid as a lump sum. The unit price for permanent sheet piling includes providing, and installing permanent sheet piling. Work consists of providing, and installing, permanent sheet piling to provide scour protection for placement of a 3-sided concrete culvert. Consists of approximately 280 lineal ft of 15 ft long (minimum) sheets (see drawing for layout). Work shall take place in August 2025.

COMPANY	LUMP SUM TOTAL
J.E. KLOOTE CONTRACTING, INC.	\$94,000.00
JOHN HENRY EXCAVATING, INC.	\$97,900.00
RIVERWORKS CONSTRUCTION	\$123,500.00
ASI ENVIRONMENTAL TECHNOLOGIES, INC.	\$210,000.00

Motion was made by Commissioner Harmon and supported by Commissioner Fetterley to award permanent sheet piling for the 40th St. at Bigelow Creek project to low bid, J.E. Kloote Contracting, Inc. All ayes. Motion carried.

Bid Opening: Precast concrete, 3-sided box culvert – 40th St. at Bigelow Creek

BIDDER: NORTHERN CONCRETE PIPE, INC.

ITEM	Lump Sum	Total Cost
11' rise x 18' span x 100' 3-sided Concrete Box Culvert		\$280,900.00
Footings for 3-sided Concrete Culvert		\$171,000.00
Two (2) 4 ft. headwalls		\$19,700.00
Four (4) 15 ft. wingwalls with footings		\$84,160.00
TOTAL BID:		\$555,760.00

Estimated Delivery Date: Approx. late August - possibly into September

Motion made by Commissioner Harmon and supported by Commissioner Fetterley to accept management's recommendation and award the precast 3-sided concrete box culvert to Northern Concrete Pipe, Inc. All ayes. Motion carried.

Derek reported that Krenn Timber Bridge, Inc., under the annual culvert bid, provided us with a quote on June 24, 2024, for the timber bridge on Elm Ave. north of 13 Mile Rd., and they are willing to honor that price. Motion made by Commissioner Fetterley and supported by Commissioner Harmon to send Krenn Timber Bridge, Inc. a purchase order reflecting the quote for the Elm Ave. timber bridge. All ayes. Motion carried.

Kerry requested the March 26th board meeting be moved due to the conflict with the Highway Conference. Motion by Commissioner Harmon and supported by Commissioner Fetterley to move the March 26, 2025, board meeting to March 21, 2025. All ayes. Motion carried.

Kerry presented the board with an updated cash flow, MVHF Comparison, budget reports, and fuel savings through January.

Kerry informed the board that she transferred a million dollars from our Independent Bank savings account to our MiClass Savings account, which will yield higher interest rates. The money is not needed until we complete our primary paving projects in the spring.

Kerry informed the board that the Department of Treasury is finalizing our audit. They were here last week for a few days doing their field work. Kerry hopes to have the draft audit by the end of the week.

Kerry informed the board that the next Paul Bunyan meeting is scheduled for February 20th.

Kerry informed the board that the IRS mileage rate for 2025 is set at 70 cents, up from the 67 cents per mile rate in 2024.

Kerry presented the board with resolution #NCRC-02-001-25, a resolution specifying authorized officials to sign MDOT Contract # 24-5583, Job # 214477CON for the rehabilitation of structure # 7749, which carries Spruce Ave. over the Five Mile Creek. Motion by Commissioner Harmon and supported by Commissioner Fetterley to approve Resolution #NCRC-02-001-25 as presented. All ayes. Motion carried.

Kerry presented the board with the following contract from **Sherman Township:**

32nd St. between Ferris Ave. and Parson Ave.: Wedge and Overlay

Motion by Commissioner Harmon and supported by Commissioner Fetterley to approve and sign the above-mentioned contract with Sherman Township. All ayes. Motion carried.

Kerry presented the board with the following contract from **Garfield Township:**

Ferris Ave. between 48th St. and 68th St.: Wedge and Reseal

Motion by Commissioner Fetterley and supported by Commissioner Harmon to approve and sign the above-mentioned contract with Garfield Township. All ayes. Motion carried.

