

Schoolcraft Township Board  
January 10, 2012  
Schoolcraft Township Hall

Supervisor Ulsh opened the meeting at 7:00 p.m.

pledge of Allegiance

**Roll Call:** Supervisor Don Ulsh, Clerk Virginia Mongreig, Treasurer Teresa Scott, Trustee Hovenkamp and Trustee Feldmeier

Also Present: Managing Director of the Kalamazoo County Road Commission, Joanna Johnson

Tom Holm, Chief Engineer and Paul Spitzley, Project Director of the Kalamazoo County Road Commission

Kalamazoo County Road Commission Members: Kent McCauley, Dan Moyle, Ken Oscarson and Dennis Berkebile

Michigan Department of Transportation representatives: Tim Richards and Larry Doyle

Approximately 25 property owners along the VW Avenue Resurfacing Project, 18<sup>th</sup> Street to Portage Road

Motion by Scott with support by Feldmeier to approve the agenda as presented.

**Motion carried 5-0**

Kalamazoo County Road Commission VW Avenue Resurfacing Project: 18<sup>th</sup> Street to Portage Road:

Tom Holm, Chief Engineer: Distributed a hand-out detailing the purpose and need of the resurfacing project. VW Avenue is a Primary County Road that carries 4,000 vehicles per day that did not meet the standard of a major roadway. The pavement was in good to poor condition with many repairs over the years being 22 feet wide and with little to no shoulder. There were a high number of run off the road type crashes that can be limited now with an adequate paved and gravel shoulder. More room in the event of slide offs. Culverts were added and approximately four foot ditches were created to make more room in the event of slide offs.

IDOT representative, Tim Richards explained that all federal aid projects are subject to Federal Highway Association's regulations. Because the Kalamazoo County Road Commission was using the High Risk Rural Road funds, the federal funding was handled by MDOT who reviews plans and specs and then bids are sent out. All contractor must pre qualify and post bid bond and surety bond. All pre-qualified bidders are available and the low bidder is awarded the contract.

MDOT then visits the site to ensure work is progressing and does follow up review when the project is complete.

Paul Spitzley, Project Engineer of the Kalamazoo County Road Commission reiterated that the contract was awarded to the lowest bidder, and that the Commission will hold the contractor to the contract with lawn work and landscaping to be completed in the spring 2012. Spitzley stated that the contractor did not meet contract and were penalized. If the KCRC rate the contractor low, this may impact any chance of being awarded another contract with the County.

The contractor is required to submit a list of items that do not meet the contract and explain how and when the work will be done.

At that time Mr. Spitzley opened the discussion for general questions from the property owners.

Penny Staley – If they come back in the spring to finish up and we're not satisfied?

Tom Holm: Bid contract must be followed as specified.

Clerk – Is there a question of them returning?

Tim Richards/MDOT: The contractor has obtained a surety bond to cover the project, which he, the contractor will be certain to protect as it would be very difficult to obtain insurance again

Fine assessed are at \$10,000 to \$11,000.00 at this point.

Liquidated damages – reimburse KCRC's costs

Ryan LaPorte inquired as to the qualifications of the contractors allow to bid.

Mr. Richards stated that pre qualifications are set low at first and increase with projects.

Mark Mongreig asked if we might we see them in the township again to which Mr. Holm replied "possibly, through DOT." He followed up saying that with the Kalamazoo County Road Commission the low bid is not an absolute – if locally funded.

Property owner, John Miller inquired as to the use of professionals for the contract. KCRC stated the work crew were professional; they just had not been a General Contractor previously.

Mr. Miller also asked why culverts were installed with four foot ditches, and mentioned the speeds of vehicles, 50-60-70 miles per hour.

Mr. Spitzley agrees that a number of the ditches and culverts are not correct and will be corrected in the spring.

Managing Director, Joanna Johnson thanked the residents for their input and patience through the resurfacing project and stated that the Commission will continue to work with the contractor.

The property owners then met individually with the KCRC and MDOT members on specific issues.

Motion by Hovenkamp with support by Scott to approve the **December 13, 2011** meeting minutes as presented.

