

Van Buren County Board of Road Commissioners

March 9, 2023 - Regular Meeting

BE IT REMEMBERED: That on the 9th day of March, 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 Askew, Boze, Burleson, Kinney and Nelson
Managing Director Bret Witkowski
Finance and Human Resources Director Linnea Rader
Operations Director Greg Brucks
Administrative Assistant-Board Secretary Jill Brien

ABSENT:

None

GUESTS PRESENT:

Kurt Doroh, County Commissioner
Kristina Longcore, Assistant to the Operations Department
Mike Chappell, County Commissioner
Robert (Bobby) Bendzinski, Bendzinski & Co. (Remote)
Ronald C. Liscombe, Miller Canfield (Remote)

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

Chair Nelson welcomed the new Managing Director, Bret Witkowski, to the Van Buren County Road Commission.

The following Statement About Tragedy was then read to the Board and those present by Chair Nelson:

As I'm sure you are all aware, the Van Buren County Road Commission is mourning the loss of a beloved Road Commission employee, René Rangel, Jr., who tragically passed away last week. While we all continue to collectively grieve that loss we ask that everyone remain mindful that a criminal investigation into the incident is ongoing. For this reason, Board members will not be commenting on the details of the incident. In addition, we request that members of the public and staff refrain from making speculative comments about the incident that could hinder that investigation.
Thank you.

Nelson advised that staff requested the addition of Item 9(E)(1) to the Agenda, Pension Actuarial Report.

Motion by Boze to approve the amended Agenda.

YES: 5
NO: 0
MOTION CARRIED.

Motion by Askew, seconded by Boze to approve the Minutes of the February 2, 2023 Regular Meeting as presented by the Board Secretary.

YES: 5
NO: 0
MOTION CARRIED.

The Chair then opened the meeting to first public comment. County Commissioner Kurt Doroh complimented and thanked all Road Commission staff who were involved with Monday night's vigil honoring René Rangel, Jr. The Board also joined in with their thanks to all Road Commission managers and employees for their hard work in bringing the vigil together to honor René.

The following Staff Reports were presented:

Linnea Rader shared that this past week the Sheriff's Department has provided amazing support for our work crews by being available on mobile work zones, etc. to make staff as comfortable as possible. Staff has worked with MIOSHA and CRASIF. In addition, grief counseling has been made available for staff and their families. There has also been considerable work to accomplish year-end for the agency.

Greg Brucks updated the Board regarding annual road tours being scheduled with townships for the 2023 construction season.

Bret Witkowski stated that he has been very impressed with staff as they not only carry out the mission, but also care for their fellow staff. He reminded the Board about the March 22nd opportunity to meet with legislators. In addition, he is working on an opportunity to receive federal funding for a road project that is available on very short notice.

Rader also provided the following Report:

1. Commissioner Kinney attended the CRA New Commissioner's Workshop on Feb 21 and submitted a copy of several sessions to share with other Road Commissioners. Topics include:
 - A) What's a Road Agency
 - B) MCRCSIP - A Brief History and Overview
 - C) Are Road Commissioners Covered For Work Related Injuries?
 - D) A Walk Through the New RC Handbook
 - E) The Commissioner's Role: Nuts and Bolts or Policy?
 - F) Avoiding Difficult Board Conflicts
 - G) Road Funding 101
 - H) Public Hearings and Board Procedures
 - I) Working with Township Boards
 - J) Parliamentary Procedure for RC Boards
 - K) Working Draft Legislative Priorities 2023

If you wish to receive a copy of any of the handouts, please see Jill for a copy.

2. 2023 CRA Highway Conference, **March 22nd in Lansing** (Commissioners Askew, Boze, Burleson, Kinney and Nelson all registered to attend).
3. The MCRCSIP is asking for resumes or letters of candidacy from member road commissioners and staff interested in serving as a member of the Pool's Board of Directors. The attached letter from Gayle Cummings explains positions that need to be filled and the process to submit as a candidate.

Motion by Burleson, seconded by Boze to approve the Vouchers totaling \$2,490,210.30 as follows:

Voucher #2295	\$986,109.43	Accounts Payable
Voucher #2296	\$173,155.23	Payroll
Voucher #2297	\$339,209.02	Accounts Payable
Voucher #2298	\$168,690.75	Payroll
Voucher #2299	\$823,045.87	Accounts Payable

YES: 5

NO: 0

MOTION CARRIED.

