

Van Buren County Board of Road Commissioners

September 13, 2023 - Regular Meeting

BE IT REMEMBERED: That on the 13th day of September, 2023 at 5:00 PM, E.D.T., the Board of County Road Commissioners for the County of Van Buren met in regular session at the Road Commission Administrative Office in Lawrence, Michigan.

PRESENT:

Road Commissioners Askew, Boze, Burleson, Kinney and Nelson
Managing Director Bret Witkowski
Highway Engineer Barry Anttila
Finance and Human Resources Director Linnea Rader
Administrative Assistant-Board Secretary Jill Brien

ABSENT:

None

GUESTS PRESENT:

County Commissioner Doroh
Linda Norton, Breedsville Village Clerk
Steven Rogusta, Breedsville Village President

Chairman Nelson called the meeting to order at 5:00 PM.

The Pledge of Allegiance was recited.

Motion by Boze seconded by Askew to approve the Agenda.

YES: 5
NO: 0
MOTION CARRIED.

Motion by Askew seconded by Boze to approve the Minutes of the August 2, 2023 Regular Meeting as presented by the Board Secretary.

YES: 5
NO: 0
MOTION CARRIED.

The Chairman opened the meeting to first public comment. Steven Rogusta, Breedsville Village President, expressed his appreciation for the assistance of Greg Brucks who came on short notice to review his road concerns in the Village.

Department Updates were provided as follows:

Finance and HR Department:

1. Reminder that the 2023 Snowplow Road-eo and Employee Appreciation lunch is TOMORROW, September 14, 2023. Lunch will take place at noon with the recognition event taking place around 1pm. We would love for Commissioners to attend and help recognize these employees.
2. One of the topics at the Commissioner's Seminar and one that was brought up during August's Southwest Council meeting is the need to collect PASER road ratings on non-federal aid roads. Our Road Commission is ahead of the ball on this. We have been collecting PASER ratings on ALL asphalt roads every year for many years. We also collect IBR ratings on all our gravel roads every three years. Additionally, we have a PASER Data Collection Agreement with our Townships that allows for a rotation of reimbursement from TAMC, reimbursement from the Townships, and payment by the Road Commission. The agreement is attached for your review.

3. Also at the Southwest Council meeting in August it was mentioned that the Southwest Planning Commission may have funds available for culvert inventory. We have requested that the planning commission reimburse us for the rating performed this year. Additionally, we added a request for reimbursement for PASER in case there are additional available funds.
4. We are advertising to hire a Right-of-Way Superintendent and Road Maintenance Employees. Open interviews will be held September 26 from 5-7pm with scheduled interviews being held October 3 and 4.
5. We are continuing to work on a revised table set up for the Board room. We just received a quote utilizing a MiDeal contract and are awaiting a quote from another supplier. The temporary tables will remain in place until our new tables and chairs can be purchased and delivered.
6. We are continuing the process to find a document management service to utilize as an agency. We are working to develop a filing process and key words so documents can be easily located once filed. Updates are still coming as far as a final estimate for the program.
7. We are working on the preliminary 2024 operating budget which will be distributed to Commissioners in October.
8. The apparel order has been delivered. Feedback from staff is positive. We will be opening up a link for individual purchases within the next month if anyone wishes to purchase additional items.
9. The Operating Budget is attached. This is run as of 9/11/2023 as noted.

Operations Department (by Managing Director Witkowski):

- After fighting the weather last week, fog seal will begin this week with approximately 243,600 gallons to spray.
- CR 376 in Arlington, Hamilton Township, Hartford Township, and the “floating bridge” on CR 215 (Hamilton Township) received dust control 9/7/23.
- Brush Spray was completed Monday 9/4/23.
- The second round of contract mowing was completed 9/6/23.
- Pipe replacements, ditching, and patching continue county-wide.
- The third quarter “should” see two (2) 2023 tandem axle plow truck chassis, delivered to Truck and Trailer for build-ups with two (2) more to follow in the fourth quarter.
- Two new John Deere roadside mowing tractors should arrive early November. The purchases were made from AIS Equipment through the State of Michigan’s extended purchasing program, MiDeal.

