

OTTAWA COUNTY ROAD COMMISSION

Regular and Committee of the Whole Meeting June 8, 2017

The Committee of the whole of the Board of County Road Commissioners met on Thursday, June 8, 2017 and called to order at 8:30 A.M. by Chairman Elhart.

Present: Commissioners Bird, Elhart, Gajewski, Miedema, Manager Laughlin, Utility Director Staskiewicz, Secretary Mikita; and Communications Administrator Russell

Absent: Commissioner Grifhorst

The Board reviewed and audited vouchers for June 8, 2017.

At 9:00 A.M., the regular meeting was called to order. All present as before.

Phil Balkema, representing Eagle Crest Association in Park Township, addressed the Board regarding the construction of an ornamental entrance to the park in road right-of-way.

Commissioner Bird moved to approve the Agenda as presented, seconded by Commissioner Miedema and carried.

Commissioner Bird moved to approve minutes of May 25, 2017, seconded by Commissioner Miedema and carried.

Commissioner Miedema moved to approve payment of bills in the amount of \$1,938,010.69, seconded by Commissioner Gajewski and carried as shown by the following roll call vote:

Yeas: Commissioners Bird, Elhart, Gajewski, and Miedema

Nays: None

The developer of Dewpointe West No. 3 preliminary plat joined the meeting to discuss Dewpointe West development. After consideration and discussion, Commissioner Miedema moved to approve the preliminary plat of Dewpointe West No. 3 with the requirement that Road Commission plowing priorities be placed in the deed restrictions for all lots along permanent cul-de-sacs of this phase and future phases of the development, seconded by Commissioner Bird and carried.

Commissioner Gajewski moved to approve the preliminary plat of Arborwood in Port Sheldon Township as presented, seconded by Commissioner Bird and carried.

Commissioner Bird moved to approve the preliminary plat of Eagle's Landing No. 2 as presented with the stipulation that the street name of Eaglewood Drive for the portion that is south and east of Eaglepass Drive be changed to a different name as approved by staff if required by Blendon Township and/or Ottawa County Central Dispatch Authority. Seconded by Commissioner Miedema and carried.

Commissioner Miedema moved to approve contract number 17-5134 between Michigan Department of Transportation and Board of County Road Commissioners of the County of Ottawa for resurfacing work along 68th Avenue from Fillmore Street to M-45 and authorized the signatures of

the Chairman, Thomas J. Elhart, and Secretary, Michael C. Mikita, seconded by Commissioner Gajewski and carried as shown by the following roll call vote:

Yeas: Commissioners Bird, Elhart, Miedema, and Gajewski
Nays: None
Absent: Commissioner Grifhorst

Commissioner Miedema moved to approve contract number 17-5209 between Michigan Department of Transportation and Board of County Road Commissioners of the County of Ottawa for resurfacing work along 174th Avenue from VanWagoner Road northerly to Wilson Street and authorized the signatures of the Chairman, Thomas J. Elhart, and Secretary, Michael C. Mikita, seconded by Commissioner Gajewski and carried as shown by the following roll call vote:

Yeas: Commissioners Bird, Elhart, Miedema, and Gajewski
Nays: None
Absent: Commissioner Grifhorst

Commissioner Gajewski moved to approve the contract with Kalin Construction Co., Inc. for the Buchanan Street project from 136th Avenue to 128th Avenue and approved the signatures of the Chairman and Secretary, seconded by Commissioner Miedema and carried.

Manager Laughlin reported on bids taken March 22, 2017 for HMA Surfacing Item IV-2017 and that following staff review of unit prices that an error was detected. Commissioner Bird moved to amend the motion of March 22, 2017 and award the HMA Surfacing Item IV-2017 project to Rieth-Riley Construction Co. for the low read bid of \$1,145,016.50 and authorized the Chairman and Secretary to execute the related contract, seconded by Commissioner Gajewski and carried.

At 10:00 A.M., as per advertisement for HMA Surfacing Item V – 2017 bids, Commissioner Elhart declared that the hour has come for that purpose and that all bids be opened and read publicly as follows:

<u>Bidder</u>	<u>Amount</u>	<u>Alternate</u>
Michigan Paving & Materials Co.	\$827,503.91	\$129,673.97
Rieth-Riley Construction Co., Inc.	\$889,247.00	\$133,369.00
Superior Asphalt, Inc.	\$828,772.75	\$132,760.00

Commissioner Bird moved to award to the low read bid of Michigan Paving & Materials Co. subject to staff review of bid documents, seconded by Commissioner Gajewski and carried.

