

APPROVED MINUTES

Mason, Michigan
August 3, 2009

The Board of Ingham County Road Commissioners met for a regular meeting on Monday, August 3, 2009, at 6:00 P.M. in the Board Room of the Ingham County Road Commission's Austin E. Cavanaugh Administration Building located at 301 N. Bush Street, Mason, Michigan 48854.

Present: Joseph A. Guenther, Chair, Shirley M. Rodgers, Vice Chair, Thomas M. Mitchell, Member, James G. Dravenstatt-Moceri (late arrival due to prior commitment), Member, and Norman L. Gear, Member.

Also Present: William M. Conklin, Managing Director, Deborah L. Bellows, Secretary to the Board, Tina M. Henry, Finance Director, James M. Benjamin, Director of Operations, and Robert H. Peterson, Director of Engineering.

Chair Joseph A. Guenther called the meeting to order and led with the Pledge of Allegiance.

AGENDA ITEM #4 – LATE ITEMS.

Chair Guenther added as Agenda Item #9C, discussion and update of the AFSCME contract negotiations.

AGENDA ITEM #4 – CONSENT ITEMS.

Moved by Commissioner Rodgers and Supported by Commissioner Gear, that the following items be approved under consent:

1. Agenda Item #5A and #5B, routine and special permits.
2. Agenda Item #7A, accounts payable.
3. Agenda Item #8C, MDOT contract for project on Marsh Road between Tihart Road and the CNRR bridge deck.
4. Agenda Item #9A, local road Agreement with Ingham Township.

5 yes, 0 no. Motion carried unanimously.

Agenda Item #5A and #5B – Routine and Special Permits.

Moved by Commissioner Rodgers and Supported by Commissioner Gear, that routine and special permits be approved as follows:

09-0303	09-0304	09-0307	09-0308	09-0309	09-0310
09-0311	09-0313	09-0314	09-0321	09-0322	09-0324
09-0325	09-0305	09-0306	09-0312	09-0315	09-0316
09-0317	09-0323				

Permit #09-0318 applied for by Meridian Professional Fire Fighters for the purpose of conducting "Fill The Boot", a fundraiser for the Muscular Dystrophy Association to be held on July 26, 2009, from 8:30 am until 6:00 pm. The event is sanctioned by Meridian Township.

Permit #09-0320 applied for by Chris Burke & Kris Burak for the purpose of conducting the Cornell Woods Subdivision's National Night Out block party to be held on August 4, 2009, from 4:00 pm until 9:00 pm. The event is sanctioned by Meridian Township.

5 yes, 0 no. Motion carried unanimously.

Agenda Item #7A – Accounts Payable.

Moved by Commissioner Rodgers and Supported by Commissioner Gear, that the accounts payable for the two week period of July 6-19, 2009, be approved as follows: check numbers #93471 through #93534, totaling \$89,219.79. 5 yes, 0 no. Motion carried unanimously.

Agenda Item #8C – MDOT Contract for Marsh Road Improvements.

RESOLUTION AUTHORIZING ENTERING INTO A CONTRACT WITH THE MICHIGAN DEPARTMENT OF TRANSPORTATION FOR IMPROVEMENTS ON MARSH ROAD LOCATED IN MERIDIAN CHARTER TOWNSHIP.

RESOLUTION #066-09

Moved by Commissioner Rodgers and Supported by Commissioner Gear. 5 yes, 0 no. Resolution carried.

WHEREAS, a Contract has been presented to the Board of Ingham County Road Commissioners for approval by and between the Michigan Department of Transportation (herein referred to as the Department) and the Board of Ingham County Road Commissioners (herein referred to as Requesting Party); and

WHEREAS, in said Contract the Department and the Requesting Party agree to the following improvements:

Hot mix asphalt cold milling and resurfacing work along Marsh Road from Tihart to the Canadian National Railway bridge deck approximately 750 feet north of Franklin Street; and all together with necessary related work.

WHEREAS, the Requesting Party is fully cognizant of the terms and conditions of the Contract as prepared and presented by the Department.

NOW THEREFORE BE IT RESOLVED that the Requesting Party authorizes its Chair and its Secretary to execute this Contract on behalf of the Requesting Party; and

BE IT FURTHER RESOLVED that the total estimated cost for this project is as follows:

Job Number 106392
MDOT Contract No. 09-5460
Federal Item No. JJ 3560

Control Section ARU 33400
Project No. ARRA 0933(037)
CFDA No. 20.205

ESTIMATED COST

CONTRACTED WORK

Estimated Cost \$ 537,500

COST PARTICIPATION

Grand Total Estimated Cost \$ 537,500
Less Federal Funds \$ 537,500
Balance (Requesting Party's Share) \$ -0-

NO DEPOSIT REQUIRED.