**Motion carried 5-0**

Motion by Hovenkamp with support by Feldmeier to approve the **List of Bills** as presented.

**Motion carried 5-0**

**Treasurer Scott Reported:**

Interest Income for December 2011	\$ 36.40
Income for December 2011	\$ 4,736.74
Expenditures for December 2011	\$ 44,855.87
Total Cash	\$ 166,148.75

Motion by Mongreig with support by Feldmeier to approve the **Treasurer's Report** as presented.

**Motion carried 5-0**

**Citizens Time:**

Rob Richardson of South 24<sup>th</sup> Street in Brady Township inquired if there is a proposal for a road project on X Avenue to 22<sup>nd</sup> before the township. Road Committee Chair, Teresa Scott replied "not at this time."

Mr. Richardson commented on the deterioration of the road after work on 23<sup>rd</sup> Street in 2011.

Mr. Richardson also opined that the main priority in budget process should be roads, saying that in his opinion the township should budget 25% of total expenditures up front for roads.

Karen DeYoung, of Peninsular Drive stated that she agrees with Mr. Richardson, and added that per our newsletter request, she would like to volunteer for townships committees.

**Attorneys Time:**

**Health Insurance Ordinance #147:** The board will act on any amendments to Ordinance #147 following the February 5, 2012 Budget Meeting.

**Sunset Lake Assessment:** Township Attorney Rolfe and Township Assessor Nathan Brousseau each received correspondence from Attorney Brett A. Grossman on behalf of Mr. and Mrs. Glenn Phillips who are property owners in the November 15, 2011, Sunset Lake Assessment District Resolution Approving Reallocation to Assessment Roll.

Mr. and Mrs. Glen Phillips have interest in right-of-way, and have been assessed \$37.10 on their 2011 Tax Bill

The Phillips' do not believe they have any ownership in the twenty foot right-of-way they are being assessed on, and that their deed did not mention access to the lake.

Attorney Rolfe responded to the correspondence; the Phillips' received the notice of the Public Hearing and knew about, and attended the meeting. If they wished to contest the assessment they had a time to do that during the November 15, 2011 Public Hearing. The time for the contest of the confirmed roll has passed. The Phillips' could have appealed the assessment at the Michigan Tax Tribunal within 30-35 days of the November 15, 2011 Public Hearing.

He also stated that the board acted in good faith with decision.

At the suggestion of Attorney Rolfe, Supervisor Ulsh will contact Attorney Grossman.

New business

a.) Budget Amendments

**January 10, 2012 Resolution to Adopt Budget Amendments**

**Amendment #01102012-01** Transfer \$3,000.00 from General Fund to Acct. 101.276.920 **Cemetery Utilities**

**Amendment #01102012-01** Transfer \$1,500.00 from General Fund to Acct. 101.621.826 **Pollution Control Legal Fees**

Motion by Hovenkamp supported by Scott to adopt the amendments as presented.

Roll call vote:

Feldmeier y

Hovenkamp y

Mongreig y

Scott y

Ulsh y

**Motion carried 5-0**

**Assessors Report** - received

**Planning Commission Report** - none

**Zoning Board of Appeals Report** - none

**Township Park Committee Report:** Supervisor opened by congratulating Ryan LaPorte on his recent graduations from Western Michigan University.

LaPorte reported that the Swan Park Committee will hold their budget meeting Wednesday, January 11, 2012.

**Road Committee Report:**

Teresa e-mailed committee - would like to ride along. Make recommendations to be made to the township board.

Meetings will be quarterly.

**Members Time**

Treasurer Scott asked for consideration of closing on Martin Luther King Day, Monday, January 16, 2012. Of the responses contacts she received, 12 offices close and 9 open.

Supervisor suggested look at the question during budget meeting.

Trustee Feldmeier stated that he would like to ride along on the spring roads review with the Schoolcraft Township Roads Committee and the Kalamazoo County Road Commission.

b. 3<sup>rd</sup> at 9:00 a.m. is the day and time for the annual Budget Meeting

Virginia M. Mongreig, Clerk  
Township of Schoolcraft