

Van Buren County Board of Road Commissioners

Wednesday, May 1, 2019
Regular Meeting - Administrative Office, Lawrence, Michigan

BE IT REMEMBERED: That on the 1st day of May, 2019 at 7:00 PM, E.D.T., the Board of County Road Commissioners for the County of Van Buren met in regular session in the offices in Lawrence, Michigan.

PRESENT: Road Commissioners Askew (arrived at 7:20 PM), Boze, Burleson, Kinney, and Moffat
Finance Director Linnea Rader
Highway Engineer Barry Anttila
Operations Director Greg Brucks
Fleet & Facilities Superintendent Gary Rohacs
Administrative Assistant-Board Secretary Jill Brien

GUESTS: Undersheriff Chad Hunt
County Commissioner Kurt Doroh
Dave Wiatrowski, South Haven Township
Linda Norton, Columbia Township
Steven Rogusta, Breedsville Village
Don Stull, Paw Paw Township Supervisor
Attorney Kelly Page

Chairman Boze called the meeting to order at 7:00 PM.

Burleson requested a bullet point be added to Item 18, Discussion on Hiring New Manager.

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

AYES: 4
NAYS: 0
ABSENT: 1
MOTION CARRIED.

Rader presented the Minutes of the April 18, 2019 regular meeting. Discussion held. Kinney presented revisions as follows:

I move to terminate Lawrence B. Hummel . . . Discussion ensued. **Motion seconded by Moffat.**

Motion by Moffat, seconded by Kinney to approve the Official Minutes of the April 18, 2019 Meeting, as revised.

AYES: 4
NAYS: 0
ABSENT: 1
MOTION CARRIED.

Rader presented the Minutes of the April 25, 2019 Special Session of the Board. Kinney requested the amendment of two statements made by Askew referenced in the minutes. Discussion held regarding discussion of said revisions without input from Askew (absent).

Kinney moved to amend the Minutes of the April 25, 2019 Special Session. Discussion held. Motion seconded by Burleson to amend as follows:

Kinney emphasized there was no need to rush to a decision. I am leaning toward a Managing Director and a separate P.E., and there is a developing trend for a Managing Director, and contracting out the P.E., but either way the Townships will be taken care of.

AYES: 4
NAYS: 0
ABSENT: 1
MOTION CARRIED.

Kinney requested revisions to the Minutes of the April 25, 2019 Special Session. Discussion ensued. Motion by Moffat, seconded by Burleson to table discussion and consideration of Items 1, 2 and 4 of "Motions by Road Commissioner Greg Kinney to Amend the VBCRC Summary/Proposed Minutes from the 4/25/19 Special Meeting" until the next meeting of the Board.

AYES: 4
NAYS: 0
ABSENT: 1
MOTION CARRIED.

Kinney requested the Board Secretary email "Motions by Road Commissioner Greg Kinney to Amend the VBCRC Summary/Proposed Minutes from the 4/25/19 Special Meeting" to Askew, which she stated would be done.

Burleson requested a revision to the Minutes of the April 25, 2019 Special Session. A discussion was held. Motion by Moffat, seconded by Burleson to amend as follows:

Burleson - He has observed is aware that Road Commissions are being run a couple of different ways.

AYES: 4
NAYS: 0
ABSENT: 1
MOTION CARRIED.

The Chairman opened the meeting to public comment.

Don Stull, Paw Paw Township Supervisor, noted that the Ackley Lake issue is on tonight's agenda. It has been an ongoing issue in Paw Paw Township. He would like clarification in the Township Partners Booklet.

Linda Norton, Columbia Township Supervisor, questioned funding regarding the paving on CR380 from CR681 to Breedsville Village Limits. Finance Director Rader relayed funding is a combination of Road Commission MTF funds, and county-wide millage funds.

Undersheriff Chad Hunt stated that he wanted to clear up some rumors, and provide clarification that the Sheriff's Office was not involved with any discussion or decision relating to Hummel's termination. He was there as a PO Standby, and to provide Hummel with a ride home.

Finance Director's Update:

- Southwest Council Meeting.
- Township Supervisors' Meeting on May 23rd. Interim Managing Directors are on the Agenda.
- Active Shooter training, June 19th at 4:45 PM.
- Auditor is currently conducting the audit of FY2018. Asked for and received an extension to file the Act 51 Report.

Motion by Moffat, seconded by Askew to approve the following Vouchers:

Voucher #2093	\$113,648.32
Voucher #2094	\$852,802.76

AYES: 5
NAYS: 0
MOTION CARRIED.

Kinney moved to take from the table motions previously laid on the table to Amend the Minutes of the Special Session on April 25, 2019. Seconded by Moffat.

AYES: 5
NAYS: 0
MOTION CARRIED.

Motion by Kinney to amend the minutes of April 25, 2019 as follows:

It is Askew's opinion statement that there was a violation of the Open Meetings Act.

Discussion held. Motion seconded by Moffat.

AYES: 5
NAYS: 0
MOTION CARRIED.

Motion by Kinney, seconded by Moffat to amend the minutes of April 25, 2019 as follows:

It is Askew's statement that there was a violation criminal conduct and that there was a violation of the Open Meetings Act.

Roll call vote.

Burleson: Nay
Moffat: Aye
Askew: Nay
Kinney: Aye
Boze: Nay
MOTION NOT CARRIED.

Kinney moved to amend the Minutes of the Special Session on April 25, 2019 regarding two other points. The Board discussed the requests. Kinney withdrew both motions.

