

Manager's Report:

Mr. Pearson explained that he would like to declare #7010, 1999 New Holland T6610S Tractor and #8118, 1995 Tiger TM606 Mower as surplus equipment as a new tractor and mower has been purchased to replace these items. Mr. Pearson stated that he would also like to declare #551, 2001 140H Caterpillar Motor Grader with #552 2001 Hydraulic Scarifier and #6261, 1989 Balderson Wing as surplus.

012512-018

Motion by Mr. Suma seconded by Mr. Duckert to declare the following items as surplus: #551, #552, #6261, #7010 and #8118. Roll Call: Suma, aye; Duckert, aye; Hodge, aye. Three ayes. Motion carried.

Mr. Pearson explained that he has researched outside sources for the sale of the used grader, but the offer from CAT was better, so he will sell the grader to them.

Mr. Pearson distributed recent photos that he had taken of the closed portion of Bullock Road. Mr. Pearson explained that the road is completely flooded again and frozen at this time. Mr. Pearson stated that he is glad that they didn't cave in to requests to have the road re-opened and the driveways restored, as it would have been a huge waste of funds. Mr. Pearson stated that the Drain Commission states that they are ready to bid the repair project. Mr. Pearson stated that the concrete pipe that will be used will last a long time.

Mr. Pearson went on to speak about the light winter that the Road Commission is experiencing. Mr. Pearson explained that last year at this time we had already spent more than one million dollars in winter maintenance, as compared to \$458,288 this year. Mr. Pearson went on to state that labor and overtime/double time is also significantly less than last year's totals. Mr. Pearson stated that the operator of the big truck is working diligently to get the most out of the salt delivery for each storm situation, and is doing a good job at it.

Mr. Pearson stated that the Annual Meeting is to be held on February 21, 2012 at Arcadia Township.

Engineering Report:

012512-019

Motion by Mr. Suma seconded by Mr. Duckert to approve overnight lodging for Mr. Mainz to attend the County Engineer's Workshop on February 15, 2012 in Mt. Pleasant. Roll Call: Suma, aye; Duckert, aye; Hodge, aye. Three ayes. Motion carried.

Mr. Mainz explained that he had a meeting on January 20, 2012 regarding the Imlay City Road project from Five Lake to Maple Grove. Mr. Mainz stated that it is scheduled for an April letting and June construction. Mr. Mainz also spoke about the three Federal Aid bridges that need to be inspected each year due to their condition.

Mr. Doyle spoke about the lawsuit regarding the request for the decertification of the right of way. Mr. Doyle stated that the Commission has been informed that the Plaintiffs in the case of Stanley Frankel, et al v. Lapeer County Road Commission, Lapeer County Circuit Court No. 10-043298-CH(H) have proposed settling the case on the basis that the Road Commission would give up jurisdiction over the road right-of-way Rock Valley Road, between Delano Road and Hemstead Road, and give up a portion of the right-of-way of Hemstead Road. The two right-of-ways boarder the Summit Associates and Freeman's properties. Hemstead Road is a section line road. Under the settlement proposal those road right-of-ways would become part of Summit's property and Freeman's property. In turn, Summit and Freeman would place both right-of-ways into a conservancy, which would allow the public to continue to use the right-of-ways for walking, horseback riding (with the owner's permission) and certain other limited uses. Mr. Doyle stated that it was not in the best interest of the County to accept the proposal. Brief discussion ensued.

012512-020

Motion by Mr. Duckert seconded by Mr. Suma to reject the proposal for settlement from the plaintiff in the Frankel, et al. v. Road Commission, Case No. 10-043298-CH. Roll Call: Suma, aye; Duckert, aye; Hodge, aye. Three ayes. Motion carried.

Mr. Geary Priehs, Dryden Township Trustee, stated that when asked by the plaintiff for support, the Township did not give it as this section of roadway lies on a section line.

Mr. Doyle then asked the Board to approve a resolution in support of the policy regarding jurisdiction of road right-of-ways.

012512-021

Motion by Mr. Suma seconded by Mr. Duckert to approve the following resolution:

WHEREAS, the Board of County Road Commissioner has in past practice only abandoned road right-of-ways when it is clearly in the best interest of the public to do so; and

WHEREAS, The Board of County Road Commissioners believes that road right-of-ways are held in trust not only for the present population, but also for the future generations. The right-of-ways may be needed in the future to accommodate population growth, increased traffic, development, and utility equipment, such as electric, phone and cable lines. Right-of-ways are important for the availability of both current and future utility services; and

WHEREAS, The Board of County Road Commissioners also notes that it is the practice of the Road Commission not to abandon section line roads because they are convenient boundaries between townships and they provide thoroughfares to accommodate future population growth and traffic; and

WHEREAS, the Board of County Road Commissioners is also concerned about the possibility of causing one or more parcels to become land locked if the road right-of-ways are abandoned; and

WHEREAS, the Board of County Road Commissioners notes that it already considered and refused to abandon a portion of Hemstead Road (see the Public Hearing Minutes of June 25, 2003 and the Regular Meeting Minutes of July 9, 2003).

NOW, THEREFORE, BE IT RESOLVED, that the Lapeer County Road Commission make it known to all parties that the Road Commission has no interest in any settlement in which the road right-of-way is abandoned or Road Commission jurisdiction is relinquished regarding the decertified portions of Rock Valley and Hemstead Roads.

Roll Call: Suma, aye; Duckert, aye; Hodge, aye. Three ayes. Motion carried.

Mr. Doyle spoke about the 2012 High Risk Rural Road project in which letters have been sent and the 2013 project in which trees have also been marked in order to create an estimated cost. Mr. Doyle also stated that he attended the Congestion Mitigation meeting this morning and is hoping to have projects for 2012, 2013 and 2014.

Public Comment:

Mr. Richard Brandt, Hadley Township Trustee

Mr. Brandt passed along a couple questions from residents regarding the resurfacing of Pratt Road and the repainting of lines that have faded. Mr. Pearson stated that he is hoping to put together a paving program with Mr. Carr for this summer. Mr. Pearson then added that he wasn't sure when those roads had last been painted and if they are due this summer or not. Mr. Pearson stated that he or Mr. Jostock will pass along that information when he checks with the Engineering Technician.

Mr. Brandt stated that he also had a resident that has a Butternut Tree that they would like to save because his house is close to the road and the tree is the only thing standing between the road and the house. Mr. Doyle asked to have the resident call the Road Commission and give his name and address so he can research it.

Mr. Geary Priehs, Dryden Township Trustee

Mr. Priehs wanted to state that although the conditions recently on Dryden Road were extremely icy, the crews cut the middle of the road nicely making the melting process work quicker. Mr. Priehs stated that the crown on that road made it possible for the crew to break up the ice and move on to the next road.

Mr. Priehs went on to state that he heard a rumor that there are plans to place a four way stop at the intersection of Newark and Lake Pleasant, and it was his opinion that the four way stop is a mistake because the roadway is too hilly. Mr. Priehs stated that he believe there will be more accidents with a four way stop. Mr. Mainz stated that he disagrees, because with all traffic stopping and a lower rate of speed, there is less chance to have serious accidents. Mr. Suma stated that he doesn't like to come down the hill on Newark heading east with a loaded truck.

Mr. Mainz stated that he is also going to double up the signage and add the red flashers.

Mr. Hodge declared the meeting adjourned at 5:55 p.m.

Douglas Hodge, Chairman

Linette Daily, Board Secretary