

Van Buren County Board of Road Commissioners

Wednesday, June 5, 2019
Regular Meeting - Administrative Office, Lawrence, Michigan

BE IT REMEMBERED: That on the 5th day of June, 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, Boze, Burleson, Kinney, and Moffat (arrived at 7:08 PM)
Finance Director Linnea Rader
Highway Engineer Barry Anttila
Operations Director Greg Brucks
Fleet & Facilities Superintendent Gary Rohacs
Administrative Assistant-Board Secretary Jill Brien

GUESTS: Attorney Wendy Hardt
Deputy Todd Skinner
Dave Wiatrowski, South Haven Charter Township
Attorney Gary Stewart
Attorney Kelly Page
Alain Svilpe
County Commissioner Mike Chappell
County Commissioner Kurt Doroh
Sid Shank
James Shank
Steve Rogusta, President of Breedsville
Linda Norton, Supervisor of Columbia Township

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

Motion by Kinney to add item 3A to the Agenda "Consideration of Attendance at Closed Session". Discussion ensued regarding Attorneys Stewart's and Page's attendance at upcoming closed session. Kinney requested that consideration of the Motion be postponed until Moffat's arrival. (Contact was made with Moffat by Board Secretary and relayed that ETA was approximately two minutes). Chairman Boze granted Kinney's request to postpone consideration of his Motion for two minutes to allow for Moffat's arrival. After two minutes, Kinney withdrew his Motion.

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

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

Motion reinstated by Kinney to exclude lawyers Page and Stewart from attendance at closed session. Motion seconded by Moffat. Roll call vote:

Kinney: Aye
Askew: Nay
Moffat: Aye
Burleson: Aye
Boze: Nay
MOTION CARRIED.

Motion by Askew, seconded by Burleson to recess the Regular Meeting at 7:09 PM to open a Closed Session of the Board for the purpose of considering written material subject to the attorney-client privilege. Roll call vote:

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

Meeting reconvened by the Chairman at 8:08 PM with all Members present.

Motion by Moffat, seconded by Burleson to authorize Attorney Wendy Hardt to represent the Board of County Road Commissioners in discussions of settlement with the Prosecutor as discussed in closed session. Roll call vote:

Moffat: Aye
Burleson: Aye
Boze: Nay
Askew: Nay
Kinney: Aye
MOTION CARRIED.

Motion by Kinney, seconded by Askew to approve the Minutes of the May 15, 2019 meeting as presented by Board Secretary Brien.

AYES: 5
NAYS: 0
MOTION CARRIED.

The Chairman opened the meeting to public comment.

Steve Rogusta of the Village of Breedsville brought discussions regarding a billing statement from the Road Commission for snow plowing services. Chairman Boze requested that staff provide the Village with computer reports, but that if the Village requires further itemization it will have to pay for staff's time in providing those details.

Finance Director's Update:

- Voice recording of Board meetings.

Staff procedures reviewed. Motion by Kinney, seconded by Moffat to approve the purchase of one of the two Sony devices recommended for purchase by Kinney.

AYES: 4
NAYS: 1 (Askew)
MOTION CARRIED.

- Hiring update.
- Extension of proposal for fire extinguisher maintenance and inspection, to possibly include sprinkler system inspection.
- Follow-up regarding Punch List Topic Presentation from last meeting. Discussion regarding next Punch List topic, Annual Report/Audit Report.
- Budget review. Adjustment request coming in the near future.

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

Voucher #2097	\$414,264.48
Voucher #2098	\$116,673.00
Voucher #2099	\$117,997.06
Voucher #2100	\$303,672.41

Motion by Moffat, seconded by Burleson to approve the Engineering Reimbursement request to the Michigan Department of Transportation for payments made during the period of July 1, 2019 through June 30, 2019 to licensed professional engineers.

AYES: 5
NAYS: 0
MOTION CARRIED.

Operations Director's Update:

Maintenance Report:

- Service Request Monthly Activity Update, May 2019.
- Operations Update:

- Pothole patching county-wide.
- Gravel road grading county-wide.
- Contract gravel application to begin the week of the 17th.
- Storm clean-up.
- De-berming, finishing Blue Star; moving to north Hartford Township next week.
- Roadside mowing began last week.
- Sealcoat to begin on the 11th or 12th next week.

Equipment Update:

- Gary Rohacs and his staff continue regular routine equipment maintenance.
- Fine tuning equipment for sealcoat operations.
- 2019 truck purchases are on schedule for delivery mid-July.
- New Gradall is here.

