

Van Buren County Board of Road Commissioners

August 5, 2026 - Regular Meeting

BE IT REMEMBERED: That on the 5th day of August, 2026 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 Askew (remote), Boze, Burleson, Kinney and Nelson
Managing Director Bret Witkowski
Highway Engineer Barry Anttila
Operations Director Greg Brucks
Administrative Assistant-Board Secretary Jill Brien

GUESTS PRESENT:

Vic Pantea
Thomas Hammond
Michigan State Representative Pauline Wendzel
Jake Rushlow, Legislative Director

Chairman Burleson called the meeting to order at 5:02 PM.

The Pledge of Allegiance was recited.

Motion by Boze seconded by Kinney to add Agenda Item 11(G) Permissive Use Agreement, Private Well Water Line, Porter Township.

YES: 5
NO: 0
MOTION CARRIED.

Motion by Boze, seconded by Kinney to approve the Agenda, as amended.

YES: 5
NO: 0
MOTION CARRIED.

The Board welcomed Michigan State Representative Pauline Wendzel and her Legislative Director, Jake Rushlow. Chairman Burleson read the following letter which was then presented to Representative Wendzel:

Re: Funding for Project to Replace CR657 over the E. Branch of the Paw Paw River, Antwerp Township

Dear Representative Wendzel:

On behalf of the Board of County Road Commissioners of Van Buren County, Road Commission staff, and myself, I would like to express our sincere appreciation for the funding approved in the State budget for the replacement of the structure carrying CR 657 over the East Branch of the Paw Paw River in Antwerp Township.

As you may recall, a routine bridge inspection conducted in October 2025 revealed significant deterioration of the bridge deck, requiring immediate weight restrictions. The Road Commission estimated the cost of replacing the structure at approximately \$850,000. Because the bridge was not eligible for federal or state transportation funding in its existing form, the project would have required the use of Road Commission general funds and/or county-wide road millage funds. This presented a significant budget challenge, as closure of the bridge in this high-traffic area was not a viable option.

Through your sponsorship of our Legislatively Directed Spending Item (LDSI) application, the Van Buren County Road Commission was able to secure the funding necessary to move forward with this important project. The planned replacement will increase the size of the structure, making it eligible for future state and federal grant opportunities while improving long-term service to the traveling public.

We cannot overstate our appreciation for your support of this LDSI request, as well as the assistance provided by your Legislative Director, Jake Rushlow, and the other members of your team who helped secure this funding. Thank you for your continued commitment to improving the bridges and roads that serve the residents and motorists of Van Buren County.

A round of applause followed the reading of the letter, and photographs were taken after which Representative Wendzel and Jake Rushlow left the meeting.

Motion by Kinney, seconded by Boze to approve the Minutes of the July 8, 2026 Regular Meeting as presented by the Board Secretary.

YES: 5
NO: 0
MOTION CARRIED.

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

County Commission Update:

The Board of Commissioners June 2026 Activity Report was shared with the Board.

Department Updates were provided as follows:

Finance and HR Department by Witkowski:

- Bret and I attended the joint CRASIF (worker's compensation) and MCRCSIP (liability) annual meetings July 22 & 23. There were several good presentations that went on during the meeting as well as amazing conversations with other Road Commissions. I also had the opportunity to speak to a member of the company that insures MCRCSIP about providing all road workers with increased life insurance policies in case of death at work. Not a topic that's enjoyable to have but given how motorists are treating road workers at this time, necessary. More to come on any success I can have.
- On July 29, 2026, Jill sent you an email with MCRCSIP's financial reports for 2025.
- Annual reports have been distributed and are available on our website.
 - o Your physical copies are in your mailboxes in the Board room.
 - o Physical copies were mailed to all 18 townships.
 - o An email with the link to the annual report was also sent to all Townships.
 - o Bret will be hand delivering the County Commissioner and County official copies.
 - o Links to the report will be on the next two weekly updates and a news release will be published as well.
- Michelle Green has started as our new Communications and Permit Clerk. She's working through the training phases and learning lots. Make sure to introduce yourselves next time you come in!
- ACH for vendor payments are going well. If you'd like to receive mileage reimbursements via ACH as opposed to receiving a check, please fill out the attached form. We are continuing to work with vendors to get signed up.
- Greg and I met with the Union to discuss health insurance rates for the 2027 year as well as any changes necessary to the contract. We have proposed a few language and procedure changes with the potential to extend the union contract by one year. It was a productive meeting.
- Zander Payment, our summer intern, is going to be returning to college in mid to late August. His final day will be August 21 or 25. He's been a great help getting several projects off the ground, assisting staff around the office, and helping cover the front desk during the vacancy. We appreciate all that he's done for our agency.
- The Village of Lawrence will be purchasing their gas/fuel from us starting soon. All Road Commission costs will be covered, including overhead, and it will greatly help the Village.