Rader provided the Operating Budget and a review of the same for the Board. In addition, she updated the Board regarding MDOT’s annual jurisdictional transfer payment of \$95,000 (+/-) that was not included in July’s MTF (received in September). The CRA continues to work with legislators to reinstate this annual payment. Rader also updated the Board regarding the Ranger Bid auction held on August 22nd.

Engineering Department:

- 30th Street from CR653 to M43, Alma Township. Base paving on September 12-13 (pending weather).
- CR388 from 29th St. to CR653S, Pine Grove Township; tree removals, trenching, drainage, crush, shape and re-pave (Federal Aid job). Project to begin September 18th.
- 80th Avenue from M40 to 29th Street, Porter Township; trench, widen, pave and restore. Contractor may begin project this week. Resident/property owner letters went out last week.
- CR689 from 8th Avenue to CR388, South Haven Township; clearing, crush, shape and pave (Federal Aid job). Pre-construction meeting is scheduled for September 19, 2023 at 9:00 AM.

Concerns were reported by Commissioner Askew regarding a bridge in Geneva Township with brush/trees at an undetermined location.

Commissioner Boze discussed a crosspipe that had failed on CR360 in Hamilton Township and requested a time schedule for the project when that becomes available.

Managing Director Witkowski:

1. I continue to meet with townships as needed and requested, have meetings at Pine Grove and Covert Township, and have one with Antwerp Township on the 26th.
2. We have had pre-bid meetings for new roofs for the administration building the salt garage in Lawrence and Bloomingdale.
3. We are continuing to fine-tune the budget for 2024, currently looking like a deficit of \$331,000. I think we have some savings in the 2023 budget that will make the ending fund balance where it should be at the end of 2024.
4. As we move to the last quarter of 2023 and look forward to 2024, one area to consider is possible salary increases.
5. The board could consider using additional criteria when determining salaries for the following year.
 - A. You already use.
 - i. Midwest CPI
 - ii. Social Security increase %
 - iii. Percentage of change in funding from the Michigan Transportation Fund.
 - B. I want to suggest adding the following because they have such an impact on our budget:
 - i. Taxable increase % for townships in Van Buren County
 - C. Currently, Midwest CPI is 2.9% through July, Social Security looks like 3%, Michigan Transportation fund is 4.92%, and taxable increase is 6.2% for an overall of 4.26% for 2024.
 - D. Currently, the union contract calls for a minimum 2% increase, so the board may want to consider a range of 4% to 2% for future salary increases.
6. Superintendents conference is October 4-6 and Commissioners conference is October 22-23
7. We should get agreements for pits we use that we do not own; there is one in Porter and Cover Township for liability reasons.
8. We will be having the lights replaced in the VBCRC Lawrence garage.

Witkowski gave kudos to Nick Mead for researching this project and making it happen.

In addition, Witkowski discussed a memo regarding facility improvements to be made over the upcoming years.

Witkowski also showed the Board and those present the new re-usable project funding signs. He also reported:

- A Resolution was approved by Bangor Township for LED signs to be installed on CR687 at Merriman Lake.
- Working to install "trail signs" on Blue Star Highway at the Kal-Haven Trail. The DNR is paying for the installation.
- Thanked everyone - especially Linnea - for her hard work putting together the Road-eo, cleaning the facilities, etc.
- Meeting scheduled with Antwerp Township to discuss the goals and objectives regarding a satellite location and the possibility of working together. County population growth was also a topic of discussion.

Chair Nelson presented Road Commissioner Greg Kinney with a Certificate of Recognition for 14 years of service, and a 10-year service award.

