

TERESA M. SPENCER  
LAPEER COUNTY CLERK

County Complex Building  
255 Clay Street  
Lapeer, Michigan 48446

Phone 810 area code  
667-0356  
Circuit Court Division  
667-0358  
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## A-G-E-N-D-A

### LAPEER COUNTY BOARD OF COMMISSIONERS SPECIAL BOARD MEETING

January 11, 2024

### Immediately Following the Scheduled Committee of the Whole Meeting

Tom Kohlman	District #1
Gary Howell	District #2
Kevin Knisely	District #3
Brad Haggadone	District #4
Truman Mast	District #5
William Hamilton	District #6
Bryan Zender	District #7

#### CALL TO ORDER BY CHAIRMAN/VICE-CHAIR

- ◆ Roll Call
- ◆ Opening Prayer
- ◆ Pledge of Allegiance

#### CONSIDERATION FOR APPROVAL:

- ◆ Agenda

**PUBLIC TIME** - Citizens Comments, etc.

**NEW/OLD BUSINESS:**

**DRAFT MOTIONS**

- ◆ **American Rescue Plan Act Committee (ARPA) (January 11, 2024)**  
**(to be distributed)**

1. **ADMINISTRATION - Request to approve Grant for Polly Ann Trail**

**(Additional items)**

- 1.
- 2.

**PUBLIC TIME - Citizens Comments, etc.**

**COMMISSIONER REPORTS**

**CLOSED SESSION - If needed**

**RECESS/ADJOURN**

**\*\*Public Recording Notice: Please be advised that the meetings of the Lapeer County Board of Commissioners are streamed live and recorded on social media for public viewing and transparency. We respectfully request that anyone addressing the Board of Commissioners during "Public Time" be proactive and make every effort in keeping their words and language appropriate for ALL users, including children for educational purposes.\*\***

**Agenda and attachments: 13 pages total. Provided to Administration for website posting: 01-10-2024; 9:00 a.m.**

**LAPEER COUNTY  
"GRANT" REQUEST FOR ACTION**

DATE: 1/2/2024

                     REQUEST FOR ACTION -Grant Application

      X       REQUEST FOR ACTION -Grant Acceptance

TO: Lapeer County Board of Commissioners

FROM: Lapeer County Administration

**SUMMARY OF REQUEST/INFORMATION:** Accept additional \$45,000 from the Michigan Department of Natural Resources to pay for engineering work to be completed for the Polly Ann Trail to be used in addition to the \$15,000 match from the Friends of the Polly Ann Trail and Dryden Township as identified in the previously accepted Spark Grant, for a total of \$60,000 and to authorize the acceptance of the Engineering Services Proposal from Rowe Engineering dated November 8, 2023. Engineering services to be as identified in the proposal with costs not to exceed \$60,000. There is no additional cost to the General Fund.

**ADDITIONAL INFORMATION:**

YES      NO

CFDA #	<u>                    </u>	Is there a Continuation Requirement?	<u>      </u>	X
% FEDERAL	<u>                    </u>	Is there an Interest Earned Requirement?	<u>      </u>	X
% STATE	<u>      75      </u>	Can Interest be charged to the Grant?	<u>      </u>	X
LOCAL MATCH	Cash: <u>      15,000      </u>	Is Cost Allocation Allowable?	<u>      </u>	X
	In-Kind: <u>                    </u>	(If not Explain Why)		

Revenue Account Line #:            -            -            .           

CONTACT PERSON(S): Moses Sanzo/Jackie Arnold/Sarah Whale

**BACKGROUND INFORMATION:** The County applied for, and received, a DNR Spark Grant for improvements to the Polly Ann trail in Dryden Township. A condition of the grant is to have an engineer of record design and approve the work to be completed. This expense was not included in the original proposal. Thus, the DNR has offered an additional \$45,000 in the form of a grant to allow for the engineering work to be completed, and the project to proceed with full completion no later than October 2026. Acceptance of the original DNR Spark Grant for improvements by the Board of Commissioners was July 28, 2023.

