

Mason, Michigan

June 7, 2010

The Board of Ingham County Road Commissioners met for a regular meeting on Monday, June 7, 2010, at 6:00 p.m. in the Board Room of the Road Commission's Austin E. Cavanaugh Administration Building located at 301 N. Bush Street, Mason, Michigan.

Present: Joseph A. Guenther, Chair, Shirley M. Rodgers, Vice Chair, James G. Dravenstatt-Mocerri, Member, Thomas M. Mitchell, Member, and Norman L. Gear, Member.

Also Present: William M. Conklin, Managing Director, Robert H. Peterson, Director of Engineering, David E. Francis, Deputy Secretary to the Board, Tina M. Henry, Finance Director, James M. Benjamin, Director of Operations.

Others Present: Daniel J. Troia, Design Engineer (ICRC), Dale E. Arnett, former Eastern District Supervisor (ICRC).

AGENDA ITEM #34 – LIMITED PUBLIC COMMENT.

None.

AGENDA ITEM #4 – LATE ITEMS/DELETIONS/CONSENT ITEMS.

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

- A. Agenda Item #6A, May 10, 2010 Minutes.
- B. Agenda Item #7, Routine and Special Permits.
- C. Agenda Item #9A, Accounts Payable April 26 – May 9, 2010.
- D. Agenda Item #9B, Accounts Payable May 10 – May 23, 2010.

5 yes, 0 no. Motion carried unanimously.

Agenda Item #6A –Minutes.

Moved by Commissioner Mitchell and Supported by Commissioner Gear, that the minutes of the meeting of May 10, 2010 be approved as presented. 5 yes, 0 no. Motion carried unanimously.

Agenda Item #7 – Routine and Special Permits.

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

10-0070	10-0210	10-0211	10-0212	10-0213	10-0214
10-0215	10-0216	10-0217	09-0219	10-0220	10-0221
10-0223	10-0222	10-0225	10-0226	10-0227	10-0229

10-0230	10-0231	10-0232	10-0242	10-0243	10-0245
10-0246	10-0247	10-0248	10-0251	10-0252	10-0253
10-0255	10-0258	10-0261	10-0264	10-0266	10-0194
10-0209	10-0218	10-0224	10-0228	10-0233	10-0234
10-0235	10-0236	10-0238	10-0237	10-0239	10-0240
10-0241	10-0236	10-0244	10-0249	10-0250	10-0254
10-0256	10-0257	10-0259	10-0260	10-0262	10-0263
10-0265					

5 yes, 0 no. Motion carried unanimously.

Agenda Item #9A – Accounts Payable.

Moved by Commissioner Mitchell and Supported by Commissioner Gear, that the accounts payable for the two week period of April 26 – May 9, 2010, totaling \$314,036.32, be approved. 5 yes, 0 no. Motion carried unanimously.

Agenda Item #9B, – Accounts Payable.

Moved by Commissioner Mitchell and Supported by Commissioner Gear, that the accounts payable for the two week period of May 10 – May 23, 2010, totaling \$314,036.32, be approved. 5 yes, 0 no. Motion carried unanimously.

Agenda Item #5, – Public Hearing on Alley Abandonment, Section 14, Lansing Township.

Chair Guenther stated 9 of the 10 adjacent property owners have signed the abandonment petition. William J. Hufnagel from Spartan Investment Group stated he did not agree with the abandonment.

Remo Mark Grua, Grua, Jamo & Young P.L.C., stated that he has talked with Mr. Hufnagel on numerous occasions in reference in this matter. Mr. Grua stated the Hufnagle property is located in the south west corner of the plat and includes lots 108,109,110. Mr. Grua presented photographs of the entire alley. Mr. Grua stated the alley has ceased to be used for its original purposes.

Mr. Hufnagel stated that he is in favor of redevelopment but the alley is the entrance to the rear of their office building. Mr. Hufnagel stated if the alley is taken away and half of the alley given to each property owner, there is a potential that the other property owner could develop their half in a way that could prohibit access to their rear parking area.

Managing Director William M. Conklin asked if it would be agreeable to both parties if the abandonment not include the portion of the alley behind the Hufnagle property. Mr. Hufnagel stated he had no objection.

Commissioner Rodgers asked if that portion of the alley is not abandoned does it remain Lansing Township property. Robert H. Peterson, Director of Engineering, stated it would remain public right of way. Mr. Peterson stated if any portion of the alley was to be abandoned, the abandoned portion would revert back to Lansing Township. Lansing Township could either then retain the alley as public property or relinquish it at which point it could revert to the adjacent property owners. Mr. Grua and Mr. Hufnagel both stated they

had no objection to a partial abandonment. Mr. Peterson suggested if a partial abandonment is being considered, the motion should state the entire alley is abandoned except for the southern 120 feet.

RESOLUTION APPROVING PARTIAL ABANDONMENT OF ALLEY RIGHT OF WAY IN SECTION 14 OF LANSING CHARTER TOWNSHIP LOCATED WITHIN THE ALAMO HEIGHTS PLAT.

RESOLUTION #050-10

Moved by Commissioner Mitchell and Supported by Commissioner Dravenstatt-Mocerri. 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 Charter Township of Lansing to abandon and discontinue the alley right of way located in Section 14 of Lansing Charter Township within the plat of Alamo Heights Plat; 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 alley 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 alley right of way be absolutely abandoned and discontinued.

