

June 12, 2014

A regular meeting of the Roscommon County Board of Road Commissioners was held at 7:00 p.m., June 12, 2014 at the Road Commission office. Present: Chair Tom McGinnis, Vice Chair Fred Chidester, Kim Akin, Clint Stauffer and Jim Porath. Also present: Manager Timothy L. O'Rourke, and Board Clerk Stefanie Simmons. Guests present: Mary Link – Gerrish Township Trustee, Frank Homola – Gerrish Township Supervisor, Joanne Bouck, Jack Bouck, Pat Springstead, Brad Gibson, Dale Hartman, MJ Hartman, Joleene Gall, James Gall, Doug Robbins, Tom Henkinson, Pat King, Jim Swenson, Jim Drager, Bob Murlock, Bob Tazzioli, Sue Gelderbloom, Janice Tazzioli, Nicholas Tazzioli, and Robert Link.

1. Motion Akin, second Stauffer that the Agenda be approved with the change to move number 5 and 6 of Unfinished Business to number 1 and 2 of Unfinished Business All ayes. Motion carried.
2. Motion Akin, second Stauffer that Minutes from the regular meeting held May 22, 2014 be approved as presented. All Ayes. Motion carried.
3. Motion Porath, second Chidester that payroll in the amount of \$65,882.91, covered by voucher #8596, be approved as presented. Roll Call Vote: Porath -Aye. Akin – Aye, Chidester – Aye. Stauffer – Aye, McGinnis – Aye. Nays: None. Motion carried.

Motion Akin, second Stauffer that bills in the amount of \$113,135.36, covered by voucher #8597, be approved as presented. Roll Call Vote: Porath –Aye, Stauffer-Aye, Akin – Aye, Chidester – Aye, McGinnis – Aye. Nays: None. Motion carried.

4. Public Comments were given by Frank Homola, Mary Link, Jan Tazzioli, Bob Murlock, Jim Drager, Jim Swenson, Pat King, Kathleen Mack, Sue Gelderbloom, and Joanne Bouck concerning items #1 and #2 under unfinished business.
5. Discussion was held by the Board. Under the advice of counsel,

Commissioner Chidester moved for the adoption of the following Resolution, second by Commissioner Porath:

WHEREAS, the Roscommon County Board of Road Commissioners passed a Resolution to Abandon Sheridan Drive on April 10, 2014, and

WHEREAS, The Resolution neglected to include 'the road was abandoned in the best interest of the public'

NOW THEREFORE BE IT RESOLVED that the Roscommon County Board of Road Commissioners hereby rescinds their Resolution adopted April 10<sup>th</sup> 2014 abandoning Sheridan Drive, and

BE IT FURTHER RESOLVED that a copy of this Resolution shall be filed with the Roscommon County Clerk and the Township of Gerrish.

Roll Call Vote: Stauffer-Aye. Akin-Aye. Porath-Aye. Chidester-Aye. McGinnis-Aye.

RESOLUTION DECLARED ADOPTED.

6. Discussion was held by the Board. Under the advice of counsel

Commissioner Chidester moved for the adoption of the following Resolution, second by Commissioner Porath.

WHEREAS, the Roscommon County Board of Road Commissioners desires to relinquish jurisdiction of all of Sheridan Drive in Gerrish Township within the plat of Woodlawn Subdivision, and

WHEREAS, the Roscommon County Board of Road Commissioners has authority, pursuant to MCL S224, MSA S9.118 to relinquish jurisdiction of all or part of a county road, and

WHEREAS, the Roscommon County Road Commissions (RCRC) procedure to relinquish jurisdiction of a road right-of-way pursuant to Act 283 of the Public Acts of 1909, as amended, MCLA 224.18, has been followed, and

WHEREAS, the Roscommon County Board of Road Commissioners has determined that relinquishing jurisdiction of Sheridan Drive in Gerrish Township within the plat of Woodlawn Subdivision is in the best interests of the public, and

WHEREAS, A Public Hearing was not held prior to the Board's decision,

NOW THEREFORE BE IT RESOLVED, that the Roscommon County Road Commission hereby relinquishes jurisdiction of Sheridan Drive within the plat of Woodlawn Subdivision, to Gerrish Township. All Public Utility easements and rights shall be preserved.

BE IT FURTHER RESOLVED that all down roads including those named here, West Pine, Chicago Ave., Washington Ave., St. Louis Ave., Muskegon Ave., St. Lawrence Ave., and Waukegon Ave., shall be retained as public roads under the jurisdiction of the Roscommon County Road Commission,

BE IT FURTHER RESOLVED that a copy of this Resolution shall be filed with Michigan Department of Transportation, the Michigan DNR and the Township of Gerrish.