- We received an update on the Neighborhood Roads Fund (NRF) late last week. As of the June collections, \$90.7 million has been collected of the necessary \$240 million necessary to fund the “off the top” funds. Once that \$240 million has been collected, THEN Road Commissions will begin receiving NRF funds.
- Operating Budget is attached through July 30, 2026.

Operations Department:

Even with some weather and equipment issues, the Sealcoat and Fog Seal crews are progressing nicely. As of the end of July, sealcoat is 45% complete and fog seal is 6% complete.

Drainage crews have been busy ditching and replacing cross culverts.

The second round of roadside mowing is approaching 50% complete.

This year’s Brush Spray Program is set to begin early August on the Primary System, as well as Arlington, Hamilton, Geneva, and Porter Townships. Also, this seasons Invasive Treatment Program is set to begin late August.

Wednesday night AJ and I attended an educational session at the ISD on options for dealing with some recently proposed renewable energy projects within the county.

This past Thursday, Jesse and I went to Grand Rapids to meet with Truck & Trailer who will be building our 2027 plow trucks. The '27 Western Star Trucks will be going through many changes beginning this model year, the biggest being that the after-treatment DEF system is much larger. In short, this left us moving the fuel and DEF tanks under the steps from back of the cab, redesigning the hydraulic tank so it will still fit behind the cab, removing the tool box all together, moving the battery box inside the cab, and both raising and stretching the truck slightly. The VBCRC will have the first 2 plow trucks built on this new chassis in the state. Typically, I don't like being first, but in doing so, Daimler Chrysler agreed to give us 2026 pricing for the new 2027s, when they are expecting an almost \$50,000 per unit increase. When complete, Daimler Chrysler intends to take the plow trucks to a few shows all logoed up with VBCRC decals. I think it's super exciting that we get to be involved at this level.

Brucks also reported that the new pickup trucks arrived from Tapper and are parked out front on display for viewing.

Witkowski reported mechanical problems with new chip spreader.

The brush spray program was also discussed.

Additional questions were asked by the Board which were responded to by staff.

Engineering Department:

The project is complete on CR 352 in Keeler Twp. and the roadway is open to traffic.

CR 653, Antwerp Township; Federal Aid project; contractor is working on installing driveway pipes and shaping edges of roadway. Tentatively base paving at the end of next week.

CR 380 between M-140 and 76th Street, South Haven Township, is underway. The trenching has been completed and the road has been crushed. Contractor is working on placing driveway pipes. Tentatively base paving next Wednesday.

Crescent Estates subdivision in Antwerp Township; project is complete.

Mill Lake Rd in Bloomingdale Twp; trees have been trimmed and the cross-pipe has been replaced. Waiting to hear on a paving date from the contractor.

28th Street North of Red Arrow Highway, Antwerp Township; project is complete.

33rd Street from Red Arrow Highway to 48th Avenue, Antwerp Township; tree trimming is complete. Waiting for a paving schedule.

40th Street, Waverly Township, wedge paving; should take place 8/15.

CR687 Preconstruction Meeting was held today. The project signs were installed this week and within the next two weeks the roads will be detoured and the project will be in progress. October 30th Completion date.

Managing Director Witkowski:

- 1. **The next board meeting is scheduled for Wednesday, September 2nd, 2026.**
- 2. **The next SW Council meeting will be on Monday, August 10th, in Cass County.** Commissioner Conference: Sunday, September 27th, and Monday, September 28th, in Mt. Pleasant. If you would like to go, please let Jill know.
- 3. I met with all 18 supervisors for my annual one-on-one meetings and attended 12 Township night board meetings.
- 4. CRA selected the VBCRC as its featured county in the September quarterly publication, they came down and interviewed us a few weeks ago, looking forward to seeing it in print in September.
- 5. As you know, we were blessed when the House, the Senate, and the Governor approved \$800,000 in funding for the bridge on CR 657.
- 6. We will be doing a paint-a-plow for high schools this year. Voting is underway now for the theme among staff and commissioners.
- 7. MDOT reached out to me, and Greg and I met with MDOT this week about the possibility of working together. I took MDOT's outreach as a compliment.
- 8. Very proud of staff; as far as I know, the only agency doing seal coat, fog seal, and roadside mowing at the same time.
- 9. Of the new hires from a few months ago, 4 are new apprentices in our program. One has attained his CDL after just 3 months in the program. Two others are working through the requirements, and the final apprentice joined the program last week.
- 10. Fuel costs are up 19.63% for diesel and 17.80% for unleaded for the year. We are averaging \$15,388 in fuel costs per month through June.

