

Van Buren County Board of Road Commissioners

October 1, 2020

Regular Meeting - Administrative Office, Lawrence, Michigan

BE IT REMEMBERED: That on the 1st day of October, 2020 at 5:00 PM, E.D.T., the Board of County Road Commissioners for the County of Van Buren met in regular session via teleconference pursuant to the Governor's Executive Order in an effort to suppress the spread of COVID-19 and protect the public health and safety of this state and its residents.

PRESENT VIA TELECONFERENCE:

Road Commissioners Askew, Boze, Burleson, Kinney, and Moffat
Managing Director Dan Bishop
Finance Director Linnea Rader
Operations Director Greg Brucks
Administrative Assistant-Board Secretary Jill Brien

GUESTS PRESENT VIA TELECONFERENCE:

County Commissioner Mike Chappell

Chairman Kinney called the meeting to order at 5:00 PM. Roll call:

Askew: PRESENT
Boze: PRESENT
Burleson: PRESENT
Moffat: PRESENT
Kinney: PRESENT

Chairman Kinney read the Special Rules for Remote Meeting: All participating Road Commissioners can vote by phone; all votes must be roll call with Chairman always voting last. All people should identify themselves before they speak.

No additions or deletions to the Agenda.

Motion by Boze seconded by Moffat to approve the Agenda.

Roll call vote:

Askew: AYE
Boze: AYE
Burleson: AYE
Moffat: AYE
Kinney: AYE
MOTION CARRIED.

Motion by Burleson, seconded by Boze to approve the Minutes of the September 2, 2020 meeting as presented by the Board Secretary.

Roll call vote:

Askew: AYE
Boze: AYE
Burleson: AYE
Moffat: AYE
Kinney: AYE
MOTION CARRIED.

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

Bishop provided the following Staff Reports:

- 1) We spent a great deal of time investigating employee issues. Two employees have decided to pursue other life options.

- 2) Gary is organizing the auction of surplus equipment. We hope to have it ready for a November auction. The auction will be through Ranger bid. Once we have the final auction list, I will forward that to the Road Commission for review/information. Two auctions scheduled: 10/20 and 11/10.
- 3) A reminder, beginning with this meeting our Board meetings change from Wednesday to Thursday and we go to two meetings per month (typically the first and third Thursdays of the month).
- 4) CR 388 work from South haven City Limits to 62nd Street still needs to be milled from CR689 to the bridge over the Black River, and a little bit to finish up on the East end of the project near 62nd Street. We did complete 1 day of paving from the bridge East. The Geneva Township Supervisor is happy with the work. The Grand Junction to 46th street work started September 21 and is expected to be completed by the first half of October depending on weather.
- 5) The Culvert on Silver Lake(Natural Beauty) Road should be completed the first half of October.
- 6) The drainage work on CR 380 will begin on September 25th with stump removals.
- 7) The work in Covert Township(West Street) is nearing completion. Paving of the patches is the only remaining item.
- 8) 22nd Avenue from 68th Street to 69th Street is being paved on September 24th.
- 9) Fog Seal should be completed by October 16th. We did 160 miles of sealcoat this year. Operations Director Brucks and staff did a fantastic job.
- 10) Joel Hoort and I spent the last two weeks performing road ratings. All the roads in VBC have been rated. MDOT cancelled the federal aid ratings due to COVID. We will have to do both North and South next year.
- 11) Attached is the updated 2020 Operating budget with revenue and expenditures through September 23, 2020. Staff is working on a budget adjustment for the November meeting as well as a preliminary 2021 budget for the Board's review.
- 12) There were many projects accomplished this year, and we have received very positive comments.

Questions were asked by the Board regarding the common theme of employee issues, which were explained by the Managing Director.

Bishop updated the Board regarding the following Vouchers:

Voucher #2165-A	\$143,604.81
Voucher #2166	\$978,829.64
Voucher #2167	\$140,373.54
Voucher #2168	\$933,768.56

Larger payments within the Vouchers were further explained to the Board by the Managing Director.

Bishop discussed the opening of sealed bids for Cape Seal on 60th Avenue from CR657 to White Wood Drive, and Two Oaks Circle, Antwerp Township. Motion by Moffat, seconded by Askew to accept the bid of the lowest bidding contractor, Pavement Maintenance Systems, LLC, in the amount of \$71,634.00 contingent upon completion in 2021, in the best interest of the Van Buren County Road Commission and Antwerp Township. Questions were asked by Commissioners, which were responded to by staff.

