

JUNE 17, 2009

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 June 17, 2009.

Present: Commissioners Dale Linton and Robert Brundage; Randy Stearns, Managing Director; Carol Smith, County Highway Engineer; Thomas Mayan, Consulting Engineer; and Karen Swan, Finance Director-Clerk. Absent: Commissioner Donald McCracken and Mark Christensen, Superintendent.

Moved by Brundage, seconded by Linton, to approve the minutes of June 3, 2009 as presented. Motion carried.

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

Moved by Brundage, seconded by Linton, to open the public hearing to review a request from Kenneth Newell to abandon a section of Hillis Road commencing ¼ mile west of Masters Road and continuing westerly approximately 1/8 mile to the end in Section 22, Maple Valley Township. Motion carried.

Richard Ripley, who owns property on the north side of Hillis Road near the west end, but before the section affected by Mr. Newell's request, stated that he had no objection to the abandonment as long as the public right-of-way would continue to the west side of his property and the road commission would continue to maintain the road in the same manner that it has in the past. Mr. Ripley was advised that Mr. Newell has agreed to provide an area at the end of the road and the road commission will construct a turnaround, install a red triangle sign at the end of the road and continue to maintain the road.

The public hearing ended at 3:05 p.m. and the regular board meeting resumed.

Moved by Brundage, seconded by Linton, to adopt the following resolution:

WHEREAS, the Road Commission for Montcalm County has received a petition to discontinue and abandon a portion of Hillis Road described as a 66-foot wide, un-platted public right-of-way commencing at a point 0.25 mile west of Masters Road and continuing westerly approximately 0.125 mile to the end in Section 22, T11N, R9W, Maple Valley Township, Montcalm County, Michigan; and

WHEREAS, the party requesting the abandonment is the sole owner of all property abutting the right-of-way to be abandoned; and

WHEREAS, an on-site review of said right-of-way was made by the Superintendent; and

WHEREAS, the Board of County Road Commissioners of Montcalm County held a public hearing on June 17, 2009, and there was no dissent from those attending;

NOW, THEREFORE, BE IT RESOLVED that it is determined by the Board of County Road Commissioners that it is in the best interest of the public to absolutely abandon and discontinue the above-described road right-of-way; and

BE IT FURTHER RESOLVED that a copy of this resolution be published in a newspaper printed and circulated in this county, once each week for three successive weeks, a copy forwarded to the Montcalm County Register of Deeds, the Maple Valley Township Board, and the Michigan Department of Transportation and a copy of same be placed on file.

Charlie Braman, Crystal Township Supervisor; Pat McShosh, a resident of Thelma Street; and a back-lot owner from Owosso Street, came before the Board to discuss the Owosso Street and Thelma Street road ends at Crystal Lake. Mrs. McShosh explained that the backlot property owners in the Silver Beach Plat have had a formal association and insurance coverage for many years and have used and maintained the Thelma Street right-of-way to access Crystal Lake. Because the township board is still undecided about obtaining a permit from the Road Commission to permit the backlot owners to use public right-of-way to access Crystal Lake, Mrs. McShosh, on behalf of the Silver Beach Association, asked if the Board would be willing to issue a permit to the association. Tom Mayan advised the Board that if the Board issues a permit to the association, the association's insurance company should first provide a Certificate of Insurance naming the Road Commission as an additional insured. Furthermore, the association should provide a signed resolution from its minutes authorizing and naming a member to obtain and sign a permit. Charlie Braman stated that if they cannot lease the right-of-way to the back-lot owners, they would not be in favor of the Road Commission abandoning the right-of-way, which would probably end up going back to the abutting property owners. The back-lot property owner from Owosso Street stated that they do not have an association in their area; however, they have never felt the need to until now. Mrs. McShosh stated that their association would be willing to give the back-lot owners in the vicinity of Owosso Street some pointers on setting up an association. After much discussion, the Board agreed, on a trial basis, to issue permits to townships or associations as long as they meet the insurance and other requirements and adhere to the rules set forth by Judge Hoseth-Kreeger. The Board reminded those present that a permit can be revoked if not adhered to and it remains public right-of-way.

JUNE 17, 2009

Moved by Brundage, seconded by Linton, to advise the Circuit Court that the Road Commission has no objection to the request by Greenville Steel, Inc. to vacate Cherry Drive in the plat of Juel Plaza, located in Section 4 of Eureka Township. Motion carried. Roll call: Yes-Brundage, Linton.

