

**Van Buren County Board of Road Commissioners**

June 5, 2024 - Regular Meeting

BE IT REMEMBERED: That on the 5th day of June, 2024 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  
Operations Director Greg Brucks  
Administrative Assistant-Board Secretary Jill Brien

ABSENT:

None

GUESTS PRESENT:

James Gagnon, 36<sup>th</sup> Avenue, Bangor Township

Chairman Boze 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 Burleson seconded by Nelson to approve the Minutes of the May 1, 2024 Regular Meeting as presented by the Board Secretary.

YES: 5  
NO: 0  
MOTION CARRIED.

The Chairman opened the meeting to first public comment. James Gagnon introduced himself to the Board and those present as the only residence on 36<sup>th</sup> Avenue in Bangor Township, which ends at School Section Lake. Mr. Gagnon requested that 36<sup>th</sup> Avenue from CR687 West not receive dust control as the material runs down into the lake, gets on the boats and boat trailers which then deposits into the lake, and also deposits down his driveway and on his family's cars and clothes. Mr. Gagnon left his contact information for the Managing Director to contact him in follow up to this request.

Department Updates were provided as follows:

**Finance and HR Department:**

- We have wrapped up the year end reporting for 2023. All requested information has been sent to the auditors. Our audit has begun and should be completed by the July meeting.
- We are currently advertising internally for two Supervisor positions. These will be new administrative positions and will fall into the current board approved compensation plan. These Supervisors will take the place of previous Union Superintendent roles. We are accepting internal applicants through June 6 and hope to perform interviews next week.
- Most of our seasonal employees as well as our apprentice started work this week. They begin with training and will work their way onto the roads throughout the week. The group seems positive and engaged in training.
- I attended both the Finance and Human Resources Seminar and the Great Lakes Expo last month. Both were great training opportunities. I did four presentations at the two conferences as follows:

- Union Negotiations and ways to successfully negotiate meaningful contracts (Co-presenter with Luis Avila from Varnum).
  - How to Train personnel utilizing the training techniques we've developed at the VBCRC. I was able to use the Big Picture Leadership Program, Competency program and many of our techniques to provide ideas for other agencies to utilize.
  - Understanding the Act 51 financial report.
  - Building a positive work culture.
- I've been meeting with staff regarding pension benefits. We've gone over their annual pension statements and what they can expect at retirement.
  - I've also met with Union staff about expectations moving forward with recent changes to the Operations Department. Most of our staff are working well with the new changes and are helping build more effective and efficient operations within the Road Commission.
  - The Operating Budget through June 3, 2024 is attached.

### **Operations Department:**

- Scraping gravels, patching asphalts, boom mowing, shoulder work, ditching and pipe replacements county wide continue.
- Patching ahead of sealcoat is going well between the rain drops and an asphalt plant breakdowns.
- Hot rubber crack fill continues.
- This seasons contract gravel is complete in Pine Grove, Bloomingdale, Columbia, Geneva, Bangor, Lawrence, Porter and Decatur.
- Mowing with WC's new favorite tractors is going well and looking really nice. Doing it in house...our staff is doing a much better job than contractors. Despite beginning to mow earlier than typical years, we are fielding many complaints about the height of grass and weeds(and only 1 thus far about quality or damage). Rest assured, we are moving as fast as we can, while still providing a high quality result. This springs precipitation and temperatures has been excellent for growing.
- Final live action testing of our distributors will happen Monday morning when we head up to Kalamazoo County and shoot some emulsion to help them out for a day and give our staff some refresher training. Pre-sweeping for our own sealcoat and loose stone signs will begin going up Monday. Rain has delayed our patching a bit but if next week cooperates; Wednesday will be our first day of sealcoat.

Brucks also reported that sealcoat is scheduled to begin on Monday, weather permitting. The 2024 Sealcoat/Fog Seal program includes 193.89 mi. of Fog Seal, and 182.0 miles of Sealcoat. This does not include Cass County. He also provided an update on the artesian well on CR669. Road and pipes have been temporarily restored until if/when a project is planned and a more permanent fix can be made.

### **Engineering Department:**

- 46<sup>th</sup> Street, Paw Paw Township, wedge paving tomorrow.
- 30<sup>th</sup> Street, Antwerp Township and 72<sup>nd</sup> Avenue, Antwerp Township to be wedge paved following work on 46<sup>th</sup> Street in Paw Paw Township.
- Working on pavement marking maps.
- Putting together estimates for Keeler Township.