Roll call vote:

Askew: AYE
 Boze: AYE
 Burleson: AYE
 Moffat: AYE
 Kinney: AYE
 MOTION CARRIED.

Brucks provided discussion regarding J. Jablonski and Sons' proposal to extend their bid for roadside mowing. Motion by Askew, seconded by Boze to accept J. Jablonski and Sons' proposal to extend their bid for the years 2021, 2022 and 2023, in the best interest of the Van Buren County Road Commission. Commissioners asked questions, which were answered by staff.

Roll call vote:

Askew: AYE
Boze: AYE
Burleson: AYE
Moffat: AYE
Kinney: AYE
MOTION CARRIED.

Brucks reviewed Lakeland Asphalt Corp's offer to extend bid for cold patch mix for the 2020-21 season with the Board. Motion by Boze, seconded by Moffat to approve Lakeland Asphalt Corp's offer to extend its bid for cold patch mix through April 1, 2021, in the best interest of the Van Buren County Road Commission. Questions were asked by the Board, which were answered by staff.

Roll call vote:

Askew: AYE
Boze: AYE
Burleson: AYE
Moffat: AYE
Kinney: AYE
MOTION CARRIED.

Bishop presented information regarding the Feasibility Study/Master Facility Plan proposal by Wightman. The scope of the study was discussed, as well as the project goals. Moved by Boze, seconded by Askew to approve Wightman's proposal for the Master Facility Plan, in the best interest of the Van Buren County Road Commission. Discussion held regarding the possibility of seeking additional proposals given that there are no pending time constraints. Attorney Leigh Schultz had reviewed and approved the standard terms and conditions of the proposal. Boze withdrew his Motion, and Askew withdrew his second in light of the Board's discussions. Motion by Moffat, seconded by Boze to postpone further consideration of this matter until the first meeting in November, or as soon there after as reasonably possible, to provide staff time within which to obtain additional proposals for the Board's consideration.

Roll call vote:

Askew: AYE
Boze: AYE
Burleson: AYE
Moffat: AYE
Kinney: AYE
MOTION CARRIED.

Bishop provided discussion for the Board regarding the County Commission's Guidelines for Road Commissioner Effective Communications which call for "the Road Commissioners and the Township Officials to update the Board of County Commissioners as to the effectiveness of these Guidelines a minimum of once a year, and to make suggestions for improvement". These Guidelines were last reviewed by the Board on October 10, 2019. Motion by Boze to authorize the Managing Director to prepare and sign a letter on behalf of the Board stating that the Guidelines continue to be effective, and that no suggestions for improvements were made by the Board. Further discussion was held regarding Bishop's plans to make a presentation to the County Commission at their first meeting in October to provide an update. Motion was seconded by Moffat.

Roll call vote:

Askew: AYE
Boze: AYE
Burleson: AYE
Moffat: AYE
Kinney: AYE
MOTION CARRIED.

Bishop presented proposed revisions to the Road Commission’s Guidelines for Attendance/Communication. Additional revisions were proposed by the Board. Motion by Boze, seconded by Bureson to approve revisions to the Guidelines for Attendance/Communication as follows:

VAN BUREN COUNTY ROAD COMMISSION
Policy No. 2020-04
Guidelines for Attendance/Communication

The Van Buren County Road Commission (“Road Commission”), and the Road Commissioners of Van Buren County (“Commissioners”) should remain in close contact throughout the year with its Partners in Transportation so as to improve the quality and safety of our roads. Partners in Transportation include, but are not limited to:

- Road Commissioners of Van Buren County**
- Van Buren County Road Commission Staff**
- Van Buren County Board of Commissioners**
- Van Buren County Township Officials**
- Residents and the Motoring Public of Van Buren County**