BE IT FURTHER RESOLVED that the Requesting Party has designated Mr. Richard Phillips as project engineer:

Business Address: 301 Bush Street, Mason, Michigan 48854
Telephone Number: 517/676-9722

Agenda Item #9A – Local Road Agreement with Ingham Township.

RESOLUTION APPROVING LOCAL ROAD AGREEMENT WITH INGHAM TOWNSHIP FOR THE FINAL PHASE OF THE OSBORNE ROAD PROJECT.

RESOLUTION #067-09

BE IT RESOLVED that upon recommendation of the Managing Director, the Board approves and signs a Local Road Agreement with Ingham Township for the final phase of the Osborne Road project.

AGENDA ITEM #6 – MANAGING DIRECTOR REPORT.

A. Regarding the arrangements with MDOT for the repayment by the Eaton County Road Commission of the \$190,000.00 overpayment due to a population calculation error, the Finance Director has not received confirmation from MDOT officials that it will handle the three annual installments through the MTF distribution process. We should know something within the next few days.

B. Mr. Conklin reviewed the status of the Waverly Road sidewalk issue and the result of a meeting held last week with City of Lansing officials, Lansing Township officials, Road Commission officials, and residents. Mr. Conklin recommended that the City of Lansing pursue an Enhancement grant for the sidewalk installation. It remains to be known where the 20% local share will come from, plus the costs for right of way acquisition.

Chair Guenther asked if the issue of the bridge sidewalk (located just north of Moores River Drive) winter maintenance was discussed. Commissioner Rodgers said she heard Mayor Bernero state that the City would start maintaining that sidewalk again. Chair Guenther stated there may also be some forestry type grants available, as well as DNR grants.

Commissioner Dravenstatt-Moceri entered the meeting at 6:35 P.M.

AGENDA ITEM #9B – FINAL APPROVAL OF THE LONG RANGE PLAN PROJECTS.

Managing Director Bill Conklin introduced David Sonnenberg and Heather Zull of Traffic Engineering Associates (TEA) for a presentation regarding Delhi Township's desire to have Cedar Street between Holt Road and Aurelius Road reduced to three lanes.

Mr. Sonnenberg stated his company has been retained by the Delhi Township DDA to perform traffic modeling of this location using various scenarios. He gave a slide presentation showing three options for this lane reduction, using different methods of lane tapers and signalizations. Mr. Sonnenberg said he would be making this presentation to Delhi Township tomorrow evening.

Chair Guenther stated that the Township is desirous of reducing this section of Cedar Street to three lanes in an attempt to have a walkable community, and because of the new senior center recently constructed in this section of Cedar Street. He said he thinks they want to actually do the work this fall and may pay for it through the DDA.

Mr. Sonnenberg and Ms. Zull completed their presentation and left the meeting.

Managing Director Conklin continued this item by reviewing his recommendation for approval of the Long Range Plan (LRP) to be submitted to the Tri-County Regional Planning Commission.

Mr. Conklin said that the Tri-County Regional Planning Commission (TCRPC) is now finalizing the 2035 Capacity Expanding Long Range Plan (LRP). This document was submitted to the Board for review for this agenda item. Therefore, Mr. Conklin indicated the need to have the Board direct any final changes to the ICRC's proposed plan and give final approval to our long range projects in the LRP.

Mr. Conklin stated that to date, we have completed the following public and township involvement efforts in this process:

1. Sent ICRC's proposed LRP list to all townships requesting input from their Boards of Trustees and citizens.
2. Published this list in the Road Commission's April, 2009, ICRC newsletter *Our County Roads in View*.
3. Meridian Township replied with a letter including their comments on ICRC's portion of the LRP.
4. Discussed the LRP at length with the other townships having proposed LRP projects, i.e., Lansing Township, Delhi Township, and Alaiedon Township. All proposed LRP projects in these townships were either requested by these townships or, at least, met with township approval, with the

exception of widening Holt Road from US-127 to Hagadorn Road, which Alaieton Township has requested be deferred from the 2035 LRP.

Mr. Conklin noted that the Delhi Township request for consideration of the four to three lane conversion option for Cedar Street is still in the process of being determined by the Township whether they actually want this conversion option in the LRP. Delhi plans a public meeting to finalize their decision on this later in August.

