

Van Buren County Board of Road Commissioners

September 14, 2022 - Regular Meeting

BE IT REMEMBERED: That on the 14th day of September, 2022 at 6:00 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, 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:

Brian Lee, 5/3 Institutional Services
Joanne Desiniotes, 5/3 Institutional Services
Kurt Doroh, County Commissioner
Mike Chappell, County Commissioner
Dan Hice
Dennis Hice
Mike Phillips
Jarred Dykstra, Red Arrow Dairy
Kieth Dykstra, Red Arrow Dairy
Michelle Ziemer, Ziemer Farms
Kendall Ziemer, Ziemer Farms
John F. Fouth

Vice-Chairman Askew called the meeting to order at 6:00 PM.

Motion by Kinney to delete item 9F, Managing Director Retirement/Hiring Process and all its attachments from the Agenda and postpone discussion until the appointment of a fifth Road Commissioner. The motion was seconded by Burleson. A discussion ensued with regard to the hiring process, to which Rader provided additional information for the Board.

Roll call vote:

Askew: NAY
Boze: NAY
Burleson: AYE
Kinney: AYE

MOTION NOT CARRIED.

Motion by Kinney to add item 3A, Change in Regular Meeting Schedule, to the proposed Agenda. The motion was seconded by Boze.

AYES: 4
NAYS: 0
MOTION CARRIED.

Motion by Boze, seconded by Kinney to approve the revised Agenda.

AYES: 4
NAYS: 0
MOTION CARRIED.

The Board discussed resuming to two meetings per month for October, November and December due to potential additional business. Motion by Burleson, seconded by Boze to revise the Regular Meeting Schedule as follows:

October 6 and 20
November 3 and 23
December 1 and 15

Meetings begin at 5 PM, unless otherwise noticed.

AYES: 4
NAYS: 0
MOTION CARRIED.

Brian Lee and Joanne Desiniotes from Fifth Third Institutional Services introduced themselves to the Board and those present. Brian Lee presented a review of the economy and markets, as well as the Road Commission's Asset Allocation Summary, including risk posture and asset classes. The Board asked questions, which were responded to by Mr. Lee. The Board thanked Fifth Third representatives for the presentation and they exited the meeting at 6:37 PM.

Motion by Boze, seconded by Burleson to approve the minutes of the August 3, 2022 regular meeting as presented by the Board Secretary.

AYES: 4
NAYS: 0
MOTION CARRIED.

The Vice-Chairman opened the meeting to first public comment. Dennis Hice introduced himself to the Board. He asked why the Road Commission is "mowing crops down"?

Managing Director Bishop advised that Public Comment is a time designated during the meeting for the Board to hear public concerns, and that if a response is deemed to be required, that it will be done in writing to keep the message consistent.

Dennis Hice, Dan Hice, Michelle Ziemer, John Fouth, Kieth Dykstra, Mike Phillips, Jared Dykstra, and Kieth Dykstra, all local farmers, each individually voiced similar concerns to the Board specifically with regard to the Road Commission's mowing of crops in the road right-of-way. They shared their "disappointment" in the Road Commission's decision to mow crops, especially on "straight through" roads where there is not an intersection. As a whole, they felt that better communication from the Road Commission should have taken place prior to the mowing. In addition, as a whole they felt that they had provided in-kind services to the Road Commission that may not happen any more given the current position of the Road Commission.

Dan Hice also thanked the Road Commission for all of the paving accomplished by the Road Commission this season.

The group of local farmers all left the meeting at which time their contact information was gathered by Rader.

Bishop presented the following Staff Report:

1. Our Asset Management Plan has been reviewed. MDOT would like one point clarified as "coordination of efforts shall include input from public utilities and other interested parties who utilize the public Right of Way". This will be added and resubmitted.
2. A reminder, Starting October our Road Commission meetings move to Thursdays at 5:00. We go back to five days a week October 3.
3. The County Board of Commissioners interviewed six (6) applicants for the open Road Commissioner position on September 6.
4. The soil boring work for the proposed addition to the Administrative Building showed a water table at five (5) feet so no basement will be installed. We are meeting with Kingscott on September 15 to discuss alternative plans.
5. I have received many good comments on the presentation by Bill Henn at the Supervisors meeting.
6. Red Arrow Highway from Lawrence Village Limits west should start September 19.

Bishop also reviewed a Van Buren County Road Commission 2022 Sealcoat Program Statistics handout with the Board.

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

Voucher #2267	\$1,168,335.80	Accounts Payable
Voucher #2268	\$168,770.70	Payroll
Voucher #2269	\$2,058,219.67	Accounts Payable
Voucher #2270	\$169,733.26	Payroll
Voucher #2271	\$1,728,265.55	Accounts Payable
Voucher #2272	\$162,441.79	Payroll

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

AYES: 4
 NAYS: 0
 MOTION CARRIED.