Kerry informed the board of the new Earned Sick Time Act that goes into effect on February 21, 2025. Kerry explained the rules and regulations we must follow and a policy that needs to be adopted prior to February 21, 2025. Motion by Commissioner Harmon and supported by Commissioner Fetterley to prorate management's accrued PTO hours, freeze management's PTO banks, and approve the following Earned Sick Time Policy effective February 21, 2025. All ayes. Motion carried.

EARNED SICK TIME POLICY

The Newaygo County Road Commission ("Road Commission") provides earned sick time to eligible employees in accordance with statutory requirements and as detailed in the policy below.

Section 1 - Eligible Employees

All employees who work for compensation, including part-time and temporary employees, are eligible for earned sick time. An employee's eligibility for earned sick time is independent of their eligibility for any other form of paid leave provided by the Road Commission, whether such leave is provided under a Road Commission policy or a collective bargaining agreement. In cases where more than one type of paid time off is available for the same reason, the employee may choose which type of paid time off to submit, subject to the provisions that apply under the applicable policy or collective bargaining agreement.

Section 2 – Accrual of Earned Sick Time

Eligible employees shall accrue one (1) hour of paid earned sick time for every thirty (30) hours worked, up to a maximum of seventy-two (72) hours of paid earned sick time per year. A year for purposes of the employee's earned sick time accrual is the calendar year.

Earned sick time shall accrue from the date of hire or February 21, 2025, whichever is later.

Section 3 – Paid Sick Leave Usage

Eligible employees are entitled to use their accrued earned sick time beginning 90 days after the start of their employment. The Road Commission requires employees to use earned sick time in increments of a tenth of an hour, consistent with the Road Commission's payroll system and practices

Section 4 – Carryover of Accrued Earned Sick Time

Earned sick time shall carry over from year to year, but an employee is not permitted to use more than 72 hours of paid earned sick time per year.

If an employee separates from employment with the Road Commission, they will receive 50% of financial reimbursement for accrued earned sick time that was not used upon the employee's termination, resignation, retirement, or other separation from employment up to 2,000 hours. If an employee separates from the Road Commission and is rehired within six (6) months of the separation, the Road Commission shall reinstate previously accrued, unused and unpaid earned sick time and shall permit the reinstated employee to use that earned sick time and accrue additional earned sick time upon reinstatement.

Section 5 – Authorized Uses of Earned Sick Time

Earned sick time may be used to provide paid time off for the following purposes:

- A. An employee's:
 1. Mental or physical illness, injury, or health condition;
 2. The need for medical diagnosis, care, or treatment of mental or physical illness, injury, or health condition; or,
 3. The need for preventative medical care.
- B. An employee's care of a family member:
 1. With a mental or physical illness, injury, or health condition;
 2. Who needs medical diagnosis, care, or treatment of a mental or physical illness, injury, or health condition; or,
 3. Who needs preventative medical care.
- C. An employee's absence due to domestic violence or sexual assault of the employee or employee's family member, provided the absence is to:
 1. Seek medical care or psychological or other counseling for physical or psychological injury or disability;
 2. Obtain services from a victim services organization;
 3. Relocate due to domestic violence or sexual assault;
 4. Obtain legal services; or,
 5. Participate in any civil or criminal proceedings related to or resulting from the domestic violence or sexual assault.
- D. For meetings at a child's school or place of care related to the child's health or disability, or the effects of domestic violence or sexual assault on the child.
- E. Closure of the Road Commission or the employee's child's school or place of care by order of a public official due to a public health emergency.

- F. If it has been determined by a health care provider or the health authorities having jurisdiction that the employee's or employee's family member's presence in the community would jeopardize the health of others because of their exposure to a communicable disease, whether or not the employee or family member has actually contracted the communicable disease.