Review of Vouchers:

Voucher #2321	\$	730,209.17	Accounts Payable
Voucher #2322	\$	173,168.39	Payroll
Voucher #2323	\$	1,194,393.67	Accounts Payable

Voucher #2324	\$	172,780.73	Payroll
Voucher #2325	\$	620,818.83	Accounts Payable
Voucher #2326	\$	168,109.73	Payroll
TOTAL	\$	2,270,551.96	

Motion by Boze, seconded by Askew to approve the Vouchers totaling \$2,270,551.96.

YES: 5
 NO: 0
 MOTION CARRIED.

Rader explained the proposed revisions to Policy 2008-02, Policy on Employee Reimbursement Rates. Questions were asked by the Board regarding per diem travel rates which were responded to by Rader. Motion by Boze, seconded by Burleson to revise Policy 2008-02, as follows:

**POLICY ON EMPLOYEE REIMBURSEMENT RATES,
 INCLUDING PER DIEM TRAVEL RATES
 AND MOBILE/CELL PHONE USE**

Policy No. 2008-02

PER DIEM TRAVEL REIMBURSEMENT RATE

Breakfast	\$14.00 *
Lunch	\$16.00 *
Dinner	\$29.00 *
Mileage	\$0.655 (2023) **

* Meal rates will vary from year to year based upon the U.S. General Services Administration per diem rates for the primary destination of Kalamazoo/Battle Creek, Michigan.

** Mileage rate will vary from year to year based upon the Internal Revenue Service Federal Standard Mileage Rate.

Actual expenses must be recorded and turned in to the Accounting Department with supporting receipts.

The above rates are the maximum amounts that will be allowed for reimbursement based on General Services Administration (GSA) 2024 per diem Primary Destination rates for Kalamazoo/Battle Creek. These rates can be modified to the destination city rate as requested by the employee. Lodging expenses will be considered on an individual case basis, to be booked at either the Government Rate, training rate, or otherwise lowest rate available.

CELL PHONE/MOBILE PHONE REIMBURSEMENT RATE

A. Employee Provided Cell Phone and Service Plan

An authorized employee who provides his or her own cell phone and their personal service plan for the performance of their job in lieu of a Road Commission supplied phone and plan shall receive reimbursement from the Road Commission as follows:

Authorized Personnel - \$60.00 per month

Authorized employees shall be reimbursed no less than annually. Personal plans must be in effect for more than 16 days in any month to qualify for reimbursement.

In order to receive the allowance, the authorized employee is required to make the personally owned device available for business use as required by their Department or Supervisor. The employee must maintain active cell phone service and agree to carry the cell phone with them and keep it charged and in operational condition. Inappropriate or unlawful use of the cell phone and its services and features is prohibited, and misuse will result in immediate cancellation of the cell phone allowance. In addition, cell phone users must be aware of all laws regarding the use of phones while driving a motor vehicle.

B. Road Commission Provided Cell Phone and Service Plan

An authorized employee who wishes to utilize a Road Commission supplied cell phone and service plan shall reimburse the Road Commission by payroll deduction as follows:

Smartphone \$16.00 per month

In order to receive the allowance, the authorized employee is required to maintain the Road Commission provided device in an operational condition available for the business of the Road Commission. The employee must agree to carry the cell phone with them and keep it charged and in operational condition. Inappropriate or unlawful use of the cell phone and its services and features is prohibited, and misuse will result in immediate cancellation of the cell phone allowance. In addition, cell phone users must be aware of all laws regarding the use of phones while driving a motor vehicle.

Personal use of a Road Commission supplied cell phone and service plan shall be permitted. At the request of the supervisor, or at employee's separation, the employee must return the Road Commission supplied equipment.

YES: 5
NO: 0
MOTION CARRIED.

Rader provided background regarding the bid letting for a Fire Alarm System at the Bloomingdale Garage. It is the recommendation of the Operations Director to award to EPS Security for the lump sum price of \$16,000.00. Motion by Boze, seconded by Askew to award the bid for installation of a fire alarm system at the Road Commission's Bloomingdale Garage to EPS Security, in the best interest of the Van Buren County Road Commission.