### **Managing Director Witkowski:**

1. The agreement from Antwerp Township concerning the property they are willing to allow VBCRC to use for material and what else the VBCRC feels is appropriate. The agreement has been reviewed by our attorney and approved by the Township board. Feel free to ask questions we will have on the agenda for you as a board to discuss at the meeting in June.
2. We countered the cell tower company's original proposal, and they returned with a much better one. We countered today to see if we could get a better deal. It is in a prime location. Their offer is the same as what we get now, plus a one-time payment of **\$5,000**; we are still awaiting their response to our last proposal.
3. I have met with 94% of the supervisors and attended 78% of the township and 18% of the city/village meetings.

4. The sale of Timber bids in Pine Grove will go ahead next week. The due date is June 25, and the final bid approval will be brought to the VBCRC board in July.
5. A few months ago, it was asked to see about getting a price for installing a fire hydrant at the property in Bangor; Geneva and Bangor township are each willing to donate \$30,000 for a total of \$60,000, the cost to install a fire hydrant at the site came back \$466,000, leaving a cost to the VBCRC of \$406,000. It is on the agenda for the June meeting for you as board members to discuss.
6. There are only 3 CRs in the county that a township voted to ask the VBCRC board to allow ORV vehicles on them. The three are in Porter Township; I am waiting for an opinion from the insurance pool on allowing ORV on CR roads. The VBCRC board will be asked to vote on Wednesday on whether to allow those CR roads to be on or not. Once I hear from the insurance pool, I will share that information.
7. The SW district of the CRA proposes eliminating the Southern District, which is 29 counties. This proposal predates me, but they had not met for a while, and the feeling was that it was time to dissolve the group. The VBCRC board will need to vote yes or no on that at the June meeting.
8. Barry is leading the installation of the oil-water separator at the Western garage. This will allow us to discharge water into the current stormwater system (rather than pumping several times a year) and be compliant with EGLE and MDOT. Once this is completed, we can have the work done to update the Western facility, for which we already have bids; based on the cost.
9. The company completed the prep work for the Western building for tuck pointing and seal coating.
10. We have reserved the ISD meeting center for June 20 to hold two informational meetings for the public on the millage renewal request. The first is set for 11:00 a.m., and the second is at 6:00 p.m. We have some brochures that we would be happy to deliver or mail to you for your township meetings.
11. The VBCRC did touch a truck at the Decatur VFW for local schools on Thursday.
12. The safety committee recommends we borrow some automatic flaggers rather than rent them.
13. Two train bridges in Antwerp Township are scheduled to be repaired, and the roads around them will be closed when that happens.
14. Bloomingdale Village contacted me about having the VBCRC do some work for them this summer. The Village signed the contract this week, so we look forward to helping the Village.
15. DNR has reached out again to see if we can help fix a washout area that keeps plugging their drain. Staff will go out there and give DNR an estimate next week.
16. We ask townships to have their projects to us by December 31 so we can plan, but we also know that the townships have residents serving in part-time roles. Part of our job is working with the townships to help accomplish projects. Last week, Decatur Township signed a work order to make a wedge and seal coat on 38th Street from Burgess to 72nd for \$294,776 and from 92nd from CR 669 to Porter Township for \$508,040. I mentioned it because of the timing and time of the year. Because we just received their signed worksheet, we cannot get the bids out and back before the next board meeting. So, I would like to ask the board to consider if we can get approval to approve the best bid for Decatur Township, then inform the board of the bid and bring it back to your board for final approval in the July meeting. Even with this process, we are not sure there is enough time to get this done this year, but we want to try; having to wait until the July meeting, staff feels it would have next to nothing chance to be done this year.

Review of Vouchers:

Voucher #2360	\$	171,802.13	Payroll
Voucher #2361	\$	249,592.03	Accounts Payable
Voucher #2362	\$	179,907.45	Payroll
Voucher #2363	\$	599,098.93	Accounts Payable
Voucher #2364	\$	163,997.23	Payroll
<b>TOTAL</b>	<b>\$</b>	<b>1,200,400.54</b>	

Motion by Nelson, seconded by Kinney to approve Vouchers 2360-2364 totaling \$1,200,400.54.

YES: 5  
NO: 0  
MOTION CARRIED.

