

January 8, 2014

The Board of County Road Commissioners of Montcalm County held a regular meeting at its office located in Stanton, Michigan at 10:00 a.m. on January 8, 2014.

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

The Pledge of Allegiance and a prayer were given.

Moved by Brundage seconded by Scott to approve the minutes of the December 11, 2013 meeting as presented. Motion carried.

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

Moved by Brundage seconded by Scott to appoint Dale Linton as Chairman for 2014. Roll call: Yes – Brundage, Scott. Abstain: Linton. Motion carried.

Moved by Scott seconded by Linton to appoint Robert Brundage as Vice Chairman for 2014. Roll call: Yes – Linton, Scott. Abstain: Brundage. Motion carried.

Moved by Scott, seconded by Brundage, to appoint Kim Alexander as Finance Director-Clerk of the Board for 2014. Motion carried. Roll call: Yes-Brundage, Scott, Linton.

Moved by Brundage, seconded by Scott, to appoint Mark Christensen as Managing Director-Superintendent for 2014. Motion carried. Roll call: Yes-Brundage, Scott, Linton.

Moved by Scott, seconded by Brundage, to appoint Carol Smith, P.E., of LS Engineering, as County Highway Engineer for 2014. Motion carried. Roll call: Yes-Brundage, Scott, Linton.

Moved by Scott, supported by Brundage, to approve the following Board meeting schedule for 2014. Motion carried.

Day	Date	Time
Wed	February 5, 2014	9:00 AM
Wed	March 5, 2014	9:00 AM
Wed	April 2, 2014	9:00 AM
Wed	April 16, 2014	9:00 AM
Wed	May 7, 2014	9:00 AM
Wed	May 21, 2014	9:00 AM
Wed	June 4, 2014	9:00 AM
Wed	June 18, 2014	9:00 AM
Wed	July 2, 2014	9:00 AM
Wed	July 16, 2014	9:00 AM
Wed	August 6, 2014	9:00 AM

Day	Date	Time
Wed	August 20, 2014	9:00 AM
Tue	September 9, 2014	9:00 AM
Wed	September 24, 2014	9:00 AM
Annual Budget Meeting		
Wed	October 8, 2014	10:00 AM
Wed	October 22, 2014	9:00 AM
Wed	November 5, 2014	9:00 AM
Wed	November 19, 2014	9:00 AM
Wed	December 17, 2014	9:00 AM

Moved by Brundage seconded by Scott to accept the contract renewal price of \$1.23 per pound for overband crack sealing from Scodeller Construction for the 2014 season. Roll call: Yes – Brundage, Scott and Linton. Motion carried.

Moved by Scott seconded by Brundage to accept the contract renewal from Greenscape for street and curb sweeping for the 2014 season. Roll call: Yes – Brundage, Scott and Linton. Motion carried.

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

WHEREAS, a request has been received from Gary and Lori Byker, Christopher and Robynn McKinney and Jerry and Patricia Rohen (hereinafter referred to as the "Property Owners") for the Road Commission's consent to the vacation of an undeveloped alley located

behind/east of their respective lots in the Plat of Campbell's Resort on Whitefish Lake, Montcalm County ("subject alley"), specifically described as:

All portions of the undeveloped alley bordered between the northern and southern boundary lines of Lot 11 extending east, which alley is approximately sixteen (16) feet in depth (as measured east to west). This parcel corresponds with the Byker's address commonly known as 2735 Elmwood Drive, Pierson, Michigan, 49339.

All portions of the undeveloped alley bordered between the northern and southern boundary lines of Lot 10 extending east, which alley is approximately sixteen (16) feet in depth (as measured east to west). This parcel corresponds with the McKinney's address commonly known as 2725 Elmwood Drive, Pierson, Michigan, 49339.

All portions of the undeveloped alley located behind the southern twenty-five (25) feet of Lot 7 and all of Lot 6, which alley is approximately sixteen (16) feet in depth (as measured east to west). This parcel corresponds with the Rohen's address commonly known as 2685 Elmwood Drive, Pierson, Michigan, 49339.