Motion by Boze, seconded by Kinney to correct the minutes of the July 28, 2022 Special Session to reflect that Commissioner Askew was "absent" from said meeting.

AYES: 4
 NAYS: 0
 MOTION CARRIED.

Rader presented the 2022 Operating Budget Adjustment. Motion by Boze, seconded by Askew to approve the September 2022 Operating Budget Adjustment as presented by Finance Director Rader as follows:

2022 Operating Budget
 September 2022 Budget Adjustment

Revenue	September 14, 2022	March 3, 2022	Difference
AOF - January 1, 2022	\$ 11,075,692.49	\$ 11,152,956.25	\$ (77,263.76)
Michigan Transportation Fund (MTF)			
Engineering	\$ 10,000.00	\$ 10,000.00	\$ -
Primary	\$ 6,400,000.00	\$ 6,400,000.00	\$ -
Local	\$ 4,095,000.00	\$ 4,095,000.00	\$ -
Primary Urban	\$ 490,000.00	\$ 490,000.00	\$ -
Local Urban	\$ 220,000.00	\$ 220,000.00	\$ -
Total MTF	\$ 11,215,000.00	\$ 11,215,000.00	\$ -
Other State Revenue			
State Aid - Snow Funds	\$ 80,000.00	\$ 80,000.00	\$ -
State Aid - Economic Development	\$ -	\$ -	\$ -
State Aid - Bridges	\$ 260,934.40	\$ 182,444.00	\$ 78,490.40
State Aid - Supplemental Road Funding	\$ -	\$ -	\$ -
State Aid - Other (Community Stabilization)	\$ 94,907.27	\$ -	\$ 94,907.27
Total Other State Funding	\$ 435,841.67	\$ 262,444.00	\$ 173,397.67
Federal Funds			
Federal Aid - Secondary	\$ -	\$ -	\$ -
Federal Aid - Safety HRRR	\$ -	\$ -	\$ -
Federal Aid - Bridges	\$ -	\$ -	\$ -
Federal Aid - STP	\$ -	\$ 314,000.00	\$ (314,000.00)
Federal Aid - CMAQ/Other	\$ -	\$ -	\$ -
Total Federal Aid	\$ -	\$ 314,000.00	\$ (314,000.00)
Property Taxes			
County Wide Millage	\$ 2,605,440.00	\$ 2,650,000.00	\$ (44,560.00)

	September 14, 2022	March 3, 2022	Difference
County Appropriation	\$ -	\$ -	\$ -
Township Contributions	\$ 8,100,000.00	\$ 3,543,805.50	\$ 4,556,194.50
Other Revenues (Interest, Gain on Equip, etc.)	\$ 375,000.00	\$ 375,000.00	\$ -
Total Revenue including AOF	<u>\$ 33,806,974.16</u>	<u>\$ 29,513,205.75</u>	<u>\$ 4,293,768.41</u>

Expenditures

	September 14, 2022	March 3, 2022	Difference
Heavy Maintenance			
Primary Roads	\$ 4,495,400.00	\$ 5,618,937.00	\$ (1,123,537.00)
Primary Structures	\$ 349,168.00	\$ 251,055.00	\$ 98,113.00
Local Roads	\$ 5,200,000.00	\$ 2,100,000.00	\$ 3,100,000.00
Local Structures	\$ 12,000.00	\$ 6,000.00	\$ 6,000.00
Total Heavy Maintenance	<u>\$ 10,056,568.00</u>	<u>\$ 7,975,992.00</u>	<u>\$ 2,080,576.00</u>

Maintenance

Primary Roads			
General Maintenance	\$ 900,000.00	\$ 900,000.00	\$ -
Traffic Services	\$ 100,000.00	\$ 100,000.00	\$ -
Snow & Ice Control	\$ 1,000,000.00	\$ 900,000.00	\$ 100,000.00
Special Maintenance	\$ 2,989,300.00	\$ 2,800,000.00	\$ 189,300.00
Projects			
Routine Structure	\$ 5,000.00	\$ 5,000.00	\$ -
Maintenance			
Local Roads			\$ -
General Maintenance	\$ 1,500,000.00	\$ 1,500,000.00	\$ -
Traffic Services	\$ 100,000.00	\$ 100,000.00	\$ -
Snow & Ice Control	\$ 1,450,000.00	\$ 1,300,000.00	\$ 150,000.00
Special Maintenance	\$ 4,100,000.00	\$ 2,550,000.00	\$ 1,550,000.00
Projects			
Routine Structure	\$ 10,000.00	\$ 10,000.00	\$ -
Maintenance			
Disaster Contingency	\$ 5,000.00	\$ 5,000.00	\$ -
Total Maintenance	<u>\$ 12,159,300.00</u>	<u>\$ 10,170,000.00</u>	<u>\$ 1,989,300.00</u>