Rader explained the Resolution before the Board for consideration requesting the County to issue bonds to finance capital improvement projects for the new Bangor Garage facility and the Lawrence Administration remodeling, which was discussed at the last regular meeting of the Board. The Board asked questions about the bond issuance request, which were responded to by Attorney Liscombe and Bobby Bendzinski. Motion by Boze, seconded by Askew to adopt the following Resolution:

**Board of County Road Commissioners of the County of Van Buren
State of Michigan**

**RESOLUTION REQUESTING
THE COUNTY BOARD OF COMMISSIONERS TO ISSUE BONDS
TO FINANCE CAPITAL IMPROVEMENT PROJECTS**

WHEREAS, the Board of County Road Commissioners of the County of Van Buren (the "Road Commission") determines it to be necessary for the public health, safety and welfare of the County of Van Buren (the "County") and its residents to acquire, construct, furnish and equip capital improvement projects consisting generally of: (a) a new Bangor garage and maintenance facility, and (b) remodeling and expanding the Lawrence Administrative Office, including all mechanical, electrical, technology and security systems, site, utility and parking improvements and all related appurtenances and attachments thereto (collectively, the "Project"); and

WHEREAS, the estimated cost of the Project is an amount not-to-exceed Twenty Million Dollars (\$20,000,000); and

WHEREAS, in order to obtain the lowest cost of financing for the Project, the Road Commission desires to request the County Board of Commissioners of the County to authorize the borrowing of funds and issuance of the County's limited tax general obligation bonds to pay the cost of the Project; and

WHEREAS, the Road Commission will pay the annual principal and interest payments on the proposed bonds from its future revenues derived from state-collected gas and weight taxes returned to the County for county road purposes pursuant to law.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. Request to County to Issue Bonds. The Road Commission hereby requests that the County Board of Commissioners initiate proceedings to authorize the issuance of limited tax general obligation bonds of the County in an amount not-to-exceed Twenty Million Dollars (\$20,000,000) for the purpose of paying costs of the Project.
2. Payment of Bonds; Reimbursement of Costs. The Road Commission agrees to pay the County from its future revenues derived from State-collected gas and weight taxes returned to the County for county road purposes pursuant to law, in such amounts necessary to pay principal of and interest on the bonds as they come due. The Road Commission further agrees to reimburse the County for any costs of the Project not financed from the proceeds of the bonds, including, if necessary, the costs of issuance of the bonds, any publication costs, and other costs incurred by the County with respect to the Project.
3. Use of Bond Proceeds. The proceeds of the bonds shall be used to pay the cost of the Project and issuance costs of the bonds. Any remaining costs of the Project shall be paid from funds lawfully available to the Road Commission.
4. Professional Consultants. The Road Commission requests that the County retain the consultants that have been working with the Road Commission on the Project and the bonds, including:
 - (a) Miller, Canfield, Paddock and Stone, P.L.C. as bond counsel in connection with the issuance of the bonds; and
 - (b) Bendzinski & Co. Municipal Finance Advisors, as the registered municipal advisor in connection with the issuance of the bonds.
5. Delivery of Resolution to County. The Secretary of the Road Commission is directed to deliver a certified copy of this resolution to the County Administrator.
6. Conflicting Resolutions. All resolutions and parts of resolutions insofar as they conflict with the provisions of this resolution be and the same hereby are rescinded.

Roll Call Vote:

Askew: Yes

Boze: Yes

Burleson: Yes

Kinney: Yes

Nelson: Yes

RESOLUTION ADOPTED.

Attorney Liscombe and Bobby Bendzinski thanked the Board and exited the meeting.

It was moved by Boze, seconded by Burleson to adopt the following Resolution:

RESOLUTION 2023-04

WHEREAS, the Board of County Road Commissioners of Van Buren County is deeply saddened and mourns the loss of their fellow employee, René Rangel, Jr.; and,

WHEREAS, René was a valued and respected staff member at the Road Commission where he built amazing friendships. His positive attitude, fun-loving style, and dedicated work ethic were contagious; and,

WHEREAS, as a Road Maintenance Employee, René was also responsible for winter maintenance, including snow removal and ice control, often working in extreme conditions, exhibiting personal dedication and extraordinary efforts to safeguard the motoring public throughout Van Buren County; and,

WHEREAS, René was a wonderful team member who was more focused on the good of the Road Commission and the motoring citizens than his own benefit. He made many great contributions and helped to carry out the mission of the Road Commission by working as a team member to accomplish shared goals.

NOW, THEREFORE, BE IT RESOLVED that the Board of County Road Commissioners of Van Buren County expresses its profound sorrow, and extends its sincere condolences to René's partner, Stacey Hollenbeck, and their families.

YES: 5

NO: 0

RESOLUTION ADOPTED.

Rader explained that the proposed News Release before the Board was developed to roll out to the public the Policy adopted by the Board in October of last year. The News Release was reviewed and approved by the MCRCSIP. Discussion was held regarding the newly developed distribution list. Motion by Askew, seconded by Boze to approve the News Release, as presented, for distribution to the media and public and to pay for advertising in the local newspapers and trade lines:

FARMERS CAN HELP PROTECT OUR ROADS

"We Mow - So Don't Sow!"

