

Van Buren County Board of Road Commissioners

August 5, 2020

Regular Meeting - Administrative Office, Lawrence, Michigan

BE IT REMEMBERED: That on the 5th day of August, 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 Boze, Burleson, Kinney, and Moffat
Managing Director Dan Bishop
Finance Director Linnea Rader
Highway Engineer Barry Anttila
Operations Director Greg Brucks
Administrative Assistant-Board Secretary Jill Brien

GUESTS PRESENT VIA TELECONFERENCE:

Mike Chappell, County Commissioner
Daniel Ruzick, Antwerp Township Supervisor
Donald Stull, Paw Paw Township Supervisor
Chris Oxley, Porter Township Supervisor
Lori Johnson, Keeler Township Resident
Bill Van Tassel, Alma Township Supervisor

ABSENT:

Road Commissioner Askew (absent with regrets)

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

Askew: ABSENT
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.

Motion by Moffat, seconded by Boze to approve the Agenda.

Roll call vote:

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

Motion by Boze, seconded by Moffat to approve the Minutes of the July 8, 2020 meeting as presented by the Board Secretary.

Roll call vote:

Askew: ABSENT
Boze: AYE
Burlison: AYE
Moffat: AYE
Kinney: AYE
MOTION CARRIED.

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

Managing Director's Report was provided by Bishop as follows:

- Re-started meetings with the Township Supervisors.
- Spoke with County Administrator regarding whether the Road Commission could assist the South Haven Convention Bureau in developing a kayak launch.
- Update regarding encroachment at Yore Place Campground.
- Anticipating first review of draft Asset Management Plan at September Board meeting.
- Working on feasibility study regarding Road Commission facilities.
- Red Arrow Highway mill and fill from 28th Street West to Paw Paw Village limits should begin at the end of August/early September.
- CR388 paving should begin some time mid-August from the railroad tracks in Grand Junction to CR384 and 46th Street from CR388 to CR390 in Columbia/Bloomington Townships, and from CR689/71.50th Street to 62nd Street, South Haven/Geneva Township.
- Sealcoat continues after a delay due to mechanical breakdowns.
- Silver Lake Road culvert replacement, Columbia Township, has a completion date of September 1st.
- 64th Street between CR380 and 16th Avenue, Geneva Township, pipe replacement began on July 27th.
- Working to improve technology and communications with the Bloomington Garage through installation of fiberoptic lines.
- Rader and Bishop are currently reviewing and breaking down into details revenues and expenses in order to get a multi-year look and thereby provide budget recommendations.
- Board returns to two regular meetings per month beginning in October. Discussion held regarding possibility of remaining on the current schedule of one regular meeting per month. General consensus was to return to the schedule of two regular meetings per month beginning in October.
- The status of the Drain Commissioner's project in Scott Shores was discussed.
- Anticipate that the unit that tipped over in the swamp will be a total loss.
- A/C units have been replaced in the Administrative Office.
- Finalizing list of excess equipment for the auction to take place in approximately September.
- New loader has been delivered.

Bishop updated the Board regarding the following Vouchers relating to certain vendor payments. Questions were asked which were responded to by Bishop.

Voucher #2158	\$364,548.88
Voucher #2159	\$133,152.96
Voucher #2160	\$1,085,817.19
Voucher #2161	\$134,398.27

Information regarding the public bid opening for the purchase, installation, service, maintenance and repair of a Two-Way Digital Radio and GPS System was provided to the Board by Bishop. Technology was explained, as well as pricing and savings. Benefits and advantages were also discussed by Rader, including combined services of GPS and radio units at a significant cost savings over time. Motion by Boze, seconded by Burlison to award to Horizon Broadband, the low bidding contractor, in the best interest of the Van Buren County Road Commission.

Roll call vote:

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

Information regarding the Seasonal Back-up Snow Plowing bid for Subdivisions was provided to the Board by Brucks. Motion by Moffat, seconded by Boze to award to J.C. & Sons, in the best interest of the Van Buren County Road Commission.

Roll call vote:

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

Brucks provided information to the Board regarding bids received for work on CR690, Little Crooked Lake Launch, Keeler Township, to include the removal of the existing catch basin, and installation of new catch basins and culverts. Upon recommendation, it was moved by Boze, seconded by Burleson to award to Krohn Excavating, the low bidding contractor, in the best interest of the Van Buren County Road Commission.

Roll call vote:

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

Discussions held by Brucks regarding bids received for the removal of existing culverts and catch basins, and the installation of new catch basins and culverts at the intersection of 34th Avenue and West Street, Covert Township. Upon recommendation, it was moved by Moffat, seconded by Boze to award to the low bidding contractor, Compton, Inc., in the best interest of the Van Buren County Road Commission, pending receipt of a signed program sheet from Covert Township.

