

# Van Buren County Board of Road Commissioners

August 3, 2022 - Regular Meeting

BE IT REMEMBERED: That on the 3<sup>rd</sup> day of August, 2022 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, Burluson, and Kinney  
Managing Director Dan Bishop  
Highway Engineer Barry Anttila  
Finance and Human Resources Director Linnea Rader  
Operations Director Greg Brucks  
Administrative Assistant-Board Secretary Jill Brien

ABSENT: None

GUESTS PRESENT: None

Vice-Chairman Askew called the meeting to order at 5:00 PM.

Motion by Boze seconded by Kinney to approve the Agenda.

AYES: 4  
NAYS: 0  
MOTION CARRIED.

Motion by Boze seconded by Burluson to approve the Minutes of the July 13, 2022 Regular Meeting and the Minutes of the July 28, 2022 Special Session as presented by the Board Secretary.

AYES: 4  
NAYS: 0  
MOTION CARRIED.

The Vice-Chairman opened the meeting to first public comment. None was received.

Managing Director Bishop presented Staff Reports as follows:

STAFF REPORT  
August 3, 2022

1. Reviewed the request by Nancy Brown (44<sup>th</sup> Ave) for ditching services to move contaminated water to the county drain. The County Drain Commissioner doesn't want known contaminants to be ditched to the county drain system. EGLE doesn't want known contaminants ditched to inland lakes or rivers.
2. I reviewed Ted Bovak's ditch complaint CR 681. His farm has a small stream that drains to the roadside ditch which is the head of a county drain. We cleaned out the roadside ditch a couple of years ago. We have no known reports of roadside flooding.
3. CR 376. Greg and I checked out the road. Its in good shape, no washboarding and was not dusty on the day we checked it out. We will keep it on our regular dust control schedule and will keep an eye on it. When this road was pulverized in 2018 we notified all the property owners of the project. Repaving was never mentioned. Due to the low traffic counts staff recommends not spending the money to repave this road. Greg is working on a plan to reditch some of the road with some tree removal. Next year we may try a new experiment process of double chip. We probably will try some different emulsion and different stone.
4. The wetlands study was performed on our proposed building site in Bangor township. As expected, the southwest corner has about two (2) acres of wetlands. We are meeting with EGLE to discuss any limitations or recommendations they may have as we develop this site.
5. Our research on the proposed additions to the Administration building continues. We need to perform a soil boring to determine if a basement is feasible.
6. Relating to the Board's request to look at other names for "dust control", staff is working to present a full report to the Board in February/March with proposed policy/procedural changes, including a more suitable name.
7. Rehabilitation of the bridge that carries CR384 over the Black River began last week as follows: Hot mix asphalt wearing course replacement, deck waterproofing membrane, substructure

repairs, railing replacement, beam patching, deck joint replacement, riprap and approach work. The bridge/area is closed to all traffic until approximately October 3, 2022, with an estimated project completion date of November 1, 2022.

8. CRA's **Commissioners Seminar** is scheduled for October 9-11, 2022 at the Bavarian Inn Lodge & Conference Center, Frankenmuth, MI. Please contact Jill if you wish to be registered to attend this training developed specifically for Road Commissioners!

A Voucher update was presented by Managing Director Bishop as follows:

Voucher #2264	\$166,987.12	Payroll
Voucher #2265	\$2,251,673.06	Accounts Payable
Voucher #2266	\$171,318.84	Payroll

Motion by Boze, seconded by Burleson to approve the Vouchers, as presented.

AYES: 4  
NAYS: 0  
MOTION CARRIED.

Discussion led by Bishop regarding the September regular meeting of the Board. Motion by Boze, seconded by Kinney to move the September regular meeting of the Board from September 7, 2022 at 5:00 PM to September 14, 2022 at 5:00 PM.

AYES: 4  
NAYS: 0  
MOTION CARRIED.

Discussion regarding three at large openings on the CRASIF Board of Trustees. There are four candidates who have provided letters of interest. Motion by Kinney, seconded by Boze to vote for John Hunt, Deb Kestner, and Michael Scott.

AYES: 4  
NAYS: 0  
MOTION CARRIED.

Rader relayed to the Board that 5/3 Bank has offered and will make themselves available for a pension review presentation at the Board's request. Upon discussion it was decided by general consensus to request that 5/3 Bank provide a pension review at the September regular meeting.

Bishop provided discussion for the Board regarding Antwerp Township's request for a satellite garage in Antwerp Township. Motion by Boze, seconded by Kinney to respond to Antwerp Township's May 18, 2022 letter with a counter-offer to be negotiated by the Managing Director and brought back to the Board for final review and consideration.

