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# WEXFORD COUNTY ROAD COMMISSION

*OUR MISSION IS TO IMPROVE AND MAINTAIN A SAFE AND EFFICIENT ROAD SYSTEM*

Regular Meeting

September 23, 2020

The meeting was called to order by the Chairman, Lorne Haase, at 7:30 a.m.

Present:

Commissioners: Messrs. Haase, Falan, Hagstrom, Jurik, and Leggett

Manager: Alan Cooper

Finance and Business Manager: Andrea Herman

Engineer: Karl Hanson

Superintendent: Mark Hurlburt

Fleet & Facilities Manager: Travis Hanson

Visitor(s): Joe Hurlburt

A motion was made by Commissioner Hagstrom and seconded by Commissioner Jurik to approve the minutes from the regular meeting of August 26, 2020 as presented. Roll call on the motion: Commissioner Jurik, yes; Commissioner Falan, yes; Commissioner Leggett, yes; Commissioner Hagstrom, yes; Commissioner Haase, yes. Motion unanimously approved.

A motion was made by Commissioner Leggett and seconded by Commissioner Jurik to approve the minutes from the closed meeting of August 26, 2020 as presented. Roll call on the motion: Commissioner Leggett, yes; Commissioner Jurik, yes; Commissioner Hagstrom, yes; Commissioner Falan, yes; Commissioner Haase, yes. Motion unanimously approved.

Addition to the Agenda: None

Staff Reports: Mark Hurlburt updated the Board on the additional work on the MDOT system. Travis Smith stated the flail mowers were working well and the shop is readying the sanders and wings. Karl Hanson stated the USFS has authorized an additional \$90,000. Mr. Hanson also stated that crack sealing will begin on October 5<sup>th</sup>.

Public Comment:

Previous Business: None

New Business:

September 23, 2020

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A motion was made by Commissioner Jurik and seconded by Commissioner Leggett to award Bid #1 Gravel Production bid to Halliday Sand & Gravel as presented. Roll call on the motion: Commissioner Hagstrom, yes; Commissioner Falan, yes; Commissioner Leggett, yes; Commissioner Jurik, yes; Commissioner Haase, yes. Motion unanimously approved.

A motion was made by Commissioner Hagstrom and seconded by Commissioner Falan to award Bid #2 Hauling & Screening bid to Salisbury as presented. Roll call on the motion: Commissioner Falan, yes; Commissioner Jurik, yes; Commissioner Hagstrom, yes; Commissioner Leggett, yes; Commissioner Haase, yes. Motion unanimously approved.

A motion was made by Commissioner Jurik and seconded by Commissioner Leggett to approve offering \$5,000 to purchase Donnelly easement located on the 40 1/2 Rd (a.k.a. Pole Rd.) and, if not accepted, authorize Alan Cooper to start condemnation. Roll call on the motion: Commissioner Leggett, yes; Commissioner Falan, yes; Commissioner Jurik, yes; Commissioner Hagstrom, yes; Commissioner Haase, yes. Motion unanimously approved.

A motion was made by Commissioner Leggett and seconded by Commissioner Hagstrom to set the public hearing to consider the abandonment of 43 1/2 Rd. located in Clam Lake Township for Wednesday, October 28, 2020 at 7:00 a.m. at the Road Commission office. Roll call on the motion: Commissioner Leggett, yes; Commissioner Falan, yes; Commissioner Jurik, yes; Commissioner Hagstrom, yes; Commissioner Haase, yes. Motion unanimously approved.

A motion was made by Commissioner Jurik and seconded by Commissioner Leggett to approve seven (7) encroachment removal orders: Josephine Munafo, 3621 W 18 Rd., Ronette Phelps, 3740 Pebble Creek Dr., James, Teresa Skiver, 4047 N 33 Rd., Robert Banks, 1600 E 40 1/2 Rd., Joey Cicchelli, 8850 W 10 Rd.. Roll call on the motion: Commissioner Hagstrom, yes; Commissioner Leggett, yes; Commissioner Jurik, yes; Commissioner Falan, yes; Commissioner Haase, yes. Motion unanimously approved.

A motion was made by Commissioner Jurik and seconded by Commissioner Hagstrom to approve \$350 and turkeys for a 2020 safety award for the employees. Roll call on the motion: Commissioner Falan, yes; Commissioner Hagstrom, yes; Commissioner Jurik, yes; Commissioner Leggett, yes; Commissioner Haase, yes. Motion unanimously approved.