Roll call vote:

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

Bishop discussed the proposed decertification of a segment of 50th Street in Hamilton Township. Upon motion by Boze, seconded by Moffat the following Resolution was adopted:

RESOLUTION 2020-33

WHEREAS, 50th Street from 72nd Avenue South 0.72 mi. in Hamilton Township appears on the Certification Maps of the Van Buren County Road Commission; however, the roadway:

1. Is not constructed to Road Commission standards;
2. Is not used, worked on or maintained by public authorities;
3. Does not exist, and is not currently open to traffic.

NOW, THEREFORE, BE IT RESOLVED that 50th Street from 72nd Avenue South 0.72 mi. in Hamilton Township, Van Buren County, Michigan is deleted for Act 51 Transportation funds, as recommended by Staff.

IT IS FURTHER RESOLVED that the Board of County Road Commissioners does not herein relinquish, or in any way abandon the public right of way on 50th Street in Hamilton Township, as described above.

Roll call vote:

Askew: ABSENT
Boze: AYE
Burleson: AYE
Moffat: AYE
Kinney: AYE
RESOLUTION ADOPTED.

Discussion held by Bishop regarding the proposed decertification of a segment of 56.50th Street in Hamilton Township. Motion by Boze, seconded by Burleson to adopt the following Resolution:

RESOLUTION 2020-34

WHEREAS, 56.50th Street from 92nd Avenue North 0.27 mi. and West 0.08 mi. in Hamilton Township appears on the Certification Maps of the Van Buren County Road Commission; however, the roadway:

1. Is not constructed to Road Commission standards;
2. Is not used, worked on or maintained by public authorities;
3. Does not exist, and is not currently open to traffic.

NOW, THEREFORE, BE IT RESOLVED that 56.50th Street from 92nd Avenue North 0.27 mi. and West 0.08 mi. in Hamilton Township, Van Buren County, Michigan is deleted for Act 51 Transportation funds, as recommended by Staff.

IT IS FURTHER RESOLVED that the Board of County Road Commissioners does not herein relinquish, or in any way abandon the public right of way on 56.50th Street in Hamilton Township, as described above.

Roll call vote:

Askew: ABSENT
Boze: AYE
Burleson: AYE
Moffat: AYE
Kinney: AYE
RESOLUTION ADOPTED.

Bishop provided information to the Board regarding the proposed decertification of a segment of 91st Avenue in Hamilton Township. Upon motion by Moffat, seconded by Burleson the following Resolution was adopted:

RESOLUTION 2020-35

WHEREAS, 91st Avenue from 46th Street West 0.20 mi. in Hamilton Township appears on the Certification Maps of the Van Buren County Road Commission; however, the roadway:

1. Is not constructed to Road Commission standards;
2. Is not used, worked on or maintained by public authorities;
3. Does not exist, and is not currently open to traffic.

NOW, THEREFORE, BE IT RESOLVED that 91st Avenue from 46th Street West 0.20 mi. in Hamilton Township, Van Buren County, Michigan is deleted for Act 51 Transportation funds, as recommended by Staff.

IT IS FURTHER RESOLVED that the Board of County Road Commissioners does not herein relinquish, or in any way abandon the public right of way on 91st Avenue in Hamilton Township, as described above.

Roll call vote:

Askew: ABSENT

Boze: AYE

Burleson: AYE

Moffat: AYE

Kinney: AYE

RESOLUTION ADOPTED.

Bishop discussed periodic requests received by the Road Commission from various townships requesting involvement in the preliminary design of road improvement projects, as well as the preparation of bidding specifications and the letting of these projects for bid. In the past the Road Commission has sought recommendations of legal counsel in order to work with the Townships to accomplish this in a way that does not abdicate the Road Commission's statutory duties under the McNitt Act. Bishop proposed the following Agenda Statement to the Board which, if passed by the Board, would allow the preliminary design and construction engineering to be performed outside of the Road Commission as follows:

Per a letter submitted by the Road Commission dated February 23, 2017, the Van Buren County Road Commission cannot abdicate its authority/responsibility for maintaining and/or improving roads or control over the Rights of Way. However, in an effort to provide quality services to the taxpayers and public of Van Buren County, the Van Buren County Road Commission could allow preliminary design and construction engineering to be performed by a qualified engineer as long as the following conditions are met:

- **All design plans must be submitted and approved by the Van Buren County Road Commission, and must comply with current engineering standards.**
- **All projects must be let for bid through the Van Buren County Road Commission. The Township's engineer may prepare the bid documents; however, they must be in accordance with Van Buren County Road Commission standards.**
- **All contracts for work performed in the County Road right of way must be with the Van Buren County Road Commission.**
- **Final inspections must be coordinated and approved by the Van Buren County Road Commission.**
- **The Township will pay their engineer for all engineering work. County-wide road millage funds cannot be used to pay for this engineering work.**

We look forward to working with our Township partners in creating a safe and efficient transportation system throughout Van Buren County as outlined in the Township Transportation Partners Booklet.