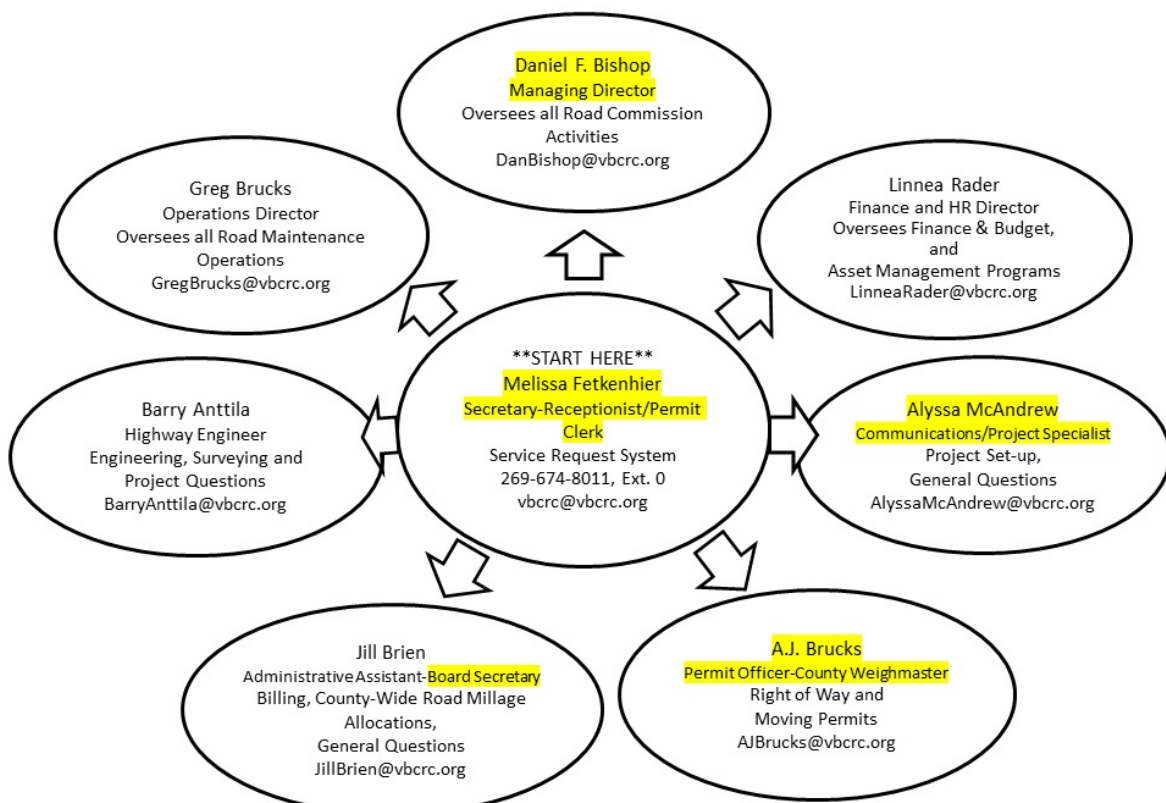
Each partner plays a distinct role to improve communications, and more effectively serve each other as set forth herein.

Road Commissioners

The Road Commissioners of Van Buren County are responsible for *enhancing and improving* communications between the Partners in Transportation. The duties of a Road Commissioner do not include day-to-day operations of the Road Commission. Therefore, administrative, project, service requests, or other such communications should **FIRST** be submitted directly to Staff, as set forth below, to avoid delays and mis-information regarding locations, and other concerns. If additional attention, follow-up, or improved communications become necessary at any time during Staff contact, then Road Commissioner contact may be appropriate, as noted on the attached District Map.

Road Commission Staff

Road Commission Staff (“Staff”) are responsible for the day-to-day maintenance operations, special maintenance, road and bridge projects, service requests and other road-related responsibilities. Townships and the Public should contact the Van Buren County Road Commission as a **first source** of communication to ensure proper tracking of their request. Staff are available to provide information, take complaints and requests for service, answer questions relating to projects as follows:



Township Officials and the Public

The Township Officials play an intricate role in communications with Staff and Commissioners. Their role is two-fold in that the Public will, at times, contact them for service requests, project concerns, maintenance issues, etc. In addition, the Township must communicate their own maintenance and project needs and concerns to the Road Commission.

As stated herein, the most effective means of communication regarding administrative, project, service requests, or other such communications are **directly with Staff**, as set forth in the Communication Flow Chart. This is so that delays and mis-information regarding locations, and other concerns can be avoided.