A motion was made by Commissioner Falan and seconded by Commissioner Jurik to vote yes on the MCRCSIP Bylaw change. Roll call on the motion: Commissioner Jurik, yes; Commissioner Falan, yes; Commissioner Leggett, yes; Commissioner Hagstrom, yes; Commissioner Haase, yes. Motion unanimously approved.

A motion was made by Commissioner Jurik and seconded by Commissioner Hagstrom to enter in to closed session to discuss an offer on excess property at 8:14 am. Roll call on the motion: Commissioner Leggett, yes; Commissioner Falan yes; Commissioner Jurik, yes; Commissioner Hagstrom, yes; Commissioner Haase, yes. Motion unanimously approved.

After return from closed session, a motion was made by Commissioner Jurik and seconded by Commissioner Leggett to approve the sale of property, in Clam Lake Township, and authorize Alan to negotiate the terms of Road Commission use. Roll call on the motion: Commissioner Hagstrom, yes; Commissioner Falan, yes; Commissioner Leggett, yes; Commissioner Jurik, yes; Commissioner Haase, yes. Motion unanimously approved.

Public Comment: None.

County Liaison: Mr. Hurlburt complimented the Board on giving the employees and management the equipment needed to do their jobs and letting them do their jobs. "Hat's off to you!" He encouraged the Board to ride along with the staff.

Administrative Update: Ms. Herman stated that the 3<sup>rd</sup> Qtr. Financial reports will be compiled shortly.

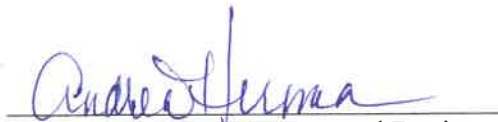
Mr. Cooper updated the Board on hiring two (2) drivers and one (1) mechanic. He also updated the Board on the Lake Mitchell area that will be brush hogged with the tractors, the elimination of 9 Rd. guardrail, the upcoming MDOT M115 paving thru October and summarized the years projects. He also reminded them of the upcoming contract negotiations and the 2021 capital outlay budget will include an addition, to the existing building, for equipment.

Board Comment: Mr. Falan likes having the ROW cut back on MDOT roads. He appreciates Mark Hurlburt telling them what would happen and then making it happen. Mr. Jurik asked if there had been any fallout on the no trespassing/hunting previously voted on. Mr. Hagstrom appreciated Mr. Hurlburt's input and received 2 favorable comments on the mowing operation.

Vouchers	8-25-20	185,027.93
	9-14-20	117,169.20
Payroll	9-10-20	61,561.39
HRA	8-25-20	25.66
	9-1-20	192.88
	9-9-20	865.42
	9-15-20	92.05
Total		\$ 364,934.53

There being no further business, the meeting was adjourned at 8:31 a.m.

  
Lorne Haase, Chairman

  
Andrea Herman, Finance and Business Manager

BOARD OF COUNTY ROAD COMMISSIONERS  
FOR  
WEXFORD COUNTY, MICHIGAN

RESOLUTION OF BOARD OF COUNTY ROAD COMMISSIONERS  
APPROVING LETTER OF INTENT TO SELL EXCESS REAL PROPERTY; AND  
AUTHORIZING MANAGER TO ACT IN CONNECTION THEREWITH

WHEREAS, the Manager has received a non-binding Letter of Intent, dated September 3, 2020, from Meyer Construction Company (the "LOI"), a copy of which is attached hereto as Exhibit A, for the purchase and sale of the real property consisting of 20.9 acres, more or less, and described as "New Parcel A" on the Axin Land Surveys survey dated July 8, 2020, attached as Exhibit B hereto (the "Property"); and,

WHEREAS, the Board of County Road Commissioners for Wexford County (the "Board") desires to approve the LOI and authorize the Manager to negotiate the terms and conditions of a definitive agreement pursuant to the LOI; and,

NOW THEREFORE, on the motion of Dean Jurik, seconded by Jim Leggett,

IT IS RESOLVED that the Board hereby approves the acceptance of LOI from Meyer Construction Company for the purchase of the Property and authorizes Alan Cooper, Manager, to sign and deliver the LOI to Meyer Construction Company.

IT IS FURTHER RESOLVED that the Board hereby approves and authorizes Alan Cooper, Manager, to negotiate a definitive agreement with Meyer Construction Company in furtherance of the LOI, subject to final approval of the definitive agreement, and sale, by the Board at a future date.