YES: 5
NO: 0
MOTION CARRIED.

Witkowski updated the Board regarding the public bid opening of Ice Control Sand and the recommendation of the Operations Director regarding award. Motion by Askew, seconded by Boze to award the bid to all bidding contractors with Yerington Brothers being the primary supplier for the Lawrence Garage (\$6.68 Class II) and the Bangor Garage (\$9.25 Class II), and with H&H Contract Haulers being the primary supplier for the Bloomingdale Garage (\$9.28 MDOT 2NS), in the best interest of the Van Buren County Road Commission.

YES: 5
NO: 0
MOTION CARRIED.

Motion by Boze, seconded by Burleson to move the October Regular Meeting of the Board of County Road Commissioners and the Board of Public Works from October 3rd to Wednesday, October 11, 2023 at 5:00 PM.

YES: 5
NO: 0
MOTION CARRIED.

Rader explained the proposed updates to the Purchasing Policy (2017-02) before the Board. A clarification was made by the Board to authorized purchasers. Motion by Boze, seconded by Burleson to revise Policy 2017-02 as presented, and as clarified by the Board as follows:

**Van Buren County Road Commission
Purchasing Policy
Policy 2017-02**

Purpose: To ensure staff follows the procedures to procure goods and services in compliance with recommendations set forth in the Michigan Department of Treasury's Uniform Accounting Procedures

Policy: All purchasing functions shall comply with good purchasing practices, applicable local ordinances, state and federal laws, and procedures as set forth.

1. All requests for prices and/or services, and all purchases shall be made without regard to race, religion, color, national origin, sex, age, disability, arrest record, genetic information, height, weight, marital status, and in accordance with this Policy.
2. Purchases shall adhere to the Ethical Standards and Standards of Conduct Policy (2005-01).
3. **Purchases over \$500**, require a purchase order to be completed at time of purchase/quote.
4. **Purchases greater than \$500 but less than \$2,500**, must be approved by an Authorized Purchaser as set forth below, or their designee, and must be properly documented. Prices in the form of telephone/email quotations, catalogue comparisons and other similar means may be obtained as is practical. Exceptions may be approved for sole source items, vendors that require diagnosis for repair and authorized vendors/dealers for manufacturer specific work.
5. **Purchases greater than \$2,500 and less than \$15,000**, must be approved by an Authorized Purchaser as set forth below, or their designee. Price quotes are to be obtained from two or more sources. Verbal quotes may be obtained provided all pertinent information is properly documented. Proper documentation includes: item description; date and time of quotation; company name; quoted unit and extended price; and name of authorized purchaser providing the quotation. Exceptions may be approved for sole source items, vendors that require diagnosis for repair and authorized vendors/dealers for manufacturer specific work.
6. **Purchases over \$15,000** require a formal invitation for Bid or Request for Proposal (RFP) or, in the case of professional services, a Request for Qualifications (RFQ). All bids or RFP's must be advertised as required by law. The Van Buren County Road Commission follows all procedures for competitive sealed bidding.
7. **In the event of an emergency;** Noncompetitive procurement may only be used in the event of a public emergency such that the urgency will not permit a delay beyond the time needed to employ one or the other procurement methods, such as to protect the health and welfare of the public. In the event of an emergency, supplies, services or construction may be purchased up to \$50,000 by an Authorized Purchaser as set forth below, or their designee. The Managing Director shall keep the Board of County Road Commissioners informed to the extent of the emergency purchases necessary.
8. Nothing in this policy shall prevent the use of competitive sealed bidding in procurements under the Van Buren County Road Commission limits if deemed appropriate.
9. All requests for payment must be processed by the Finance and HR Director (or designee) and are subject to review by the Managing Director prior to review and approval by the Board of County Road Commissioners.
10. Purchasers have the responsibility to ensure that all goods, services or construction purchased are properly inspected and conform to the purchase order, contract and/or specifications. Any decision concerning an attempt to cancel a contract or an attempt to resolve a dispute regarding defective products or unacceptable services shall be made by the Managing Director or Finance and HR Director. The Managing Director will determine if the decision needs to be approved by the Board.
11. The Van Buren County Road Commission, in accordance with Title VI of the Civil Rights Act of 1964, 78 Stat. 252, 42 USC 2000d to 2000d-4 and Title 49, Code of Federal Regulations, Department of Federally assisted programs of the Department of Transportation issued pursuant to such Act, hereby states that it will affirmatively insure that minority business enterprises will be afforded full opportunity to submit bids/provide quotes and that they will not be discriminated against on the grounds of religion, race, color, national origin, arrest record, genetic information, sex, age, height, weight, marital status and disability in consideration for any award.
12. The Road Commission reserves the right to reject any or all bids/quotes, to waive irregularities in the bidding or providing of quotes, and to award in any manner deemed to be in the best interest of the Van Buren County Road Commission.