Review of Vouchers:

Voucher #2476	\$	208,382.08	Payroll
Voucher #2477	\$	327,284.67	Accounts Payable
Voucher #2478	\$	209,135.53	Payroll
Voucher #2479	\$	1,505,258.17	Accounts Payable
TOTAL	\$	2,250,060.45	

Motion by Nelson, seconded by Boze to approve the Vouchers in the aggregate amount of \$2,250,060.45.

YES: 5
NO: 0
MOTION CARRIED.

Witkowski presented the proposed Policy Regarding Public Access to and Video Recording on Road Commission Property. The policy was developed by the Self-Insurance Pool and its adoption is recommended by the Pool for all Michigan Road Commissions. All "limited access areas" have been so designated by signs within the facility. Road Commission staff will also be provided with procedures to be followed when they are being photographed or video recorded by the public while they are engaged in their official duties. Motion by Boze, seconded by Kinney to adopt Policy 2026-05, Policy Regarding Public Access to and Video Recording On Road Commission Property, as presented.

Policy Regarding Public Access to and Video Recording on Road Commission Property

Policy #2026-05

PURPOSE

The Van Buren County Road Commission (the “Road Commission”) is committed to protecting the rights of citizens under the First Amendment of the United States Constitution, while implementing policies and procedures that protect the health, safety, welfare, and personal privacy of the Road Commission’s employees and the general public who do business with or use the services of the Road Commission. This policy (“Policy”) is intended to delineate those portions of Road Commission Property (as defined herein) that are accessible to and observable by the general public from those portions that are accessible on a limited basis, establish rules of conduct that are applicable to all Road Commission Property, and specify procedures for Road Commission employees who encounter those who wish to access Road Commission Property for observational purposes.

DEFINITIONS

“Limited Access Area” means any designated area on Road Commission Property that is not generally open to or occupied by the public or is open to or occupied by the public on only a limited, as-needed, or by-invitation basis. Limited Access Areas may be designated by doors, physical barriers, building design features, signage, reception desks or stations, stanchions, ropes, fencing, bollards, or other visible indications. The lack of visible indications shall not prevent the Road Commission from considering or treating an area as a Limited Access Area. The Road Commission shall retain the right to verbally instruct third parties that an area is a Limited Access Area. Without limiting the generality of the foregoing, Limited Access Areas include but are not limited to the following:

- a) Employee offices.
- b) Employee workspaces, including copy rooms, mailrooms, and break areas.
- c) Employee parking lots, storage areas, access points, gravel pits, or other outside areas marked for use by Road Commission employees or vehicles only.
- d) Hallways, staircases, restrooms, elevators, and other areas designed for limited or transitory occupancy or providing access solely to other Limited Access Areas.
- e) Maintenance, storage, and garage facilities.

“Private Place” means a place where one may reasonably expect to be safe from casual or hostile intrusion or surveillance but does not include a place to which the public or a substantial group of the public has access. Some, but not all, Limited Access Areas are also Private Places.

“Public Area” means any area on Road Commission Property that is not otherwise designated as a Limited Access Area and that is generally open to general public access and occupancy, including specifically any designated waiting or reception areas in a Road Commission building during the hours in which the building is open to the public and any room being used for a meeting of a public body open to the public under the Open Meetings Act, MCL 15.261 *et seq.*, while the meeting is occurring.

“Road Commission Property” means any real property owned by the Road Commission or in which the Road Commission has a property interest.

“Rules of Conduct” means the specific guidelines set forth in this policy.

RULES OF CONDUCT ON ROAD COMMISSION PROPERTY

To maintain an environment that promotes orderly administrative and business operations, and to take reasonable and prudent actions to protect the health, welfare, safety, and personal privacy of all persons at Road Commission Property, the Rules of Conduct in this section apply and are to be enforced at all Road Commission Property except where specific rules of conduct or prohibitions have been adopted for designated Road Commission Property.

Rules of Conduct Applicable to All Road Commission Property. The following Rules of Conduct shall apply at all Road Commission Property, including both Public Areas and Limited Access Areas:

