

MAY 5, 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 May 5, 2004.

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

Moved by Brundage, seconded by McCracken, to approve the minutes of April 21, 2004 as presented. Carried.

Moved by Brundage, seconded by McCracken, to approve the agenda as presented. Carried.

Moved by McCracken, seconded by Brundage, to open the public hearing at 2:02 p.m. to take comments in regard to a petition to vacate a portion of Youngman Road from M57 south approximately 350 feet. Carried.

Louis Russell, a resident of Youngman Road, stated that he had signed the petition in favor of vacating the north end of Youngman Road; however, he had several questions. 1) Will it make a difference in response time for ambulance and fire? 2) What about mail service? He was told that the post office would have to be petitioned to reroute delivery. 3) What about trash service? Will they be able to turn around in the proposed hammerhead turnaround at the north end of the road? 4) We have been satisfied with the service from the Road Commission—who will maintain the road?

George Bosanic, Greenville City Manager, stated that the plan is to close the north end of Youngman Road and open the south end out to Meijer Drive in order to keep commercial traffic away from this residential area. Wal-Mart will create even more traffic on M57. With this road being located between Meijer and Wal-Mart, it will be safer for the residents to go out to the traffic light at Meijer Drive and M57; and there will only be two additional corners to go around. As far as ambulance service is concerned, it depends on where the ambulance is located at the time of a call—if they are at United Memorial Hospital, they can get to south Youngman Road without having to deal with traffic on M57. The proposed hammerhead turnaround will be constructed within the city limits and will be an improvement over what is currently on the south end of the road. The hammerhead will be landscaped and more aesthetically pleasing than a large, paved cul-de-sac. As far as maintenance is concerned, the road will remain under the road commission's jurisdiction; however, the city will provide winter maintenance—we should be able to get the road plowed quicker than the road commission, because the road commission's first priority is the state highways and major roads.

Bruce Stearns, a resident of Youngman Road, stated that the Road Commission's decision has to be based on what is in the best interest of the public. Mr. Stearns stated that he currently is located 1/8 mile from M57; however, if the road is closed on the north end he will have to drive about a mile and the only thing closing the north end will do is provide more property for business owners to build on. Mr. Stearns is concerned the proposed hammerhead will eventually connect to other service roads in the future. Look what happened at K-Mart; the drive out to Youngman Road north of M57 was just supposed to be a service road during construction and ended up being a permanent road.

Kathryn Reed, a resident of Youngman Road, stated that they moved to this location five years ago and can appreciate other residents' concerns; however, she feels the city has been more than fair with the residents and can see no problems with the closure and construction of a hammerhead turnaround on the north end of the road and the extension on the south end. A lot of the residents walk up and down the road; and if the south end is opened and extended without closing the north end, the traffic will increase. "We cannot stop progress". The developer has agreed to construct a berm and screen with plantings to reduce noise and control papers from blowing. We will still get the services we need just as quick, and we will be safer if the north end is closed.

Kenneth Reed, a resident of Youngman Road, stated that noise isn't the problem—something is going to be put there to deal with noise. The city has been more than fair with the residents over the years—development on the north and south end is going to happen, and I think closing the north end is the best deal. As it stands now, if you want to turn west on M57 you have to wait 10 minutes to get out onto M57. When the new development goes in behind Meijer, we'll have all kinds of traffic if the north end of Youngman Road isn't closed—not to mention the Friday-night "drive-arounds" from Meijer.

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Ken Schoenfelder, a resident in the city and owner of property on Youngman Road, stated that residents have been here before and know the track record. The Road Commission has been maintaining the road and will continue, but closing the north end of Youngman Road will let more development take place. What are the benefits of closing Youngman Road and do they outweigh not closing it? Is it in the best interest of the public or the best interest of the developers? The proposed extension to the south is narrower than the current Youngman Road; what about the intersection at Meijer Drive?

George Bosanic stated that in 1989 when the land on the north end of Youngman Road was annexed to the city, the residents did not want the road extended to the south; so the agreement has a provision that says Youngman Road shall never be a through street. When the PA108 agreement was passed, it was agreed that the road would be closed to the north and opened to the south—whatever the agreement between the city and township is, the Road Commission has jurisdiction of the road. In response to Ken Schoenfelder's comment about the extension being narrower, it is; however, the radius is within standards. The petition to vacate the north end was initiated by the city and signed by the residents and the developer—the land on the north end will be commercial no matter what happens. It is a benefit to the residents to go out to the south rather than get caught up in traffic in the commercial area. Once the turnaround is constructed it would “take an act of Congress” to make it a through street—any proposed change would have to go through the Planning Commission and anyone owning property within 300 feet has to be notified of any proposed changes. As far as annexing the remainder of the road into the city, that possibility is very remote.