Highway Engineer's Update:

- Update on award of bids, in the best interest of the Van Buren County Road Commission and the respective Townships:
 - CR388 between 47.50 Street and 48.50 Street, Columbia Township, Pavlak Excavating, \$39,482.75.
 - 59th Street from 4th Avenue to CR388, Geneva Township, Rieth-Riley Construction, \$69,150.00.
 - 22nd Avenue between 68th Street and 69th Street, Geneva Township, Rieth-Riley Construction, \$82,665.00.
 - 40th Street from 10th Avenue to 4th Avenue, Bloomingdale Township, Michigan Paving & Materials, \$166,428.00.
- DEQ Permit Applications submitted for 27th Street, Almena Township, and 64th Street, Geneva Township.
- Bangor Township, received all estimates for work to be completed next year, or possibly late fall tree work.
- 41st Street, Decatur Township, shoulders installed.
- Next meeting will open bids for two paving projects in Bangor Township.
- Replaced cross-pipe yesterday in Waverly Township on 47th Avenue at 41st Street.
- 36th Avenue, Waverly Township, Frontier has new poles installed, but has not yet moved fiber-optic cable. Contractor may start putting pipe together next week in the interim.
- 63rd Avenue box culvert, has been in contact with Supervisor Ruzick. As soon as we have contractor's schedule it will be relayed to the Township.
- Hamilton Township, 56th Street, guardrail was installed today.
- Guardrail contractor also fixed various locations at which accident damage had occurred.
- Provided Almena Township with requested estimates.
- Discussed article from Oakland County Road Commission.
- Territorial Road, work by Faulkner and Rosevelt, trees are down and stumps have been pulled and burned. Currently no water over road. The agreement has not yet been signed/returned.
- Discussion regarding Red Arrow Highway at Lake Cora Hills.
- Bridge on 32nd Street, Almena Township, met with Contractor to install rip rap.
- Contractor accomplished a lot of crack fill work on CR681.
- Scraped and applied dust control Monday on all gravel primary roads.
- Applied dust control on local roads in Pine Grove, Bloomingdale, Paw Paw, and Almena Townships.

Interim Directors' Update:

- Working to prepare memo to Townships regarding their requests to contribute to Primary Road projects. Will extend to Villages and Cities, as well.

Legal Issues:

Update regarding VBCRC vs. Cornelius Farms provided by Attorneys Page and Stewart.

Motion by Moffat to authorize Attorney Page to move forward with obtaining substitute service.

AYES: 5
NAYS: 0
MOTION CARRIED.

Recess Regular Meeting to open Regular Meeting of the Board of Public Works at 9:06 PM. Motion by Askew, seconded by Burleson.

AYES: 5
NAYS: 0
MOTION CARRIED.

Reconvened Regular Meeting at 9:07 PM upon a motion by Askew, seconded by Burleson.

AYES: 5
NAYS: 0
MOTION CARRIED.

Commissioner Updates and Reports:

Askew: Township Supervisors' Meeting on May 23rd.

Boze: Township Supervisors' Meeting on May 23rd. Last night attended Keeler Township.

Burleson:

- Discussion regarding attempts to reach staff last Thursday.
- Discussed phone coverage over the lunch break.
- Requested Commissioner notification when Interim Directors will be in attendance at seminars/trainings.
- Requested agenda item at all future meetings "Update Regarding Hiring Process".

Motion by Burleson to authorize Brien to draft job description for Managing Director for final approval by the Board. Discussion regarding township input in decision. Motion seconded by Moffat. Roll call vote:

Moffat: Aye
Burleson: Aye
Boze: Aye
Kinney: Aye
Askew: Nay
MOTION CARRIED.

Kinney:

- Reviewed article from The Herald-Palladium, "The \$2 billion solution".
- Reviewed documents from Attorney Discipline Board regarding Attorneys Page and Stewart with the Board and those present.
- Township Supervisors' Meeting on May 23rd.
- KATS on 30th.

Moffat: Township Supervisors' Meeting on May 23rd.

Attorney Page provided a handout in response to Commissioner Kinney's discussion regarding Attorney Discipline Board.

Motion by Moffat, seconded by Kinney to adjourn the Call of the Chair at 9:33 PM.

AYES: 5
NAYS: 0
MOTION CARRIED.

Secretary

Chairman