Other Expenses

Administration	\$ 950,000.00	\$ 950,000.00	\$ -
Interest Expense	\$ -	\$ -	\$ -
Long-Term Debt Payments	\$ -	\$ -	\$ -
Net Capital Outlay	\$ 1,605,767.00	\$ 2,058,755.00	\$ (452,988.00)
Net Equipment Expense	\$ 500,000.00	\$ 200,000.00	\$ 300,000.00
Distributive Expense	\$ 3,250,000.00	\$ 3,100,000.00	\$ 150,000.00
Adjustments to Fund	\$ -	\$ -	\$ -
Balance			
Total Other Expenses	<u>\$ 6,305,767.00</u>	<u>\$ 6,308,755.00</u>	<u>\$ (2,988.00)</u>

	September 14, 2022	March 3, 2022	Difference
Total Expenditures	\$ 28,521,635.00	\$ 24,454,747.00	\$ 4,066,888.00
Operating Fund Balance	\$ 5,285,339.16	\$ 5,058,458.75	\$ 226,880.41
Total Expenditures & Fund Balance	<u>\$ 33,806,974.16</u>	<u>\$ 29,513,205.75</u>	<u>\$ 4,293,768.41</u>

AYES: 4
 NAYS: 0
 MOTION CARRIED.

Rader presented the 2023 preliminary budget and asked the Commissioners to review and understand it prior to the Public Hearing to be held in December. Questions were asked by the Board about proposed upcoming road projects, which were responded to by Rader. Rader clarified that no motion is required at this time.

The Board decided, by general consensus, to move agenda item 9I, Updated Road Commission Logo, as the next agenda item as the new logo appears on the next agenda item, Strategic Plan, proposed to be adopted by the Board.

Bishop presented an updated logo, which he believes reflects the Road Commission's purpose. The Board was concerned about the cost to change the logo, and a slow "roll-out" approach was suggested. Motion by Kinney, seconded by Burleson not to adopt the new logo, as presented.

Roll Call vote:

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

The Board relayed that it would like to see a new square or rectangle logo brought back to a future meeting removing the deer and fruit and replacing them with a truck with a snow plow.

The proposed Strategic Plan was presented by Bishop as the proposed plan that the agency would utilize as a guideline to make decisions and set goals moving into the future. The Board requested that the "Mission" be revised as follows: The mission of the Van Buren County Road Commission is to provide a safe and reliable transportation system. Motion by Boze, seconded by Burleson to approve the Van Buren County Road Commission's Strategic Plan, as revised, and using the "old" logo.

AYES: 4
NAYS: 0
MOTION CARRIED.

Bishop relayed the cost estimates to repair the blown motor in the 1987 International Dump Truck (Unit #138), which include replacing the block, rebuilding the fuel pump, the turbo and all of the injectors, including in-house shop time to make the switch, estimated to be approximately \$23,000.00. This is a fraction of the replacement price of over \$185,000.00. Bishop recommended moving forward with the necessary repairs as a "sole source" option as these motors are becoming very difficult to find. Motion by Boze, seconded by Burleson to approve the repairs to the 1987 International Dump Truck (Unit #138) in the approximate amount of \$23,000.00 as the only (sole source) option.

AYES: 4
NAYS: 0
MOTION CARRIED.

Bishop discussed his upcoming retirement on February 28, 2023 and the proposals before the Board for the hiring process, including promotions from within, a search utilizing Road Commission resources (advertisements, postings, etc.), utilizing a recruiting firm or facilitator, or any combination of the options. Motion by Kinney to use the same process used to hire Dan Bishop as Managing Director to hire a replacement Managing Director. The motion was seconded by Burleson. Questions were asked by the Board regarding the previous process used, documents the Board would need or currently has, etc., which were responded to by Rader.

Roll Call vote:

Askew: NAY

Boze: NAY

Burleson: AYE

Kinney: AYE

MOTION NOT CARRIED.

Vice-Chairman Askew requested that the Board carefully review the contents of the binder, including options presented, and return to the next meeting ready to discuss. The Board requested a written summary of the process used to hire Managing Director Bishop available for the next meeting.

(Anttila experiencing technical difficulties with audio).

Bishop presented information to the Board regarding the public opening of bids for heavy maintenance on 70th Street from 500' South of 2nd Avenue to the Black River Bridge in Geneva Township. The low bidding contractor is Brad Thomas Excavating at \$98,020.30. Motion by Boze, seconded by Kinney to award the bid for clearing and drainage corrections on 70th Street in Geneva Township to the as-read low bidding contractor, Brad Thomas Excavating, in the best interest of the Van Buren County Road Commission and Geneva Township, contingent upon approval by the Township.