NOW THEREFORE BE IT RESOLVED that the alley right of way located in Section 14 of Lansing Charter Township, and located within the plat of Alamo Heights, Ingham County, Michigan, is described more specifically as:

Commencing at the northwest corner of lot 129, Alamo Heights, Section 14, T4N, R2W, also the intersection of the south right-of-way line of Saginaw Street and the east right-of-way line of Homer Street; thence east 140 feet to the northeast corner of lot 129, Alamo Heights and the point of beginning; thence south 694 feet to the southeast corner lot of 111, Alamo Heights; thence east 18.9 feet to the southwest corner of lot 19, Alamo Heights; thence north 694 feet to the northwest corner of lot 1, Alamo Heights; thence west 18.9 feet to the point of beginning.

SHALL HEREBY NOW BE ABSOLUTELY ABANDONED AND DISCONTINUED; and

BE IT FURTHER RESOLVED that the alley 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 alley 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 alley 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 alley right of way had remained a public way.

Agenda Item #8A, – Update on Mt. Hope Road Federal Funding.

Managing Director William M. Conklin discussed Eaton County Road Commission's request for a TIP change swapping federal funding years for Eaton County's Michigan Avenue, Canal Road to Creyts Road project currently in the TIP Fiscal Year 2010 with Ingham County's Mt Hope Road, Hagadorn Road to Okemos Road, and Waverly Road, Moore's River Drive to Lansing Road, projects, both currently in the 2011 TIP. Mr. Conklin stated that Eaton County Road Commissions request was handled by TCRPC staff thus was not brought up to the TCRPC Commissioners. Commissioner Rodgers stated there are regulations at Tri-County that allow for administrative changes. Commissioner Rodgers stated as long as parties are agreeable, and the money approximate, staff has the ability to move it ahead so it does not get held up waiting on a commission meeting. Commissioner Rodgers stated she talked to John Coleman to make sure they were going to use the administrative action to move the TIP amendment forward. Commissioner Rodgers stated Mr. Coleman agreed that it met the standards to use administrative action.

Agenda Item #8BC, – Update on Cook-Thorburn Drain Legal Cost split with County.

Managing Director William M. Conklin stated George Brookover attended two Ingham County Commission sub-committee meetings, County Services and County Finance, where splitting the Cook-Thorburn legal service invoice with the Ingham County Road Commission was discussed. Mr. Conklin stated he would have Mr. Brookover give a written summary of the details.

Agenda Item #10A, – Waverly Road- Columbia Road to Pleasant River Drive Construction Contract.

Robert H. Peterson, Director of Engineering, stated the Ingham County Road Commission is scheduled to reconstruct Waverly Road from Columbia Road to Pleasant River Drive in 2010. Mr. Peterson stated the figures in exhibit 1 of the contract illustrate the true and correct cost of the project. Mr. Peterson recommended executing the construction contract with MDOT.

RESOLUTION AUTHORIZING AWARD OF THE WAVERLY ROAD- COLUMBIA ROAD TO PLEASANT RIVER DRIVE CONSTRUCTION CONTRACT.

RESOLUTION #051-10

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

BE IT RESOLVED, that upon recommendation of Robert H. Peterson, Director of Engineering, the Board authorizes the execution of the construction contract with MDOT as presented.

Agenda Item #10A, – Emergency Traffic Signal Maintenance Agreement.

Commissioner Dravenstatt-Mocerri stated he had concerns with who the Lansing of Board of Water and Light uses as subcontractors. Robert H. Peterson, Director of Engineering stated that the provision that mentions subcontracts seems to be standard language within the agreement. Commissioner Dravenstatt-Mocerri stated he was concerned about non-union labor being hired as subcontractors. Chair Guenther asked if the agreement could wait two weeks, allowing Commissioner questions asked about subcontractors, new language and labor costs be addressed. Managing Director Conklin stated it could wait.

The Board tabled authorization to sign the emergency traffic signal maintenance agreement.

Agenda Item #10C – Patient Care Drive, Phase 2, final approval and acceptance.

Robert H. Peterson, Director of Engineering, stated Patient Care Drive Phase 2, located in Section 1, Delhi Township, meets Ingham County Road Commission's (ICRC) procedures and guidelines in accordance with approved road and utility plans reviewed and approved by ICRC on, August 17, 2005. Mr. Peterson recommended final approval of Genesis Park development and Patient Care Drive Extension as a public Road.

RESOLUTION APPROVING PATIENT CARE DRIVE AS A PUBLIC ROAD.

RESOLUTION #052-10

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

BE IT RESOLVED, that upon recommendation of the Director of Engineering, Robert H. Peterson, the Board approves Patient Care Drive, Phase 2, as a public road.

Agenda Item #11A – McCrea Inter-County Drain Participation Agreement.

RESOLUTION #053-10

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

BE IT RESOLVED, that upon recommendation of the Managing Director, William M. Conklin, the Board approves the McCrea Inter-County Drain Participation Agreement.

Agenda Item #12– Board updates/Comments.

Commissioner Rodgers asked that additional funds in the amount of \$5000.00 is allocated for the special work being done by the auditing services.

RESOLUTION #054-10

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

BE IT RESOLVED, the Board authorizes an additional \$5000.00 is allocated for the special work being done by the auditing services.

No public comment was offered. The meeting adjourned at 7:12 p.m.

Joseph A. Guenther, Chair

David E. Francis, Deputy Board Secretary