- a) No person shall enter, attempt to enter, or remain in any areas of Road Commission Property for any purpose other than to conduct legitimate business with the Road Commission, to lawfully assemble for public interaction in Public Areas specifically designated for such assembly, or to exercise other constitutionally protected rights. The Road Commission may adopt specific policies with respect to Road Commission Property to manage conditions for its use, including without limitation establishing hours and terms of use, reservation protocols, use and user priority, and fees for use.
- b) No person shall engage in any activity on Road Commission Property that would constitute a violation of federal, state, or local law or regulation.
- c) No person shall engage in activity that disrupts or interferes with the normal operation or administration of Road Commission business at Road Commission Property, lawful use by Road Commission employees and authorized users of Road Commission Property, or Road Commission-permitted activities.
- d) No person shall stalk, harass, threaten, intimidate, or otherwise compromise the well-being and safety of Road Commission employees or private third parties lawfully using Road Commission Property. Photography or video recording does not, in and of itself, violate this Rule of Conduct.
- e) A person may generally photograph or film from a Public Area without requiring permission; however, an individual shall not film or record in a Private Place, without the consent of the person entitled to privacy in that place.
- f) No person shall interfere or obstruct the free passage of Road Commission employees or authorized third parties in or on Road Commission Property, including without limitation by standing in, blocking access to, or occupying areas for purposes of photography or video recording.
- g) Photographers and videographers must stay clear of and outside any designated work zone to ensure safety and minimal disruption to Road Commission operations.
- h) No person shall photograph or video record in such a manner that would allow capture of, access to, or disclosure of private, personal, confidential, sensitive, or privileged information of private third parties or employees and/or Road Commission information that would otherwise be exempt from disclosure under the Freedom of Information Act, MCL 15.231 *et seq.* The Road Commission may enforce this Rule of Conduct by imposing minimum standing or separation distances from areas, stations, desks, counters, or service windows at which private third parties conduct business with Road Commission employees.

Limited Access Areas The following Rules of Conduct shall apply at all Limited Access Areas:

- a) Limited Access Areas shall be accessible only to the following: (i) employees and officials of the Road Commission; and (ii) private parties but only on a limited, as-needed, or by-invitation basis, to include those private parties accessing a Limited Access Area for the express purpose of conducting business with Road Commission employees.
- b) Photography and video recording is prohibited in Limited Access Areas, except as follows: (i) the Managing Director may authorize video recording or photography in Limited Access Areas, for good cause shown, with the consent of all parties to be recorded or photographed, provided that the Managing Director may impose appropriate and reasonable conditions on the recording or photography to prevent the unauthorized disclosure of confidential information; and (ii) video recording and photography may be permitted in Limited Access Areas when specifically authorized by applicable law or agreements.

EXCLUSION

If a person violates these Rules of Conduct while in or upon Road Commission Property, the Road Commission will ask the individual firmly and politely to stop the behavior. If the person refuses to comply and/or is engaging in conduct that is threatening, abusive, disruptive to business operations, or creates a safety or security risk, then the Road Commission will direct such person to leave Road Commission Property for a period of up to 24 hours and contact law enforcement, as may be appropriate, to assist in enforcing that directive. It shall not be necessary for the Road Commission to allege any crime or other violation of applicable law other than these Rules of Conduct in order to support such notice of exclusion; *provided* that violation of such notice of exclusion may be deemed a trespass under applicable law.

YES: 5
NO: 0
MOTION CARRIED.

Witkowski then reviewed proposed changes to the Board's Electronic Transactions Policy. Motion by Boze, seconded by Kinney to adopt amended Policy 2016-06, Electronic Transactions Policy, as presented.

Electronic Transactions Policy

Policy No. 2016-06

~~WHEREAS Public Act 738 of 2002 was signed by the Governor with immediate effect on December 30, 2002; and~~

~~WHEREAS P.A.~~ **Public Act 738 of 2002** requires that the Board of County Road Commissioners adopt an Automated Clearing House (ACH) policy to address certain conditions to ~~adopt a resolution containing certain conditions to lawfully conduct electronic financial transactions such as payments and receipts transferred through an (Automated Clearing House - ACH).~~

~~NOW THEREFORE BE IT RESOLVED that~~ The Van Buren County Road Commission Finance **and Human Resources** Director and/or Managing Director are hereby appointed the Electronic Transactions Officers (ETO) and are responsible for ACH agreements including payment approval, accounting, reporting and generally overseeing compliance with **this policy**. ~~the Electronic Transactions Policy.~~

~~BE IT FURTHER RESOLVED~~ **The ETO, or their designee, is also responsible for the following:**

- A.** That documentation is to be prepared and retained, that may be contained within the computerized accounting system, for ACH transactions detailing the goods or services purchased, related costs, date of payment, and cost accounting classification.
- B.** ~~BE IT FURTHER RESOLVED that the ETO will~~ **The implementation of** a system of internal accounting controls to monitor the use of ACH transactions.
- C.** ~~BE IT FURTHER RESOLVED that~~ Approval of ACH invoices ~~is required~~ before payment.
- D.** ~~BE IT FURTHER RESOLVED THAT~~ **The undertaking of** additional requirements ~~may be required~~ as determined **necessary** by the ETO.

YES: 5
NO: 0
MOTION CARRIED.

Witkowski reviewed the proposed revisions to the Credit Card Use Policy. The proposed amended policy was developed by the Finance and Human Resources Committee of the CRA as a model document. Motion by Boze, seconded by Nelson to adopt amended Policy 1996-01, Credit Card Use Policy.

