

The regular meeting of the Board of County Road Commissioners of Kalamazoo County was held at the Road Commission office at 3801 East Kilgore Road, Kalamazoo, Michigan, on Tuesday, June 22, 2010. Commissioner McCauley called the meeting to order at 3:30 p.m.

Present: Kent L. McCauley, Kenneth R. Oscarson, Dennis J. Berkebile, Jeffrie M. Maddox and Daniel J. Moyle

Also attending: Managing Director Joanna I. Johnson, Finance Director Carla Benison, Traffic Services Director John Byrnes, Chief Engineer Tom Hohm, Administrative Assistant Nancy Ryan, Pavilion Township Supervisor Patrick White, and 1 citizen.

Commissioner Berkebile moved and it was seconded to accept the agenda as presented.

Carried by the following vote:

Aye: McCauley, Oscarson, Berkebile, Maddox, Moyle

Commissioner Oscarson moved and it was seconded to approve the minutes of the:

June 7, 2010 Wakeshma Township Joint Meeting

June 8, 2010 Board Meeting

June 8, 2010 Climax Township Joint Meeting

Carried by the following vote:

Aye: Maddox, McCauley, Berkebile, Moyle, Oscarson

Commissioner Maddox moved and it was seconded to approve and sign the June 21, 2010 payroll and the June 22, 2010 vendor accounts, as follows:

Payroll Account	\$104,556.74
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Vendor Account	<u>\$328,807.79</u>
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Carried by the following vote:	\$433,364.53
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Aye: McCauley, Oscarson, Berkebile, Maddox, Moyle

Commissioner Moyle moved and it was seconded to accept the letter from Michigan Department of Transportation (MDOT) regarding the 43<sup>rd</sup> Street project and refer to file.

Carried by the following vote:

Aye: McCauley, Oscarson, Berkebile, Maddox, Moyle

Commissioner Oscarson moved and it was seconded to accept the letter from James W. Porter, PC regarding Greenfield Shores Drive Road Special Assessment District and refer to file. Commissioner Berkebile questioned who Attorney Porter is representing in the letter and Managing Director Johnson replied Mr. and Mrs. Barnes.

Carried by the following vote:

Aye: McCauley, Oscarson, Berkebile, Maddox, Moyle

Discussion was had to effect that on June 1, 2010 a public meeting was held, pursuant to notice thereof duly given in accordance with the provisions Act 246 of the Public Acts of Michigan of 1931, as amended said public meeting being for the purpose of hearing reasons for or against the project for highway improvement as proposed as proposed by a petition of landowners in Pavilion Township, Kalamazoo County, Michigan, received by the Commission on April 27, 2010 and for other purposes spelled out in said Notice. At the conclusion of said public meeting the Commission made final determination of the Special Assessment District to be assessed for the benefits of the construction of the proposed improvement and number of annual installments over which said assessments shall be spread.

It is duly noted that less than thirty days have passed since said public hearing and that Section 7 of said Act requires the Commission to take certain action within 30 days after said hearing. Therefore, upon motion duly made by Commissioner Moyle and unanimously carried, it was moved to adopt the following resolutions:

**WHEREAS** a public meeting has been duly held, pursuant to notice thereof given in accordance with the provisions of Act 246 of the Public Acts of Michigan of 1931, as amended, said public meeting relating to certain highway improvements as requested in a petition submitted to the Commission by

landowners in the Township of Pavilion, Kalamazoo County, Michigan, received by the Commission on April 27, 2010

And

**WHEREAS**, final determination of the special assessment district to be assessed for benefits on construction of the proposed improvements and the number of annual installments over which said assessments shall be spread was made at said public meeting, and

**WHEREAS**, Section 7 of said Act requires the Commission to take certain action within thirty days from said public meeting,

**NOW, THEREFORE, BE IT HEREBY RESOLVED**, that this Commission hereby declares and make its final Order of Determination determining that said proposed improvement project is necessary and would be for the benefit of the public welfare and convenience, and that said proposed improvement project shall be made in accordance with the final specifications which are herewith adopted, a copy of which is attached to this Final Order of Determination.