THE ROAD COMMISSION WANTS YOU TO KNOW . . .

The Van Buren County Road Commission has been given, by law, the responsibility for regulating and controlling activities in the county road right-of-way in order to manage the placement of road signs, utilities and for other approved uses of the public easement. Any work in the right-of-way must be permitted by the Road Commission in order to make sure access to public facilities is efficient. The right-of-way is typically a width of 66 feet (33 feet on either side of the centerline of the road).

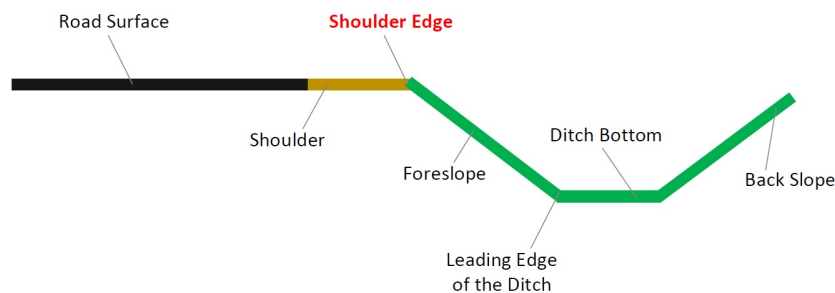
From late spring through late summer the Van Buren County Road Commission maintains the right-of-way by performing mowing cycles to keep roadsides and intersections clear

and suitable for travel and use. In addition, in late summer the Road Commission also performs roadside chemical vegetation management to control brush and woody vegetation within the county road right-of-way.

Farmers can help protect our roads by avoiding the road right-of-way when tilling and planting their crops, such as soybeans, corn, asparagus, pickles, etc. Any crops planted in the right-of-way are there at the farmers' risk and no compensation for loss of crops in the right-of-way will be considered pursuant to Road Commission Policy 2022-02. Therefore, all crops must be planted beyond 14' from the road's edge, or behind the "Back Slope" of an existing ditch as set forth in the diagram below. Roadside ditches cannot be backfilled by property owners or their tenants.

In short, Road Commission staff and its contractors will be strictly enforcing the Road Commission's statutory right to mow or control brush in the county road right-of-way. Cooperation in keeping the right-of-way free of anything un-permitted by the Road Commission except authorized mailbox mountings is essential.

To review a copy of the Board of County Road Commission's Policy 2022-02, Right-of-Way Mowing, Brush Control & Spraying Policy visit the Road Commission's website at: www.vbcrc.org/vegetationmaintenance. This Policy complies with the standards created by law (MCL 247.665b).



YES: 5
 NO: 0
 MOTION CARRIED.

Linnea discussed the final 2022 line item budget adjustment proposed for approval. This line item adjustment is pursuant to the Auditor's request as this is a new procedure as set forth in the supporting emails provided to the Board. Motion by Boze to approve the proposed 2022 Final Line Item Budget Adjustment as presented:

**Van Buren County Road Commission
 2022 Operating Budget
 2022 Final Budget**

Revenue	December 31, 2022	December 15, 2022	Difference
AOF - January 1, 2022	\$ 11,075,692.49	\$ 11,075,692.49	-
Michigan Transportation Fund (MTF)			
Engineering	\$ 10,000.00	\$ 10,000.00	-
Primary	\$ 6,540,000.00	\$ 6,540,000.00	-
Local	\$ 4,125,000.00	\$ 4,125,000.00	-
Primary Urban	\$ 510,000.00	\$ 510,000.00	-
Local Urban	\$ 230,000.00	\$ 230,000.00	-
Total MTF	\$ 11,415,000.00	\$ 11,415,000.00	-

Other State Revenue					
State Aid - Snow Funds	\$	95,342.64	\$	95,342.64 \$	-
State Aid - Economic Development	\$	-	\$	- \$	-
State Aid - Bridges	\$	-	\$	- \$	-
State Aid - Supplemental Road Funding	\$	-	\$	- \$	-
State Aid - Other (Community Stabilization)	\$	94,907.27	\$	94,907.27 \$	-
Total Other State Funding	\$	190,249.91	\$	190,249.91 \$	-
Federal Funds					
Federal Aid - Secondary	\$	-	\$	- \$	-
Federal Aid - Safety HRRR	\$	-	\$	- \$	-
Federal Aid - Bridges	\$	284,091.12	\$	284,091.12 \$	-
Federal Aid - STP	\$	1,223.94	\$	1,223.94 \$	-
Federal Aid - CMAQ/Other	\$	-	\$	- \$	-
Total Federal Aid	\$	285,315.06	\$	285,315.06 \$	-
Property Taxes					
County Wide Millage	\$	2,605,440.00	\$	2,605,440.00 \$	-
County Appropriation	\$	-	\$	- \$	-
Township Contributions	\$	6,000,000.00	\$	6,000,000.00 \$	-
Other Revenues (Interest, Gain on Equip, etc.)	\$	265,000.00	\$	265,000.00 \$	-
Total Revenue including AOF	\$	31,836,697.46	\$	31,836,697.46 \$	-

