

FEBRUARY 4, 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 February 4, 2009.

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

Moved by Brundage, seconded by McCracken, to approve the minutes of January 21, 2009 as presented. Motion carried.

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

Moved by McCracken, seconded by Brundage, to enter into a Public Hearing at 3:04 p.m. Motion carried.

Donald Myers, Superintendent of Vestaburg Schools, came before the Board to request that a portion of Avenue B, commencing at the south side of 5th Street and running south 310 feet, be abandoned. Vestaburg Schools owns all of the property abutting the portion of the road to be abandoned. Currently the road is closed during the school day so that students can safely move back and forth between the school buildings; however, some people ignore the signs and travel down the road when it is closed. Also, Mr. Myers stated that if the millage extension passes, they want to build across the road right-of-way. Dennis Wright, Richland Township Supervisor, expressed concern about emergency vehicles being able to access Avenue B south of the area in question, and asked if Avenue C could be rerouted up to Avenue B. Several residents attending the public hearing stated they had no objection to abandoning the right-of-way. Mr. Myers stated that the school would be willing to allow, by written agreement, the public and emergency vehicles to use the alley that runs between Avenue B and Avenue C at the south end of their building to go around the school up to 5th Street. Tom Mayan suggested that the written agreement be filed with the Register of Deeds, and all parties agreed.

The public hearing ending at 3:17 p.m. and the regular meeting commenced.

Moved by Brundage, seconded by McCracken, that contingent upon receipt of a written agreement regarding the use of the alleyway between Avenue B and Avenue C by the public the Board hereby resolves the following:

WHEREAS, the Road Commission for Montcalm County has received a petition from the Vestaburg School District to discontinue and abandon a portion of Avenue B described as a 66-foot wide, unplatted public right-of-way commencing at the south side of 5th Street, which is part of the Plat of Vestaburg, and running south 310 feet in Section 28, T12N, R5W, Richland Township, Montcalm County, Michigan; and

WHEREAS, Vestaburg Schools, 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 February 4, 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 Richland Township Board, and the Michigan Department of Transportation and a copy of same be placed on file.

Motion carried. Roll call: Yes-McCracken, Brundage, Linton.

Reviewed Summons and Complaint from Dewain Euper, Plaintiff, versus The Township of Cato, the Road Commission for Montcalm County, et al, Defendants, in regard to Mr. Euper's complaint to vacate a portion of the Plat of Birch Shores Subdivision, specifically a five-foot wide strip along the west side of Park B adjacent to Mr. Euper's property (Lot 19). According to a survey by CMS & D Surveying of Mt. Pleasant, Mr. Euper's house encroaches into Park B approximately two feet; the vacation of five feet would leave approximately 48 feet of lakefront in Park B and adequate access for other lot owners.

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Moved by McCracken, seconded by Brundage, to state there is no objection to the complaint to vacate a portion of the Plat of Birch Shores Subdivision, specifically a five-foot wide strip along the west side of Park B adjacent to Lot 19. Motion carried. Roll call: Yes-McCracken, Brundage, Linton.

Moved by McCracken, seconded by Brundage, to approve the Act 51 Annual Financial Report for the year ending September 30, 2008, as presented, and to approve an inter-fund adjustment of \$146,376.31 from the County Road Commission Fund Balance to the Local Road Fund Balance to cover a deficit in the Local Road Fund Balance. Motion carried. Roll call: Yes-McCracken, Brundage, Linton.

Moved by McCracken, seconded by Brundage, to approve adjustments totaling \$218,392 to the FY2009 Cash Budget as presented. Motion carried. Roll call: Yes-McCracken, Brundage, Linton.

Superintendent's Report

- Meeting with Salt Consortium Group tomorrow in Grand Rapids; looking at where we stand so far this year and next year's needs.
- MDOT is reporting that our salt usage per mile on state trunklines compared to other counties in the Grand Region is the lowest; they are very pleased with salt usage and the winter maintenance we have provided on the trunklines.
- The new Engineer Tech and new Mechanic's Helper are on board.
- Township contracts are coming along well; everything but sealcoat and paving should be done next week.

Engineers' Report

Tom Mayan

- Carol and I met with Pat Denton and Mark this morning to discuss the projects we have lined up for the possible stimulus package. Based on the latest information we have on the proposed package, the Road Commission may get about \$717,000 for roads plus possibly some urban funds. Carol's firm is working on the plans, so we will be ready to go if and when the time comes.

Carol Smith

- We are working on the proposed stimulus projects, this year's Federal Aid projects and safety projects. On the safety projects we are looking at two intersection upgrades, one passing flare at MCC, and several guardrail upgrades throughout the county.
- We have started design work on Grow Road over Dickerson Creek.
- We have been working with Pat Denton. He has been signed up for various training that is required; he is working and training with my people on Road Commission projects; as soon as he can take the ball and run with it he will be the point man. He is working very well and catching on quickly.
- The bridge on Derby Road over Dickerson Creek has been closed for ten years. I am proposing that it be taken off the Critical Bridge list. The Board stated it was in agreement.

Clerk's Report

- The February MTF check is down 1 percent or \$4,108. Year-to-date MTF is down \$59,022.

Commissioners' Comments

- Dale Linton – Just want to pass along that at a recent Parks Committee meeting, the members thanked the Road Commission for the good job on winter maintenance even though money is so tight.

Moved by McCracken, seconded by Brundage, to approve the 2/4/09 bills totaling \$218,606.96 and Payroll #2 totaling \$76,495.44. Motion carried. Roll call: Yes-McCracken, Brundage, Linton.

There being no further business, the meeting adjourned at 5:10 p.m.

Chairman

Clerk