AYES: 4  
NAYS: 0  
MOTION CARRIED.

An overview of the proposed policy on Projects Funded by Townships was provided by Bishop. Questions were asked by the Board and responded to by staff. Motion by Boze, seconded by Kinney to adopt the following policy:

Policy 2022-01

## PROJECTS FUNDED BY TOWNSHIPS

### Overview

Due to limited funding, road work that is requested which is not included in the Van Buren County Road Commission's ("Road Commission") budget is often funded by the townships, such as sealcoat, fog seal, gravel road improvement projects, and paved road improvement projects. The Road Commission and its Township Partners have worked together for decades to provide additional road projects with funding from the township level. These projects have primarily been accomplished on the Local Road system but are increasingly necessary on the Primary Road system

as townships recognize a need. This partnership between the Road Commission and the townships is built from a necessity to best serve the public of Van Buren County, and is greatly appreciated by the Road Commission and the motoring public.

**1. Project Billing and Use of County-wide Road Millage Allocation**

- A. The Road Commission may enter into agreements with the Township Boards in Van Buren County to perform highway, road and street special maintenance and construction operations on roads and streets. Work so contracted shall be done at cost.
- B. The township should ensure that it fully understands the scope of any work to be performed prior to authorizing a project and should ensure that all project details are included on the Program Sheet if there are specific instructions.
- C. The Road Commission shall require a 75% pre-construction deposit on any township funded projects over \$10,000 to be paid before work commences.
- D. Townships may utilize the County-wide Road Millage Allocation(s) to fund road improvement projects as follows:
  - Contract Gravel Resurfacing.
  - Surface Treatments such as sealcoat, fog seal, cape seal, chip seal, slurry seal, micro layers, crackseal, etc., as approved by the VBCRC Highway Engineer.
  - Cross-pipe replacements.
  - Heavy Maintenance projects such as reconstructing and placing a hard surface on a gravel road, reconstructing an existing paved road or bridge, resurfacing a road with a hot mix asphalt overlay, or installing new catch basins.
  - Bridge replacement, or bridge preventative maintenance projects.
- E. The Road Commission shall absorb any over-run costs on projects funded by the Township as set forth in the signed Program Sheet/Change Orders.
- F. Should a Township Board cancel a project after being let for bid the Road Commission shall bill the Township for costs and expenses incurred.
- G. Should the Road Commission invoice a township for work performed and the township neglect and/or refuse to pay the bill in a reasonable amount of time the Road Commission, at its discretion, may utilize the township's current and/or future County-wide Road Millage Allocation(s) as may be necessary to pay for the township's portion of the project.
- H. Any work performed by the Road Commission for projects/special maintenance on roads outside the jurisdiction of the Road Commission (i.e., under special assessment) shall be billed at cost, to include fringe benefits and overhead expenses. No County-wide Road Millage funds may be utilized for work performed on roads not under the jurisdiction of the Road Commission. It is recommended by the Road Commission that private subcontractors be hired for this purpose without involving the Road Commission as this allows the Road Commission to focus solely on roads within its jurisdiction.

**2. Cross-pipe Replacements, Bridge Replacements, and Bridge Preventative Maintenance**

- A. Cross-pipes, regardless of the size, bridge replacements, and bridge preventative maintenance on the Primary Road system are typically funded 100% by the Van Buren County Road Commission. (Townships may choose to participate as set forth in Policy 2011-01, Requests for Improvements on Primary Roads.)
- B. Failed cross-pipe replacements on the Local Road system measuring under 36" are funded 100% by the Van Buren County Road Commission.

- C. Failed cross-pipes replacements on the Local Road System measuring 36" and larger are cost-shared 50/50 between the Road Commission and the township in which the failed cross-pipe is located.
- D. Undersized cross-pipes replaced on the Local Road System up-sized to measure 36" or larger are cost shared 50/50 between the Road Commission and the township in which the cross-pipe is located.
- E. Typically all cross-pipes and driveway pipes (culverts) are replaced during heavy maintenance projects on Local Roads and on Primary Roads. Regardless of the size of the cross-pipe or the driveway pipe, they are funded 100% by the township on Local Road projects.
- F. Any costs for bridge replacements and bridge preventative maintenance on the Local Road system not paid for through federal and/or state local bridge funds, including design/construction engineering costs, are cost-shared 50/50 between the Road Commission and the township.
- G. Non-routine cross-pipe installations, repairs and/or replacements, regardless of size or location (Primary Road versus Local Road), may require township participation and are evaluated on a case-by-case basis.

