

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, July 8, 2008. Chairperson Maddox called the meeting to order at 3:30 p.m.

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

Also attending: Managing Director Joanna I. Johnson, Engineering Technician Eric Augst, Traffic Services Director John Byrnes, General Superintendent Travis Bartholomew, Accountant Diane DeWaters, Chief Engineer Tom Hohm, Secretary Dolores Morton, and Finance Director Greg Vlietstra.

Commissioner Berkebile moved and it was seconded that the board approve the agenda with addition of one expense report and one correction of the April 29, 2008, meeting minutes.

Carried by the following vote:

Aye: Maddox, Berkebile, McCauley, Moyle, Oscarson

Commissioner Moyle moved and it was seconded that the board approve the minutes of the June 24, 2008, regular meeting.

Carried by the following vote:

Aye: Maddox, Berkebile, McCauley, Moyle, Oscarson

Commissioner McCauley moved and it was seconded that the board approve and sign the July 8, 2008, payroll and July 9, 2008, vendor accounts, as follows:

Payroll Account	\$ 110,461.27
Vendor Account	<u>837,732.59</u>
	\$ 948,193.86

Carried by the following vote:

Aye: Maddox, Berkebile, McCauley, Moyle, Oscarson

Commissioner Berkebile moved and it was seconded that the board approve expense reports for Joanna Johnson, Jeffrie Maddox, Kent McCauley, and Kenneth Oscarson.

Carried by the following vote:

Aye: Maddox, Berkebile, McCauley, Moyle, Oscarson

Commissioner Berkebile moved and it was seconded that the board approve and authorize the managing director's signature on MDOT Contract No. 08-5287 between the Michigan Department of Transportation and the Board of County Road Commissioners of Kalamazoo County for the following:

Passing flare work at the intersection of Ravine Road and Squires Road; including trenching, aggregate base, cold milling, hot mix asphalt paving, drainage improvements, permanent pavement markings, and sign upgrading work; and all together with necessary related work.

Carried by the following vote:

Aye: Maddox, Berkebile, McCauley, Moyle, Oscarson

Commissioner Oscarson moved and it was seconded that the board approve and authorize signatures on a Michigan Department of Transportation form requesting reimbursement in the amount of \$10,000 for payments made during the period July 1, 2007, through June 30, 2008, to licensed professional engineers employed or retained by this commission, in accordance with Section 12 (2) of Act 51, Public Acts of 1951, as amended.

Carried by the following vote:

Aye: Maddox, Berkebile, McCauley, Moyle, Oscarson

Commissioner Berkebile moved and it was seconded that the board approve and authorize reaffirmation of the Drainage Easement for Bentwood Shores, LLC, which was signed and approved at the June 24, 2008, with the following changes required by the Register of Deeds office: . . . and for the mutual benefit of the parties, for a consideration less than \$100.00, . . ."

Carried by the following vote:

Aye: Maddox, Berkebile, McCauley, Moyle, Oscarson

Commissioner Berkebile moved and it was seconded that the board rescind the following incorrect Richland Township local road contracts, which were approved at the April 29, 2008, meeting:

B Avenue – 31st Street to M-43, HMA Overlay

DE Avenue – East of village limits to 2,600' east and DE Avenue

– 375' west of 35th Street to 35th Street, HMA Overlay  
Carried by the following vote:  
Aye: Maddox, Berkebile, McCauley, Moyle, Oscarson

Commissioner Berkebile moved and it was seconded that the board approve the following Comstock Township local road contracts:

28th Street – East Michigan Avenue to East Main Street, Chip Seal

30th Street – East Main Street to H Avenue, Chip Seal

Carried by the following vote:

Aye: Maddox, Berkebile, McCauley, Moyle, Oscarson

Commissioner Oscarson moved and it was seconded that the board forgo approval of a staff request for a traffic control order in Oshtemo Township to temporarily reduce the speed of traffic on 8th Street – M-43 to ML Avenue from 55 mph to 45 mph.

Carried by the following vote:

Aye: Maddox, Berkebile, McCauley, Moyle, Oscarson

Commissioner Berkebile moved and it was seconded that the board approve a traffic control order to temporarily reduce the speed of traffic on 9th Street – Meridian Street to KL Avenue to 25 mph for the duration of the 9th Street construction project in Oshtemo Township

Carried by the following vote:

Aye: Maddox, Berkebile, McCauley, Moyle, Oscarson

Commissioner Berkebile moved and it was seconded that the board approve the hire of a seasonal employee in the Equipment Maintenance Department at \$8.25 per hour.

Carried by the following vote:

Aye: Maddox, Berkebile, McCauley, Moyle, Oscarson

Commissioner Oscarson moved and it was seconded that the board adopt the following resolution:

WHEREAS, the Kalamazoo River Valley Trailway construction project, within Kalamazoo Township and Cooper Township, in Kalamazoo County, is to be a public facility within Kalamazoo County, Michigan; and

WHEREAS, the Board intends to construct the Kalamazoo River Valley Trailway, such construction project being designated as Kalamazoo County Road Commission Project No. 035 000; and

WHEREAS, the acquisition of certain permanent easements will be required in conjunction with this project; and

WHEREAS, condemnation proceedings pursuant to Act 295, PA 1966, as amended, and Act 87, PA 1980, may be necessary regarding certain said parcels of real property; and

WHEREAS, the applicable statutes provide that a good faith written offer to obtain permanent easements shall be made to all parties of interest therein prior to the initiation of such proceedings; and

WHEREAS, the Board has reviewed the appraisals and other relevant materials concerning the parcels required for this project.