In addition, Staff and Commissioners provide many other opportunities for communication throughout the year, such as:

- **Weekly Operations Update.**
- Road Rating and Asset Management data.
- News Releases.
- Transportation Partners Booklet, which includes information regarding Road Commission operations, policies and procedures.
- Board Meeting Minutes.
- Various booklets and handouts and information packets from the County Road Association of Michigan.
- Notification or invitation to various seminars and workshops, such as Traffic Safety Workshops, RoadSoft Training by Michigan LTAP, and Asset Management / Road Rating.
- ~~Shared legal counsel (Kelly Page) with several townships.~~
- Information, news, updates, and more via the Road Commission's website (www.vbcrc.org)
- News, information, project updates, and more through social media outlets, such as Facebook, Twitter and Instagram.
- Strategic Plan development.

Attendance

In addition to the communications as set forth herein, Staff and Commissioners have many opportunities to meet with their Township Partners and the Public throughout the year.

A. Specifically, Commissioners will make every reasonable effort to:

- Attend Township Board Meetings; both as encouraged by County Commission, and as may be requested by Township officials.
- Attend Annual Township Meetings in the fall, either individually, or as a group.
- Attend special meetings with Township and Public over specific issues.
- Attend Township Supervisors' Association meetings annually, or as otherwise requested.

B. Specifically, Staff will make every reasonable effort to:

- Hold a minimum of three (3) Township Liaison Meetings (opposite the Township Supervisors' Meetings) at the Road Commission Offices, prior to a regularly scheduled Road Commission Meeting, to provide an update regarding county-wide projects and maintenance, to plan ahead for future work, and so as to allow a general dialog between the Township and the Road Commission.
- Hold Annual Township Meetings, either individually or as a group, in October/November for the purpose of:
 - Planning the Township's following year Call for Projects.
 - Discussing ongoing or upcoming issues to better build the Township/Road Commission partnership.

This Annual Meeting is open to all Township Officials, Road Committee Members, and County Board Officials.

- Attend annual spring road tour for the purpose of identifying current road needs, and assisting with planning future road work.
- Attend special meetings with Township and Public over specific issues.
- Attend Township Board Meeting at the Township's specific request.
- Provide newly elected Township officials an orientation packet and/or provide orientation, at official's request, for the purpose of education.
- Attend Township Supervisors' Association meetings annually, or as otherwise requested.

The Commissioners, and the Staff believe that delays and mis-information are less likely to occur through these Guidelines, thus providing the means for enhanced and more effective communications with the Township and Public.

Roll call vote:

Askew: AYE
 Boze: AYE
 Burleson: AYE
 Moffat: AYE
 Kinney: AYE
 POLICY ADOPTED.

Bishop provided background and information regarding the Road Commission's proposed revised Soil Erosion and Sedimentation Control Policy. Staff has worked closely with the Department of Environment, Great Lakes and Energy (EGLE) to revise the Road Commission's policy and procedures to meet new EGLE requirements. The draft policy meets EGLE's approval and is ready for consideration by the Board. Motion by Boze, seconded by Moffat to adopt Policy 2020-05 as follows:

Van Buren County Road Commission

Policy for Soil Erosion and Sedimentation Control

Policy No. 2020-05

Part 91, Soil Erosion and Sedimentation Control, of the Natural Resources and Environmental Protection Act (NREPA) (Part 91), 1994 PA 451, as amended, provides for the control of soil erosion and protects adjacent properties and the waters of the state from sedimentation; and,

The Board of County Road Commissioners of Van Buren County (Road Commission) hereby adopts, by reference, all requirements of Part 91, Soil Erosion and Sedimentation Control, of the Natural Resources and Environmental Protection Act (NREPA) (Part 91).

In addition, the following Road Commission personnel will make decisions regarding the design, inspection, or implementation of Soil Erosion and Sedimentation Control (SESC) measures. These agency personnel must complete the Michigan Department of Environment, Great Lakes and Energy's SESC training, and pass the final exam:

- Highway Engineer; **Construction Site Storm Water Operator and SESC Inspector**
- Engineering Technicians, as designated; **Construction Site Storm Water Operator**, at a minimum.
- Permit Officer-County Weighmaster; **Construction Site Storm Water Operator**
- Operations Director; **Construction Site Storm Water Operator and SESC Inspector**
- Drainage Group Leader; **Construction Site Storm Water Operator**
- Roadside Group Leader; **Construction Site Storm Water Operator**
- Surface Group Leader; **Construction Site Storm Water Operator**
- Buildings and Grounds RME; **Construction Site Storm Water Operator**

These Road Commission personnel will assist in the development and implementation of SESC Procedures for new construction, or heavy maintenance projects, as well as for routine maintenance, including the authority to enforce compliance, and provide for corrective action as set forth below.