**BE IT RESOLVED THAT** all of the statutory and procedural steps and requirements of Act 246 of the Public Acts of Michigan of 1931, as amended, have been complied with pertaining to the following special assessment project(s):

**Greenfield Shores Drive from QR Avenue to 3530' North of QR Avenue  
Total estimate is \$105,492.50**

and it appearing that the special assessments have been spread over a period of three (3) year(s); and, it further appearing that interest at the rate of six (6%) percent per year shall be charged on the unpaid balance of each assessment annually; and that the due date for these assessments shall be December 1 of each year hereafter and said assessments shall be delinquent if not paid prior to March 1 of each year hereafter;

**WHEREFORE**, the Commission shall forward the special assessment District(s) tax roll(s) to the Treasurer of Pavilion Township for collection as agent for the Commission as soon as is practicable following collection of same; and, further, that a copy of his Resolution be forwarded to said Township Treasurer, and a copy to the Kalamazoo County Treasurer.

Carried by the following vote:

Aye: McCauley, Oscarson, Berkebile, Maddox, Moyle

Discussion was had to effect that on June 1, 2010 a public meeting was held, pursuant to notice thereof duly given in accordance with the provisions Act 246 of the Public Acts of Michigan of 1931, as amended said public meeting being for the purpose of hearing reasons for or against the project for highway improvement as proposed as proposed by a petition of landowners in Richland Township, Kalamazoo County, Michigan, received by the Commission on April 5, 2010 and for other purposes spelled out in said Notice. At the conclusion of said public meeting the Commission made final determination of the Special Assessment District to be assessed for the benefits of the construction of the proposed improvement and number of annual installments over which said assessments shall be spread.

It is duly noted that less than thirty days have passed since said public hearing and that Section 7 of said Act requires the Commission to take certain action within 30 days after said hearing. Therefore, upon motion duly made by Commissioner Moyle and unanimously carried, it was moved to adopt the following resolutions:

**WHEREAS** a public meeting has been duly held, pursuant to notice thereof given in accordance with the provisions of Act 246 of the Public Acts of Michigan of 1931, as amended, said public meeting relating to certain highway improvements as requested in a petition submitted to the Commission by landowners in the Township of Richland, Kalamazoo County, Michigan, received by the Commission on April 5, 2010

And

**WHEREAS**, final determination of the special assessment district to be assessed for benefits on construction of the proposed improvements and the number of annual installments over which said assessments shall be spread was made at said public meeting, and

**WHEREAS**, Section 7 of said Act requires the Commission to take certain action within thirty days from said public meeting,

**NOW, THEREFORE, BE IT HEREBY RESOLVED**, that this Commission hereby declares and make its final Order of Determination determining that said proposed improvement project is necessary and would be for the benefit of the public welfare and convenience, and that said proposed improvement project shall be made in accordance with the final specifications which are herewith adopted, a copy of which is attached to this final Order of Determination.

**BE IT RESOLVED THAT** all of the statutory and procedural steps and requirements of Act 246 of the Public Acts of Michigan of 1931, as amended, have been complied with pertaining to the following special assessment project(s):

**Highland Park- C Avenue-** West Gull Lake Drive to Fraulin Drive and **Fraulín Drive-** C Avenue to Werner Street. **Werner Street-** C Avenue to Fraulin Drive. **Ricker Street-** C Avenue to Fraulin Drive. **Fraulín Circle-** Fraulin Drive to Fraulin Drive .71 miles  
**Total estimate is \$74,700.00**

and it appearing that the special assessments have been spread over a period of three (3) year(s); and, it further appearing that interest at the rate of six (6%) percent per year shall be charged on the unpaid balance of each assessment annually; and that the due date for these assessments shall be December 1 of each year hereafter and said assessments shall be delinquent if not paid prior to March 1 of each year hereafter;

**WHEREFORE**, the Commission shall forward the special assessment District(s) tax roll(s) to the Treasurer of Richland Township for collection as agent for the Commission as soon as is practicable following collection of same; and, further, that a copy of his Resolution be forwarded to said Township Treasurer, and a copy to the Kalamazoo County Treasurer.

Carried by the following vote:

Aye: McCauley, Oscarson, Berkebile, Maddox, Moyle

Commissioner Maddox moved and it was seconded to approve the offer of \$17,300.00 for Luxter Property LLC., the owner of parcel number 07-25-102-050 for the 35<sup>th</sup> Street from I-94 to Kalamazoo River Bridge project for temporary grading easement and the Managing Director's signature on the Purchase Agreement. Tom Palarz of Land Matters, our right-of-way consultant, was asked by Commissioner Oscarson if it was easier to negotiate with property owners and return to the Board with an agreement for approval. Mr. Palarz commented it is effective to have the value established and negotiate with the property owner, followed by having them sign a contract based on their agreement.

Carried by the following vote:

Aye: McCauley, Oscarson, Berkebile, Maddox, Moyle

Commissioner Maddox moved and it was seconded to appoint the Michigan County Road Commission Self Insurance Pool voting delegate authorization to Joanna I. Johnson, Managing Director.