Moved by Brundage, seconded by Linton, to request reimbursement of \$10,000 from the Michigan Department of Transportation for payments made during the period of July 1, 2008 through June 30, 2009 to licensed professional engineers employed or retained by the Road Commission in accordance with Section 12(2) of Act 51, as amended. Motion carried. Roll call: Yes-Brundage, Linton.

Moved by Brundage, seconded by Linton, to approve the following township contracts. Motion carried.

#### Douglass Township

- Salt stabilize Briggs Road from M66 to Musson Road - \$4,040.
- Machine wedge and seal Nevins Road from McBride Road north to end of pavement - \$5,314.
- Machine wedge and seal Musson Road from Stanton Road to Klees Road - \$19,812.
- Gravel resurface Waterwheel Road from Hillman Road to Plumb Road - \$12,812.

#### Maple Valley Township

- Replace 36-inch culvert on Coral Road between Arbogast Road and Paepke Road - \$848.

#### Sidney Township

- Apply one application of chloride at 1,000 gpm on Hillman Road between Sidney Road and Dickerson Lake Road - \$435.

Moved by Brundage, seconded by Linton, to approve signing the title sheet for the project on Vickeryville Road. Motion carried.

#### Manager's Report

- This past weekend the bridge on Sheridan Road north of M46 was hit and damaged. The driver took off and the car was stolen. This is the second time in two years that this has happened at this location. The bridge has been repaired. Will check to see if car was insured.
- Mowing is ongoing. The AMZ machine is being utilized when weather permits.
- Received a call about the condition of North County Line Road. I advised the caller that we have a tentative plan to repair the worst part of the road if more stimulus money becomes available. Discussed and approved having LS Engineering start the plans for this road, so it is ready to go as soon as funding becomes available.

#### Engineer's Report

- Carol Smith reported on the Heartland Trail connector to the Fred Meijer Trail in Greenville. Still working on the alignment. Dale and Carol met with the Montcalm Township board about three weeks ago to discuss several options. The board supported using the county's road right-of-way. The recommendation was that it would be shorter to go from Peck Road to Lake Road and less trees and homes would be involved. The township board commented that they would like to see the trail connected to the campground on Fuller Road. Carol stated Fuller Road is not built in the center of the right-of-way and a lot of trees would have to be taken down. There is a utility corridor owned by Consumers Energy; don't know yet if they would give us an easement. We are going through the permitting process for both of the proposed routes so we're covered and ready to go when the time comes. Dale Linton asked if the trail would go down the west side of the road if the Lake Road route is used; Carol Smith advised him that it would. John VanderMyde, a resident on Lake Road was present, and he stated that he lives on the east side of Lake Road and he does not have a problem with trail as long as it is on the west side of Lake Road. Mr. VanderMyde also expressed a concern for bicyclists traveling down Peck Road; however, he was advised that the trail would be separated from the road by a strip of grass and it would be located towards the outer edge of the right-of-way.
- The bridge project on Federal Road has a scheduled completion date of August 14th; however, it should be done ahead of schedule.
- The Federal Aid projects will be in the July bid letting; Stimulus projects will be let in August. From what we've seen around the state so far, bid prices are coming in considerably lower than the engineers' estimates.
- Local bridge inspections have been completed. Scour analyses are completed; the county has ten bridges that are scour critical.

#### Clerk's Report

- We're having a problem in the Howard City area with signs being damaged and painted on—over \$1,000 in damages found so far today. The Board approved putting an ad for a \$250 reward for arrest and conviction in the Howard City paper.

JUNE 17, 2009

- Received the new Blue Cross-Blue Shield rates effective September 1, 2009. Rates have increased 15.12%, which is equivalent to an additional cost of \$94,000. I have a call in to our agent to discuss what options we can look at again to reduce the cost. I plan to start working on the 2010 proposed budget after July 4<sup>th</sup> and will be working on Fridays to do so. This increase combined with a sixth in a row yearly decrease in MTF funds is going to make it difficult to put a budget together.

Moved by Brundage, seconded by McCracken, to approve the 6/17/09 bills totaling \$447,980.51 and Payroll #12 totaling \$72,183.36. Motion carried. Roll call: Yes-Brundage, Linton.

There being no further business, the meeting adjourned at 4:47 p.m.

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Chairman

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Clerk