

MARCH 3, 2004

The Board of County Road Commissioners for Montcalm County held a meeting at its office located in Stanton, Michigan at 3:00 p.m. on March 3, 2004.

Present: Commissioners Dale Linton and Robert Brundage; Randy Stearns, Managing Director; Jack Johnson, Superintendent; Robert Buckowing, County Highway Engineer; and Karen Swan, Finance Director-Clerk. Absent: Donald McCracken, Member.

Moved by Brundage, supported by Linton, to approve the minutes of February 18, 2004 as presented. Carried.

Moved by Brundage, supported by Linton, to approve the agenda as presented. Carried.

A conference call was made to Commissioner McCracken to discuss the pending suit regarding whether or not Spring Grove Road at Derby Lake in Sidney Township is private or public. A court date is scheduled for March 8th in Circuit Court, and the Sidney Township board has decided to change its position from one of neutrality to supporting the plaintiffs' request that the court declare the road to be a public road. The road commission has maintained this road and expended public funds on it for over 30 years; in addition, the township has paid for it to be graveled and chloride applied several times a year for many, many years. Many of the property owners want the road commission and township to continue maintaining the road and officially declare the road public; however, some of the residents want the road declared private. If that happens, the road commission and the township will no longer maintain the road. Because public funds have been spent on this road for so many years, and because many of the residents are in favor of making the road public, the Board unanimously stated that it would join the township in supporting the plaintiffs' request to declare the road a public road. In the morning, the Clerk will contact the road commission's attorney in this regard and notify him of the board's decision.

While still on conference call with Commissioner McCracken, the board discussed the purchase of one new pickup truck, as budgeted in the 2004 budget, to replace the shop's current service vehicle.

Moved by McCracken, supported by Brundage, to approve the purchase of one 2004 Ford pickup truck from local dealer, Stanton Ford, at the state's Extended Purchasing Program price. Carried. Ayes: McCracken, Brundage, Linton.

Discussed request to vacate, through Circuit Court, a portion of undeveloped right-of-way for Center Street in Skinner's Resort Plat located in Pierson Township. An on-site inspection has been made, and the undeveloped right-of-way is not suitable for road development, because it drops practically straight down a steep hill. The Board stated that it has no objection to vacating the right-of-way.

Moved by Brundage, supported by Linton, to state that the board has no objection to the vacation of the Center Street right-of-way as shown on the Plat of Skinner's Resort and located between Lot 1 of Block C and Lot 14 of Block D, and between Lot 1 of Block B and Lot 11 of Block A. Carried. Ayes: Brundage, Linton.

Bob Buckowing advised the board that the developer of Viking Ridge Plat in Reynolds Township has complied with all requests regarding a letter of credit and enlarging the turnaround, which is to be completed no later than June 30, 2004. The developer has agreed, in a letter dated December 22, 2003, that the road commission will not be responsible for maintenance of the roads in the plat until the turnaround has been enlarged and completed to the road commission's specifications.

Moved by Brundage, supported by Linton, to approve and sign the Final Plat for Viking Ridge Plat located in Reynolds Township. Carried. Ayes: Brundage, Linton.

Moved by Brundage, supported by Linton, to cancel the March 17th board meeting due to the annual County Road Association Highway Conference being held in Lansing on that date.

Clerk's Report

- I have received several requests from a county resident requesting various information and copies of job descriptions and budgets. Have the requests been made under the Freedom of Information Act? No. Per the Board, the road commission's attorney advised us several years ago that all requests for copies of information should be in writing and state that the request is being made under the Freedom of Information Act and the requestor should be charged for time and materials as outlined in the Freedom of Information Act—the resident should be advised of this so the proper request can be made.

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- The workers' compensation audit for the year ending June 30, 2003 was recently completed, and last week we received a refund in the amount of \$10,757.
- Department of Treasury is currently here doing the 2003 financial audit.

Manager's Report

- Discussed disposal of various pickup trucks that will be going to Kent County's auction this spring. In addition to assigned vehicles, we plan to keep one spare pickup truck for every five townships—a total of four spare pickup trucks—two for the Stanton garage and one for each outside garage.
- Weight limits went on last Tuesday—quite a bit of frost in the roads in most areas though we lost about two feet of frost in the thunderstorms the other night.

Engineer's Report

- All township estimates, except the bridge on Pine Grove Road and reconstruction projects, have been completed and contracts have been sent to the townships. The estimate for the bridge will be sent to the township by the end of this week, and I hope to have the reconstruction estimates mailed by the end of this month.
- We had the grade inspection meeting today with all concerned parties regarding this year's Federal Aid projects on Sidney Road and Crystal Road. The projects are scheduled for a June letting with a tentative completion date of September 30th. I am working with Isabella County Road Commission regarding the work that will be done on Crystal Road at North County Line Road—they will work with us on the turn lane and by-pass lane.

Moved by Brundage, supported by Linton, to approve the 3/3/04 bills totaling \$249,826.57 and Payroll #5 totaling \$83,581.69. Carried. Ayes: McCracken, Linton.

There being no further business, the meeting adjourned at 4:25 p.m.

Chairman

Clerk