Certification as a Construction Storm Water Operator / Soil Erosion Inspector allows you to:

- Inspect sites to determine compliance with a Soil Erosion and Sedimentation Control (SESC) Plan
- Document Inspection
- Identify Soil Erosion and Sedimentation Control Measures that are failing or require maintenance
- Identify areas where additional SESC measures may be necessary
- Report to landowner (or Comprehensive Certified individuals for employees or contractors for Part 91 Enforcing Agencies or Authorized Public Agencies) the findings of the inspection, including any corrective or additional action recommended
- Certified Construction Storm Water Operators may be the same person responsible for installing and maintaining the Soil Erosion and Sedimentation Control measures, however, this is not a required duty under the certification

Comprehensive Soil Erosion & Sedimentation Control (SESC) Certification Plan Review and Design allows you to:

- Review and/or design Soil Erosion and Sedimentation Control Plans
- Make final decisions regarding Soil Erosion and Sedimentation Control Permit issuance or denial
- Make determinations on whether or not to pursue enforcement action for noncompliance with Part 91
- Make plan updates as an employee or contractor for an Authorized Public Agency or request plan updates of permittees
- Review and/or Design Soil Erosion and Sedimentation Control Measures or make determinations that design assistance is needed for Soil Erosion and Sedimentation Control Measures (e.g. sediment basins, diversions, riprap sizing, etc.)

Roll call vote:

Askew: AYE
Boze: AYE
Burlson: AYE
Moffat: AYE
Kinney: AYE
POLICY ADOPTED.

Bishop discussed the ballot proposal from the Michigan County Road Commission Self-Insurance Pool. County Departments that have assumed the roles and functions of a Road Commission have requested to join the Pool as associate members to participate in the Pool's work on a "limited, but very important basis". This would require a revision to the bylaws. Discussion by Board noting the limited substantive proposed revisions in the bylaws. Motion by Boze, seconded by Burlson to mark the Ballot "Yes" so as to allow the revisions to the bylaws, as proposed.

Roll call vote:

Askew: AYE
Boze: AYE
Burlson: AYE
Moffat: AYE
Kinney: AYE
MOTION CARRIED.

Discussion held by Bishop relating to the Plat of Cedar Shores No. 2. Motion by Moffat, seconded by Burlson to adopt the following Resolution:

RESOLUTION 2020-37

WHEREAS, the Plat of Cedarama Shores No. 2 in Porter Township was “adopted into the County Road System” by the Board of County Road Commissioners of Van Buren County on July 12, 1972; HOWEVER, the Act 51 certification mileage by the Board of County Road Commissioners has never included the Plat’s road mileage (522’) in its certification to the Michigan Department of Transportation; and,

WHEREAS, Porter Township Board has provided the Van Buren County Road Commission with a Resolution unanimously requesting that Cedarama Drive in Cedarama Shores No. 2 be “re-certified”, or included in the Board of County Road Commissioners’ Act 51 certification mileage to the Michigan Department of Transportation.

NOW, THEREFORE, BE IT HEREBY RESOLVED that the Board of County Road Commissioners’ Act 51 certification mileage to the Michigan Department of Transportation be corrected to include the Plat of Cedarama Shores No. 2 as follows: Cedarama Drive from Cedar Lake Avenue East 522’, including the cul-de-sac.

Roll call vote:

Askew: AYE
Boze: AYE
Burlison: AYE
Moffat: AYE
Kinney: AYE

RESOLUTION ADOPTED.

Commissioner Updates and Reports

Askew: Met with Covert Township by Zoom. Met with Geneva Township. Met with Bangor Township.

Boze: Attended Hamilton Township on the 8th. Attended Lawrence and Hartford Township on the 10th.

Burlison: Talked with Columbia Township and Bloomingdale Township supervisors.

Kinney: Contacted Arlington, Decatur, Paw Paw and Waverly Townships. Remote KATS Policy Committee meeting yesterday.

Moffat: Attended no township meetings last month.

Chairman Kinney opened the meeting to Second Public Comment. None was received.

Motion by Boze, seconded by Askew to adjourn the Call of the Chair at 5:55 PM.

Roll call vote:

Askew: AYE
Boze: AYE
Burlison: AYE
Moffat: AYE
Kinney: AYE

MOTION CARRIED.

Jill Brien

Board Secretary

Gregory H. Kinney

Board Chairman