**SUPPORTING DOCUMENTATION:**

DNR Grant Agreement for additional \$45,000 in support; ROWE Engineering Proposal for Engineering Services

**DRAFT MOTION:** Motion by \_\_\_\_\_, supported \_\_\_\_\_, to accept the grant MOU and Agreement between the County of Lapeer and the Michigan Department of Natural Resources in the amount of \$45,000, plus the \$15,000 in matching funds from the Friends of the Polly Ann Trail and Dryden Township, for a total of \$60,000 for Engineering Services work related to the Polly Ann Trail Project, as attached and presented, and to issue a notice to proceed to Rowe Engineering; and further, to authorize the Chairman to sign said grant agreement.

ATTACHMENTS

Yes :   X        No:



GRANT AGREEMENT NUMBER  
RIF 24-11

MEMORANDUM OF UNDERSTANDING AND AGREEMENT  
FOR THE  
RECREATION IMPROVEMENT FUND

This information is required by authority of Part 711 of Act 451 of 1994,  
as amended, to qualify for reimbursement.

Grantee County of Lapeer	
Attention Sarah Whaley, PEM	
Address 255 Clay St.	
City, State, ZIP Lapeer, MI 48446	
Telephone (810) 245-4762	SIGMA Vendor ID

It is expressly understood by and between the parties hereto that the proposal bears the above Grant Agreement Number and associated documents including all attachments, are by this reference made part of this understanding. All materials bearing this number constitute the entire understanding between the parties.

An agreement is made between the MICHIGAN DEPARTMENT OF NATURAL RESOURCES (hereinafter called the Department; State Trails Coordinator, contracting officer) and the above-named Grantee for funding the development of a trailhead and amenities in Onaway Michigan on the Northeast State Trail.

The project period shall be from date of signature to 09/30/2024. This understanding shall convey a sum of money for eligible costs, but which shall not in any event exceed forty-five thousand \$45,000 dollars for engineering services for the proposed Polly Ann Trail project.

All projects will comply with the Americans with Disabilities Act of 1990.

All work must comply with State and Federal guidelines rules, regulations, and laws.

Additional guidelines and specifications for this agreement:

- **Project Coordination:** The Department contact for this project is Sage Hegdal, hereinafter referred to as the Coordinator. The Grantee will confer regularly with the Coordinator on the progress of this project.
- **Suspended and Debarred Parties:** \*Sec. 3016.35 Sub awards to debarred and suspended parties. Grantees and sub grantees must not make any award or permit any award (sub grant or contract) as any tier to any party which is debarred or suspended or is otherwise excluded from or ineligible for participation in Federal assistance programs under Executive Order 12549, "Debarment and Suspension." List of debarred parties: <http://www.epls.gov>.
- **Payment:** Where applicable, the Department agrees to reimburse the Grantee for authorized expenditures upon verification of actual expenditures up to 90 percent of the grant amount. The Department will pay the final 10 percent upon project completion and final audit. Total payment under this grant is not to exceed the actual costs or \$45,000, whichever is less. Initial request for payment shall be made by completing *Request for Grant Reimbursement, PR4121*, (additional forms are available from the address at the end of this agreement). All requests for payment must be submitted quarterly and received by the Department no later than the 15<sup>th</sup> of the month following the end of the quarter. A final request must be made by September 15, 2021. Requests for payment must include copies of invoices and cancelled checks for all expenditures. A Sigma Vendor ID is required for reimbursement. To apply for the required ID, please follow the instructions found online <https://sigma.michigan.gov/webapp/PRDVSS2X1/AltSelfService>.
- **Fiscal Control and Accounting Procedures:** In addition to the summary documentation submitted to the Department, the Grantee will maintain complete financial records. Documents required to be maintained for audit include purchase orders, vouchers, authorized payments, and time records for individual employee(s) charged to this program. All financial records for this Grant will be retained by the Grantee until audit, or for a minimum of three (3) years, whichever is less. Records under audit will be retained until the audit is closed.
- **Procurement:** The Grantee will use their own procurement procedures provided they reflect applicable state and local laws and regulations, to include low bidder competition bid process, as applicable.