The lots of the Property Owners, the alley, and Elmwood Drive, are shown on the survey map submitted by the Property Owners, which is attached to and incorporated into this Resolution as Exhibit A.

WHEREAS, Petitioners have filed suit in the Circuit Court for Montcalm County (Case No. 13-H-17709-CH) seeking to vacate the subject portions of the alley and have also requested that Pierson Township consent to the vacation of the subject portions of the alley, as the subject portions of the alley have never been developed nor used as an alley nor for any public purpose or right-of-way;

WHEREAS, the subject portions of the alley are not used for road purposes and have not and are not maintained as a road by the Road Commission;

WHEREAS, the Road Commission and the Property Owners desire to establish and recognize the width of Elmwood Drive on and in the vicinity of the Property Owners' Lots 6, 7, 10 and 11 of the Plat of Campbell's Resort;

WHEREAS, the Road Commission has determined that it is in the best interest of the public to formally recognize that the Road Commission does not have jurisdiction over the subject portions of the alley and therefore, consent to the requested vacation such that the subject alley no longer presents an obstruction to the further development of the Petitioners' respective lots in Campbell's Plat;

WHEREAS, the Property Owners acknowledge that Elmwood Drive is a public road under the jurisdiction of the Montcalm County Road Commission and that this Resolution and the proposed alley vacation shall not adversely affect the Road Commission's right-of-way in Elmwood Drive.

WHEREAS, the Property Owners recognize, acknowledge and agree that the width of the Road Commission's right-of-way in Elmwood Drive as it passes through their property near the aforementioned Lots 6, 7, 10 and 11 is twenty (20) feet, ten feet on each side of the center-line.

NOW THEREFORE BE IT RESOLVED, the Board of County Road Commission of Montcalm County hereby consents to the aforesaid vacation of the subject portions of the alley subject to the following conditions:

1. That Property Owners cause to be completed an amended plat conforming to the State of Michigan requirements of the area affected by the aforesaid vacation and that plat shall show Elmwood Drive as twenty feet in width as it passes through Property Owners' property in the vicinity of Lots 6, 7, 10 and 11.

2. The vacation of the subject alley shall not affect the public's use of the public road known as Elmwood Drive or the Road Commission's jurisdiction of said road.
3. That Property Owners deliver to the Road Commission a recorded copy of the court judgment regarding the aforesaid vacation of the portions of the subject alley and shall deliver to the Road Commission a copy of the amended plat.

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 Pierson Township Board, and the Michigan Department of Transportation and a copy of same be placed on file.

Supported by Commissioner Brundage. Roll call: Yes – Brundage, Scott and Linton. Motion carried.

Manager's Report

- Would like to commend the entire staff of the Road Commission for their hard work and dedication over the last month.
- Vacation carryover was extended through January due to the fact that many employees worked on days they were scheduled for vacation.
- Rory Osmolinski started the Laborer 1 position on January 6th which left a temporary driver position open. This position was filled by Scott Dehnert.
- No return dates yet for Ken and Tony.
- Working on gravel and emulsion pricing for spring.
- Scraper is at Michigan Cat for consignment sale. The salesman estimates its value to be \$25,000-\$30,000.
- Equipment has been faring well. Truck #72 has engine trouble and Joe is looking at options to get it repaired.
- The new truck has been delivered to Truck and Trailer and a mid-February delivery date is still planned.

Clerk's Report

- The annual audit began this week. Sue Sanford plans to have the audit report completed by January 23, 2014.
- MERS will be here on January 21st to meet with those interested in signing up for the voluntary 457 retirement supplement program.
- Casair is working on a quote for Wi-Fi for the Stanton facility.

Moved by Scott seconded by Brundage to approve the January 8, 2014 bills totaling \$351,526.59, \$46,140.97 in prepaids and payrolls #26 and #1, totaling \$213,029.92. Motion carried. Roll call. Yes - Brundage, Scott and Linton.

There being no further business the meeting adjourned at 10:55 a.m.

Chairman

Clerk