

## Van Buren County Board of Road Commissioners

November 7, 2019

Regular Meeting - Administrative Office, Lawrence, Michigan

BE IT REMEMBERED: That on the 7<sup>th</sup> day of November, 2019 at 5:00 PM, E.D.T., or as soon thereafter as reasonably possible, 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  
Finance Director Linnea Rader  
Highway Engineer Barry Anttila  
Operations Director Greg Brucks  
Fleet & Facilities Superintendent Gary Rohacs  
Administrative Assistant-Board Secretary Jill Brien

GUESTS: Mike Chappell, County Commissioner  
Steven Rogusta, Village of Breedsville  
Linda Norton, Columbia Township

Chairman Boze called the meeting to order at 5:13 PM.

Moffat requested that Item 6A, Protocol for Appointing Board Secretary, to the Agenda.

Motion by Burleson, seconded by Askew to approve the revised Agenda.

AYES: 5  
NAYS: 0  
MOTION CARRIED.

Moved by Askew and seconded by Burleson to approve the minutes of the October 24, 2019 regular meeting as presented by Board Secretary Brien.

AYES: 5  
NAYS: 0  
MOTION CARRIED.

Moved by Moffat and seconded by Kinney to approve the minutes of the October 29, 2019 special session as presented by Board Secretary Brien.

AYES: 5  
NAYS: 0  
MOTION CARRIED.

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

Moffat read MCL 224.9, in pertinent part, as follows: "The clerk of the county shall be clerk of the board of county road commissioners, and shall keep the records and accounts of the board. When the record keeping is of sufficient volume, the board may appoint a secretary, with the consent of the county board of commissioners, who shall act as clerk of the board, and whose salary, together with the salaries of the members of the board of county road commissioners, shall be paid by the board of county road commissioners from county road funds." Discussion held regarding staff recollections. Motion by Moffat to seek the consent of the county board of commissioners to appoint a secretary of the Board of County Road Commissioners other than the County Clerk. Motion seconded by Kinney.

AYES: 5  
NAYS: 0  
MOTION CARRIED.

Budget Review and Finance Director's Update:

- Proposed 2020 Non-Union wages were discussed, as well as union pay scales over the course of the current contract given competencies, etc. The Board requested additional factual information, such as the inflation rate for this area and social security inflationary cost of living information to be brought back to the next meeting.

- Administrative Office flooring discussion held. Rader brought back a rough estimate at the Board's request for the vinyl flooring in the high traffic areas only, which estimate totaled \$18,582.00.

Motion by Askew to let the vinyl flooring replacement for bid.

AYES: 5  
 NAYS: 0  
 MOTION CARRIED.

- MTF funding for 2019, 2020 and 2021 were discussed and reviewed by Rader. A handout "Estimated Distribution Schedule for Michigan Transportation Funding by County" was distributed to the Board at Kinney's request. Conservative budgeting was recommended by Rader given previous year adjustments. Kinney provided discussion and opinions in this regard. Rader stated that the 2020 preliminary budget should be presented to the Board, together with a 2019 budget adjustment, by the first meeting in December with best guess estimates for MTF revenues.
- 5<sup>th</sup> Annual Legal Issues Symposium, CRA of Michigan.

Questions were raised by Kinney regarding the Voucher which were answered by Rader. Motion by Kinney, seconded by Burleson to approve the following Vouchers:

Voucher #2122	\$110,641.05
Voucher #2123	\$620,051.06

AYES: 5  
 NAYS: 0  
 MOTION CARRIED.

Index of Road Commission Policies was reviewed by the Board. Suggestions were made regarding the formation of a Policy Committee to begin systematically reviewing all Policies, and to make recommendations to the Board, as appropriate. Motion by Moffat, seconded by Burleson to form a two member Policy Committee consisting of Board Chairman Boze and Board Member Moffat.

AYES: 5  
 NAYS: 0  
 MOTION CARRIED.

Discussion regarding the time and date of Committee meetings was held. It was decided among Committee Members that the Policy Committee will meet on the 3<sup>rd</sup> Wednesday of each month at 3:45 PM beginning on November 20, 2019 at the Road Commission's Administrative Office.