Commissioner Miedema moved to award to the low quote of Randall G. Meyer Excavating, LLC for the culvert replacement on Port Sheldon Street with the amount of \$104,279.75, seconded by Commissioner Gajewski and carried.

Commissioner Bird moved the adoption of the following resolution:

Whereas, the Ottawa County Road Commission and the Board of County Road Commissioners of the County of Ottawa entered into a Real Estate Purchase Agreement on December 10, 2015 with R.W. Properties I, LLC.

Now, therefore, it is hereby resolved by the Ottawa County Road Commission and the Board of County Road Commissioners of the County of Ottawa that;

1. The Board hereby approves and consents to sale of the property at 14110 Lakeshore Drive, Grand Haven, Michigan, and to the Amendment of the Purchase Agreement (attached as Exhibit "A") in which the land is being split into three parcels with Rosy Mound Limited Dividend Housing Association Limited Partnership for \$350,000; Rosy Mound Assisted Living Center, LLC for \$450,000 and Rosy Mound Cottages, LLC for \$100,000.
2. The Board hereby approves and authorizes Tom Elhart, as Chairman, and Michael C. Mikita, as Secretary, to sign all the documents necessary to complete the sale transaction, including but not limited to the closing statement and Warranty Deed. In the event that the Chairman, Tom Elhart, is unavailable to sign at the time of the closing, the Board hereby consents and approves to have Brett Laughlin, as Managing Director, to sign in his absence.

Seconded by Commissioner Miedema and carried as shown by the following roll call vote:

Yeas: Commissioners Bird, Elhart, Miedema, and Gajewski

Nays: None

Absent: Commissioner Grifhorst

Commissioner Bird moved to approve the following amendments to the real estate purchase agreement dated December 10, 2015 between R.W. Properties I, LLC as purchaser and Ottawa County Road Commission as seller. The parties agree to the following:

1. The property has been approved for division into three separate tax parcels pursuant to the Land Division approval from the Charter Township of Grand Haven dated June 5, 2017.
2. The Purchaser hereby assigns its right and obligations under the Purchase Agreement to the following three assignee/buyers with respect to the following parcels and with respect to the following portions of the Purchase Price:
 - a. 70-07-04-300-060 Senior Congregate MSHDA Parcel (Revised.1) shall be purchased by Rosy Mound Limited Dividend Housing Association Limited Partnership for \$350,000.00.
 - b. 70-07-04-300-061 Remainder 2 shall be purchased by Rosy Mound Cottages, LLC for \$100,000.00.
 - c. 70-07-04-300-062 Parcel 3 shall be purchased by Rosy Mound Assisted Living Center, LLC for \$450,000.00.
3. Each assignee/buyer under paragraph 2 above agrees to perform all of the obligations of the original Purchaser under the Purchase Agreement, with respect to the parcel conveyed to each such assignee/buyer.
4. The Seller agrees to perform all of its obligations under the Purchase Agreement,

including the obligation to convey at closing the parcels described in paragraph 2 to each designated assignee/buyer.

5. The "Closing Deadline" in paragraph 7.1 shall be amended to June 16, 2017.
6. Except as amended hereby, the Purchase Agreement remains in full force and effect.

Seconded by Commissioner Gajewski and carried.

Commissioner Bird moved to approve the submittal of MDOT Form 2044 for limited reimbursement of engineering costs and authorized Board signatures, seconded by Commissioner Gajewski and carried.

Manager Laughlin reported on the following:

- Meeting with Home Builders Association.
- MDOT bid results of June 2, 2017.
- OCRC Connect information.
- Development of a Social Media Policy.

At 10:30 A.M., as per advertisement for a public hearing regarding the petition to abandon a portion of Plews Street and William Street in Crockery Township, Commissioner Elhart declared the hearing open. A written statement from Hollee S. Kriger was received prior to the meeting. The township supervisor and treasurer were in attendance and several residents. After discussion and several questions, Commissioner Elhart declared the hearing closed. Commissioner Bird moved to table action on the petition pending further information to be provided by township officials, seconded by Commissioner Miedema and carried.

Manager Laughlin reported on the recent meeting held with MDOT regarding the maintenance contract issue.

Manager Laughlin reported on work being done to complete a RFP for work on the various pit property locations.

Public Comment: None

Meeting adjourned at 11:59 A.M.