- **Changes:** From time to time, changes may be needed in the scope or an extension of the project and the grant. **All changes must be submitted in writing to the Coordinator and approved by the Department 45 days prior to September 15, 2024.** Changes implemented prior to approval by the Department will not be eligible for reimbursement.
- **Audits:** The project and related reports are subject to audit by the Department. This may include both financial audits and site visits.
- **Hold Harmless:** Each party to this agreement will be responsible for its own negligent acts, including the acts of its officers, agents, and employees.
- **Right of Cancellation:** This grant agreement may be cancelled by either party upon giving thirty (30) days' written notice to that effect to the other party.

The individuals or officers signing on behalf of the parties to this Agreement certify by their signatures that they have read, understand and agree to comply with this Agreement, and have the authority to enter into this Agreement on behalf of the Grantee.

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**DEPARTMENT COORDINATOR**

Printed Name: \_\_\_\_\_ Title: \_\_\_\_\_  
 Signature: \_\_\_\_\_ Date: \_\_\_\_\_

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**GRANTEE'S REPRESENTATIVE(S)**

Printed Name: \_\_\_\_\_ Title: \_\_\_\_\_  
 Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Printed Name: \_\_\_\_\_ Title: \_\_\_\_\_  
 Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Printed Name: \_\_\_\_\_ Title: \_\_\_\_\_  
 Signature: \_\_\_\_\_ Date: \_\_\_\_\_

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**Please sign and return via email to Lee Maynard or mail:**

**NON-MOTORIZED GRANT COORDINATOR  
 PARKS AND RECREATION DIVISION  
 MICHIGAN DEPARTMENT OF NATURAL RESOURCES  
Maynard11@michigan.gov  
 (517) 275-0299**

A fully executed copy will be returned via email for Grantee's files.

**Friends of the Polly Ann Trail of Lapeer County**  
**Regular Meeting Minutes**  
**December 15, 2022**

The meeting was held on December 15, 2022 at the Lamb Steele Building in Imlay City, Michigan.

**CALL TO ORDER**

Chairman, David Howell, called the meeting to order at 7:11 p.m.

**BOARD PRESENT**

David Howell, Carrie Spencer, Cynthia Stroebel, and Dave VandenBerghe

**BOARD ABSENT**

Deb Stallings, Barb Yockey, Frank Demske, Miriam Marcus, and Ken Baginski

**Others present:** Bryan Zender

- I. **Pledge of Allegiance** – everyone stood for the Pledge of Allegiance to the United States of America.
- II. **Agenda** – Agenda could not be approved – No quorum.
- III. **Minutes** – Cynthia was having technical difficulties, and was unable to present the October Board minutes.
- IV. **Financial Report** – David presented the financial report as of December 15, 2022.

Operating Account	\$16,737.05
Special Account	\$7,698.50
Reserve Account	\$10,754.36
Trailhead Account	\$12,501.01
Grant Account	\$39,834.77
PayPal	\$5,145.05
TOTAL	\$92,670.74

There were some debits to the Operating Account: first installment for payment to the grant writing firm (Mission Lift), Dave VandenBerghe maintenance reimbursement, and costs attributed to end-of-the-year mailings.

Financial report could not be approved – No quorum.

V. **Business**

A. **Board Issues**

1. **Board Vacancies (2)** – Elections will happen during the February meeting with select board members.
2. **Board Resolution** – The Friends of the Polly Ann Trail agrees to pay Mission Lift the sum of \$3200 to write a Michigan Spark Grant for \$285,000 for a development project

on the Polly Ann Trail, to be delivered before December 19. Passed by an 8-0 email vote, November 23, 2022.