Roll Call Vote: Ayes: Akin, Porath, Chidester, McGinnis. Nays: Stauffer.

RESOLUTION DECLARED ADOPTED.

At 7:33 Chair McGinnis called for a 5 minute recess. Meeting reconvened at 7:37 p.m.

7. Discussion was held on the Lyon Township Park 27.

Commissioner Akin moved for the adoption of the following Resolution, second by Commissioner Porath:

WHEREAS, the Roscommon County Board of Road Commissioners passed a Resolution to relinquish jurisdiction of various roads in Michigan Central Park 2<sup>nd</sup> Addition on May 24<sup>th</sup> 2007, and

WHEREAS, there was an error in the wording of said resolution.

NOW THEREFORE BE IT RESOLVED that the Roscommon County Board of Road Commissioners hereby rescinds their Resolution adopted May 24, 2007, and

BE IT FURTHER RESOLVED that a copy of this Resolution shall be filed with the Roscommon County Clerk and the Township of Lyon.

Roll Call Vote: Ayes: Stauffer, Akin, Porath, Chidester, McGinnis. Nays: None.

RESOLUTION DECLARED ADOPTED

8. Discussion was held on the Lyon Township Park 27 requests.

Motion by Akin, Second by Porath, that the following Resolution be adopted:

WHEREAS; there was an error in the wording of a previous Resolution dated May 24, 2007 relinquishing jurisdiction of certain roads in Lyon Township, and

WHEREAS; The Roscommon County Board of Commissioners desires to rectify those errors, and

WHEREAS: The Lyon Township Board also wishes to rectify the errors and has asked to expand on the previous decision to relinquish jurisdiction of certain roads contained within the limits of the area currently known as Lyon Township Park 27, and

WHEREAS: Lyon Township also seeks title to certain real property now owned by the Road Commission, and

WHEREAS: Lyon Township also seeks to have the Roscommon County Board of Road Commissioners reduce its claim on right of way adjacent to Park 27 from the current 73' to 33' from the centerline of Old 27 on its western limits, and

WHEREAS; The Roscommon County Board of Road Commissioners agrees that the interests in these roads, real property and right of way can best be served by the Township of Lyon, and is in the best interest of the public.

NOW THEREFORE BE IT RESOLVED; that the Roscommon County Road Commission does hereby relinquish jurisdiction and control over the following portions of road in Michigan Central Park and Michigan Central Park 2<sup>nd</sup> Addition; Hellon, Raymond and Phoenix Avenues from Higgins Boulevard to First Street to Lyon Township, and

BE IT FURTHER RESOLVED; that the Roscommon County Road Commission does hereby relinquish jurisdiction and control over Higgins, Chicago and Roscommon Boulevards between Hellon Avenue and Phoenix Avenue to Lyon Township, and

BE IT FURTHER RESOLVED; that the Roscommon County Road Commission does hereby relinquish jurisdiction and control over Grants Pass, First and State Streets from Hellon Avenue to Phoenix Avenue in Michigan Central Park and Michigan Central Park 2<sup>nd</sup> Addition, and

BE IT FURTHER RESOLVED; that the Roscommon County Road Commission does hereby relinquish jurisdiction and control over the excess western portion of its right of way beyond 33' from the surveyed centerline of Old 27 from Hellon Avenue to Phoenix Avenue to Lyon Township, with all Utility Rights being reserved, and

BE IT FURTHER RESOLVED; that the Roscommon County Road Commission agrees to transfer ownership interests in 6 parcels identified in the attached title search by quit claim deed, with all associated costs being covered by Lyon Township to Lyon Township as soon as practical.

Roll Call: Ayes: Akin, Chidester, Porath, Stauffer, McGinnis. Nays: None.

RESOLUTION DECLARED ADOPTED.

9. Motion Akin, second Chidester to award the Beaver Removal Bids to Koz's Excavating for the amount of \$10,000 to be retroactive to June 1, 2014. All Ayes. Motion Carried.

10. Motion by Akin, Second by Stauffer that the following resolution be adopted;

WHEREAS, on May 22, 2014 at a regularly scheduled meeting of the Roscommon County Board of Road Commissioners, a discussion was held on the seeming lack of progress being made on several Drainage District plans, and

WHEREAS, The Roscommon County Board of Road Commissioners has long desired to see the completion of Drainage District Improvements throughout the County as previously submitted for action in 2009 and,

WHEREAS, Each of three separate Drainage District areas have been approved by a Board of Determination and The Board of Roscommon County Road Commissioners deems it to be unacceptable for residents to endure another spring flooding, and

WHEREAS, The Roscommon County Board of Road Commissioners believes it is within the power of the Roscommon County Drain Commissioner and his retained Engineering Firm to complete all 3 currently approved projects during the 2014 Construction Season.