BE IT FURTHER RESOLVED that all resolutions of the Board in conflict herewith are hereby rescinded to the extent of the conflict.

THOSE VOTING IN FAVOR: Harry Hagstrom, Harold Falan, Jim Leggett,  
Dean Jurik, Lorne Haase

THOSE VOTING AGAINST: none

THOSE ABSENT OR ABSTAINING: none

RESOLUTION DECLARED PASSED

Andrea Herman  
Andrea Herman, Board Secretary

## CERTIFICATION

The undersigned, Board Secretary of the Board of County Road Commissioners for Wexford County, hereby certifies that the foregoing is a true and correct copy of the resolution adopted by the Board at a regular meeting duly called, noticed and held in accordance with the Open Meetings Act on the 23 day of September, 2020, and that a quorum of the Board was present and voting at that meeting.

A handwritten signature in blue ink, appearing to read "Andrea Herman", written over a horizontal line.

Andrea Herman, Board Secretary

**CONFIDENTIAL**

Wexford County Road Commission  
85 W M 115  
Boon, MI 49618  
Attention: Alan D. Cooper, Manager

September 3, 2020

Re: Letter of Intent to Acquire Real Estate

Dear Mr. Cooper:

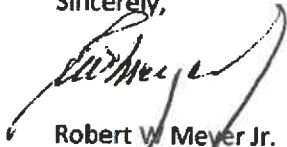
This letter is a follow up to our prior conversations relative to the 20+ excess acres of real property owned by Wexford County Road Commission located in Clam Lake Township and described in the attached Appraisal dated August 10, 2020 prepared by Commercial Appraisal Services, LLC (the "Property").

This letter is intended to set forth an understanding of our discussions with respect to a contemplated purchase of the Property by Meyer Construction Co. or its assignee ("Buyer"). The Buyer is offering to pay \$40,000 for the Property. As you can see, the Appraisal shows a value for the Property of \$28,000.

This letter of intent shall expire if not accepted by the Road Commission in writing prior to November 30, 2020. Also, in the event a Definitive Agreement is not executed on or before March 31, 2021, then this letter of intent shall expire and be null and void and neither party shall have any further obligation to the other.

If the terms of this letter of intent are acceptable, please so indicate by signing the enclosed acknowledgment copy of this letter of intent on behalf of Wexford County Road Commission and return it to my attention. We look forward to working with you toward the timely completion of the transaction process.

Sincerely,



Robert W. Meyer Jr.  
On behalf of Meyer Construction Co.  
or its assignee

**Accepted and Agreed:**  
Wexford County Road Commission

By: Alan D. Cooper

Alan Cooper, Its Manager

Dated: 9-23-2020

**CONFIDENTIAL**

Wexford County Road Commission  
85 W M 115  
Boon, MI 49618  
Attention: Alan D. Cooper, Manager

September 3, 2020

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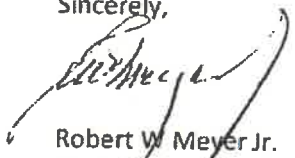
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Sincerely,