Dan Ruzick, Antwerp Township Supervisor, addressed the Board requesting information regarding the Township's ability to award projects to a contractor other than the low bidding contractor. Bishop and Rader responded and discussed the Board's ability to award to lowest "responsible" contractor, but also the Township's ability to select a contractor through procedures as set forth in the Township Transportation Partners Booklet. Discussions held regarding examples of other Townships having made decisions in the past to award projects to contractors other than the low bidding contractor. Motion by Moffat to approve the recommendation of the Managing Director to allow individual townships to prepare preliminary engineering plans for road improvements, maintenance, and enhancements under the conditions in the Managing Director's Agenda Statement. Motion was seconded by Boze. Bill VanTassel, Supervisor of Almena Township, addressed the Board to relay his support of the proposal.

Roll call vote:

Askew: ABSENT

Boze: AYE

Burleson: AYE

Moffat: AYE

Kinney: AYE

MOTION CARRIED.

Chairman Kinney addressed the Board regarding consideration of the Managing Director's

six-month step increase based upon the standard of “acceptable performance” or “meets expectations”. Motion by Kinney to approve the Managing Director’s step increase to be effective August 3, 2020. Motion was seconded by Boze.

Roll call vote:

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

The 2020 Budget Adjustment was presented by Rader. Moffat commented that COVID-19 has significantly impacted the Road Commission through a reduction in revenue of over \$1M. Motion by Boze, seconded by Moffat to approve the 2020 Budget Adjustment as follows:

**Van Buren County Road Commission
 2020 Operating Budget
 August, 2020 Budget Adjustment**

Revenue	August, 2020	April, 2020	Difference
AOF - January 1st, 2019	\$ 11,570,406.74	\$ 11,200,000.00	\$ 370,406.74
Michigan Transportation Fund (MTF)			
Engineering	\$ 10,000.00	\$ 10,000.00	\$ -
Primary	\$ 5,503,217.48	\$ 6,040,000.00	\$ (536,782.52)
Local	\$ 3,580,175.10	\$ 3,970,000.00	\$ (389,824.90)
Primary Urban	\$ 426,223.68	\$ 480,000.00	\$ (53,776.32)
Local Urban	\$ 180,260.69	\$ 200,000.00	\$ (19,739.31)
Total MTF	\$ 9,699,876.95	\$ 10,700,000.00	\$ (1,000,123.05)
Other State Revenue			
State Aid - Snow Funds	\$ 70,000.00	\$ 79,000.00	\$ (9,000.00)
State Aid - Economic Development	\$ 105,000.00	\$ 105,000.00	\$ -
State Aid - Bridges	\$ -	\$ -	\$ -
State Aid - Supplemental Road Funding	\$ -	\$ -	\$ -
State Aid - Other (Safety, Grants, etc)	\$ -	\$ -	\$ -
Total Other State Funding	\$ 175,000.00	\$ 184,000.00	\$ (9,000.00)
Federal Funds			
Federal Aid - Secondary		\$ -	\$ -
Federal Aid - Safety HRRR	\$ -	\$ -	\$ -
Federal Aid - Bridges	\$ 626,054.75	\$ 626,054.75	\$ -
Federal Aid - STP	\$ 898,000.00	\$ 898,000.00	\$ -
Federal Aid - CMAQ/Other	\$ 260,000.00	\$ 260,000.00	\$ -
Total Federal Aid	\$ 1,784,054.75	\$ 1,784,054.75	\$ -
Property Taxes			
County Wide Millage	\$ 2,550,000.00	\$ 2,550,000.00	\$ -
County Appropriation	\$ -	\$ -	\$ -
Township Contributions	\$ 4,211,938.52	\$ 3,955,088.75	\$ 256,849.77
Other Revenues (Interest, Gain on Equip, etc.)	\$ 285,000.00	\$ 285,000.00	\$ -
Total Revenue including AOF	<u>\$ 30,276,276.96</u>	<u>\$ 30,658,143.50</u>	<u>\$ (381,866.54)</u>

Van Buren County Road Commission
2020 Operating Budget
August, 2020 Budget Adjustment