Connie Draper, a resident of Youngman Road, asked the Board to consider that the petition to close the north end of the road was signed by a majority of the residents.

Sievert Jensen, a resident of Youngman Road, asked about drainage—on the north side of his lot there is a natural watercourse across his property. Dale Linton stated that it is out of the road right-of-way and not within the Road Commission's jurisdiction.

Bruce Stearns stated that he never saw the petition to close the north end of the road when it was circulated, and Ken Reed stated that he circulated the petition and didn't take it to Bruce because he knew Bruce was against it and wouldn't sign it. Dale Linton stated that according to the law any seven freeholders within the township can petition to vacate a road—it does not have to be the residents.

Ken Schoenfelder stated the original PUD was going to go west; now they have four properties on the corner that look like they're set up for fast food restaurants. On February 24, 2000 the city stated it would create a cul-de-sac on the north end—not a hammerhead. If the road is closed on the north end, I would like to see it milled a paved with a cul-de-sac like they have in Ridgewood Estates. Dale Linton stated that the proposed turnaround on the north end will be within the city limits, so what is constructed is up to the city. Mr. Schoenfelder stated he knows that but the city said it would build a cul-de-sac not a hammerhead.

Louis Russell asked what the next step is if the north end is closed. George Bosanic stated that the city requested that the Road Commission sign a Resolution of Intent to Vacate Road. Timing is a concern about opening the south end and closing the north end—this would have to be coordinated. If the Road Commission votes today to vacate the north end, the developer can go forward with the site plans—this would give direction to everyone involved.

Jack Bailey, a resident of Youngman Road for 40 years, stated from the beginning he has said that the residents cannot stop progress, but we want to get as much as we can and he feels by closing the north end and opening the south end it would be a big benefit to the residents—going out to the traffic light will be safer. If a hammerhead turnaround is built at the north end, what happens when a semi-truck comes up the road and can't turn around?

Earl Lee, a resident of Youngman Road, asked what guarantee is there that the north end would never be re-opened in the future? George Bosanic stated that is not the city's intent. Any changes would have to go through the city's site plan process and go before the Planning Commission—as stated earlier, any property owners within 300 feet have to be notified. There are no guarantees, but I don't foresee it because the proposed commercial buildings will be close together, which will not allow a road to go through. Robert Brundage stated that “we can do what we do within our jurisdiction, but the courts can overrule us”.

Kenneth Schoenfelder stated that if the Road Commission would decide to leave the north end of the road open, the city and the developer would “get the message in a week or two and then I would think as a courtesy to the township the city would stop the road on the south end”. Dale Linton stated that no one can stop the developer from building a road across its own property.

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Mike Basile, the developer who owns the property on the north end of Youngman Road at M57, stated that he plans to construct a Taco Bell restaurant at this location. Mr. Basile stated that it is his understanding that the majority of the property owners along Youngman Road are in favor of closing the north end and extending the south end and asked that the Road Commission consider this when making its decision.

The public hearing ended at 3:05 p.m. as Dale Linton stated that the time had arrived for the Board's regular meeting. Dale stated there would be a 10-minute recess after which the Board would discuss whether or not it would vote on the Youngman Road petition today.

The regular meeting convened at 3:15 p.m.

Moved by Brundage, seconded by McCracken, to amend the agenda to discuss the petition to vacate the north portion of Youngman Road, south of M-57, and to place it at the top of the agenda. Carried.

Dale Linton asked developer, Mike Basile, what would happen if the north end of the road was left open—would there be ingress and egress off of Youngman Road to the commercial properties on both sides of Youngman Road. Mr. Basile stated that if the road is not closed on the north end, there would be business driveways off of Youngman Road. The Taco Bell would have an entrance/exit on Youngman Road. The exit onto Youngman Road would be for vehicles wanting to turn west onto M57, because the only driveway directly onto M57 from Taco Bell will only allow a right turn for eastbound traffic.