Robert W. Meyer Jr.  
On behalf of Meyer Construction Co.  
or its assignee

**Accepted and Agreed:**  
Wexford County Road Commission

By: \_\_\_\_\_

Alan Cooper, Its Manager

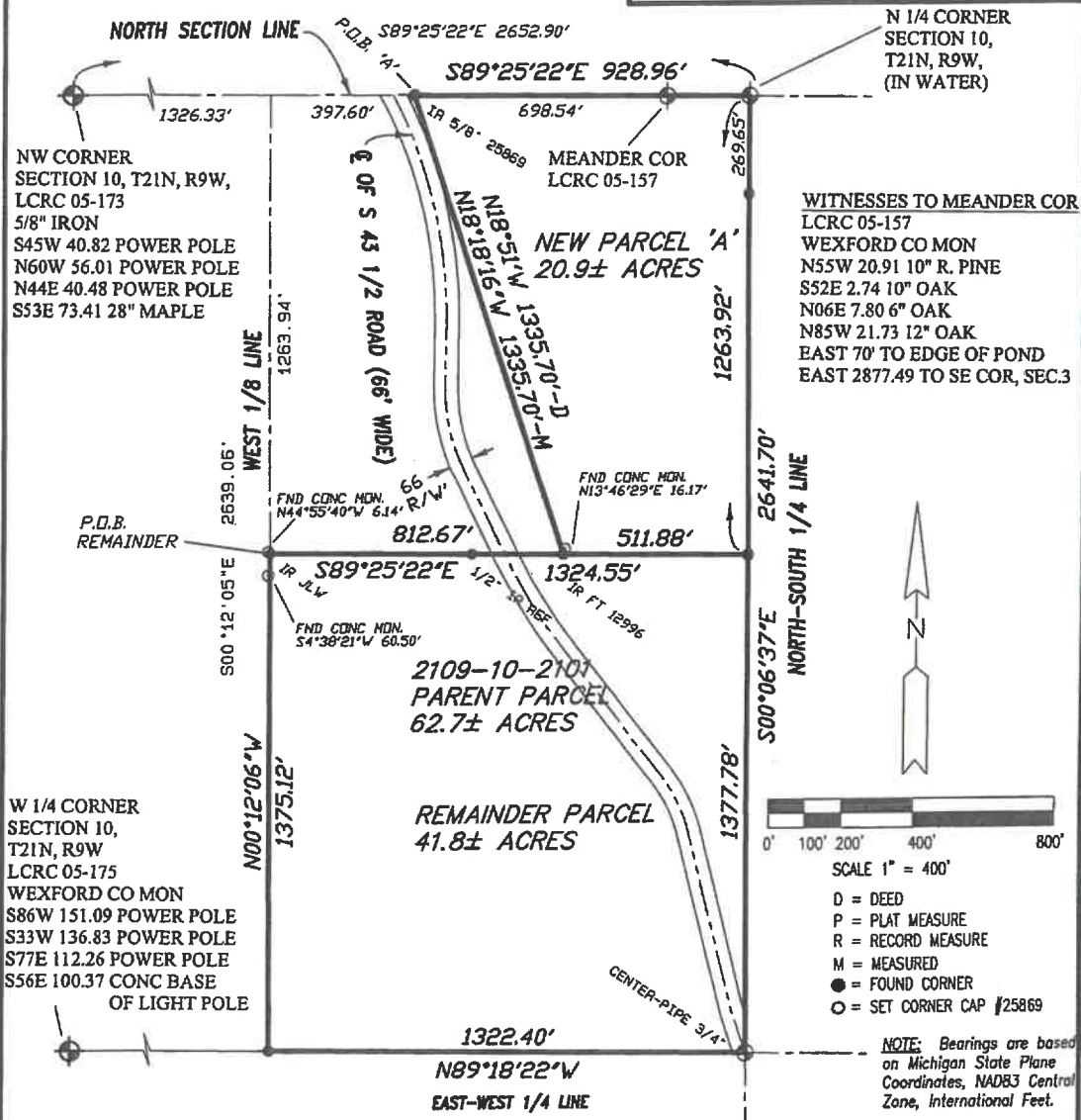
Dated: \_\_\_\_\_



# CERTIFICATE OF SURVEY

PART OF THE EAST 1/2 OF THE NORTHWEST 1/4 OF SECTION 10,  
T21N, R9W, CLAM LAKE TOWNSHIP, WEXFORD COUNTY, MICHIGAN.  
SUBJECT TO ANY EASEMENTS AND RESTRICTIONS OF RECORD.

(SEE SHEET 2 OF 2 FOR COMPLETE LEGAL DESCRIPTIONS).



I, James A. Ray, PS #25869, being a Licensed Professional Surveyor, hereby certify to WEXFORD COUNTY ROAD COMMISSION that I have surveyed and mapped the parcel(s) hereon described and that the relative positional precision of each corner is within the limits accepted by the practice of professional surveying and that all the requirements of P.A. 132 of 1970, as amended, have been complied with. This survey plat was prepared for the exclusive use of the person, persons, or entity named in the certificate hereon.

  
  
 James A. Ray, PS #25869

DATE: July 8, 2020

ORDERED BY: Wexford County Road Commission	<b>AXIN LAND SURVEYS, INC.</b> 811 Sunnyside Drive • Cadillac, MI 49601 231-876-1190	SEC. 10 , T21N , R9W DRAWN BY JAR SHEET 1 OF 2 JOB NO. 20D104	<b>EXHIBIT</b> <span style="font-size: 2em; font-weight: bold;">B</span>
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W:\Data\_Projects\Projects\_2020\200104\_WCRC-Cadillac\_Area Plat\WCRC-Cadillac\_Area Plat\WCRC\_Cadillac\_Area Plat\WCRC\_Plot\_01-SHWP.dwg