3. **Board Resolution** – The Friends of the Polly Ann Trail hereby authorizes the pledge of a grant match of up to \$10,000 to accompany the application for the development of the Polly Ann Trail from Dryden Road to Casey Road. Passed by an 8-0 vote, November 29, 2022.
4. **Work Done on Michigan Spark Grant**
  - A. **Narrative** – This grant is proceeding very quickly. David H. is working very closely with the grant writing team, and meets with them frequently. With all the added information and details, the nine page application has increased to 21 pages. Thanks for all you hard work, David.
  - B. **Letters of Support** – In total, there were nine letters of support (Friends of Polly Ann, Seven Ponds, an insect group, LCCF, 4CCF, Six Rivers Land Conservancy, Dryden Township, Dryden Village, and Imlay City). Dryden Township also pledged \$5,000 for a match for the grant.
  - C. **Submission** – The grant will be submitted on December 16, 2022. It is hoped that the awards will be announced as early as late January.
5. **Donation Letters – Lifetime Members** – David has already sent out the end-of-year letters for donation requests to Lifetime Members.
6. **Donation/membership Letters** – These letters will be sent out soon. There are 192 names on this mailing list asking for membership renewal and/or donation.
7. **Trail Cameras in Imlay City** – Imlay City will install the cameras and Vlastic will cover the cost.
8. **No Motorized Vehicle Signs** – 75 percent of the signs have been placed and posted.
9. **Trail Maintenance Expenses** – A summary of maintenance report presented by Dave V. The bridge between Sutton and Hunters Creek Roads has been repaired with the help of Kirt and Jeff. Justin Evans fixed the cement culvert north of Dryden Road. He reconnected the tile and rebuilt the side of trail with material donated by Cory Plumb. Dave installed a safety barrier south of Dryden Road because of a steep drop-off that wasn't there in the summer. He is removing brush and dead trees with backhoe south of Dryden Road, and will be ditching in this area. A cement culvert needs to be replaced between the Connector Trail and Casey Road because of a large hole created from the cracked culvert. Limestone has been placed before and after the bridges in this area. Priehs Asphalt is willing to donate a semi-truck load of regrind to the trail on Almont Road when they are in the area. During the winter months, Dave will be working north of Bowers Road on his backhoe. There is concern with working on this portion of the trail because homeowners take offence to any trail maintenance being done there. He will need to put his backhoe in a safe overnight location while working there. There is a need for the gate to be put back up on the trail north of Dryden Road. People are dumping their garbage there. Thanks Dave for your continued hard work! **Trail Maintenance expenses will have to be discussed at the next board meeting.**

#### **B. Lapeer County Report**

1. **Trail Development Proposals** – David meets with DNR once a month to keep this moving forward.
  2. **Trail Maintenance Update** – No update
  - C. **Imlay City Trailhead** – Nothing new to report.
  - D. **Website** – Nothing to report
  - E. **Facebook** – Nothing new to report
  - F. **Membership Report** – David reported that there are about 65 members. This number has not changed of the last couple of months.
  - G. **Questions, Comments, Announcements** – Bryan Zender reported that county controller, Quentin Bishop, will be leaving the county this December. The County Commission will start their search for a new controller. This may take two months or so, but there will be an interim county controller in the meantime. The county has six new commissioners, and Bryan is not sure if he will continue to be our liaison. The new commissioner for Imlay City, Truman Mast, may become the new liaison.
- VI. **Adjournment** – Meeting was adjourned at 8:13 p.m.

Respectfully submitted,  
Carrie Spencer, Secretary



**Dryden Casey Project**

**Polly Ann Trail Development Resolution**

(Between Casey and Dryden Roads)

WHEREAS, Dryden Township supports the submission of an application titled, "Dryden Casey Project" to the Spark grant program for the development of the Polly Ann Trail from Dryden Road to Casey Road; and,

WHEREAS, the proposed application is supported by the Community's 5-Year Approved Parks and Recreation Plan; and,

WHEREAS, Dryden Township has made a financial commitment to the project in the amount of \$5,000.00 matching funds, in cash and/or force account; and,

AYES: 5

NAYES: 0

ABSENT: 0

MOTION APPROVED.

