

Van Buren County Board of Road Commissioners

July 12, 2023 - Regular Meeting

BE IT REMEMBERED: That on the 12th day of July, 2023 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 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:

Road Commissioner Askew (Excused)

GUESTS PRESENT:

Brian Lee, 5/3 Institutional Services
Kurt Doroh, County Commissioner
Mike Chappell, County Commissioner
Christina Martens, Savion
Garrett Ketchen, Savion
Ted Bobak
Ivona Tylka-Suleja
Larry Jarosz

Chairman Nelson called the meeting to order at 5:00 PM.

Motion by Boze seconded by Burleson to approve the Agenda.

YES: 4
NO: 0
ABSENT: 1
MOTION CARRIED.

Brian Lee of 5/3 Institutional Services presented a pension investment review for the Board and those present. Discussion held regarding reporting time periods. It was the general consensus of the Board to leave the reporting time as is. Mr. Lee exited the meeting following the presentation at 5:22 PM.

Motion by Burleson seconded by Nelson to approve the Minutes of the June 7, 2023 Regular Meeting as presented by the Board Secretary.

YES: 4
NO: 0
ABSENT: 1
MOTION CARRIED.

The Chairman opened the meeting to first public comment. Garrett Ketchen of Savion introduced himself and Christina Martens, permitting expert at Savion, to the Board. Savion is working on a renewable energy project south of Decatur in both Decatur and Hamilton Townships. The underlying ordinance supporting the project in Decatur Township is being challenged and will be voted upon in August. He encouraged the Board to speak with them following the meeting if there were any additional questions.

Ivona Tylka-Suleja requested information about any progress with regard to future work on CR376 in Arlington Township. Managing Director Witkowski will contact the Township Supervisor for additional follow-up.

Ted Bobak requested information about the ditch on CR681. Managing Director Witkowski will contact Mr. Bobak via phone following the meeting to discuss further.

Department Updates were provided as follows:

Finance and HR Department

Finance and HR Director Rader provided the following update:

- Shirt ordering update:

Shirt ordering is now live. Road Commissioners can select three items from the following link, that will be paid for by the Road Commission.

<https://www.looksharponline.com/vbcrc-award.htm>

If Commissioners would like additional items, they can order them and pay at this link:

<https://www.looksharponline.com/vbcrc.htm>

The order deadline is midnight on July 20, 2023. If anyone has any questions, please let me know.

- The 2023 Snowplow Road-eo and Employee Appreciation lunch has been scheduled for September 14, 2023. During the luncheon, we will be recognizing years of service for many Road Commission employees. We would love for Commissioners to attend and help recognize these employees. Also, if you're interested in helping judge the road-eo competition, we are always in need of help! Just let me know if you're willing and able to help that day.

- The 2023 suggestion program is live! We are looking forward to receiving ideas and input from our staff on various issues and situations. New this year we have provided a QR code so those that find using their phone to submit ideas can do so more easily. Paper forms are also available in all garages for those employees that prefer to utilize that method.

- As we have discussed on multiple occasions, our agency has an abundance of records that must be maintained. We are currently investigating options for an online document retention program that meets the requirements of the State of Michigan and would allow quick and easy access to records. Over the next month or two we hope to have a recommendation for the Board as to an effective solution.

- The next hearing for the case regarding Rene Rangel's death will be held September 22nd at 1:30pm. The Defense is filing to eliminate one of the 15-year felony charges. After that the trial is scheduled for October 31, 2023, beginning at 1pm in the Paw Paw Courthouse. At least three Road Commission staff members will be subpoenaed to appear.

- The Operating Budget is attached. This is run as of 7/10/2023 as noted.

- The following information was provided for the June Board meeting. Is there interest in moving forward with this type of project?

Options for online board packets have been investigated. The two options that were recommended and have been investigated are BoardBook and Board Effect. These options came from discussions with other Road agencies as well as the County Road Association (CRA).

- o BoardBook's annual cost is \$4,000

- o Board Effect's annual cost is \$6,500

Both options provide cloud-based subscriptions that Commissioners and Road Commission staff would log into to access agendas, board packet information, etc. Both are searchable and would have the capability to securely access Board information.

If the Board would like to proceed with the online board packets and go paperless, we would then need direction as to what type of device the Commissioners would like to utilize. In talking with other Road Commissions, options that are utilized regularly include:

- o Laptops (approx. \$600-800 for purchase and \$100 for set up per device). Not touch screen. Touch screen options would greatly increase the cost.

- o Surface Tablets (approx. \$700-1,000 for purchase and \$100 for set up per device). These are touch screen options.