Credit Card Use Policy

Policy No. 1996-01

The Board of County Road Commissioners of Van Buren County adopts the following in furtherance of its policy that the operations are to be carried out in the most efficient, economical and cost-effective manner possible. It is the policy of the Van Buren County Road Commission to meet and comply with Act No. 266, Public Acts of 1995, as amended.

Act No. 266, Public Acts of 1995 authorizes a Board of County Road Commissioners to be a party to a credit card arrangement if the board has adopted policy governing the control and use of credit cards, and, further, the board deems that it is in the best interest of the board to make certain financial transactions by using a credit card as described in the Act.

Further, the Finance and Human Resources Director is responsible for establishing and maintaining a written set of Administrative Procedures in regard to the use of road commission credit cards. Said procedures shall be in compliance with the requirements of the Act 266, Public Acts of 1995, as amended, and may be revised from time to time as changes in the Act or Road Commission needs may require.

CREDIT CARD PROCEDURES

From time to time employees and/or board members may use credit cards for the purchase of goods or services for the official business of the Road Commission according to the Board's Purchasing Policy.

Road Commission credit cards will be available to employees and/or board members at the direction of the Finance and Human Resources Director, or their designee.

Road Commission credit cards are to be used only for the purchase of goods or services for the official business of the Road Commission.

Employees and/or board members using a Road Commission credit card shall submit a copy of the vendor's credit card slip to Accounts Payable as soon as possible after use. The credit card slip must contain the name of the vendor or entity, the date and amount of the transaction, and the official business that required the transaction. If no credit card slip is available, the employee must submit a written statement containing this information, as well as an explanation of the reason for not submitting a credit card slip.

Employees and/or board members using a Road Commission credit card shall utilize a Michigan Sales and Use Tax Exemption Certificate verifying the tax-free status of the Road Commission when using the credit card, as applicable.

Employees and/or board members utilizing a credit card are responsible for its protection and custody. If a credit card is lost or stolen, the Finance Director must be notified immediately. It is the responsibility of the Finance Director to notify the issuing entity of the loss and to cancel the card.

Employees and/or board members utilizing a credit card must, upon termination of employment or service, return any credit cards to the Finance Director.

The Accountant shall review each credit card statement as soon as possible to ensure that transactions comply with these procedures. Any transaction that appears on a statement that is not documented with a credit card slip or a signed statement by the employee shall be immediately investigated. Transactions that do not appear to comply with this policy shall be reported to the Finance and Human Resources Director.

Employees using a Road Commission credit card in a manner contrary to the Credit Card Policy and this procedure shall be subject to disciplinary action up to and including discharge.

YES: 5
NO: 0
MOTION CARRIED.

Witkowski presented a proposed policy on Road Commission Social Media Accounts which was developed by the Self-Insurance Pool and recommended for adoption by all county road commission agencies. The proposed policy is not just a best practice, it's a necessity for Michigan governmental agencies and protects the agency legally, ensured consistent and credible communication, manages risks, and supports the agency's mission of serving the public effectively in the digital age. Motion by Boze, seconded by Nelson to adopt Policy 2026-06, Policy on Road Commission Social Media Accounts, as presented.

Policy on Road Commission Social Media Accounts

Policy #2026-06

The Van Buren County Road Commission (hereinafter referred to as "Road Commission") has developed its own social media accounts, which help inform the public about the Road Commission's work and mission. This Policy on Social Media Accounts applies to any and all social media profiles, webpages and accounts of the Road Commission.

The Road Commission is committed to fully complying with the freedom of speech clause of the First Amendment of the U.S. Constitution and other similar legal obligations surrounding free speech. The law allows the Road Commission to turn off all comments on its social media sites, and it may choose to do so on a prospective basis. When comments are permitted, some comments that members of the public may consider offensive or objectionable may remain visible because they are protected by law and cannot be removed based solely on their content or viewpoint. Comments posted by members of the public represent the views of the individual commenters and do not constitute endorsement by, or reflect the views of, the Road Commission.

The Road Commission also has an important interest in assuring the accuracy and consistency of information associated with its social media sites. This policy establishes guidelines for the public's use of the Road Commission's social media sites in a way that balances these interests.

By posting or commenting on any social media platform used by the Road Commission, users participate by their own choice, taking personal responsibility for their comments, username, and any information they provide therein. By accessing, posting, or commenting on a Road Commission social media platform, they acknowledge having been advised of, understanding, and agreeing to the below terms of use. Where possible, a link to these terms and conditions will be made available or posted as text on the Road Commission's social media accounts.

Requests for Emergency Assistance

In order to better serve the community, the Road Commission utilizes social media platforms to quickly provide information to the public. However, anyone experiencing an emergency or who needs emergency services should call 9-1-1 for immediate assistance. Requests for emergency services will not be addressed through any Road Commission social media platform, and a response by the Road Commission or any emergency service provider is not guaranteed.