Van Buren County Road Commission
2022 Operating Budget
2022 Final Budget

Expenditure				
		December 31, 2022	December 15, 2022	Difference
Heavy Maintenance				
Primary Roads	\$	4,500,000.00	\$ 4,250,000.00	\$ 250,000.00
Primary Structures	\$	500,000.00	\$ 421,000.00	\$ 79,000.00
Local Roads	\$	3,800,000.00	\$ 3,500,000.00	\$ 300,000.00
Local Structures	\$	12,000.00	\$ 12,000.00	\$ -
Total Heavy Maintenance	\$	8,812,000.00	\$ 8,183,000.00	\$ 629,000.00
Maintenance				
Primary Roads				
General Maintenance	\$	1,400,000.00	\$ 1,015,000.00	\$ 385,000.00
Traffic Services	\$	100,000.00	\$ 65,000.00	\$ 35,000.00
Snow & Ice Control	\$	1,300,000.00	\$ 1,000,000.00	\$ 300,000.00
Special Maintenance Projects	\$	2,950,000.00	\$ 2,550,000.00	\$ 400,000.00
Routine Structure Maintenance	\$	15,000.00	\$ 5,000.00	\$ 10,000.00

Local Roads			\$	-
General Maintenance	\$	2,136,000.00	\$	1,700,000.00 \$ 436,000.00
Traffic Services	\$	150,000.00	\$	100,000.00 \$ 50,000.00
Snow & Ice Control	\$	2,000,000.00	\$	1,450,000.00 \$ 550,000.00
Special Maintenance	\$	4,100,000.00	\$	3,700,000.00 \$ 400,000.00
Projects				
Routine Structure	\$	15,000.00	\$	10,000.00 \$ 5,000.00
Maintenance				
Disaster Contingency	\$	5,000.00	\$	5,000.00 \$ -
Total Maintenance	\$	14,171,000.00	\$	11,600,000.00 \$ 2,571,000.00
Other Expenses				
Administration	\$	1,500,000.00	\$	1,300,000.00 \$ 200,000.00
Interest Expense	\$	-	\$	- \$ -
Long-Term Debt Payments	\$	-	\$	- \$ -
Net Capital Outlay	\$	600,000.00	\$	600,000.00 \$ -
Net Equipment Expense	\$	500,000.00	\$	500,000.00 \$ -
Distributive Expense	\$	-	\$	3,400,000.00 \$ (3,400,000.00)
Adjustments to Fund Balance	\$	-	\$	- \$ -
Total Other Expenses	\$	2,600,000.00	\$	5,800,000.00 \$ (3,200,000.00)
Total Expenditures	\$	25,583,000.00	\$	25,583,000.00 \$ -
Operating Fund Balance	\$	6,253,697.46	\$	6,253,697.46 \$ -
Total Expenditures & Fund Balance	\$	31,836,697.46	\$	31,836,697.46 \$ -

YES: 5
NO: 0
MOTION CARRIED.

Rader outlined the 2022 Act 51 Report which is currently un-audited but was given to the Board to provide time for review as the window of time from when the audit is complete, to the time the Board is requested to formally consider for approval can be narrow.

Rader discussed the Pension Actuarial Report before the Board and the savings possible by contributing before March 31st. The Pension is well-funded, but due to current market volatility a funding contribution of \$515,495.00 for 2023 was recommended. Other options for the Board's consideration were also discussed, as well as the 2023 budget. Motion by Boze seconded by Askew to approve a contribution of \$515,495.00 to the Van Buren County Road Commission Pension Plan for 2023.

YES: 5
NO: 0
MOTION CARRIED.

The Other Post Employee Benefits (OPEB) for the period ending 12/31/22 was reviewed by Rader with the Board. Due to the Board's aggressive authorized contributions, the Road Commission's corrective action plan (CAP) has been closed. A contribution of \$400,000.00 was recommended by Rader, but she outlined other options for contributions for consideration by the Board. Motion by Boze, seconded by Burleson to approve a contribution of \$400,000.00 to the Van Buren County Road Commission OPEB Plan Trust for 2023.