Motion by Kinney, seconded by Burleson to amend the Minutes of the Special Session on April 25, 2019 as follows:

Public Comment was closed at 4:54 PM by the Chairman.

and

Jean Stein also stated The letter stated that the former (prior to Hummel) Engineer-Manager wanted to keep everyone happy . . .

AYES: 5
NAYS: 0
MOTION CARRIED.

Rader provided an update on the award of bids, in the best interest of the Van Buren County Road Commission, as follows:

- Plant Mixed Hot Mix Asphalt Materials to all bidding contractors, with Michigan Paving & Materials as primary supplier.
- CR380 from CR681 to Breedsville Village limits, Columbia Township, to as-read low bidding contractor, Michigan Paving & Materials.

Proposed amendments to the County Road Association (CRA) of Michigan's Constitution and Bylaws were reviewed and discussed by the Board. Motion by Askew, seconded by Burleson to approve the revised CRA Constitution and Bylaws.

AYES: 5
NAYS: 0
MOTION CARRIED.

Discussion provided by Brucks regarding Ackley Lake project in Paw Paw Township. Supervisor Stull provided further insight and possible solutions. This matter is on Paw Paw Township's 5/13/19 meeting agenda. Will be brought back before the Board at a future meeting.

Discussion regarding appointments to the Kalamazoo Area Transportation Study (KATS) Technical Committee. Motion by Askew, seconded by Moffat to appoint Barry Anttila as the Van Buren County Road Commission's Representative to the KATS Technical Committee, and Joel Hoort as the Alternate to the KATS Technical Committee.

AYES: 5
NAYS: 0
MOTION CARRIED.

Motion by Kinney, seconded by Moffat to remove the Board's Closed Session from the Agenda, and to allow the public to stay while the Board considered written material subject to the attorney-client privilege.

AYES: 5
NAYS: 0
MOTION CARRIED.

Attorney William Henn's letter reviewed by the Board regarding "Township Highway Projects". Rader also shared Derek Hall's opinion from an auditing position. Other options were discussed.

Attorney William Henn's letter reviewed by the Board regarding "Contracts with Townships for Maintenance on Public or Private Streets". Staff and/or legal counsel will draft the appropriate documents to bring to the Board for review and consideration at a future meeting.

Brucks provided insight regarding the finalization of the Board's draft letter to Antwerp Township. Letter to be sent to the Township was approved on motion by Boze, seconded by Burleson.

AYES: 5
NAYS: 0
MOTION CARRIED.

Motion by Boze, seconded by Askew to authorize the Chairman to sign the Federal Surplus Application designating Gary Rohacs, Greg Brucks and Linnea Rader as Authorized Representatives for the Van Buren County Road Commission.

AYES: 5
NAYS: 0
MOTION CARRIED.

Operations Director's Update:

Maintenance Operations:

- De-berming.
- Boom mowing.
- Countywide grading and rolling; almost halfway through.
- Pothole patching.
- Will begin preparation for sealcoat soon.

Equipment Report:

- New loader was delivered.

Highway Engineer's Update:

- Signature of Board on coversheet for Federal Aid project on Red Arrow Highway.
- Met with representative from Wightman & Associates to submit as P.E. for plans, reviews, etc. for Red Arrow project.
- Next meeting will open bids for three paving projects, and one pipe replacement on CR388 West of 47.50 Street in Columbia Township.
- CR388 in Bloomingdale Township is now open to traffic.
- CR665 in Waverly Township is now open to traffic.
- Soil erosion inspections are being performed by Road Commission staff on all required projects.
- 41st Street in Decatur Township was base paved yesterday.
- Consultants for MDOT were here reviewing files.

- Bridge packages are out.
- Working on a Category F Grant on CR652 from French Road to Red Arrow Highway.
- Management Team is meeting regularly.

Interim Managing Directors' Update:

- County comparison reviewed.
- Engineering Department continues to look forward at future road planning. Very capable staff.
- Managing Director / Engineer / Engineer-Manager discussion. Boze would like Township input.

Commissioner Updates and Reports:

Askew - No report.

Boze - No report.

Burleson - No report.

Kinney - Attended Special Meeting on 4/25. Attended KATS on 4/24.

Moffat - Brought discussion regarding possibility of changing time of Board meetings from 7 PM to 5 PM during summer hours. Asked Commissioners to take to Township Boards and bring results of poll back to discuss at a future meeting.

Boze brought discussion to provide a \$100 stipend to each Interim Managing Director for each Board meeting that they attend.

Motion by Kinney to provide \$50.00 per diem to each Interim Managing Director for each Board meeting they attend. Roll call vote.

Askew: Nay
 Kinney: Aye
 Burleson: Nay
 Moffat: Nay
 Boze: Nay

MOTION NOT CARRIED.

Motion by Boze, seconded by Askew to provide a \$100 stipend to each Interim Managing Director for each Board meeting they attend. Roll call vote.

Askew: Aye
 Moffat: Aye
 Burleson: Aye
 Kinney: Aye
 Boze: Aye

MOTION CARRIED.

Discussion regarding Board Policies and possibility developing a sub-committee to review.

Topic of discussion to be added to "Punch List", Capital Equipment Replacement Schedule.

Motion by Kinney, seconded by Moffat to approve requests by Askew, Boze, Burleson, Kinney and Moffat for a special per diem for attendance at April 25th Special Session of the Board.

AYES: 5
 NAYS: 0

MOTION CARRIED.

Motion by Moffat, seconded by Burleson to adjourn the Call of the Chair at 9:04 PM.

AYES: 5

NAYS: 0

MOTION CARRIED.

Secretary

Chairman