5. The Road Commission held an advertised public hearing on May 11, 2009. Minutes from this public hearing are on file with the Road Commission.
6. TCRPC held two sets of advertised public meetings in several locations in December, 2008, and in June, 2009. Several Road Commissioners, Director of Engineering Bob Peterson and Managing Director Bill Conklin participated in the meetings held in Ingham County. Results of these meetings, including polling and comments on the projects, are also on file with the Road Commission.
7. The ICRC has coordinated with Michigan State University on the two LRP projects near the MSU campus – Forest/Farm Lane and Hagadorn Road from Bennett to Mt. Hope.

Mr. Conklin said the public and township involvement generally favored the LRP projects submitted by ICRC, with the following comments:

1. The Okemos-Hamilton roundabout should be two lanes and designed to handle peak hour traffic if it proceeds.
2. Okemos Road from Central Park Drive to Haslett Road should only be widened for turn-pockets as necessary, and should be raised to eliminate current frequent flooding rather than the originally proposed four to five lane widening.
3. The Holt Road widening from US-127 to Hagadorn Road could be delayed until the next LRP (2040) as this segment is not predicted to be deficient until 2035 and public and township opinion generally preferred deferring this project.

Mr. Conklin recommended that the Board approve the ICRC portion of the 2035 LRP with the above three changes and with approval of the Cedar Street four to three lane conversion (between Holt Road and Keller Road), contingent upon Delhi Township's final decision. He indicated that staff will be working with CARTS to prioritize these projects and place them in fiscal years of the LRP based on predicted year that improvement is needed and available federal revenue.

RESOLUTION APPROVING THE LONG RANGE PLAN FOR PROJECTS THROUGH THE YEAR 2035 AND AUTHORIZING SUBMITTAL TO THE TRI-COUNTY REGIONAL PLANNING COMMISSION.

RESOLUTION #068-09

Moved by Commissioner Rodgers and Supported by Commissioner Mitchell. 5 yes, 0 no. Resolution carried unanimously.

BE IT RESOLVED that upon recommendation of the Managing Director, the Board approves the Long Range Plan of projects through the year 2035 for submission to the Tri-County Regional Planning Commission as recommended, which projects will be prioritized by the CARTS Committee of the Tri-County Regional Planning Commission and placed in the fiscal years of the Long Range Plan based on predicted year that improvement is needed and when federal revenue will become available. Those projects are as follows:

1. Aurelius Road between the west leg of Harper Road and Holt Road. Harper Road to Wilcox Road widen from two to three lanes, Wilcox Road to Holt Road reduce from four to three lanes, add possible roundabout at Holt and Aurelius Roads intersection, and bike lanes on both sides. Total estimated cost: \$1,500,000.00.
2. Cedar Street between Holt Road and Aurelius Road. Reduce from four to three lanes and include bike lanes. Total estimated cost: \$500,000.00.
3. Forest/Farm Lane Corridor. College to Farm Lane and Forest to Mt. Hope. Widen from two to four lanes with possible roundabout at Forest and College, add curve radius, and bike lanes on both sides. Total estimated cost: \$2,000,000.00.
4. Hagadorn Road between Bennett Road and Mt. Hope Road. Widen from two to four lanes with possible roundabout at intersection with Bennett Road, including bike lanes. Total estimated cost: \$2,000,000.00.
5. Holt Road between Washington Road and Eifert Road. Widen from two to four lanes with center left turn lanes where necessary, possible roundabouts (not included in estimate). Total estimated cost: \$2,500,000.00.
6. Jolly Road between Collins Road and Hagadorn Road. Widen from two to four lanes, possible roundabout at College and Jolly Roads intersection, and bike lanes on both sides. Total estimated cost: \$2,900,000.00.
7. Lake Lansing Road between I-69 BL (Saginaw Street) and Marsh Road. I-69 BL to Lac Du Mont widen from two to three lanes, Lac Du Mont to Marsh Road reduce from four to three lanes, add possible roundabout at Okemos Road and Lake Lansing Road intersection, and bike lanes on both sides. Total estimated cost: \$3,000,000.00.
8. Marsh Road between Central Park Drive and Tihart Road. Widen from four to five lanes, add possible roundabouts at Central Park Drive, Times Square Drive and Tihart Road intersections with Marsh Road. Total estimated cost: \$2,100,000.00.
9. Michigan Avenue between Waverly Road and Lansing City Limits. Reduce from four to three lanes and including bike lanes. Total estimated cost: \$500,000.00.
10. Okemos Road between Central Park Drive and Haslett Road. Raise grade and install turn pockets. Total Estimated cost: \$10,000,000.00.