Anttila updated the Board on the award of bids by staff as follows:

- CR388, Pine Grove Township; Thomas Excavating (\$1,685,305.20)
- Traffic Signal Modernization Design, CR652S/24th Street at Red Arrow Highway, Antwerp Township; Fleis & VandenBrink (\$19,470.00)
- 46<sup>th</sup> Street from 72<sup>nd</sup> Avenue to 64<sup>th</sup> Avenue, Paw Paw Township (\$285,374.10)
- 30<sup>th</sup> Street AND 72<sup>nd</sup> Avenue, Antwerp Township (\$213,650.00)

Anttila advised that the following projects have been advertised, with bids scheduled to be publicly opened on June 11, 2024 at 11:00 AM:

- 38<sup>th</sup> Street from Burgess Road to 72<sup>nd</sup> Avenue, wedge paving, Decatur Township
- 92<sup>nd</sup> Avenue from CR669 to Porter Township line, wedge paving, shoulder gravel and drainage corrections, Decatur Township

The Township has also requested that both of these segments be sealcoated and fog sealed this season which makes it imperative that the paving be completed prior to sealcoat operations taking place in Decatur Township. Therefore, as time is of the essence, Anttila recommended that the Board consider authorizing Road Commission staff to award these bids in the best interest of the Van Buren County Road Commission pending township approval. Motion by Kinney, seconded by Askew.

YES: 5  
NO: 0  
MOTION CARRIED.

Witkowski discussed the proposed Lease with Antwerp Township for property on 64<sup>th</sup> Avenue to be used as a maintenance yard, including storage of materials and, possibly, equipment. The Lease was prepared by Antwerp Township and then reviewed and revised by Attorney Bill Henn for consideration by the Board. Witkowski believes that it has been made clear that we will not have staff at this satellite location. The Board indicated that neighboring townships are aware of this maintenance yard and are supportive. Motion by Nelson, seconded by Kinney to approve the Land Lease Between Antwerp Township and the Van Buren County Road Commission and to authorize the Managing Director to execute the Lease on its behalf.

YES: 5  
NO: 0  
MOTION CARRIED.

The Land Lease Between Antwerp Township and the Van Buren County Road Commission is on file at the Administrative Office of the Road Commission and is available for inspection by contacting the Administrative Assistant at 269-674-8011.

Upon discussion it was moved by Askew, seconded by Burleson to mark the official ballot for the Association of Southern Michigan County Road Agencies YES to dissolve.

YES: 5  
NO: 0  
MOTION CARRIED.

Motion by Nelson, seconded by Askew to mark the official ballot for the Association of Southern Michigan County Road Agencies to TURN THE BALANCE OVER TO THE CRA FOR USE IN EDUCATION PROGRAMS.

YES: 5  
NO: 0  
MOTION CARRIED.

Motion by Boze, seconded by Nelson to adopt the following Resolution:

**RESOLUTION 2024-11**

**WHEREAS:** On May 7, 2024 an EF-1 tornado with maximum wind speeds of 95 mph touched down in Cass County, Michigan during the early evening hours uprooting and snapping hundreds of trees and power poles and causing the Board of Commissioners of Cass County to declare a State of Emergency as of May 8, 2024; and,

**WHEREAS:** Operations Director Greg Brucks, together with various Road Commission staff, assisted the Cass County Road Commission throughout evening, and following the storm to clean-up the storm damage through the West Michigan Public Works Mutual Aid Agreement; and,

**WHEREAS:** Greg Brucks, together with a team of Road Commission crew members, volunteered to work on Friday, May 10, 2024, which was their day off due to VBCRC Summer Hours, to ensure the Cass County Road Commission had the manpower and equipment to continue its storm clean-up efforts; and,

**WHEREAS:** Cass County was well served by the selfless efforts of the Van Buren County Road Commission's Operations Director Brucks and Crew Members who worked extended hours, in hazardous conditions, so as to continue to facilitate storm clean-up.

**NOW, THEREFORE, BE IT RESOLVED** that the Board of County Road Commissioners of Van Buren County hereby wishes to recognize the following Road Commission Staff, and to commend and thank each one of them for going over and above the duties required of their job:

<b>Greg Brucks</b>	<b>David DeLoach II</b>
<b>Brian Burrows</b>	<b>Nicholas Dunn</b>
<b>Kevin Clayton</b>	<b>Jared Frank</b>
<b>David DeLoach</b>	<b>Scott Helm</b>

YES: 5

NO: 0

RESOLUTION ADOPTED.