Commissioner Robert Brundage – Having listened to all of the comments, I feel the ambulance concern is a neutral issue because it is going to depend on where the ambulance is located at the time it is called—it may or may not make a difference. As far as fire truck access is concerned, that is close to being a neutral issue—I think it would be slightly in favor of the residents because of the direction fire trucks would come from. I feel both issues are neutral or slightly enhanced in the residents' favor if the north end of the road is closed. We have to make a decision based on what is in the best interest of the public, not just the residents; and as a Road Commission official the motoring public is our first concern—if the north end is closed, the residents will go out to the traffic light, which will be safer for all of the motoring public. As far as a hammerhead turnaround instead of a cul-de-sac, I cannot foresee any problems and feel a hammerhead turnaround will be sufficient.

Jack Johnson, Superintendent, stated the ambulance base on Wise Road, which is just over three miles north of this location and north of M57, has been closed and the ambulances are located throughout the county. At this point in time, one of the ambulances is usually based at United Memorial Hospital, which is about a mile away and on the same side of M57 as this part of Youngman Road, which should mean a quicker response time.

Commissioner Donald McCracken - I have to agree with the statements made by Bob Brundage. I made an on-site inspection of the road two weeks ago; and if I lived on this road or intended to buy property there, I would want the north end of the road to be closed and opened on the south end. The developer will build a berm, which should reduce traffic noise, and I think it will be a benefit to the residents and could increase the value of their properties. The city could install "No Outlet" and "No Trucks" signs on the south end, and this should keep semi-trucks from accidentally turning down the road.

Commissioner Dale Linton – I am in agreement with the other commissioners. I would like to add that it really concerns me that once Wal-Mart is built, the traffic on M57 will be much heavier and will make it much more difficult and unsafe for anyone to get in or out of Youngman Road at M57—with the current traffic light on M57 at Greenville West Drive and with the proposed traffic light at Satterlee Road, there is very little chance that a traffic light will ever be installed at Youngman Road and M57. If I lived on this road, I would not want it to be a through-road; I would want it to be a dead-end on the north end.

Moved by Brundage, seconded by McCracken, to approve the following Resolution of Intent to Vacate Road:

WHEREAS, the Road Commission for Montcalm County (the "Road Commission") has jurisdiction over Youngman Road located in Section 17 of Eureka Township (the "Township") and the City of Greenville (the "City"); and

WHEREAS, the portion of Youngman Road in the City was brought into the City pursuant to an intergovernmental agreement dated January 12, 2001 between the City and the Township (the "Agreement"); and

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WHEREAS, upon development of the property abutting the portion of Youngman Road in the City, the City and the Township would like to vacate that portion of the road and provide ingress and egress to the remaining portion of Youngman Road through Meijer Drive in the City; and

WHEREAS, to provide ingress and egress through Meijer Drive, Youngman Road will have to be extended to the south;

WHEREAS, the construction of the extension of Meijer Drive is required in the plat for Hawthorne Park Plat, a residential subdivision which is being developed on the land over which the Youngman Road extension will be constructed; and

WHEREAS, the Road Commission is willing to undertake proceedings to vacate the portion of Youngman Road in the City when ingress and egress for the remainder of Youngman Road is provided by an extension of Youngman Road to Meijer Drive.

NOW, THEREFORE, BE IT HEREBY RESOLVED that the Road Commission intends to undertake proceedings to vacate the portion of Youngman Road in the City of Greenville when ingress and egress for the remainder of Youngman Road is provided by an extension of Youngman Road to Meijer Drive in the City.

Carried. Ayes: McCracken, Brundage, Linton

Moved by McCracken, seconded by Brundage, to approve and sign the following township contracts. Carried.

#### Bloomer Township

- Four applications of chloride on local roads at 1,000 gpm - \$12,986.
- Gravel resurface Sessions Road from Senator Road to Crystal Road - \$20,300.
- Gravel resurface Waldron Road from Sessions Road to Condensery Road - \$12,688.
- Install concrete curb and gutter on Blackmer Road (north) at M57; pave approach - \$7,683.
- Place 250# bituminous mat on Sloan Road from M57 to Sessions Road (west) - \$54,012.

