

June 24, 2015

The Board of County Road Commissioners of Montcalm County held a regular meeting at its office located in Stanton, Michigan at 9:00 a.m. on June 24, 2015.

Present: Commissioners Dale Linton, Robert Brundage and Michael Scott; also present: Mark Christensen, Managing Director and Kim Alexander, Finance Director-Clerk.

The Pledge of Allegiance and a prayer were given.

Moved by Brundage, seconded by Scott, to approve the agenda as amended. Motion carried.

Moved by Scott seconded by Brundage to approve the minutes of the June 10, 2015 meeting as presented. Motion carried.

Moved by Scott seconded by Brundage to approve and sign the following contract. Roll Call: Yes – Brundage, Scott, Linton. Motion carried.

Newaygo County Road Commission

- Chip and fog seal various locations

Moved by Brundage seconded by Scott to authorize County Engineer, Carol Smith, to sign the 582 Bridge over Tamarack Creek project title sheet. Roll call: Yes – Brundage, Scott, Linton. Motion carried.

Commissioner Scott offered the following resolution and moved for its adoption:

WHEREAS, certain residents of Martin's Subdivision (hereinafter referred to as the "Petitioners") have filed a petition in the Montcalm County Circuit Court seeking the amendment of the Plat of Martin's Subdivision No. 1 ("Plat of Martin's Subdivision"), located in Pierson Township, Montcalm County, Michigan for the sole purpose of changing Martin Road from a private road to a public road, thereby placing Martin Drive under the jurisdiction of the Montcalm County road Commission. (*Vanhattum v The Barbara A. Workman Trust, et al*, Montcalm County Circuit Court #15-K-20082-CH.)

WHEREAS, a private road known and platted as Martin Drive currently extends from the northern-most boundary to the southern-most boundary of Martin's Subdivision, as illustrated on Exhibit A.

WHEREAS, under the current Plat of Martin's Subdivision, Martin Drive is dedicated to the private rights of the adjoining lot owners only, as indicated and illustrated on Exhibit A attached hereto attached hereto.

WHEREAS, Martin Drive is a continuation of Elmwood Drive to the north of Martin's Subdivision.

WHEREAS, portions of Elmwood Drive to the north ("subject portions of Elmwood Drive") were recently declared a public highway by user in connection with a separate action filed in the Montcalm County Circuit Court (*McKinney v Township of Pierson, et al.*, Case No. 14-H-18697-CH, Hon. David A. Hoort). Pursuant to the Consent Judgment entered in that matter, the subject portions of Elmwood Drive are now under the jurisdiction of the Montcalm County Road Commission ("Road Commission").

WHEREAS, the Road Commission, working in cooperation with the Township of Pierson, is currently in the process of resurfacing the subject portions of Elmwood Drive.

WHEREAS, as a condition to having Martin Drive resurfaced and maintained by the Road Commission, the Road Commission has requested that the Plat of Martin's Subdivision be amended to change Martin Drive from a private road to a public road, so as to make clear that Martin Drive is under the jurisdiction of the Montcalm County Road Commission.

WHEREAS, Petitioners have informed the Road Commission that all lot owners within Martin's Subdivision now seek to amend the Plat to have Martin Drive changed from its current status as a private road, to a public road under the control and jurisdiction of the Road Commission.

NOW THEREFORE, IT IS HEREBY RESOLVED that the Montcalm County Road Commission consents to the amendment of the Plat of Martin's Subdivision for the purpose of converting Martin Drive from a private road to a public road under the jurisdiction of the Montcalm County Road Commission subject to the following conditions:

1. That Petitioners cause to be completed an amended Plat of Martin's Subdivision conforming to the State of Michigan requirements, converting Martin Drive from a private road to a public road
2. That the Montcalm County Circuit Court a judgment authorizing the amendment of the Plat to convert Martin Drive from a private road to a public road.
3. That Petitioners deliver to the Road Commission a recorded copy of the court judgment.

Seconded by Brundage.

YEAS: Brundage, Scott, Linton

NAYS: None

RESOLUTION DECLARED ADOPTED.

Moved by Scott seconded by Brundage to purchase a truck from JX Peterbilt at last years extended bid price. Roll call: Yes - Brundage, Scott, Linton. Motion carried.

#### Manager's Report

- State road mowing should be complete at the end of the week
- The second round of chloride applications will take place this week and next week
- Most roads were rotomilled last week and Central Asphalt should be here next week to pave
- Meeting with MDOT next week-will bring up task force challenges
- Will start chip sealing soon after July 4<sup>th</sup>
- Extra funding from the state should be around \$910,000 next year according to the estimates. Will talk about the best way to spend that money at the next few meetings
- Kendaville Road will not be done this year as planned due to Federal funding challenges – hope to do next year and will keep updated about task force projects

#### Engineer's Report

- The Stanton Road project from M-91 to Lake Road is paved and shouldered. Pavement markings will be applied today.
- Shook Asphalt is wedging for chip seals. Making good progress.
- Overband Crack Seal contractor is back in the county this week.
- The Derby Road project started Monday. Stripped topsoil, shaped ditches and rotomilling today.

#### Clerk's Report

- Bidding office cleaning in July. Bids will be due on July 13th at 10:00 a.m.
- MERS Valuation and unfunded pension liability – will budget an extra \$60,000 to help pay down balance in next year's budget.

Moved by Scott seconded by Brundage, to approve the June 24, 2015 bills totaling \$252,063.48, Payroll #13 totaling \$85,724.90. Roll call: Yes-Brundage, Scott, Linton. Motion carried.

Moved by Brundage seconded by Scott to enter closed session as requested by Mark Christensen and permitted under Section 8 of the Open Meetings Act for a periodic personnel evaluation at 9:42 a.m. Roll call: Yes-Brundage, Scott, Linton. Motion carried.

The Board returned to open session at 10:10 a.m.

Moved by Brundage seconded by Scott to sign and extend Manager, Mark Christensen's Employment Agreement, through June 30, 2018 due to his highly favorable employment review. Motion carried.

With there being no further business, the meeting adjourned at 10:12 a.m.

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Chairman

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Clerk