Limited Public Forum/Content Moderation

The Road Commission's social media platforms are established to communicate to the public, to provide information on matters of public interest, and to relay official Road Commission content. The Road Commission invites members of the public to view and, where possible and permitted, provide comments or other engagement on its social media posts. As previously stated, the law permits the Road Commission to turn off all comments on a prospective basis. If it chooses not to do so, it may hide and/or delete content that is not protected speech under the First Amendment and relevant caselaw. As a general rule, the Road Commission will not hide and/or delete comments solely because such comments are critical of the Road Commission or its officials. The Road Commission may discontinue any or all of its social media platforms at any time and for any reason.

The Road Commission regulates its social media platforms for the following reasons:

1. Information appearing on a Road Commission social media platform appears to carry the approval of the Road Commission. Unauthorized posts can confuse the public as to whether the Road Commission endorses the information, or if the information forms the Road Commission's official position on a topic; and,
2. The Road Commission's social media platforms are not intended to and do not operate as a traditional open public forum for the public to express its opinions and views.

If comments are not turned off, the public is encouraged to submit content that is on topic, but content should address a specific topic of discussion.

As a limited public forum, content posted on a Road Commission social media platform may be removed in a viewpoint neutral manner in accordance with this policy and also preserved as a public record. The Road Commission will not edit or delete any content unless authorized by this policy or as allowed by law. Additionally, third parties may have control of a social media platform and may act to edit or delete content independently of the Road Commission and without the consent, authority, or control of the Road Commission.

Practical and legal considerations may sometimes constrain, prevent, or prohibit discussion by the Road Commission on certain topics, including but not limited to litigation and pending investigations.

Prohibited Content

By accessing, posting, or commenting on a Road Commission social media platform, a user acknowledges that they understand and agree that their comments and others' comments are subject to archiving, and that their comments and others' comments are subject to removal, in whole or in part, from the Road Commission's social media platforms if they contain prohibited content. Specifically, the Road Commission may hide or delete:

1. Comments containing or linking to obscenity, which is defined as sexually explicit and/or pornographic content that is patently offensive, appeals to prurient interest, and lacks serious literary, artistic, political, or scientific value;
2. Comments expressly advocating direct violence or other illegal activity;
3. Comments that expressly encourage or advocate the Road Commission to illegally discriminate on the basis of race, religion, color, creed, sex, sexual orientation, national origin, veteran status, ethnicity, age, disability, gender identity or any other legally protected class;
4. Comments containing links to malware and/or malicious content that affects the normal functioning of a computer system, server or browser;
5. Duplicate comments posted repeatedly within a short period of time;
6. Comments containing actual defamation against a specifically named person or organization, either as determined by a court or comments that are patently defamatory by easily discovered fact;
7. Personally identifiable information or sensitive personal information, that if released would violate federal or state law;
8. Information that may compromise public safety or security of the public or a security system;
9. Information that may directly interfere with or compromise an ongoing investigation;
10. Confidential or exempt information in violation of state or federal law;
11. Comments that contain images or other content that violate the intellectual property or copyright rights of someone else, if the owner of that property notifies the Road Commission that the property was posted in a comment on the Road Commission's social media account.

Request for Reconsideration of Removal of Content

When the Road Commission hides or deletes content from a social media platform, anyone aggrieved by the decision may seek to have the decision reconsidered by submitting a written request for reconsideration to the Road Commission within five business days via email at LinneaRader@vbcrc.org or by mail at 325 West James Street, Post Office Box 156, Lawrence, Michigan 49064. A request for reconsideration must contain the following:

1. The name and contact information of the aggrieved individual.
2. The reason(s) why the individual believes they are aggrieved.
3. The reason(s) why the individual believes the item should be allowed pursuant to this policy.
4. Any other bases to establish a right to publish the content on the social media platform.

A written decision on the request for reconsideration will be provided to the aggrieved within five business days (excluding Road Commission holidays) of receipt of the request, identifying the basis for the decision for removal. The decision of the Road Commission to a request for reconsideration shall be final.

The right to request reconsideration pursuant to this section does not apply to a Road Commission employee providing comment on a social media platform in their official capacity or as a representative of the Road Commission and will only apply if the employee is acting in their personal capacity as a private party, and when exercising the rights accorded a person under the Constitution and the laws of the United States.

When a user violates the terms or conditions of this policy on three or more occasions within a 12-month rolling period, the Road Commission may block or ban the offending user from the social media account where the violations occurred.

If a user is blocked the Road Commission will (a) reasonably attempt to notify the user; (b) describe the violations(s); and (c) explain the appeal process. If the appeal is successful and/or the user has not violated this policy three or more times within a rolling 12-month period, the Road Commission will unblock or reinstate a user to the

social media account. If the appeal is not successful, the Road Commission's decision is final.