# CERTIFICATE OF SURVEY

TAX ID 2109-10-2101 (PARENT PARCEL): THE EAST 1/2 OF THE NORTHWEST 1/4 OF SECTION 10, T21N, R9W, CLAM LAKE TOWNSHIP, WEXFORD COUNTY, MICHIGAN, EXCEPT COMMENCING AT THE NORTHWEST CORNER THEREOF; THENCE EAST ALONG THE NORTH LINE 397.6 FEET; THENCE SOUTH 18°51' EAST (MEASURED AS SOUTH 18°18'16" EAST) 1335.70 FEET; THENCE WEST TO THE WEST LINE OF SAID EAST 1/2 OF THE NORTHWEST 1/4; THENCE NORTH ALONG SAID WEST LINE TO THE POINT OF BEGINNING. CONTAINING 62.7 ACRES, MORE OR LESS, AND SUBJECT TO ANY EASEMENTS AND RESTRICTIONS OF RECORD.

NEW PARCEL 'A': THAT PART OF THE EAST 1/2 OF THE NORTHWEST 1/4 OF SECTION 10, T21N, R9W, CLAM LAKE TOWNSHIP, WEXFORD COUNTY, MICHIGAN, DESCRIBED AS COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 10; THENCE ALONG THE NORTH SECTION LINE SOUTH 89°25'22" EAST 1326.33 FEET TO THE WEST 1/8 LINE; THENCE CONTINUING ALONG SAID NORTH SECTION LINE SOUTH 89°25'22" EAST 397.60 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING ALONG SAID NORTH SECTION LINE SOUTH 89°25'22" EAST 928.96 FEET TO THE NORTH-SOUTH 1/4 LINE; THENCE ALONG SAID NORTH-SOUTH 1/4 LINE SOUTH 00°06'37" EAST 1263.92 FEET; THENCE PARALLEL WITH THE NORTH SECTION LINE NORTH 89°25'22" WEST 511.88 FEET; THENCE NORTH 18°51' WEST (MEASURED AS NORTH 18°18'16" WEST) 1335.70 FEET TO THE NORTH SECTION LINE AND THE POINT OF BEGINNING. CONTAINING 20.9 ACRES, MORE OR LESS, AND SUBJECT TO ANY EASEMENTS AND RESTRICTIONS OF RECORD.

REMAINDER PARCEL: THAT PART OF THE EAST 1/2 OF THE NORTHWEST 1/4 OF SECTION 10, T21N, R9W, CLAM LAKE TOWNSHIP, WEXFORD COUNTY, MICHIGAN, DESCRIBED AS COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 10; THENCE ALONG THE NORTH SECTION LINE SOUTH 89°25'22" EAST 1326.33 FEET TO THE WEST 1/8 LINE; THENCE ALONG SAID WEST 1/8 LINE SOUTH 00°12'05" EAST 1263.94 FEET TO THE POINT OF BEGINNING; THENCE PARALLEL WITH THE NORTH SECTION LINE SOUTH 89°25'22" EAST 1324.55 FEET TO THE NORTH-SOUTH 1/4 LINE; THENCE ALONG SAID NORTH-SOUTH 1/4 LINE SOUTH 00°06'37" EAST 1377.78 FEET TO THE EAST-WEST 1/4 LINE; THENCE ALONG SAID EAST-WEST 1/4 LINE NORTH 89°18'22" WEST 1322.40 FEET TO THE WEST 1/8 LINE; THENCE ALONG SAID WEST 1/8 LINE NORTH 00°12'06" WEST 1375.12 FEET TO THE POINT OF BEGINNING. CONTAINING 41.8 ACRES, MORE OR LESS, AND SUBJECT TO ANY EASEMENTS AND RESTRICTIONS OF RECORD.





DATE: July 8, 2020

ORDERED BY:  
Wexford County Road  
Commission

**AXIN LAND SURVEYS, INC.**

811 Sunnyside Drive \* Cadillac, MI 49601  
231-876-1190

SEC. 10 , T21N , R9W

DRAWN BY JAR SHEET 2 OF 2

JOB NO. 200104

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# WEXFORD COUNTY ROAD COMMISSION

## BID TABULATION SHEET

*Andrew Herman*  
*[Signature]*

DATE: 9-22-20

TIME: 2:00 pm

<u>Bidder</u>				Remarks
Holiday	4.50 producer gravel	3.00	3.00	
Salisbury		4.30 filled sand	Screened	hauling away 2.00 cu yd Screened