- o iPads (approx. \$700-\$1500 for purchase and \$100-200 for set up per device). Touch screen option.

Devices would be housed at the Road Commission, with Road Commissioners accessing the software from their personal computers to see the agenda and board packet prior to meetings. The easiest to use and maintain option would be utilizing laptops. They would not be touch screen, but we could also purchase a mouse for each commissioner to make the process easier. The base cost for the lowest price options for both software and hardware would require an initial investment of at least \$8,500, and then an annual cost of \$4,000, plus device maintenance.

Questions were asked by the Board about laptop costs, programs, and other options which were responded to by Rader. It was the Board's decision, by general consensus, to stay

with the paper Board Agenda packets for the present time.

Operations Department

Operations Director Brucks provided the following update:

- Sealcoat will resume Monday.
- Contract gravel will be moving to Hamilton next, finishing tomorrow.
- The first round of roadside mowing is done.
- Pipe replacements and drainage improvements continue county wide.
- Hot mix asphalt patching continues county wide.
- Boom mowers are out working on clear vision areas throughout the county.

The Board asked questions about the number of miles of sealcoat and types of stone which were responded to by Brucks.

Engineering Department.

Highway Engineer Anttila updated the Board as follows:

- 30th Street in Alma Township, project continues with ditching and drainage work.
- 26th Street between 66th Ave and 63rd Ave, Antwerp Township, tree trimming is complete, should be grinding stumps Monday (7/10).
- MDOT bid letting was July 7th for CR 388 through Kendall. Unofficial low bidder was Reith- Riley at \$1,144,261.70.
- Autumn Vineyard Subdivision, Antwerp Township, is near completion. Seeding should take place Monday, 7/10, and we will be complete.
- 30th Ave culvert replacement, Covert Township, was paved on Friday and should be open to traffic soon.

Positive comments were heard about curbs in Autumn Vineyards, and other areas. Board also provided positive feedback on 30th Street project.

Managing Director Witkowski

Managing Director Witkowski provided the following update for the Board:

1. I met with Pokagon Fund, which is the charity arm of the tribe, to see about some funding assistance for Red Arrow coming into the City of Hartford. AJ Brucks will be applying for the VBCRC.
2. We are working on a list of projects that will be considered for the VBCRC facilities to help with maintenance issues. A list will be presented to the leadership next Tuesday, and we will rank them after that. The current list is included.
3. The asset management plan has been approved.
4. We have a list of vehicles; the goal is to retire vehicles at 175,000 miles or 12 years. Several older vehicles will be auctioned; the list is included for review. A list of items to be auctioned and a list of vehicles and trucks with miles is included.
5. John Faul, VB County Administrator, and I are meeting for lunch next week.
6. The VBCRC truck won the best truck in the South Haven July 4th Parade.

Witkowski advised that he was approached by Brian Dissette for signage at the Van Buren Trail crossing Blue Star Highway location. The Board approved Witkowski's request to continue these discussions.

Witkowski provided a suggestion for a new boardroom table that would fit all five members facing the audience. Motion by Boze to approve purchase of the new board table and two staff tables not to exceed \$5,000.00. Motion supported by Nelson.

YES: 4
NO: 0
ABSENT: 1
MOTION CARRIED.

Discussion regarding a truck to be displayed at the County Fair for public viewing. Managing Director Witkowski will follow up to discuss further with the Fair staff.

Rader also discussed the Touch A Truck event being held at Paw Paw Days. Road Commission staff will be on location volunteering from 9-3 PM.

Motion by Boze, seconded by Burleson to approve the Vouchers as follows:

Voucher #2313	\$	1,431,824.88	Accounts Payable
Voucher #2314	\$	167,588.92	Payroll
Voucher #2315	\$	1,971,246.72	Accounts Payable
Voucher #2316	\$	164,693.98	Payroll
Voucher #2317	\$	766,782.34	Accounts Payable
TOTAL	\$	4,502,136.84	

YES: 4
NO: 0
ABSENT: 1
MOTION CARRIED.

Motion by Burleson, seconded by Kinney to approve requests for special per diem as follows:

Nelson	4/3/2023	Almena Twp Officials-Bret Witkowski initial meeting
Nelson	4/4/2023	Antwerp Twp Officials-Bret Witkowski initial meeting
Nelson	5/2/2023	Lawton Village Officials-meet re: Antwerp Twp facility
Nelson	5/18/2023	Antwerp Twp Officials-meet re: Antwerp Twp facility
Boze	5/24/23	Moody on the Market - Awards Banquet, St. Joseph, MI

YES: 4
NO: 0
ABSENT: 1
MOTION CARRIED.