Section 6 – Qualifying Family Members

For the use of earned sick time for an employee's family member, family member is defined as a biological, adopted or foster child, stepchild or legal ward, a child of a domestic partner, or a child to whom the employee stands in loco parentis; a biological parent, foster parent, stepparent, or adoptive parent or a legal guardian of an employee or an employee's spouse or domestic partner or a person who stood in loco parentis when the employee was a minor child; a person to who the employee is legally married under the laws of any state or a domestic partner; a grandparent; a grandchild; a biological, foster, or adopted sibling; and any other individual related by blood or affinity whose close association with the employee is the equivalent of a family relationship.

Section 7 – Reasonable Notice of Earned Sick Time

If the need to use earned sick time is foreseeable, the employee shall provide advance notice, seven (7) days prior to the date the earned sick time is to begin, of the intention to use the earned sick time. If the need is not foreseeable, the employee must give notice as soon as practicable.

Section 8 – Documentation

When an employee uses earned sick time for more than three (3) consecutive scheduled workdays, documentation may be required as described below:

1. Documentation signed by a health care professional indicating that earned sick time is necessary is reasonable documentation.
2. In cases of domestic violence or sexual assault, one of the following types of documentation selected by the employee shall be considered reasonable documentation:
 - a. A police report indicating that the employee or the employee's family member was a victim of domestic violence or sexual assault;
 - b. A signed statement from a victim and witness advocate affirming that the employee or employee's family member is receiving services from a victim services organization; or,
 - c. A court document indicating that the employee or employee's family member is involved in legal action related to domestic violence or sexual assault.

When providing documentation in support of a request to used earned sick time, employees are not required to provide documentation that explains the nature of the illness or the details of the violence.

Section 9 – Retaliation Prohibited

An employee may not be disciplined or in any way retaliated against because the employee has used or attempted to use earned sick time under this policy. The use of earned sick time cannot be counted as an absence that may result in adverse action under an attendance policy or point system. The Road Commission will not threaten, discharge, suspend, demote, reduce hours, or take any other adverse action against any employee solely for the exercise of their rights, nor interfere with or punish any employee for participation in an investigation, proceeding, or hearing under the Earned Sick Time Act or this policy.

Derek reported that the crushing project at Guthrie pit is complete. We were able to compile quite a bit of usable material, while improving the cosmetic appearance of the property. Derek will work with MHK for final billing.

Derek informed the board that the parks marina project is moving forward with the timber sale complete. We will move equipment to the site to start removing stumps in between snow events.

Derek informed the board that MDOT will be using our boardroom on April 10th to hold an M-37 corridor meeting with Lake County and all Cities and villages affected in both Newaygo and Lake Counties.

Derek informed the board that the preconstruction meeting for the pin and hanger replacement on the M-37 bridge over the Muskegon river will be held Feb. 10th. The project timeline is April 7th – June 27th.

Derek reported that he continues to work with Consumers Energy on an agreement to shift Beech Ave. north of 16th St. away from the failing bank of the Muskegon River. An agreement needs to be drafted allowing us permission to utilize their property to shift the road. Derek is hoping to complete the project this summer in conjunction with the Beech Ave. road project for Big Prairie Township.

Derek informed the board that Trent Fetterley has resigned, and his last day was February 7th. Derek reported that Kenneth Hall contacted him about coming back to work. Derek didn't have plans to replace Trent but couldn't pass up the opportunity to get Kenneth back. He will start on February 24th.

Derek reported that we have two CRA ballots to return. The board had no objections to Derek's recommendation on candidates.

Derek presented Chairman Gonyon a new set of cover sheets for the Act 51 certification maps. Apparently, we signed the other sheets too soon. The board had no objections to Chairman Gonyon signing cover sheets for the Act 51 certification maps as presented.

Public Comment: none

Commissioner discussion items:

Commissioner Harmon informed the board that Nick Smith, Newaygo County Parks Director, has accepted a job at Ottawa County. His last day will be March 7th. Commissioner Harmon will be part of a committee formed to hire his replacement.

With no objections, Chairman Gonyon adjourned the meeting at 8:55 a.m.

William Gonyon, Chairman

Kerry Hewitt, Clerk