I HEREBY CERTIFY, that the foregoing is a Resolution duly made and passed by Dryden Township of Lapeer County at their regular meeting on 13th day of December 13, 2022, at 7 p.m. in Dryden Twp. with a quorum present.



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Clerk

Dated: 12/13/2022



November 8, 2023

Mr. John Bustle  
Lapeer County Building & Grounds Operations Director  
255 Clay Street  
Lapeer, MI 48446

RE: Polly Ann Trail (ARPA / SPARK) Grant  
Engineering Services Proposal

Dear Mr. Bustle:

ROWE Professional Services Company is providing a proposal for the engineering services for the project referenced above. Our understanding of the project background includes the following:

- The county has been awarded a SPARK grant from the Michigan Department of Natural Resources (MDNR) funded through ARPA.
- The trail is a state-owned trail; the county has a pending agreement with the MDNR for maintaining the trail within county limits.
- The Friends of the Polly Ann Trail (Friends) have pursued funding for an extensive time and initiated the grant application for the county to submit on its behalf as the fiduciary.
- The county commission currently has a resolution to not spend any county funds on this project.
- ROWE will be under contract with the county.
- Funds will be provided via the Friends Group and/or a MDNR mini-grant.

Based on the Project Agreement executed between the MDNR and the county on July 28, 2023, plans are required to be advertised with 180 days (Jan 24, 2024). Preliminary design documents were prepared by another consultant in 2014.

ROWE has a depth of experience with MDNR funded trail projects. We have assisted the Friends Group with preparation of cost opinions associated with the applications. For this project, ROWE will provide design and part time periodic construction observation services associated with being the Professional of Record anticipating a construction in 2024. We have provided a detailed scope of services presented below as well as some similar project experience.

Based on our previous conversation MDNR has clarified that AASHTO requirements will need to be met which may impact the original length of project due to the additional costs associated with meeting this requirement. The project has a \$302,000 construction budget, including \$10k from the Friends Group and \$5k from Dryden Township. The project location is within an existing / former railroad bed starting at Main Street in Dryden and continuing south to Casey Road.

**SINCE 1962**

A stakeholder committee will provide direction to ROWE including a representative from Lapeer County Parks, Lapeer County Road Commission, Friends Group and MDNR. It is our understanding that the Lapeer County Parks representative will be our point person to coordinate comments and provide direction to ROWE.

We understand the proposed site improvements include the following:

- Herbicide pre-treatment and minor grading.
- Placing a 10-foot-wide aggregate surface over the existing ballast remaining on the rail corridor. A crushed limestone surface course will be used to achieve ADA guidelines for the surface similar to other MDNR / MDOT projects.
- Up to three existing timber bridges are included in the project; we have included structural re-design of the decking and railing to provide a 14-foot-wide clear span and H-10 loading.
- The project length is approximately 1.3 miles and may be reduced based on available funding.

The SPARKS grant includes federal requirements such as Buy American material sourcing and Davis Bacon prevailing wages which will be considered when budgeting.

We are providing the following proposal which clarifies the scope of our grant assistance, design, and construction engineering efforts to meet the MDNR requirements as follows:

#### **Scope of Work**

##### **Preparing Base Maps \$1,200**

The existing 2014 plans will be used to provide stationing for the project. The project will be a log format using stationing and typical sections / details for proposed work. A topographic survey will not be completed. The legal description of the trail corridor will be provided by the MDNR. An aerial image of the existing route may be referenced. No geotechnical investigations will be completed. ROWE will compile these documents and prepare a base map for use during design.

##### **Preliminary Design \$17,500**

ROWE will conduct a site walk of the corridor with stakeholders and verify site conditions. A 30 percent plan set will be prepared including a revised construction cost opinion. This includes one site meeting and one virtual meeting to review with stakeholders.