11. Okemos Road between Sandhill Road and I-96. Widen from two to three lanes from Sandhill Road north to the existing multi-lane portion of Okemos Road (center left turn lane). Total estimated cost: \$494,200.00.
12. Okemos Road at the Hamilton Road Intersection (on behalf of the Meridian Township DDA). Construct a modern roundabout (two to three lanes). Total estimated cost: \$800,000.00.
13. Waverly Road between Miller Road and Jolly Road. Widen from two to three lanes with paved shoulders. Total estimated cost: \$622,800.00.
14. Willow Road between Waverly Road and the Lansing City Limits. Reduce from four to three lanes, including bike lanes. Total estimated cost: \$500,000.00.

BE IT FURTHER RESOLVED that these projects are approved with the following stipulations:

1. The Okemos-Hamilton roundabout should be two lanes and designed to handle peak hour traffic if the project proceeds.
2. Okemos Road from Central Park Drive to Haslett Road should only be widened for turn-pockets as necessary, and should be raised to eliminate current frequent flooding rather than the originally proposed four to five lane widening.

AGENDA ITEM #8A – PETITION FOR ABANDONMENT OF SWAN DRIVE IN ONONDAGA TOWNSHIP.

Petitioners Rick and Karen Cataline were present for this discussion.

Director of Engineering Bob Peterson stated a Petition for Abandonment has been received requesting the Road Commission to abandon the right of way known as Swan Drive located in Onondaga Township. Mr. Peterson said this is what is called a “paper” road with its right of way being reserved for possible future access to the property located directly east. He said the Swan Drive right of way was required back in 1963 so that if the 40 acres to the east was developed, the road system would provide a continuous circuit for travel, which is also a current Road Commission public road requirement. Mr. Peterson stated as can be seen on the photos provided, there are mature trees located right down the middle of the right of way and a resident’s shed has also been constructed on the right of way.

Commissioner Rodgers stated if Swan Drive is only designated on paper and there is no defined road, does the original developer still have an obligation to the area? Mr. Peterson said no. Then if the 40 acres were sold to a developer, that developer would be able to this right of way for access, and if the right of way is abandoned, there would no longer be that option for access available? Mr. Peterson said that is correct, once it is abandoned, it is abandoned forever.

Chair Guenther stated the property owner of the 40 acres has indicated that if he or his heirs were ever to develop this 40 acres, they would provide access from Onondaga Road and would not need the Swan Drive right of way for access. Commissioner Mitchell stated if the 40 acres were ever to be developed, he doubted very much that a developer would ever pay to construct a road on this right of way.

Mr. Cataline stated that it appears from the maps they have seen, that the right of way goes right through his neighbor's garage. He assumes that a possible future developer would probably need to purchase both of these homes, as any type of road here would likely go through the garage and just be too close to the homes themselves. He said it does not make logical sense to have a road at this location. Mr. Cataline said as stated before, the owner of the 40 acre field would likely use Onondaga Road for access to any dwellings that might be constructed. He also stated that he thought the neighborhood would likely not be too keen on having a public road at this location going into a development and that they would strive to not have the properties connected.

Mr. Cataline stated that the property owner across the street, who is one of the original developers, has a two-track lane that runs along the tree line east of the Delano Drive cul-de-sac and goes out onto Onondaga Road. This could be used for emergency access if necessary.

Commissioner Rodgers stated that staff has not recommended the abandonment, but since there is possible access in case of an emergency, does that make a difference? Mr. Peterson said he is still leery of approving the abandonment because we are relying on a private two-track lane for emergency use. Commissioner Rodgers stated still, mature trees have been allowed to grow on the right of way and the property owners have been maintaining it. She said she just doesn't think a prospective developer would go to the expense of developing that right of way.

Commissioner Mitchell said he agreed with Mr. Peterson regarding the emergency route, but in this instance he does not see this ever developing to the point of constructing that right of way into a public road.

RESOLUTION APPROVING ABANDONMENT OF SWAN DRIVE RIGHT OF WAY LOCATED IN SECTION 17 OF ONONDAGA TOWNSHIP.

RESOLUTION #069-09

Moved by Commissioner Mitchell and Supported by Commissioner Dravenstatt-Moceri. 5 yes, 0 no. Resolution carried unanimously.