YES: 5
NO: 0
MOTION CARRIED.

Greg Brucks outlined his recommendation for award of MDOT 22A Contract Gravel for the Board and those present. He also provided information to the Board regarding a bid received from Valentine Logistics on February 24, 2023 via US Mail and sealed bids were due to be received by 11:00 AM on February 21, 2023. Motion by Burleson, seconded by Boze to reject the bid received from Valentine Logistics as it was not timely received, and to approve all bidding contractors and primary contractors, in the best interest of the Van

Buren County Road Commission, as recommended by Operations Director Brucks as follows:

StoneCo of Michigan: Arlington Township, Bangor Township, Bloomingdale Township, Columbia Township, Geneva Township, Hamilton Township, Paw Paw Township, Van Buren County Road Commission Boudreau Pit, Bangor (Western) Garage; Blomingdale Garage

R. Smith & Sons: Keeler Township; Pine Grove Township, Waverly Township

YES: 5
NO: 0
MOTION CARRIED.

Brucks provided discussion regarding Liquid Dustlayer bids received, and outlined options for the Board regarding award of the bid. Brucks explained the reasoning behind his recommendation. Motion by Burleson to award to all bidding contractors, in the best interest of the Van Buren County Road Commission and the Townships. Additional discussion was held by Rader and Brucks regarding the cost savings of options 1 or 2 given that 71% of the additional gravel road maintenance dollars were spent in townships that utilized brine products. Additionally, 85% of the county-wide dust complaints received came from within townships in which brine was utilized. The Board stressed the importance of utilizing a local contractor. Additional concerns were stressed by the Board regarding the importance of the environment in the Board's decision.

YES: 2
NO: 3
MOTION NOT CARRIED.

Motion by Boze to postpone award of the bid until after information can be presented to the Townships at the upcoming Supervisors' Meeting on March 23, 2023.

YES: 4
NO: 1 (Burleson)
MOTION CARRIED.

Revisions to the Board's Policy for Soil Erosion and Sedimentation Control were reviewed with the Board by Rader. Motion by Boze to approve the proposed policy revisions as follows:

Van Buren County Road Commission

Policy for Soil Erosion and Sedimentation Control

Policy No. 2020-05

Part 91, Soil Erosion and Sedimentation Control, of the Natural Resources and Environmental Protection Act (NREPA) (Part 91), 1994 PA 451, as amended, provides for the control of soil erosion and protects adjacent properties and the waters of the state from sedimentation; and,

The Board of County Road Commissioners of Van Buren County (Road Commission) hereby adopts, by reference, all requirements of Part 91, Soil Erosion and Sedimentation Control, of the Natural Resources and Environmental Protection Act (NREPA) (Part 91).

In addition, the following Road Commission personnel will make decisions regarding the design, inspection, or implementation of Soil Erosion and Sedimentation Control (SESC) measures. These agency personnel must complete the Michigan Department of Environment, Great Lakes and Energy's SESC training, and pass the final exam:

- Highway Engineer; **Construction Site Storm Water Operator and SESC Inspector**
- Engineering Technicians, as designated; **Construction Site Storm Water Operator**, at a minimum.
- Permit Officer-County Weighmaster; **Construction Site Storm Water Operator**

- Operations Director; **Construction Site Storm Water Operator and SESC Inspector**
- ~~Drainage Group Leader~~ **Right-of-Way Superintendent**; **Construction Site Storm Water Operator**
- ~~Roadside Group Leader~~; ~~**Construction Site Storm Water Operator**~~
- ~~Surface Group Leader~~ **Surface Maintenance Superintendent**; **Construction Site Storm Water Operator**
- ~~Buildings and Grounds RME~~ **Fleet & Facilities Superintendent**; **Construction Site Storm Water Operator**

These Road Commission personnel will assist in the development and implementation of SESC Procedures for new construction, or heavy maintenance projects, as well as for routine maintenance, including the authority to enforce compliance, and provide for corrective action as set forth below.

Certification as a Construction Storm Water Operator / Soil Erosion Inspector allows you to:

- Inspect sites to determine compliance with a Soil Erosion and Sedimentation Control (SESC) Plan
- Document Inspection
- Identify Soil Erosion and Sedimentation Control Measures that are failing or require maintenance
- Identify areas where additional SESC measures may be necessary
- Report to landowner (or Comprehensive Certified individuals for employees or contractors for Part 91 Enforcing Agencies or Authorized Public Agencies) the findings of the inspection, including any corrective or additional action recommended
- Certified Construction Storm Water Operators may be the same person responsible for installing and maintaining the Soil Erosion and Sedimentation Control measures, however, this is not a required duty under the certification

Comprehensive Soil Erosion & Sedimentation Control (SESC) Certification Plan Review and Design allows you to:

- Review and/or design Soil Erosion and Sedimentation Control Plans
- Make final decisions regarding Soil Erosion and Sedimentation Control Permit issuance or denial
- Make determinations on whether or not to pursue enforcement action for noncompliance with Part 91
- Make plan updates as an employee or contractor for an Authorized Public Agency or request plan updates of permittees
- Review and/or Design Soil Erosion and Sedimentation Control Measures or make determinations that design assistance is needed for Soil Erosion and Sedimentation Control Measures (e.g. sediment basins, diversions, riprap sizing, etc.)