Witkowski outlined staff's request to de-certify Third Street located in the Apple Orchard Subdivision west of Monroe Boulevard, which is actually in the City of South Haven. The Road Commission does not maintain any portion of Third Street/3rd Street. Pictures showing "Private Road. No Public Access. No Trespassing." were shared with the Board. Further, the original Plat dedicates the streets and alleys "to the use of the owners of lots in said plat". Witkowski indicated that he had been in contact with the Supervisor for South Haven Township as well as the Manager for the City of South Haven and received no objections regarding the proposed de-certification. Motion by Askew, seconded by Nelson to adopt the following Resolution:

**RESOLUTION 2024-12**

WHEREAS, Third Street/3rd Street from Monroe Boulevard West for 0.15 mi. in the Apple Orchard Subdivision, City of South Haven, South Haven Township, appears on the Certification Maps of the Van Buren County Road Commission; and,

WHEREAS, Third Street/3rd Street in the Apple Orchard Subdivision, City of South Haven, South Haven Township:

1. Is not used, worked on or maintained by public authorities;
2. Is a private road not open for public access as per the original plat, which was "dedicated to the use of the owners of lots in said plat".

NOW, THEREFORE, BE IT RESOLVED that Third Street/3rd Street from Monroe Boulevard West for 0.15 mi. in the City of South Haven, South Haven Township, Van Buren County, Michigan is deleted for Act 51 Transportation funds, as recommended by Van Buren County Road Commission Staff.

YES: 5  
NO: 0  
RESOLUTION ADOPTED.

Motion by Burleson, seconded by Kinney to authorize the signature of MDOT Form 2044, Engineering Reimbursement, by the Chairman and two Members of the Board for submission to the MDOT together with copies of billings to justify the reimbursement.

YES: 5  
NO: 0  
MOTION CARRIED.

Witkowski discussed the DRAFT ORV Ordinance prepared by Van Buren County subject to final approval by the Board of County Road Commissioners. At this time all primary roads are excluded from ORV use unless a township requests them to be included and the Road Commission approves them. The only request received to date is from Porter Township and their Board is requesting CR652, CR352, and CR669 be approved for ORV use. Motion by Nelson, seconded by Boze to open CR652, CR352 and CR669 in Porter Township to ORV use.

YES: 5  
NO: 0  
MOTION CARRIED.

Rader presented the Road Commission's DRAFT (unaudited) Act 51 Report. Motion by Burleson, seconded by Nelson to authorize the Chairman and the CFO to sign the Attestation Page of the Act 51 Report FY2023, pending any changes made by the Auditor.

YES: 5  
NO: 0  
MOTION CARRIED.

Witkowski led discussion regarding a proposed new road millage and the timing as it relates to the renewal, which is on the August 6, 2024 ballot. Political climate, timing and other logistics were discussed by the Board. It was the Board's consensus to consider a possible new millage in 2026.

Commissioner Updates and Reports:

**W.C. Askew, Sr.**

Attended Covert Township, satisfied with the Road Commission. Attended a Memorial Day parade in Covert Township and that went well. Attended Bangor Township, no issues. Attended South Haven Township, very happy with the Road Commission. Attended Township Supervisors' Meeting on 5/23.

**Rick Boze**

Attended Keeler Township, signed Resolution supporting road millage renewal. Attended Hartford Township and Lawrence Township together with Director Witkowski. Attended Hamilton Township also with Director Witkowski.

**Doug Burleson**

Met with Columbia Township Supervisor on 4/9 with Director Witkowski. Met with the Bloomingdale Supervisor on 4/11. Attended Pine Grove Township on 5/1. Attended Bloomingdale Township on 5/15 with Director Witkowski. Attended Columbia Township on 5/21. 5/23 Township Supervisors' Meeting. Attended KATS Policy meeting on 5/29.

**Greg Kinney**

Relayed that it's nice to be present again at the Board meeting in person. He thanked everyone for their assistance in his remote mobility issues.

**Wayne Nelson**

Attended Antwerp Township's May meeting. Attended Almena Township's May meeting, they have a new supervisor and a new treasurer. Attended the Lawton Village Council meeting with Director Witkowski to discuss the upcoming millage renewal. Nelson requested consideration of a special per diem for his attendance. Attended the Township Supervisors' meeting on 5/23. Attended the Southwest Council Meeting in Cassopolis on 5/13. He also joined with all present to welcome Commissioner Kinney in his personal attendance at today's Board meeting. Nelson also thanked all those who were supportive of him following his wife's passing.

Motion by Boze, seconded by Kinney to approve Nelson's request for a special per diem for attendance at the Lawton Village Council meeting.

YES: 5  
NO: 0  
MOTION CARRIED.

Motion by Askew, seconded by Burlison to adjourn the Call of the Chair at 6:28 PM.

YES: 5  
NO: 0  
MOTION CARRIED.

---

Board Secretary

---

Board Chairman