NOW THEREFORE BE IT RESOLVED, that the Roscommon County Board of Road Commissioners implores both the Roscommon County Commission and through its agent the Roscommon County Drain Commissioner to use all available means to expedite the resolution of drainage issues in areas commonly known as Dale Rd. and Channel Court in Markey Township, Pine Bluffs in Gerrish Township and Johnston Haven Subdivision in Gerrish Township. The Board deems it unacceptable that these ongoing issues remain unresolved after nearly 5 years of debate and discussion.

Roll Call: Ayes: Akin, Chidester, Porath, Stauffer, McGinnis. Nays: None.

RESOLUTION DECLARED ADOPTED.

11. Discussion was held on the Old 27 Chipseal bid.

12. Motion Akin, second Stauffer to sign local road agreement with Richfield Township for **Driftwood Cove** for a cost of \$35,199.00 with the RCRC share being 50% of the final project cost. All Ayes. Motion carried.

13. Motion Porath, second Chidester to sign local road agreement with Denton Township for **Cherokee Village** sweeping for a cost of \$1,402.33 with the RCRC share being \$-0-. All Ayes. Motion carried.

14. Motion Chidester, second Porath to sign local road agreement with Markey Township for **Additional Crack Seal** for a cost of \$12,285.00 with the RCRC share being \$-0-.

All Ayes. Motion carried.

15. Motion Akin, second Porath to sign local road agreement with Gerrish Township for **Burdell Road** for a cost of \$24,948.00 with the RCRC share being \$5,502.95, **Green Street** for a cost of \$8,141.00 with the RCRC share being \$-0-, **Muskegon Ave.** for a cost of \$21,887.00 with the RCRC share being \$-0-, **Various Crack seal** for a cost of \$17,325.00 with the RCRC share being \$5,502.95. All Ayes. Motion carried.
16. Discussion was held on the proposed budget numbers. Motion Akin, second Porath to amend the 2014 budget as proposed. All Ayes. Motion carried.
17. Motion Akin, second Stauffer to vote for the MCRCSIP Board as discussed. All Ayes. Motion Carried.
18. Motion Chidester, second Porath to allow the Manager to sign the three Teamster's MCTWF Participation agreements. All Ayes. Motion carried.
19. Motion Porath, second Chidester to sign the Letter of Understanding regarding healthcare. All Ayes. Motion carried.
20. Correspondence: 1) MDOT – Local Bridge Notice 2) MDOT – M-55 Striping Change 3) MDOT – Overhead Rate Increase 4) McGuire's Classic Invitation 5) Roscommon Recycling Meeting 6) Denton Township Historical Marker 7) MCRCSIP/CRASIF Annual Conference 8) CRAM – Road Funding (Senate) 9) Gerrish Township Request for information 10) CRASIF – Loss Control Visit 11) James White (MMB & J) PLC 12) Grotenhuis (BCN Underwriters)
21. Manager's Report was presented.
22. Commissioner's Reports were given. Porath – nothing to report. Chidester – Attended the recycle meeting. Would like to compliment the guys on culvert replacement by Songers. Akin – asked how the sign policy is going. Stauffer – Shoulders on M-18 look good. Gerrish is brining. He attended the HHW day and all went well. McGinnis – asked about the lack of striping through the town of St. Helen. It is set to be striped this year. Was happy to see the striping done on M-55 at the M-18 intersection.
23. Public Comments: Frank Homola – Thanked the Board for considering Attorney Hess's request. Gerrish Township will try their best to work with all involved and make everyone happy. He also thanked the Board for the adoption of the Drainage District Resolution. Manager O'Rourke invited Frank to attend the drainage meeting at the RCRC on Monday. Brad Gibson – commented on the Boards passing of the Sheridan Drive resolution. Pat Springstead – Governor signed Senate Bill 680 which takes the Road Commission out of the public dock issue.

At 8:25 p.m., Chair McGinnis declared the meeting adjourned. The next regular meeting will be held at 7:00 p.m., June 26, 2014, at the Road Commission Office.

(Minutes subject to Board approval)

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Stefanie Simmons, Board Clerk

Thomas McGinnis, Chair