### 3. **Public Safety Issues on Local Roads**

- A. In the event of a Public Safety Issue on a Primary or Local Road, as deemed by the Managing Director of the Road Commission, or their designee, the Road Commission shall do everything within its means to open the road to the motoring public as soon as reasonably possible.
- B. If a Public Safety Issue exists on a Local Road, such as a failed cross-pipe, the Road Commission shall:
  - i. Make contact with the Township Road Liaison as soon as is feasible to discuss the Public Safety Issue location, project cost estimate, road closure plans, if any, etc.
  - ii. Provide the Township Road Liaison with a Program Sheet or Engineer's Opinion of Costs and shall request that the Township authorize the project funding (typically 50/50).
  - iii. Move forward with the project to resolve the Public Safety Issue as soon as reasonably possible and regardless of the status of the Township's project authorization.
  - iv. Invoice the Township for its portion of the cost share which can be paid for by the Township through its funding sources, or with county-wide road millage funds as allocated by the Township, or as set forth herein in Section 1(G).

### 4. **Traffic Signs and Signals**

- A. The Road Commission shall install, maintain, repair and/or replace all Regulatory and Warning Signs, Posts, and Signals on its certified roadways as set forth in Policy No. 2018-05, Sign Policy.
- B. The installation of any non-regulatory signs, such as street name signs, township boundary signs, etc., may be funded by the Township, as approved by the Highway Engineer or their designee.
- C. The Board of County Road Commissioners requests that each township in Van Buren County consider a private road ordinance, policy, or requirement that sets forth minimum required signage where non-certified roads connect to the certified road system, such as a stop sign, street name sign, no outlet sign, etc.

**5. PASER Data Collection Program**

- A. The Road Commission has implemented the use of PASER, a uniform rating system for all asphalt roads in the State of Michigan. This data is collected annually by the Road Commission and provides the Road Commission and the townships with important data, serves as a tool to evaluate maintenance operations, and is used to make decisions and provide data to back-up those decisions.
- B. The Road Commission asks that all townships participate in the PASER Data Collection Program as follows:
  - Year 1            The townships reimburse the Road Commission for the cost of rating all Local and Primary Roads. (Years 2022, 2025, etc.)
  - Year 2            Road Commission will cover the cost of rating all Local Roads and Primary Roads. (Years 2023, 2026, etc.)
  - Year 3            Road Commission receives reimbursement from the Asset Management Council for rating all Local and Primary Roads. (Years 2024, 2027, etc.)
- C. If a township refuses or neglects to sign a Program Sheet authorizing PASER data collection, the data will not be collected on the Local Road system in that township for that year.

**6. Township Water and/or Sewer Systems**

- A. When a township's water and/or sewer system is located within the county road right of way, prior to the commencement of any cross-pipe replacement project the township must cause to have the area surveyed specifically to locate water/sewer systems. The survey is the township's cost to bear 100%.
- B. If the water/sewer is found 18" or less from the location of any cross-pipe the township or water/sewer district must have the water/sewer lines re-located and pay 100% of the cost of the re-location prior to the replacement of the cross-pipe.

**7. Miscellaneous**

- A. Nothing in this Policy shall prohibit the Road Commission from performing such operations as may be necessary for the protection of life and property in the event of either nuclear or natural disaster.
- B. This Policy amends any and all previous policies adopted by the Board of County Road Commissioners including, but not limited to the Policy Relative to Force Account Contracts adopted/amended 11/1/79, 1/28/80, and 2/7/80; Policy for Private Road Engineering on Roads Which Will Be Dedicated As Public Highways After Reconstruction adopted 8/20/87; and the Policy of Absorbing Any Overrun Costs on Locally Funded Township Projects adopted 12/15/94.

AYES:            4  
NAYS:            0  
MOTION CARRIED.

**Commissioner Updates and Reports:**

- Greg Kinney:            No report.
- Doug Burlison:        Attended Bloomingdale Township on 7/20.
- Rick Boze:             Attended Lawrence Township on 7/14. Attended Hartford Township on 7/14.
- W.C. Askew, Sr.:      Attended Covert Township.

The Vice-Chairman opened the meeting to second public comment. As a point of information, Bishop relayed that all four township road millages in Van Buren County passed.

As a point of information, Commissioner Kinney asked Vice-Chairman Askew why he missed the July 28 Special Session of the Board. Askew indicated that he made Managing Director Bishop aware of a prior commitment when the special meeting was scheduled. Askew and Kinney disagreed on the subject of whether it was the business of the Board if a Member misses a meeting while making money.

Motion by Boze, seconded by Burleson to adjourn the Call of the Chair at 5:45 PM.

AYES: 4  
NAYS: 0  
MOTION CARRIED.

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Board Secretary

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Board Vice-Chairman