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

RESOLUTION 2023-16

WHEREAS, **West Court** from Lake Shore Drive to the shores of Lake Brownwood, and **East Court** from Lake Shore Drive to the shores of Lake Brownwood in the Rainbow Beach subdivision appear on the Certification Map in Waverly Township of the Van Buren County Road Commission; and,

WHEREAS, West Court and East Court in the Rainbow Beach subdivision:

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

NOW, THEREFORE, BE IT RESOLVED that **West Court** from Lake Shore Drive 140' to the shores of Lake Brownwood, AND **East Court** from Lake Shore Drive 140' to the shores of Lake Brown in the Rainbow Beach subdivision, on the Certification Map in Waverly 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 either West Court or East Court in Rainbow Beach subdivision, as described above.

YES: 4
NO: 0
ABSENT: 1
RESOLUTION ADOPTED.

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

RESOLUTION 2023-17

WHEREAS, **North Road** from Streeter Drive to the shores of Gravel Lake in the Streeter Beach subdivision in Porter Township, Van Buren County, Michigan appear on the Certification Maps of the Van Buren County Road Commission; and,

WHEREAS, North Road in the Streeter Beach subdivision:

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 **North Road** from Streeter Drive 110' to the shores of Gravel Lake in the Streeter Beach subdivision, Porter 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 North Road in Porter Township, as described above.

YES: 4
NO: 0
ABSENT: 1
RESOLUTION ADOPTED.

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

RESOLUTION 2023-18

BE IT RESOLVED: That the Highway Engineer, Barry Anttila, and the Finance and HR Director, Linnea Rader, are hereby AUTHORIZED to execute M.D.O.T. Contract No. 23-5278, Control Section: STUL 80000; Job Number: 208233CON for work as follows:

PART A – FEDERAL PARTICIPATION - Hot mix asphalt base crushing, shaping and paving along County Road 689 from 6th Avenue to Phoenix Road (County Road 388), including machine grading, aggregate base, aggregate shoulder, trenching, drainage, concrete curb and gutter, guardrail, hydrant relocation, permanent signing and pavement markings; and all together with necessary related work.

PART B – NO FEDERAL PARTICIPATION - Hot mix asphalt base crushing, shaping and paving along County Road 689 from 8th Avenue to 6th Avenue, including machine grading, aggregate base, aggregate shoulder, trenching, drainage, concrete curb and gutter, guardrail, hydrant relocation, permanent signing and pavement markings; and all together with necessary related work.

YES: 4
NO: 0
ABSENT: 1
RESOLUTION ADOPTED.

The proposed revisions to Policy 2022-03, Revenue Sharing Policy, were explained by Rader. The current Policy is silent regarding township RevShare carry-overs, although it has been Road Commission procedure to allow the funds to be held for a maximum of three years. Motion by Boze, seconded by Burleson to approve Amended Policy 2022-03, as presented.

VAN BUREN COUNTY ROAD COMMISSION

Revenue Share (RevShare) Policy

Policy No. 2022-03

Overview

Townships are not legally required to contribute to the maintenance, construction or reconstruction of county roads. However, Act 51 does restrict how much funding a road commission can spend on local county road construction. In addition, road commissions do not have taxing authority, so their funding sources are limited. Van Buren County is not alone in its challenges securing much needed road funding. Looking beyond county lines, we see townships throughout Michigan turning to other taxing mechanisms to generate the revenue necessary to repair and maintain roads.

Due to limited funding, road work that is requested which is not included in the Road Commission's budget is often funded by the townships, such as seal coat, fog seal, gravel road improvement projects, and paved road improvement projects. The Road Commission and the Township Partners have worked together for decades to provide additional road projects with funding from the township level. This partnership between the Road Commission and the townships is built from necessity to best serve the public of Van Buren County, and is greatly appreciated by the Road Commission and the motoring public.

Revenue Sharing Program (RevShare)

To enhance the partnership, the Van Buren County Road Commission has utilized a county-wide road millage allocation to share in the costs of road work requested by Townships that is not included in the Road Commission's budget. While the sharing of millage money is not required, the Road Commission values the input of Townships. Beginning in 2023, this allocation will be referred to as the Revenue Sharing Program (RevShare). This change brings consistency in language to our surrounding Road Commissions. By ensuring consistency in language, Townships can more directly see correlations in the various cost sharing agreements in place in surrounding Counties.