Expenditure	August, 2020	April, 2020	Difference
Heavy Maintenance			
Primary Roads	\$ 5,839,349.13	\$ 5,914,838.00	\$ (75,488.87)
Primary Structures	\$ 319,455.00	\$ 319,455.00	\$ -
Local Roads	\$ 2,606,200.00	\$ 2,200,000.00	\$ 406,200.00
Local Structures	\$ 448,550.00	\$ 448,550.00	\$ -
Total Heavy Maintenance	\$ 9,213,554.13	\$ 8,882,843.00	\$ 330,711.13
Maintenance			
Primary Roads			
General Maintenance	\$ 850,000.00	\$ 850,000.00	\$ -
Traffic Services	\$ 200,000.00	\$ 200,000.00	\$ -
Snow & Ice Control	\$ 700,000.00	\$ 700,000.00	\$ -
Special Maintenance Projects	\$ 2,664,000.00	\$ 2,852,000.00	\$ (188,000.00)
Routine Structure Maintenance	\$ 5,000.00	\$ 5,000.00	\$ -
Local Roads			\$ -
General Maintenance	\$ 1,300,000.00	\$ 1,300,000.00	\$ -
Traffic Services	\$ 200,000.00	\$ 200,000.00	\$ -
Snow & Ice Control	\$ 1,100,000.00	\$ 1,100,000.00	\$ -
Special Maintenance Projects	\$ 2,400,000.00	\$ 2,500,000.00	\$ (100,000.00)
Routine Structure Maintenance	\$ 10,000.00	\$ 10,000.00	\$ -
Disaster Contingency	\$ 5,000.00	\$ 5,000.00	\$ -
Total Maintenance	\$ 9,434,000.00	\$ 9,722,000.00	\$ (288,000.00)
Other Expenses			
Administration	\$ 850,000.00	\$ 850,000.00	\$ -
Interest Expense	\$ 12,000.00	\$ 12,000.00	\$ -
Long-Term Debt Payments	\$ 405,000.00	\$ 405,000.00	\$ -
Net Capital Outlay	\$ 1,542,860.00	\$ 1,888,860.00	\$ (346,000.00)
Net Equipment Expense	\$ 200,000.00	\$ 200,000.00	\$ -
Non-Road Improvement (Evergreen Bluff)	\$ -	\$ -	\$ -
Distributive Expense	\$ 2,900,000.00	\$ 2,900,000.00	\$ -
Adjustments to Fund Balance	\$ -	\$ -	\$ -
Total Other Expenses	\$ 5,909,860.00	\$ 6,255,860.00	\$ (346,000.00)
Total Expenditures	\$ 24,557,414.13	\$ 24,860,703.00	\$ (303,288.87)
Operating Fund Balance	\$ 5,718,862.83	\$ 5,797,440.50	\$ (78,577.67)
Total Expenditures & Fund Balance	\$ 30,276,276.96	\$ 30,658,143.50	\$ (381,866.54)

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

The Annual Report FY2019 was presented by Rader. She explained that this revised format lays out the Road Commission's information in a more "people friendly" manner. Several Board Members presented comments and requests, as well as compliments. Motion by Boze, seconded by Burleson to approve the Annual Report FY2019 with corrections, as discussed.

Roll call vote:

Askew: ABSENT
Boze: AYE
Burlison: AYE
Moffat: AYE
Kinney: AYE
MOTION CARRIED.

Rader presented the Annual Certification of Employee-related Conditions as required to be filed by the Michigan Department of Transportation. Questions were asked and discussions held. Chairman Kinney authorized Managing Director to sign the Annual Certification on his behalf. Motion by Boze, seconded by Moffat to approve with requested name correction.

Roll call vote:

Askew: ABSENT
Boze: AYE
Burlison: AYE
Moffat: AYE
Kinney: AYE
MOTION CARRIED.

Bishop presented the COVID-19 Preparedness and Response Plan as required by Governor Whitmer's Executive Order 2020-114. This Plan incorporates more than that which is required by law, and takes into account the safety of employees and the public. Recommendations of the Pool have also been included in the Plan.

Commissioner Updates and Reports:

Askew (Written Report) On 7/9/20 met with Covert Township, Bangor Township and Geneva Township. On 7/10/20 met with South Haven Township.

Boze On 7/9/20 met with Lawrence Township and Hartford Township. On 7/14 met with Hamilton Township.

Burlison No meetings. In contact with Columbia Township and Bloomingdale Township Supervisors.

Kinney No report.

Moffat On 7/15/20 met with Almena Township.

The Chairman opened the meeting to Second Public Comment. Mike Chappell relayed his thanks for removal of the sign from his yard.

Discussion regarding attendance at Southwest District Council Meeting on Monday, August 11, 2020.

Motion by Boze, seconded by Moffat to adjourn the Call of the Chair at 6:07 PM.

Roll call vote:

Askew: ABSENT
Boze: AYE
Burlison: AYE
Moffat: AYE
Kinney: AYE
MOTION CARRIED.

Board Secretary

Board Chairman