YES: 5

NO: 0

MOTION CARRIED.

Rader provided revisions recommended by the CRA to the Commissioners' Code of Conduct Policy which adhere to Michigan's Elliot-Larsen Act and were made in consultation with the CRA's legal counsel. Motion by Boze, seconded by Askew to adopt the revised policy as follows:

Board of County Road Commissioners
of Van Buren County

ROAD COMMISSIONERS' CODE OF CONDUCT

Policy 2018-04

The Road Commissioners of Van Buren County will conduct themselves lawfully, with integrity and high ethical standards. In addition, a Road Commissioner:

1. Will attend as many Board meetings as possible, informed of concerning issues. He or she will inform the Managing Director, or designee, of any impending absences.
2. Shall exercise their obligation to vote upon issues at hand, unless a conflict of interest is present.
3. Will not personally direct any part of the operational organization **and will refer any such matters that come to their attention to the Managing Director or other appropriate staff;**
4. Will work with other Road Commissioners to establish effective policy and delegate authority for administration to the Managing Director.
5. Will participate in strategic planning for the Road Commission, which will collectively assist administration in setting an overall direction for the Road Commission.
6. Shall support the employment of those individuals best qualified to serve as employees, and support the managing staff, as may be necessary, with regard to regular, impartial evaluations of employees.
7. Shall **avoid being placed in a position of conflict of interest and** refrain from using the Board position for personal or partisan gain, ~~or conflict of interest.~~
8. **Will maintain confidentiality appropriate to sensitive issues and information that otherwise may tend to compromise the integrity or legal standing of the organization, especially those matters discussed in a closed session that is privileged under applicable law.**
- 8-9. Will maintain confidentiality appropriate to sensitive issues and information that otherwise may tend to compromise the integrity or legal standing of the organization; especially those matters discussed in a closed session that is privileged under applicable law.
10. **Will adopt policies and programs that do not discriminate on the basis of religion, race, color, national origin, age, sexual orientation, gender identity, height, weight, marital status or disability.**

YES: 5
 NO: 0
 MOTION CARRIED.

Rader presented price options to the Board for 2023 sealcoat, fog seal, de-berming and gravel spreading. Option A outlined pricing for combining sealcoat and fog seal due to the major benefits of combining the techniques. Option B pricing was for individual options to sealcoat or sealcoat with fog seal. Both Option A and Option B pricing reflected a more accurate pricing model of square foot pricing, and road condition pricing taking into consideration the need for additional hot mix asphalt patching material on a road with a lower rating versus a higher rating. Brucks also provided insight to the Board regarding benefits of a sealcoat with fog seal application as opposed to sealcoat only. Motion by Boze for Option A combined sealcoat with fog seal application, with separate deberming pricing, and separate gravel spreading pricing.

YES: 2
 NO: 3
 MOTION NOT CARRIED.

Motion by Boze for Option B pricing for individual options to sealcoat, or sealcoat with fog seal, with separate de-berming pricing, and separate gravel spreading pricing:

2023 Sealcoat Pricing (Option B)

Sealcoat with Slag

	Per Sq Foot	2023 Average/Mile Cost (assume 20' wide)	2022 Pricing
Roads Rated 1-3	\$0.2126	\$23,567.80	\$18,750.00
Roads Rated 4-6	\$0.1855	\$20,568.19	\$18,750.00
Roads Rated 7+	\$0.1540	\$17,079.06	\$18,750.00

Sealcoat with Trap Rock

	Per Sq Foot	2023 Average/Mile Cost (assume 20' wide)	2022 Pricing
Roads Rated 1-3	\$0.2513	\$27,868.70	\$26,500.00
Roads Rated 4-6	\$0.2225	\$24,673.60	\$26,500.00
Roads Rated 7+	\$0.1893	\$20,988.97	\$26,500.00

Fog Seal

Per Sq Foot	2023 Average/Mile Cost (assume 20' wide)	2022 Pricing
\$0.0431	\$4,782.12	\$3,400.00

De-berming Pricing

	<u>2023 Pricing</u>	<u>2022 Pricing</u>
Local roads per mile	\$4,000.00	\$3,400.00
Primary roads per mile	\$4,000.00	\$4,000.00

Gravel Spreading Pricing

	<u>2023 Pricing</u>	<u>2022 Pricing</u>
Per Ton	\$2.28	\$1.95

YES: 5
 NO: 0
 MOTION CARRIED.