Each year, the RevShare formula is reviewed and approved by the Board. Any changes implemented by the Board will be made and communicated to Townships no later than December 31 of each year.

The formula for RevShare, per township will be:

1. A fixed amount per township of \$10,000; and
2. 65% of the remaining balance based upon the TOTAL road miles in each Township factored as a fraction of total road miles in the County; and
3. 35% of the remaining balance based upon the population in each Township (unincorporated area) factored as a fraction of total population within the jurisdiction of the Road Commission. The unincorporated population totals from the 2020 census will now be used as they became available in mid-2022.

Uses of RevShare Funds

As a part of the RevShare policy, each Township understands the need for cooperation between the Road Commission, Townships, and the residents we serve. This cooperation and partnership is necessary to maintain and improve the road system throughout Van Buren County. Townships can choose to fund road maintenance and improvements that are not included in the Road Commission's budget through various funding sources.

Townships may utilize RevShare funds to fund road improvement projects as follows:

- Contract Gravel Resurfacing,
- Surface treatments such as seal coat, fog seal, cape seal, slurry seal, micro layers, crackseal, etc., as approved by the VBCRC Highway Engineer,
- Cross-pipe replacements including the Township's 50% match on failed and upsized cross-pipes 36" and greater on local roads,
- 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 hot mix asphalt overlay, or installing new catch basins,
- Design and construction costs for road and bridge improvements, and
- Bridge replacement, or bridge preventative maintenance projects (usually 5% on State/Federal aid local bridge projects, 2.5% on State/Federal aid primary bridge projects, and half of engineering costs).

Banking of RevShare Funds

RevShare allocations may be banked by a township for up to three (3) years. This allows a township to “save” funds for those larger improvement projects, while still showing its residents the county-wide road millage dollars at work in a reasonable amount of time. Holding RevShare funds for a longer time period not only limits the work that can be accomplished, but could also hinder the future of the millage. Road Commission staff members work hard to show county taxpayers where these millage dollars are being spent and how the millage positively impacts Van Buren County’s road network.

RevShare Agreement

Each Township shall sign an acknowledgment of this RevShare program annually when funds are allocated by the Board. This acknowledgment ensures that each Township and the Road Commission understand the purpose and terms of the RevShare program.

YES: 4
 NO: 0
 ABSENT: 1
 MOTION CARRIED.

Finance and HR Director Rader presented the proposed 2023 Operating Budget Adjustment to the Board. Motion by Boze, seconded by Nelson to approve the proposed adjustment as follows:

Revenue	July 12, 2023	February 2, 2023	Difference
AOF - January 1, 2023	\$ 9,248,546.54	\$ 9,000,000.00	\$ 248,546.54
Michigan Transportation Fund (MTF)			
Engineering	\$ 10,000.00	\$ 10,000.00	\$ -
Primary	\$ 6,725,000.00	\$ 6,725,000.00	\$ -
Local	\$ 4,205,000.00	\$ 4,205,000.00	\$ -
Primary Urban	\$ 508,000.00	\$ 508,000.00	\$ -
Local Urban	\$ 230,250.00	\$ 230,250.00	\$ -
Total MTF	\$ 11,678,250.00	\$ 11,678,250.00	\$ -
Other State Revenue			
State Aid - Snow Funds	\$ 80,000.00	\$ 80,000.00	\$ -
State Aid - Economic Development	\$ -	\$ -	\$ -
State Aid - Bridges	\$ -	\$ -	\$ -
State Aid - State D Funds	\$ 126,820.00	\$ 126,820.00	\$ -
State Aid - Other (Safety, Grants, etc)	\$ 111,938.00	\$ 75,000.00	\$ 36,938.00
Total Other State Funding	\$ 318,758.00	\$ 281,820.00	\$ 36,938.00
Federal Funds			
Federal Aid - Secondary	\$ 314,000.00	\$ 314,000.00	\$ -
Federal Aid - Safety HRRR	\$ -	\$ -	\$ -
Federal Aid - Bridges	\$ -	\$ -	\$ -
Federal Aid - STP	\$ 1,629,461.00	\$ 1,515,419.00	\$ 114,042.00
Federal Aid - CMAQ/Other	\$ -	\$ -	\$ -
Total Federal Aid	\$ 1,943,461.00	\$ 1,829,419.00	\$ 114,042.00
Property Taxes			
County Wide Millage	\$ 2,780,000.00	\$ 2,780,000.00	\$ -
County Appropriation	\$ -	\$ -	\$ -
Township Contributions	\$ 6,420,000.00	\$ 3,470,000.00	\$ 2,950,000.00
Other Revenues (Interest,	\$ 300,000.00	\$ 375,000.00	\$ (75,000.00)

Gain on Equip, etc.)