Accountability

The Road Commission commits to regularly training its employees on this policy and relevant freedom of speech caselaw and commits to hold employees accountable if they violate this policy or related law.

No Endorsement

Following or "friending" persons or organizations is not an endorsement by the Road Commission and is only intended as a means of communication. Any references or links to a specific entity, product, service, or organization posted on a Road Commission social media platform should not be considered as an endorsement by the Road Commission, or its departments, employees, officers, or elected officials.

The Road Commission does not review, sponsor, or endorse any other website(s) linked to its website or to a Road Commission social media platform. The views and opinions of authors expressed on those websites do not necessarily state or reflect the opinion of the Road Commission and may not be quoted or reproduced for the purpose of stating or implying any endorsement or approval of any product, person, or service by the Road Commission, its employees, officers, or elected officials.

The Road Commission is not responsible for content that appears on external links.

The Road Commission is not responsible for and does not guarantee the authenticity, accuracy, appropriateness, or security of any link, external website, or its content.

Waiver of Liability

By using or posting content on a Road Commission social media platform, the user, for themselves, their successors, and assigns, releases, holds harmless, and agrees to indemnify the Road Commission, its officers, employees, and officials from any and all actions, claims, liabilities, and damages of whatever kind and nature arising out of or in connection with the individual's use of a Road Commission social media platform. This includes liability for various actions, including but not limited to defamation, invasion of privacy, false light, breach of contract, procurement violations, and violations of due process, for which the Road Commission accepts no responsibility based on the actions of others or for creating a social media platform.

The Road Commission cautions users that they have no expectation of privacy while using a Road Commission social media platform; however, the Road Commission will make a reasonable effort to protect confidential and sensitive government information, as well as personal information.

Social Media Platform Standards, Rules, and Community Guidelines

All comments and information posted on Road Commission social media accounts shall be subject to the Standards, Rules, and Community Guidelines of the particular social media platform involved. The Road Commission reserves the right to report any violation to the social media platform involved, with the intent of the social media platform taking appropriate and reasonable responsive action.

Severability and Savings

If any part or provision of this policy or the application to any person or circumstance is held to be illegal, invalid, unenforceable, or unconstitutional, the remaining provisions shall be valid and binding upon all users of the Road Commission's social media platforms; the other parts or provisions or application of this policy which can be given effect without the illegal, invalid, unenforceable, or unconstitutional part or provision or application are therefore deemed severable.

Questions

Specific questions regarding this policy or its application should be directed to **Linnea Rader, Finance and HR Director**, at **(269) 674-8011, Extension 233**, or via email at LinneaRader@vbcrc.org.

YES: 5

NO: 0

MOTION CARRIED.

Witkowski brought a proposed resolution to the Board approving the agency exempting itself from the Publicly Funded Health Insurance Contribution Act for the medical benefit plan coverage year December 1, 2026 through November 30, 2027. Witkowski explained that health care costs are increasing more than the hard cap can offer, or the 80/20 option and that exemption can be approved by the Board. Motion by Nelson, seconded by Boze to approve Resolution 2026-17 and to authorize the Chairman and the Managing Director/Chief Fiscal Officer to execute MDOT Form 2067, Annual Certification of Employee-related Conditions.

RESOLUTION TO ADOPT THE ANNUAL EXEMPTION OPTION
AS SET FORTH IN THE PUBLICLY FUNDED HEALTH INSURANCE
CONTRIBUTION ACT,
PUBLIC ACT 152 of 2011 (2026-17)

WHEREAS: The Publicly Funded Health Insurance Contribution Act, Public Act 152 of 2011 (the “Act”), was passed by the State Legislature and signed by the Governor on September 24, 2011; and,

WHEREAS: The Act contains three options for complying with its requirements as follows:

- Section 3, “Hard Caps” option. Limits a public employer’s total annual health care costs for employees based on coverage levels, as defined in the Act.
- Section 4, “80%/20” option. Limits a public employer’s share of total annual health care costs to not more than 80%. This option requires an annual 2/3 vote of the governing body.
- Section 8, “Exemption” option. A local unit of government, as defined in the Act, may exempt itself from the requirements of the Act by an annual 2/3 vote of the governing body; and,

NOW, THEREFORE, BE IT RESOLVED that the Board of County Road Commissioners of Van Buren County hereby elects to exempt itself from the Publicly Funded Health Insurance Contribution Act for the medical benefit plan coverage year December 1, 2026 through November 30, 2027.

YES: 5
NO: 0
RESOLUTION ADOPTED.