Resolutions in Support of Local Bridge Funding were outlined by Rader as selected by Highway Engineer Anttila for application for local bridge funding. Motion by Askew, seconded by Boze to adopt the following Resolutions:

RESOLUTION 2023-05

WHEREAS: The Board has reviewed the application for Local Bridge Funding for the replacement of the structure that carries 8th Avenue over the Black River in Geneva Township in 2026; and,

WHEREAS: The structure is posted for weight limits of 31/40/40; and,

WHEREAS: The bridge does not meet present day standards for shoulder clearance or traffic lane widths, and the bridge does not provide the safety margins now required by present day design standards; and,

WHEREAS: The current structure restricts the waterway causing scour and erosion issues; and,

WHEREAS: Because of the deterioration of the present structure and its poor rating, a complete replacement would be in the best interest of the traveling public.

WHEREAS: The Geneva Township Board has voiced its support of the replacement of the 8th Avenue structure and, furthermore, the Township Supervisor has given a verbal confirmation to the Van Buren County Road Commission that the Township will be financially committing to the replacement as follows: one-half (½) of the 15% in Local Funds, and one-half (½) of all design engineering and construction engineering.

NOW, THEREFORE BE IT RESOLVED: That the Board concurs in the importance of the replacement of this structure and urges approval of the application for Local Bridge Funding for the structure that carries 8th Avenue over the Black River in Geneva Township.

IT IS FURTHER RESOLVED: That plans for said replacement can be ready within 1-year after notification of a successful application.

RESOLUTION 2023-06

WHEREAS: The Board has reviewed the application for Local Bridge Funding for the replacement of the bridge that carries 2nd Avenue over the Mentha Drain in Pine Grove Township in 2026; and,

WHEREAS: The structure is posted for weight limits of 31/53/67; and,

WHEREAS: The bridge does not meet present day standards for shoulder clearance or traffic lane widths, and the bridge does not provide the safety margins now required by present day design standards; and,

WHEREAS: Because of the deterioration of the present structure a complete replacement would be in the best interest of the traveling public.

NOW, THEREFORE BE IT RESOLVED: That the Board concurs in the importance of the replacement of this structure and urges approval of the application for Local Bridge Funding for the structure that carries 2nd Avenue over the Mentha Drain in Pine Grove Township.

IT IS FURTHER RESOLVED: That plans for said replacement can be ready within 1-year after notification of a successful application.

RESOLUTION 2023-07

WHEREAS: The Board has reviewed the application for Local Bridge Funding for the replacement of the structure that carries 40th Street over the Paw Paw River, in Waverly Township in 2026; and,

WHEREAS: The bridge does not meet present day standards for shoulder clearance or traffic lane widths, and the bridge does not provide the safety margins now required by present day design standards; and,

WHEREAS: The bridge is posted for weight limits of 25/30/40; and,

WHEREAS: Because of the deterioration of the present structure, a full replacement of the superstructure would be in the best interest of the traveling public.

NOW, THEREFORE BE IT RESOLVED: That the Board concurs in the importance of the replacement of this structure and urges approval of the application for Local Bridge Funding for the structure that carries 40th Street over the Paw Paw River in Waverly Township.

IT IS FURTHER RESOLVED: That plans for said replacement can be ready within 1-year after notification of a successful application.

RESOLUTION 2023-08

WHEREAS: The Board has reviewed the application for Local Bridge Funding in 2026 for preventative maintenance to the bridge that carries Baseline Road over the Black River in South Haven Township; and,

WHEREAS: The bridge is in need of a new HMA surface over the bridge, waterproofing membrane, and concrete repairs; and,

WHEREAS: Preventative maintenance work on the structure would be in the best interest of the traveling public as it would prolong the life of the structure.

NOW, THEREFORE BE IT RESOLVED: That the Board concurs in the importance of the preventative maintenance on this structure and urges approval of the application for Local Bridge Funding.

IT IS FURTHER RESOLVED: That plans for said preventative maintenance can be ready within 120 days after notification of a successful application.

RESOLUTION 2023-09

WHEREAS: The Board has reviewed the application for Local Bridge Funding in 2026 for preventative maintenance to the bridge that carries CR358 over the West Branch of the Paw Paw River in Paw Paw Township; and,

WHEREAS: The bridge requires removal of the hot mix asphalt, installation of a waterproofing membrane, and resurfacing; and,

WHEREAS: Preventative maintenance work on the structure would be in the best interest of the traveling public as it would prolong the life of the structure.