NOW, THEREFORE, BE IT RESOLVED that the Board does hereby determine and establish that the estimated just compensation for the certain permanent easements for the parcels as set forth below—and more fully described in the records and files of the Board's Engineering Department, which descriptions are incorporated by reference herein to be as follows:

<u>Parcel #</u>	<u>Owner</u>	<u>Total Amount</u>
1	Kalamazoo County Road Commission	\$0.00
2 – 8	Kalamazoo Nature Center, Inc.	0.00*
9	Margaret Muse A. Trust	2,145.00
10 – 12	Kalamazoo Nature Center, Inc.	0.00*

\*Assumes no compensation due to mutual benefit provided by proposed facility

BE IT FURTHER RESOLVED, that in accordance with the applicable statutes, the Board does hereby authorize and direct the Managing Director to execute, on behalf of the Board, a Good Faith written offer to obtain a permanent easement for parcels 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12 in the amount determined and established herein as estimated just compensation for such parcel, and to submit such written offer to all parties of interest therein.

Carried by the following vote:

Aye: Maddox, Berkebile, McCauley, Moyle, Oscarson

Commissioner Berkebile disclosed that he is employed by Consumers Energy and, in view of a possible conflict of interest, although he has no financial gain associated with it, he is abstaining from the discussion and voting of a Just Compensation resolution involving Consumers Energy property.

Commissioner Oscarson moved and it was seconded that the board adopt the following resolution:

WHEREAS, the Kalamazoo River Valley Trailway construction project, within Kalamazoo Township and Cooper Township, in Kalamazoo County, is to be a public facility within Kalamazoo County, Michigan; and

WHEREAS, the Board intends to construct the Kalamazoo River Valley Trailway, such construction project being designated as Kalamazoo County Road Commission Project No. 035 000; and

WHEREAS, the acquisition of certain permanent easements will be required in conjunction with this project; and

WHEREAS, condemnation proceedings pursuant to Act 295, PA 1966, as amended, and Act 87, PA 1980, may be necessary regarding certain said parcels of real property; and

WHEREAS, the applicable statutes provide that a good faith written offer to obtain permanent easements shall be made to all parties of interest therein prior to the initiation of such proceedings; and

WHEREAS, the Board has reviewed the appraisals and other relevant materials concerning the parcels required for this project.

NOW, THEREFORE, BE IT RESOLVED that the Board does hereby determine and establish that the estimated just compensation for the certain permanent easements for the parcels as set forth below—and more fully described in the records and files of the Board's Engineering Department, which descriptions are incorporated by reference herein to be as follows:

<u>Parcel #</u>	<u>Owner</u>	<u>Total Amount</u>
13	Consumers Energy Co.	5,000.00**

\*\*Estimated cost to acquire necessary license agreement

BE IT FURTHER RESOLVED, that in accordance with the applicable statutes, the Board does hereby authorize and direct the Managing Director to execute, on behalf of the Board, a Good Faith written offer to obtain a permanent easement for parcel 13, in the amount determined and established herein as estimated just compensation for such parcel, and to submit such written offer to all parties of interest therein.

Carried by the following vote:

Aye: Maddox, McCauley, Moyle, Oscarson

Abstain: Berkebile

Commissioner Oscarson moved and it was seconded that the board correct the April 29, 2008, meeting minutes to reflect approval of a dust control contract for Prairie Ronde Township, as follows:

On motion by Commissioner Oscarson, seconded by Commissioner Berkebile, the Board approved and authorized the chairman's signature on a dust control agreement with Prairie Ronde Township to apply liquid 38% solution calcium chloride brine on a continuous basis at an application rate of 1,350 gallons per mile along the 28.95 miles of gravel roads in the township.

Carried by the following vote:

Aye: Maddox, Berkebile, McCauley, Moyle, Oscarson

Managing Director Johnson introduced Finance Director Greg Vlietstra and Engineering Technician Eric Augst, who began working for the Road Commission on Monday, July 7, 2008.

Ms. Johnson reported that the roads department has been busy with clean-up activities following the recent storms and that chip seal work is expected to resume on July 14.

Ms. Johnson also noted that a number of staff participated in the Schoolcraft 4th of July parade and the KCRC received the "Judge's Choice, 1st Place" Award for decorations of their vehicles.

Commissioner Oscarson extended a welcome to Greg Vlietstra and Eric Augst.

Commissioner McCauley noted that the Parks and Recreation Commission meeting was cancelled this month. He also extended a welcome to Greg Vlietstra and Eric Augst.

Commissioner Maddox expressed appreciation to the staff for their clean-up efforts of debris during the recent storms. He also welcomed Greg Vlietstra and Eric Augst to the Road Commission. Mr. Maddox reported that the July Council of Governments meeting was cancelled.

The meeting adjourned at 4:14 p.m.