AYES: 4

NAYS: 0

MOTION CARRIED.

Bishop discussed the public bid opening for clearing and restoration on 46th Street from 72nd Avenue to 64th Avenue in Paw Paw Township. Brucks provided responses to questions asked by the Board regarding the as-read low bidding contractor, Tree Tech LLC, at \$92,620.00. Motion by Boze, seconded by Askew to award the bids for clearing and restoration on 46th Street in Paw Paw Township to the as-read low bidding contractor, Tree Tech LLC, in the best interest of the Van Buren County Road Commission and Paw Paw Township, contingent upon approval by the Township.

AYES: 4

NAYS: 0

MOTION CARRIED.

Anttila relayed public bid opening information to the Board for work on 30th Street in Alma Township. He recommended award to the low bidding, Michigan Paving and Materials Company, at \$1,656,115.00 upon approval by the Township. Motion by Boze, seconded by Burleson to award the bid for heavy maintenance work on 30th Street from CR653 to M43, Alma Township, to the as-read low bidding contractor, Michigan Paving and Materials Company, in the best interest of the Van Buren County Road Commission and Alma Township, contingent upon approval by the Township.

AYES: 4

NAYS: 0

MOTION CARRIED.

Brucks provided discussion regarding the public bid opening for Ice Control Sand. While only one bid was received, Brucks relayed that there seems to be more interest from bidders that, for a variety of reasons, did not submit timely bids. It was Brucks' recommendation, in the best interest of the Van Buren County Road Commission and the taxpayers of Van Buren County, to reject the one bid received and to re-let Ice Control Sand for bid for a more competitive bidding process. Bishop discussed the escalating cost of fuel with the Board, and options for bidders in this regard. Motion by Boze, seconded by Kinney to reject the bid received from Top Grade Site Management for ice control sand, and to re-let for bid with a fuel surcharge or fuel escalator clause, for reconsideration by the Board in October, in the best interest of the Van Buren County Road Commission.

AYES: 4
NAYS: 0
MOTION CARRIED.

Brucks presented the public bid opening results for Cold Patching Material. Questions were asked by the Board regarding the Total Patcher which were responded to by Brucks. Motion by Boze, seconded by Burleson to award the bid for Cold Patching Material to all bidding contractors with Lakeland Asphalt Corp. as primary supplier, in the best interest of the Van Buren County Road Commission.

AYES: 4
NAYS: 0
MOTION CARRIED.

The MDOT Performance Resolution for Municipalities was reviewed by Anttila. The MDOT has revised the Resolution to remove the word "utility" from "Municipal Utility" and is requiring that new resolutions be adopted. Motion by Boze seconded by Burleson to adopt Resolution 2022-13, Performance Resolution for Municipalities, authorizing the Highway Engineer and Engineering Technician positions to apply to the MDOT for the necessary permit to work within State Highway Right of Way on behalf of the Van Buren County Road Commission.

AYES: 4
NAYS: 0
MOTION CARRIED.

*A copy of the Performance Resolution for Municipalities is on file at the Road Commission Administrative Office and is available for inspection upon request.

Motion by Boze, seconded by Askew to adopt the following Resolution authorizing Boshop and Anttila to execute MDOT Contract for work on CR687, Keeler Township:

RESOLUTION 2022-14

BE IT RESOLVED: That the Managing Director, Daniel F. Bishop, and the Highway Engineer, Barry Anttila, are hereby AUTHORIZED to execute M.D.O.T. Contract No. 22-5413; Control Section HIC 80000; Job Number 212914CON for work as follows:

Hot mix asphalt base crushing, shaping and paving along County Road 687 from 90th Avenue to County Road 342/92nd Avenue, including clearing, machine grading, trenching, aggregate base, aggregate shoulder, culverts, concrete curb and gutter and spillway, riprap, permanent signing and pavement markings; and all together with necessary related work.

AYES: 4
NAYS: 0
RESOLUTION ADOPTED.

Commissioner Updates and Reports:

- Greg Kinney - July 14, Decatur Township; July 28, Van Buren County Road Commission Special Session; August 8, Southwest Council Meeting; August 11, Decatur Township.
- Doug Burleson - September 7, Pine Grove Township; August 25, Township Supervisors Meeting. Discussion held regarding the Township Supervisors' Meeting and comments received.
- Rick Boze - September 6, Keeler Township; September 8, Lawrence Township; September 8, Hartford Township, September 13, Hamilton Township.

Additional discussion held regarding encroachments, such as future plans for public notification, past and future practices, etc.

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

Motion by Boze, seconded by Kinney to adjourn the Call of the Chair at 8:27 PM.

AYES: 4

NAYS: 0

MOTION CARRIED.

Board Secretary

Chairman