##### **Final Design \$24,000**

Based on comments from the preliminary design, construction documents will be prepared by ROWE. This will include relevant sections, plan sheets, details, and technical specifications. We will prepare all related permit applications for signature by the Owner. A 90 percent review set will be prepared for stakeholder review, including a preliminary cost opinion for construction. ROWE will conduct a virtual meeting with stakeholders to review plans and receive comments.

##### **Bidding \$4,300**

ROWE will prepare bid documents for MDNR review and approval for bidding using ROWE front end documentation. The county will assign ROWE as a consultant in MiGrants and provide

coordination with an authorized official to submit documents. The MIGrant site will be used to upload and complete the following:

- Checklist for submission of plans and specifications form.
- Sealed plans, sealed specifications, and bid documents.
- Professional Services Certification
- Itemized project cost estimate
- Brief implementation schedule

Upon review and approval by the MDNR, ROWE will prepare pdf documents, advertise, and solicit bids on behalf of the county. ROWE will address bidder questions, accept / review bids, and provide a contractor recommendation to MDNR and the county for award.

**Construction Assistance**

**Budget Estimate \$13,000**

At your request we have provided costs based on the minimum effort required as the Professional of Record, understanding that the Friends will provide capacity for monitoring construction. ROWE will be available to assist with the following part-time activities to assist the county during construction:

Pre-construction meeting and minutes.....	8 hours
Shop drawing review .....	8 hours
Miscellaneous technical support / progress meetings/pay applications....	40 hours
Wage rate reviews.....	20 hours
Punch list meeting (two on-site visits) .....	4 hours
<u>Complete final compliance on-site inspection form and record drawing.....</u>	<u>4 hours</u>
<b>TOTAL</b>	<b>84 hours</b>

Construction assistance will be completed on a time and materials basis. Construction staking, permitting and materials testing is to be performed by the Contractor. Construction timing may vary based on conditions. This is based on a 45-day construction period.

**Proposed Schedule**

Notice to Proceed.....	November 15, 2023
Preliminary Design .....	November 15-November 30, 2023
Final Design .....	December 2023
Bidding and Award .....	January-March 2024
Construction (Obligation by 12-31-2024) .....	TBD 2024

The actual construction schedule will be determined by the Contractor.

Our total budget for this project is **\$60,000** based on the scope and hours shown. Additional services can be addressed on a time and materials basis as approved by the county. The signed contract (provided) will act as notice to proceed along with verification that funding is in place for professional services.


Mr. John Bustle  
November 8, 2023  
Page 4

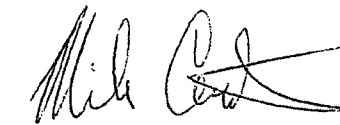
**Conditions / Clarification to our Scope of Services**

1. The county or Friends will obtain quotes and coordinate agreements with in-kind and volunteer services for work and documenting as required for reimbursement and other documentation required for grant administration.
2. A single bidding document will be prepared for contracted work.
3. Daily construction oversight is to be performed by others. Testing services and staking, if needed, will be completed by the Contractor.
4. Permit applications and fees are not included and will be paid directly by the County. Permits are limited to a SESC permit; no building or EGLE permits are included.
5. No environmental hazards exist within the proposed project limits.
6. No archaeological features are anticipated to be found within the proposed project limits.
7. Storm water design is not anticipated as part of this project.
8. Geotechnical is not included in the scope of work.
9. Wetland mitigation is not included in the scope of work.
10. Tree removal is not anticipated as part of the project.
11. Culvert replacement is not included in the scope of work.

We look forward to making progress on this recreation project within your community. Let me know if you have any questions. This proposal is valid for 30 days, but it is crucial to obtain approval very soon to maintain the required schedule. Please contact us at (810) 341-7500 with any questions.

Sincerely,  
ROWE Professional Services Company

  
Doug Schultz, PLA  
Senior Project Manager

  
Michael C Carpenter  
Project Administrator

CC; David Howell, Friends of Polly Ann Trail  
Sage Hegdal, MDNR

Attachment: Contract for Professional Services