NOW, THEREFORE BE IT RESOLVED: That the Board concurs in the importance of the preventative maintenance on this structure and urges approval of the application for Local Bridge Funding.

IT IS FURTHER RESOLVED: That plans for said preventative maintenance can be ready within 120 days after notification of a successful application.

RESOLUTION 2023-10

WHEREAS: The Board has reviewed the application for Local Bridge Funding in 2026 for preventative maintenance to the bridge that carries 13th Avenue over Deerlick Creek, South Haven Township; and,

WHEREAS: The bridge is in need of erosion repairs, panel repairs, new guardrail, a mill and fill on the bridge and approaches with a waterproofing membrane, and replacement of the pile in the Northeast wingwall; and,

WHEREAS: Preventative maintenance work on the structure would be in the best interest of the traveling public as it would prolong the life of the structure.

NOW, THEREFORE BE IT RESOLVED: That the Board concurs in the importance of the preventative maintenance on this structure and urges approval of the application for Local Bridge Funding.

IT IS FURTHER RESOLVED: That plans for said preventative maintenance can be ready within 120 days after notification of a successful application.

RESOLUTION 2023-11

WHEREAS: The Board has reviewed the application for Local Bridge Funding in 2026 for preventative maintenance to the bridge that carries 28th Avenue over the South Branch of the Black River in Arlington Township; and,

WHEREAS: The bridge is in need of a new HMA surface over the deck and waterproofing membrane; and,

WHEREAS: Preventative maintenance work on the structure would be in the best interest of the traveling public as it would prolong the life of the structure.

NOW, THEREFORE BE IT RESOLVED: That the Board concurs in the importance of the preventative maintenance on this structure and urges approval of the application for Local Bridge Funding.

IT IS FURTHER RESOLVED: That plans for said preventative maintenance can be ready within 120 days after notification of a successful application.

Roll Call Vote:

Askew: YES
Boze: YES
Burlison: YES
Kinney: YES
Nelson: YES

RESOLUTIONS ADOPTED.

Motion by Boze to appoint Bret Witkowski as Chief Fiscal Officer of the Van Buren County Road Commission and to appoint the following individuals as authorized signers for all Road Commission authorized financial institutions: Trisha M. Nesbitt, County Treasurer; Kimberly Babcock, County Deputy Treasurer; Bret Witkowski, Managing Director; Linnea Rader, Finance and Human Resources Director; Jill K. Brien, Administrative Assistant.

YES: 5
NO: 0

MOTION CARRIED.

Following the last regular meeting, and pursuant to the Board's request, Rader advised that she reached out to Nancy Whaley, Geneva Township Supervisor regarding the Township's Resolution financially supporting work on CR384 from 70th Street to CR687, and the Road Commission's asset management plan and budget constraints. Supervisor Whaley understands that with the Township's current financial support, the project will be considered in the 2024 road plan as opposed to the 2023 road plan. Motion by Askew, seconded by Boze to authorize the Managing Director to prepare a letter to Geneva Township thanking them for their financial support of a mill and pave project on CR384 from 70th Street to CR687 and indicating that the Board will take this into consideration when adopting its 2024 budget.

YES: 5
NO: 0
MOTION CARRIED.

Commissioner Updates and Reports:

- W.C. Askew, Sr. - Attended South Haven Township's Board meeting with Witkowski and all went well.
- Rick Boze - Attended Keeler Township's Board meeting on Tuesday.
- Doug Burlison - Attended Bloomingdale Township Board meeting on the 15th. Attended Columbia Township Board meeting on the 21st.
- Greg Kinney - Attended the New Commissioner Workshop on February 21st. He indicated the workshop was well done and recommended that the Board request copies of some or all of the materials from Jill as set forth in the Staff Report.
- Wayne Nelson - Attended Porter Township Board meeting on February 8th. Attended Almena Township Board meeting on February 15th.

The Chairman opened the meeting to second public comment. County Commissioner Chappell extended his sympathies for the loss of a working member of the Road Commission family and thanked the Road Commission staff for all that they do for the community.

County Commissioner Doroh updated the Board and those present regarding Consumers Energy's proposal to install new electric lines in Van Buren County. The Board of County Commissioners is not in agreement with Consumers' proposal as the majority of residents are against the project.

Chair Nelson acknowledged the staff at the Road Commission who stepped up and quickly dealt with the tragedy that occurred at the Road Commission on March 3rd and stated that he considered it an honor to serve with staff that day.

Motion by Nelson to adjourn the Call of the Chair at 6:50 PM.

YES: 5
NO: 0
MOTION CARRIED.

Board Secretary

Board Chairman