#### Montcalm Township

- Three applications of chloride on local roads at 1,650 gpm - \$15,752.
- Split cost with Road Commission for 2,000 cyd 23A maintenance gravel - \$5,750.
- Crush, shape, 250# bituminous mat on Peck Rd from Vining Rd to Backus Road - \$56,775

#### Richland Township

- Three application of chloride on local roads at 1,000 gpm - \$12,398.
- Paint centerline and edge lines on Caris Road from M46 to Lake Montcalm Road - \$1,150.
- Paint centerline and edge lines on Pine Grove Rd from M46 to Yankee Road - \$1,581.
- Paint centerline and edge lines on Deaner Rd from Douglas Rd to East County Line - \$633.
- Paint centerline and edge lines on Douglas Rd from Lake Montcalm Rd to Tamarack Rd - \$2,300.
- Crush, shape, 250# bituminous mat on Tamarack Road from Vickeryville Road to Pine Grove Road - \$54,362.
- Salt stabilize Sanders Road from Waldron Road to Crystal Road - \$2,560.
- Remove existing bridge deck on Pine Grove Road over Wolf Creek and replace with a 22' x 20' treated wood bridge deck and rail for HS-20 highway loading - \$24,188.

#### Day Township

- Four applications of chloride on local roads at 1,250 gpm - \$21,994.
- Gravel resurface Klees Road from Vickeryville Road west past hill west of Cedar Lake Road - \$13,038.
- Machine wedge/seal Neff Road from McBride Road to Lake Montcalm Road - \$19,810.
- Gravel resurface Vickeryville Road from Klees Road to Briggs Road - \$5,215.

#### Ferris Township

- Gravel resurface Vickeryville Road from Klees Road to Briggs Road - \$5,215.

#### Clerk's Report

- Net proceeds from the auction at Kent County Road Commission are \$30,581. This is \$18,000 more than estimated in the budget.
- We received an invoice from MDOT for the annual equipment advance—last year they owed us. This year we owe them in the amount of \$37,952. This was not budgeted; an adjustment will have to be made.

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- I spoke with attorney Mike Cavanaugh regarding the proposed vehicle policy. He is in discussion with the Michigan Department of Treasury in this regard, and he hopes to have all of the information and the policy to us for the next board meeting.

#### Manager's Report

- Two of the three new pickup trucks have been delivered; we should have the third one in the next few days.
- The top course of asphalt has been placed on North Shore Drive in Crystal.
- The area foremen and the sign crew leader along with the superintendent and I attended MDOT's spring maintenance meeting this morning. MDOT is very concerned about workers' safety in work zones and proper signing based on new guidelines that we have to adhere to.
- The contractor has been working on the shop floor; two bays have been removed and replaced, with proper drainage. Another bay is scheduled for tonight and the welding bay should be done soon.
- Spoke with Clark Highway Services; they should be in the county in the next few weeks to do pavement marking on the east side of the county.
- Mark Post and VanderKodde Construction will be in soon to do the final inspections at the Greenville and Howard City garages.
- We are getting bids from vendors to erect fences and to pave the drives and parking areas at the two outside garages; should have all the information by next week.

#### Superintendent's Report

- Salt stabilization on Vickeryville Road from M46 to North County Line has been completed—looks good. Cutler Road from Wyman Road to Vickeryville Road is next. It will probably be mid-June before we get all of the salt stabilization projects done.
- The first applications of chloride will start next week.
- Held work zone safety meetings and overhead crane/hazardous energy meeting yesterday.

#### Engineer's Report

- Winfield Township contracted a project on Almy Road and Bailey Road; we have a significant water problem on the road there due to backed up water from beaver dams that have been built on private property. Part of the road is down to one lane, and the property owners will not allow us access to remove the dams; so I'm working with the MDEQ to see if they can address this problem.
- Waiting to hear back from the MDEQ regarding the bridge replacement on Cutler Road in Winfield Township and the culvert replacement on Berridge Road in Eureka Township.
- I will be meeting with the Crystal DDA tonight to discuss the easements for the enhancement project on Crystal Road. Bids for this project will be opened on Friday.

Moved by McCracken, seconded by Brundage, to approve the 5/5/04 bills totaling \$309,025.19 and Payroll #9 totaling \$67,752.41. Carried. Ayes: McCracken, Brundage, Linton.

There being no further business, the meeting adjourned at 4:42 p.m.

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Chairman

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Clerk