

NOVEMBER 16, 2005

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 November 16, 2005.

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 McCracken, seconded by Brundage, to approve the minutes of November 2, 2005 as presented. Motion carried.

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

Developers Russell Eggers and Jay Carl, developers, came before the Board to request a variance from the Plat Standards for a proposed private site condominium development, Burgess Lake Preserve, in Eureka Township. The County Commission's new Private Road Ordinance requires private roads to be built to the Road Commission's Plat Standards. Mr. Eggers and Mr. Carl are requesting that they be allowed to construct an eight percent (8%) grade in some areas, as shown on the site plan, rather than the maximum five percent (5%) grade as required in the Plat Standards. Mr. Eggers and Mr. Carl stated that the roads will be private and that their attorney is working on a road maintenance agreement for the residents' association; and furthermore, a master deed indicating that the roads will always be private will be recorded with the Register of Deeds. Bob Buckowing stated that he called the Drain Commission office regarding this project and was advised that they had a couple of things to work out with the developers. Bob advised the Board that he had advised Mr. Eggers about the road section on the current site plan not meeting the Plat Standards, and Mr. Eggers stated the plan would be revised to meet the standard. The Board members unanimously stated that they had no problem with the request for an eight percent (8%) grade, where indicated on the site plan; however, the Board stated the following requirements must be met: 1) The road section, as indicated on the current site plan, must be changed to meet the Road Commission's Plat Standards, and a revised plan must be provided to the Road Commission; 2) The developer must obtain permits from the Road Commission for the project's two points of ingress/egress on Satterlee Road prior to construction of the project's private road. These entrances shall be constructed to the Road Commission's standards; and 3) The developer will provide a deed to the Register of Deeds indicating that the roads in the project are dedicated as private roads.

Moved by Brundage, seconded by McCracken, that the Board hereby agrees to the request from Russell Eggers and Jay Carl to allow an eight percent (8%) grade, where indicated on the site plans, rather than a maximum five percent (5%) grade as outlined in the Road Commission Plat Standards in the Burgess Lake Preserve site condominium development. Furthermore, the following requirements must be met by the developers: 1) The road section, as indicated on the current site plan, must be changed to meet the Road Commission's Plat Standards, and a revised plan must be provided to the Road Commission; 2) The developer must obtain permits from the Road Commission for the project's two points of ingress/egress on Satterlee Road prior to construction of the project's private road. These entrances shall be constructed to the Road Commission's standards; and 3) The developer will provide a deed to the Register of Deeds indicating that the roads in the project are dedicated as private roads. Motion carried. Roll call: Yes-McCracken, Brundage, Linton.

Manager's Report

- Halliday Sand & Gravel has put up an approximately 15,000-yard stockpile of 23A gravel at the Braman Pit. I was advised that this is the last year they would be able to make gravel at this location—there just isn't any more to be made.
- The culvert crew has started replacing culverts on the projects we think we will be receiving Federal Aid funds for next year.
- Winter maintenance—in talking with some other counties I found that most of them plan to provide the same level of maintenance as in the past; and if needed, they will cut projects or capital outlay next year. They feel winter maintenance is top priority.
- A special meeting is scheduled at 3:00 p.m. on November 22nd with our attorney, Tom Derdarian, the Union officers, and their representative to discuss the Union's grievance regarding the Board's decision to no longer contribute to employees' service credit purchases with MERS.
- The high winds that we have been receiving lately have caused a lot problems with downed trees. Our people have been doing a really good job getting roads opened up and the trees cut up; they were out again about midnight last night and have been cleaning up trees most of the day.
- Two residents who own property along the end of an undeveloped and uncertified portion of Amy School Road public right-of-way south of Kendaville Road stopped in the office recently to ask why the road was taken off certification. They stated they want the road to be certified and maintained. We explained that the road was taken off certification several years ago, along with quite a few others throughout the county, because they were undeveloped two-track roads with nobody living along them. Years ago before the road was taken off certification, the road was occasionally bladed in the summer; however, it was never maintained in the winter. We explained to the residents that the Road Commission's policy on uncertified right-of-way is that if they want it to be certified and maintained by the Road Commission, the road must be built to the Road Commission's standards at no cost to the Road Commission. If someone chooses to build a home,

NOVEMBER 16, 2005

- or homes, on uncertified right-of-way that is their choice; however, if they want us to maintain it, they will have to pay the cost to build up the road and provide a turnaround for our truck. The residents also stated that they might develop the property, which is why they probably want us to build a road for them. We took pictures of the road and the property, and you can see where their property has been surveyed and stakes have been installed. The documented public right-of-way is 0.7 mile long but only the first 0.5 mile has an actual two-track road. The Board reiterated its policy, which states if public right-of-way is documented but uncertified and a resident wants the Road Commission to certify and maintain it, it must first be brought up to the Road Commission's standards at no cost to the Road Commission, and the residents must request their township board to present a resolution to the Board to place the road on certification before it will be certified and maintained.
- Night Patrol starts November 21st.
- The Board needs to set a public hearing in regard to FY2006 Federal Aid funding.

Moved by McCracken, seconded by Brundage, to set a public hearing at 3:00 p.m. on Wednesday, December 7, 2005 for the purpose of reviewing FY2006 Federal Aid projects. Motion carried.

Commissioners' Comments

Have we had any news on Critical Bridge funding approvals? Bob Buckowing said he spoke with Bob Scott, and there is no news from Lansing even though they said we would know by November 15th. According to Bob Scott, we probably won't hear anything until at least December.

Moved by Brundage, seconded by McCracken, to approve 11/16/05 bills totaling \$200,453.97 and Payroll #23 totaling \$73,619.62. Motion carried. Roll call: Yes-McCracken, Brundage, Linton.

There being no further business, the meeting adjourned at 4:05 p.m.

Chairman

Clerk