Witkowski reviewed the bid tabulation for Underbody Scraper Blades and Wing Blades with the Board and those present. He also reviewed the recommendation of the Operations Director, Greg Brucks. Motion by Nelson, seconded by Boze to award the bid to all bidding contractors with the following primary suppliers:

Vendor	Blade Type	Price/Each
MacAllister Machinery	Underbody Scraper Blades	\$142.29
Valk Manufacturing	Hardened Steel Wing Blades	\$164.07
St. Regis Culvert	Vallite High Wear Wing Blades	\$1,231.88
	Carbide Tipped Underbody Scraper Blades	\$796.15

YES: 5
NO: 0
MOTION CARRIED.

Anttila reviewed the bid tabulation with the Board for the wedge paving on 30th Avenue in Covert Township. Upon recommendation by Anttila it was moved by Askew, seconded by Nelson to award the bid to the as-read low bidding contractor, Mihigan Paving & Materials, in the total amount of \$69,777.00, in the best interest of Covert Township and the Van Buren County Road Commission, contingent upon approval of the bid by Covert Township.

YES: 5
NO: 0
MOTION CARRIED.

Anttila reviewed the bid tabulation for the wedge paving project on 48th Avenue in Covert Township with the Board and those present. Upon recommendation it was moved by Askew, seconded by Boze to award the bid to Michigan Paving & Materials, the as-read low bidding contractor, in the total amount of \$126,565.00, in the best interest of Covert Township and the Van Buren County Road Commission, contingent upon approval of the bid by Covert Township.

YES: 5
NO: 0
MOTION CARRIED.

Witkowski provided discussion regarding a request by William and Stephanie Cerney for a permit to install a private well water line in the county road right of way. The proposed well water line would go from a new well on the southern parcel where a new garage has been built, under South Street, to the north side of the road, where long-time existing house is located. The current well servicing the lake side is a 1.5" well drilled in the basement itself. It currently works but it is not feasible to update or replace. The landowner believes it must have been hand-pounded with a hole through the house floor when the house was built. With limited space between the road/road right of way, and the existing retaining wall (the lake house was effectively built into the hill) where a new 5" well would need to be located if it was to stay on the north/house side, would effectively be within the road right of way itself. From this angle, getting the water line into the house would be challenging, the retaining wall is sandstone about 10' tall, and the water line would have to go under the wall to get into the house, which would then cause issues with excavation near the road to get a boring machine set, and the water line constructed. Instead, the well water line is proposed to be bored from the new garage parcel to the house parcel at an angle from one property to the next under the road, this will alleviate the straight down, right angle to the house, well and bore, with limited space in the road right of way, and safety concern of the drill equipment and boring machine. A draft sketch with proposed bores indicated was shared with the Board. Witkowski explained that one bore is the well water line. A second proposed bore is for an electric line which has been denied due to our Policy on Private Utilities in the Public Right of Way which does not allow private electric encroachments when public utility lines for electric is available. Motion by Nelson, seconded by Boze to explicitly deny William and Stephanie Cerney's request for a direct bore of an underground electric line, and to authorize the Managing Director to enter into a Permissive Use Agreement with William and Stephanie Cerney for the direct bore of an underground water well line under South Street in the Winkler's Gravel Lake Subdivision, Porter Township.

YES: 5
NO: 0
MOTION CARRIED.

Commissioner Updates and Reports:

W.C. Askew, Sr.

July 14, attended Geneva Township and Covert Township. July 15, attended South Haven Township.

Rick Boze

Attended Keeler Township on July 7. Attended Hartford Township on July 9. Attended Hamilton Township on July 14. Attended Lawrence Township on July 16.

Greg Kinney

No Report.

Wayne Nelson

On July 15, attended interview by the County Road Association for its fall magazine which will feature the Van Buren County Road Commission. Nelson also requested special per diems for his attendance at a meeting with Witkowski for safety signage at the Mattawan Schools, and for attending a meeting with State Representative Wendzel and aid regarding legislative action on cannabis fund expenditures by townships. Motion by Boze, seconded by Kinney to approve requests for special per diems.

YES: 5
NO: 0
MOTION CARRIED.

Doug Burleson

Attended Bloomingdale Township on July 15. Attended Columbia Township on July 21. Burleson also announced that Bloomingdale Township’s road millage proposal passed, as did Bangor Township’s and Lawrence Township’s road millage proposals.

The Chairman opened the meeting to second public comment. Vic Pantea introduced himself to the Board and noted that 48th Avenue in Covert Township is a borderline road with Berrien County and asked how and when this was agreed upon. The Road Commissioners and Staff responded to this question as agreements were reached with neighboring counties as to jurisdictional boundaries many years ago.

Motion by Boze, seconded by Kinney to adjourn the Call of the Chair at 6:09 PM.

YES: 5
NO: 0
MOTION CARRIED.

Board Secretary

Board Chairman