Carried by the following vote:

Aye: McCauley, Oscarson, Berkebile, Maddox, Moyle

Commissioner Berkebile moved and it was seconded to approve the MDOT Licensed Professional Engineer reimbursement for Chairman's signature.

Carried by the following vote:

Aye: McCauley, Oscarson, Berkebile, Maddox, Moyle

Commissioner Oscarson moved and it was seconded to award the 2010 Hot Mix Asphalt (HMA) second bid letting for Areas 1, 3 and 4 to Michigan Paving and Materials Company and award Area 2 to Lakeland Asphalt Corporation; low bidders meeting specifications, and to approve contracts for Managing Director's signature.

Carried by the following vote:

Aye: McCauley, Oscarson, Berkebile, Maddox, Moyle

Commissioner Moyle moved and it was seconded to approve \$76,655.81 of local road participation (PAR) funds not used by Alamo, Kalamazoo and Comstock Townships be allocated to the primary fund for 2010. Pavilion Township Supervisor Pat White requested consideration for next year that unused local road par funds be offered to other townships able to match the funds. Supervisor White thanked the Board for the recent Joint Meeting with Pavilion Township and expressed appreciation to staff and the board for adding R Avenue repaired from East Long Lake Drive to 24<sup>th</sup> Street in 2010.

Carried by the following vote:

Aye: McCauley, Oscarson, Berkebile, Maddox, Moyle

Commissioner Berkebile moved and it was seconded to approve Pavilion Township local road participation contract for Chairman's signature.

a. RS Avenue-3,455' west of 28<sup>th</sup> Street to 28<sup>th</sup> Street, HMA Overlay

Carried by the following vote:

Aye: McCauley, Oscarson, Berkebile, Maddox, Moyle

Commissioner Moyle moved and it was seconded to approve Richland Township local road participation contracts for Chairman's signature. Managing Director Johnson noted the FG Avenue project is a HMA wedge, not an overlay.

a. FG Avenue-35<sup>th</sup> Street to 36<sup>th</sup> Street, HMA Wedging/Chip Seal

b. B Avenue-24<sup>th</sup> Street to M-89, HMA Wedging/Chip Seal

Carried by the following vote:

Aye: McCauley, Oscarson, Berkebile, Maddox, Moyle

Commissioner Maddox moved and it was seconded to approve Ross Township local road participation contracts for Chairman's signature.

a. Fernwood Drive-M-89 to Trillium Drive and Trillium Drive-Fernwood Drive to 2,890' north of Fernwood Drive, HMA Wedging

b. East Gull Lake Drive-D Avenue to C Avenue, HMA Wedging/Chip Seal

c. Sherman Lake Drive-3,341' west of 39<sup>th</sup> Street to 39<sup>th</sup> Street, HMA Wedging/Chip Seal

Carried by the following vote:

Aye: McCauley, Oscarson, Berkebile, Maddox, Moyle

Commissioner Berkebile moved and it was seconded to approve Climax Township local road participation contract for Chairman's signature.

a. 43<sup>rd</sup> Street-Q Avenue to P Avenue, Gravel and HMA Overlay

Carried by the following vote:

Aye: McCauley, Oscarson, Berkebile, Maddox, Moyle

Commissioner Oscarson moved and it was seconded to approve the Schoolcraft Township local road participation contract for Chairman's signature.

a. 23<sup>rd</sup> Street-U Avenue to T Avenue and U Avenue-22<sup>nd</sup> Street to 23<sup>rd</sup> Street, HMA Wedging

Carried by the following vote:

Aye: McCauley, Oscarson, Berkebile, Maddox, Moyle

Managing Director Johnson said she had attended a Township Supervisor's meeting on June 16<sup>th</sup>, where they discussed the uniform traffic code.

Managing Director Johnson expressed appreciation to Tom Dietz, Tim Snow, Lotta Jarnefelt and Gary Hahn who gave presentations at the Building of the Kalamazoo County Map Workshop held at the

Kalamazoo County Road Commission on June 16th. She said it was an interesting and a well attended presentation.

Commissioner Berkebile noted the Building of the County Map Workshop was very interesting and congratulated Managing Director Johnson for getting the team together that made the presentations.

Commissioner McCauley reminded the Board that Wednesday, June 23rd is Match Day at Bronson Park sponsored by the Kalamazoo Foundation. They are celebrating their 85<sup>th</sup> birthday and will match dollar for dollar up to the first \$85,000.00 donated.

The meeting adjourned at 3:55 p.m.