The following people (or their designee) are considered authorized purchasers as outlined in this policy:

Highway Engineer	Road Materials, Road Projects, Services
Operations Director &/or Superintendents	Road Materials, Road Maintenance Services
Fleet & Facilities Superintendent	Parts, Equipment, Equipment Repairs, Services
Traffic Services Employee	Signs, Traffic Counters, Services
Safety Coordinator	Safety Supplies, Training, Services
Finance and HR Director	All
Managing Director	All

Employees who have been assigned purchasing duties have the following responsibilities:

- Comply with and enforce the purchasing policy and purchasing procedures.
- Determine the most efficient and economical means of securing goods and services without sacrificing necessary control and good purchasing practice.
- Verify that vendor invoices reflect the County's sales tax exemption.
- Where applicable, purchase recycled materials and products.
- Assist in the development of standardized specifications for commodities and services.
- Prepare and process purchase requisitions and related documents as necessary.
- Follow inventory procedures and property control measures.
- Dispose of surplus property after obtaining necessary approvals.
- Generate and maintain all files necessary to evidence compliance with the Road Commission's purchasing requirements.
- Obtain Safety Data Sheets (SDS) for necessary items.

Enforcement: Failure to comply with this policy/procedure may result in Disciplinary action.

YES: 5
 NO: 0
 MOTION CARRIED.

Commissioner Updates and Reports:

W.C. Askew, Sr.

Attended Covert Township, Bangor Township, and Geneva Township regular meetings. Discussion regarding Geneva Township's Resolution for funding paving on CR384 from 70th Street to CR687 in the amount of \$200,000.00.

Rick Boze

Attended Keeler Township's regular meeting on September 5. Attended Hamilton Township's regular meeting on September 12. Requested possible additional signage on CR215 at "floating bridge". Attended Southwest District Council Meeting on August 14.

Doug Burleson

Attended the Southwest Council Meeting on August 14. Attended Bloomingdale Township's regular meeting on August 16. Attended the Township Supervisors' meeting on August 24.

Greg Kinney

Attended the Southwest Council meeting on August 14.

Wayne Nelson

Attended Antwerp Township's regular meeting on August 8. Attended Porter Township's regular meeting on August 9. Went to Almena Township's meeting on August 16 but it had been canceled. Attended the Southwest District Council meeting on August 14. Attended the Township Supervisors' meeting on August 24.

The Chairman opened the meeting to second public comment. County Commissioner Doroh stated that he was pleased to announce the County Commission's passing of a Resolution allocating \$985,000.00 in ARPA funds to create a Youth Center.

In addition, Barry Anttila relayed that on Monday he and Dave Mills attended an event where the County unveiled a plaque for Don Gilchrist, former County Surveyor, that was well attended by other county officials.

Motion by Burleson, seconded by Askew to adjourn the Call of the Chair at 6:18 PM.

YES: 5

NO: 0

MOTION CARRIED.

Board Secretary

Board Chairman