WHEREAS, the Board of Ingham County Road Commissioners has been petitioned by seven or more freeholders of the Township of Onondaga to abandon and discontinue the Swan Drive right of way located in Section 17 of Onondaga Township; and

WHEREAS, Mr. Robert H. Peterson, Director of Engineering for the Ingham County Road Commission viewed the premises described in the request for abandonment as to the advisability of absolutely abandoning and discontinuing the road right of way described; and

WHEREAS, the Board of Ingham County Road Commissioners has determined it to be in the best interest of the public that said right of way be absolutely abandoned and discontinued.

NOW THEREFORE BE IT RESOLVED that the Swan Drive right of way located in Section 17 of Onondaga Township, Ingham County, Michigan, is described more specifically as:

That portion of the dedicated road right of way named Swan Drive within the plat of Grand River View No. 2, located in the S.E. ¼, Section 17, T1N, R2W, Onondaga Township, Ingham County, Michigan, and more specifically described as:

Beginning at the Northwest corner of Lot 22, Plat of Grand River View No. 2, recorded in Liber 30 of Plats, Pages 1 and 2, Ingham County Register of Deeds; thence S89°54'E, 150 feet; thence North 66 feet; thence N89°54'W, 150 feet; thence South 66 feet to the point of beginning. Containing 0.227 acres, more or less.

SHALL HEREBY NOW BE ABSOLUTELY ABANDONED AND DISCONTINUED, and

BE IT FURTHER RESOLVED that the Swan Drive right of way described herein be absolutely abandoned and discontinued upon the condition that the title and/or easements to all water lines, sanitary sewers, storm sewers, county drains, gas, electric and communication poles, wires, pipes, conduits, cables, appurtenances and facilities, if any are in, under or over said portion of the right of way, are reserved to and shall remain in the respective owners thereof; and/or with an easement and continued right to occupy said road right of way thereof for public utility purposes with present and additional facilities and to operate, maintain, repair, replace or remove the same to the same effect and in the same manner as if said road right of way had remained a public way.

AGENDA ITEM #8B – AWARD OF PROPOSAL #1569 FOR THE CATHERINE STREET RE-BID.

Director of Engineering Bob Peterson reviewed his recommendation for award of Proposal #1569 for the re-bid of the Catherine Street project under the local road program with Lansing Township. The apparent low bidder, Mike & Son Asphalt of Bath has not ever done any work for the Road Commission and we are not familiar with their operations. Mr. Peterson said he has requested, but not yet received, company information, equipment data, and references. He also indicated that there is currently a signed local road Agreement with Lansing Township in place, but this bid combined with the hot in-place recycling work, make the project total about \$14,500 over the estimate. He said he would recommend award to the low bidder provided Lansing Township approves the cost overage and contingent upon sufficient assurance of the contractor's ability to perform the work.

RESOLUTION AUTHORIZING AWARD OF PROPOSAL #1569 FOR THE RE-BID OF THE CATHERINE STREET PROJECT IN LANSING TOWNSHIP.

RESOLUTION #070-09

Moved by Commissioner Mitchell and Supported by Commissioner Rodgers. 5 yes, 0 no. Resolution carried unanimously.

BE IT RESOLVED that upon recommendation of the Director of Engineering, the Board authorizes award of Proposal #1569 for the re-bid of the Catherine Street local road project for Lansing Township, to the low bidder Mike & Son Asphalt of Bath, for the total amount of \$81,835.00; contingent upon Lansing Township Board approval of the cost difference from the signed Agreement, and contingent upon sufficient assurance of the contractor's ability to perform the work to satisfy the Director of Engineering.

ADD ON – AGENDA ITEM #9C – CLOSED SESSION.

Moved by Commissioner Rodgers and Supported by Commissioner Mitchell, that the Board enter closed session at 7:40 P.M. for the purpose of discussing pending labor contract negotiations with AFSCME. All staff was excused except the Managing Director. Roll call vote: Commissioner Guenther, yes, Commissioner Mitchell, yes, Commissioner Dravenstatt-Moceri, yes, Commissioner Gear, yes, Commissioner Rodgers, yes. 5 yes 0 no. Motion carried unanimously.

Moved by Commissioner Rodgers and Supported by Commissioner Gear, that the Board return to open session at 8:25 P.M. Roll call vote: Commissioner Guenther, yes, Commissioner Mitchell, yes, Commissioner Dravenstatt-Moceri, yes, Commissioner Gear, yes, Commissioner Rodgers, yes. 5 yes 0 no. Motion carried unanimously.

No public comment was offered. The meeting adjourned at 8:45 P.M.

Joseph A. Guenther, Chair

Deborah L. Bellows, Board Secretary