Total Revenue including AOF \$ 32,689,015.54 \$ 29,414,489.00 \$ 3,274,526.54

Expenditures

	July 12, 2023	February 2, 2023	Difference
Heavy Maintenance			
Primary Roads	\$ 6,706,772.20	\$ 6,323,617.00	\$ 383,155.20
Primary Structures	\$ 5,500.00	\$ -	\$ 5,500.00
Local Roads	\$ 4,200,000.00	\$ 2,100,000.00	\$ 2,100,000.00
Local Structures	\$ -	\$ -	\$ -
Total Heavy Maintenance	<u>\$ 10,912,272.20</u>	<u>\$ 8,423,617.00</u>	<u>\$ 2,488,655.20</u>
Maintenance			
Primary Roads			
General Maintenance	\$ 900,000.00	\$ 900,000.00	\$ -
Traffic Services	\$ 100,000.00	\$ 100,000.00	\$ -
Snow & Ice Control	\$ 700,000.00	\$ 700,000.00	\$ -
Special Maintenance	\$ 2,405,000.00	\$ 2,582,500.00	\$ (177,500.00)
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	\$ 1,100,000.00	\$ 1,100,000.00	\$ -
Special Maintenance	\$ 3,400,000.00	\$ 2,550,000.00	\$ 850,000.00
Projects			
Routine Structure	\$ 10,000.00	\$ 10,000.00	\$ -
Maintenance			
Disaster Contingency	\$ 5,000.00	\$ 5,000.00	\$ -
Total Maintenance	<u>\$ 10,225,000.00</u>	<u>\$ 9,552,500.00</u>	<u>\$ 672,500.00</u>
Other Expenses			
Administration	\$ 1,050,000.00	\$ 950,000.00	\$ 100,000.00
Interest Expense	\$ -	\$ -	\$ -
Long-Term Debt Payments	\$ -	\$ -	\$ -
Net Capital Outlay	\$ 1,417,754.00	\$ 1,511,754.00	\$ (94,000.00)
Net Equipment Expense	\$ 500,000.00	\$ 500,000.00	\$ -
Distributive Expense	\$ 3,300,000.00	\$ 3,100,000.00	\$ 200,000.00
Adjustments to Fund Balance	\$ -	\$ -	\$ -
Total Other Expenses	<u>\$ 6,267,754.00</u>	<u>\$ 6,061,754.00</u>	<u>\$ 206,000.00</u>
Total Expenditures	<u>\$ 27,405,026.20</u>	<u>\$ 24,037,871.00</u>	<u>\$ 3,367,155.20</u>
Operating Fund Balance	<u>\$ 5,283,989.34</u>	<u>\$ 5,376,618.00</u>	<u>\$ (92,628.66)</u>
Total Expenditures & Fund Balance	<u><u>\$ 32,689,015.54</u></u>	<u><u>\$ 29,414,489.00</u></u>	<u><u>\$ 3,274,526.54</u></u>

YES: 4
 NO: 0
 ABSENT: 1
 MOTION CARRIED.

Commissioner Updates and Reports:

Rick Boze: Attended Hamilton Township and Keeler Township Board Meetings. Long-standing Keeler Township Clerk, Carl Davis, retired. Good comments were also received on the sealcoat program from Hamilton and Keeler Townships.

Doug Burlison: Attended Columbia Township on June 20th. Attended Bloomingdale Township on June 21st.

Greg Kinney: Attended Decatur Township on June 8th. Attended Arlington Township on June 21st.

Wayne Nelson: Attended Antwerp Township's meeting in June. He actively engaged with the township board on a proposal for the east location and the township agreed to order a phase 1 environmental study. Nelson also updated the Board on the Parks and Recreation Board on which he serves as the appointed Road Commission Member. With Barry's help a SPARK grant application was submitted for Covert Township. Nelson offered his thanks to Barry and his staff who contributed to the effort. The Parks & Rec Board Members also took a bus trip to Keeler Township in June to see three sites the Township would like to become public parks or recreation sites.

The Regular Meeting was recessed at 6:49 PM to open a regular meeting of the Board of Public Works.

The Regular Meeting was reconvened at 6:50 PM with all Members previously present in attendance.

The Chair opened the meeting to second public comment. None was received.

Motion by Boze to adjourn the Call of the Chair at 6:51 PM.

YES: 4
NO: 0
ABSENT: 1
MOTION CARRIED.

Board Secretary

Board Chairman