Kinney brought discussion regarding the amendment of the Policy on Requests for Improvements on Primary Road System (2011-01), with a recommendation to provide \$1M in matching funds from the Road Commission to the Townships for use on the local road system on a first come first served basis in 2020. Discussion ensued relating to how this funding could be provided to the Townships by the Road Commission. General concerns were voiced regarding current preliminary Primary road plans, the likely influx of estimate requests, millage dollars currently shared, and budgetary constraints. The Board and staff also discussed the original intent of the Policy, which was to consider a request from a township for improvements to be made on the Primary road system. The consensus was that the matching fund concept of the Policy revision was good, but that the funding was not available at this time. Motion by Moffat, seconded by Burleson to postpone consideration of a revised Policy until January of 2020.

AYES: 5  
 NAYS: 0  
 MOTION CARRIED.

The Official Ballot for Revised By-Laws (Association of Southern Michigan County Road Agencies) was discussed by Rader and Askew. Motion by Moffat, seconded by Burleson to mark the Ballot "Yes" to approve the by-laws as revised by the Board of Directors of the Association of Southern Michigan County Road Agencies.

AYES: 5  
NAYS: 0  
MOTION CARRIED.

Two late application packages were received for the Managing Director position. Motion by Moffat, to postpone consideration of the late application packages until the Board's Special Session on November 12, 2019.

AYES: 5  
NAYS: 0  
MOTION CARRIED.

Moffat requested that the Board reflect on their personal preferences for the candidates and to be prepared to discuss them at the Special Session.

Rader reviewed the process of background checks, and the possibility of credit checks for interview candidates. Personality testing was also reviewed by Rader as this has been found to be valuable when integrating new staff.

The millage renewal process was discussed by Rader as the current levy is up for renewal in 2020, together with deadlines for each election in 2020. Questions were asked by the Board regarding a renewals, and the possibility of a new road millage. Other renewals that may be on the March 10<sup>th</sup> Presidential Primary were also discussed. Motion by Moffat, seconded by Bureson to request that staff work with Van Buren Equalization to draft language for a road millage renewal ballot for the March 10 Presidential Primary, and forward to Attorney Kelly Page for placement on the County Commission agenda for consideration.

AYES: 5  
NAYS: 0  
MOTION CARRIED.

Discussion was provided by Brucks regarding his conference call with Attorney Bill Henn regarding the decertification of a portion of 54<sup>th</sup> Street in Lawrence Township. The segment currently appears on certification inadvertently as it was meant to have been removed, yet the decision was never finalized by the Board. Further, the segment is not currently being maintained by staff. It was, therefore, Attorney Henn's recommendation to decertify, not abandon, the segment and to allow the property owner to conduct the necessary work through a permit to work in the county road right of way. Motion by Boze, seconded by Moffat to adopt the following Resolution:

**RESOLUTION 2019-25**

WHEREAS, 54<sup>th</sup> Street beginning 0.72 mi. south of Red Arrow Highway and continuing 0.52 miles South in Lawrence Township appears on the Certification Maps of the Van Buren County Road Commission; however, the roadway:

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

NOW, THEREFORE, IT IS RESOLVED that 54<sup>th</sup> Street beginning 0.72 mi. South of Red Arrow Highway and continuing 0.52 miles South in Lawrence Township, Van Buren County, Michigan is hereby removed from certification by the Board of County Road Commissioners of Van Buren County.

IT IS FURTHER RESOLVED that the Board of County Road Commissioners does not herein relinquish, or in any way abandon or vacate, the public right of way so as to cause any of the adjacent property owner's on the decertified section of 54<sup>th</sup> Street, as described herein, to become landlocked.

AYES: 5  
NAYS: 0  
RESOLUTION ADOPTED.

#### Operations Director's Update:

Intergovernmental Agreements were discussed by Brucks relating to his conference call with Attorney Henn. In the future, Intergovernmental Agreements will only be utilized to program work in a city and/or village, or with another county. A separate agreement is being drafted for use with townships to program work on uncertified roadway, but only in those instances when the township contracts for work by the creation of a special assessment district. Brucks advised that staff will work to draft a policy to bring to a future meeting with regard to township requested maintenance on uncertified roadways.

#### Fleet & Facilities Superintendent's Update:

- Working to get trucks ready for winter.
- Three of the new trucks have been delivered.
- Ordered a new scale to calibrate salters.

Kinney requested that drinking fountain maintenance be addressed.

Boardroom chairs were also discussed. It was the Board's general consensus to purchase new chairs for the Boardroom.

#### Highway Engineer's Update:

- Permit Department Update, October 2019.
- 8<sup>th</sup> Avenue, South Haven Township, top course was applied on Sunday. Roadway is now open to traffic. Signs and some restoration yet to be completed.
- 14<sup>th</sup> Avenue railroad crossing, Columbia Township, paved on Monday. Shoulder gravel yet to be installed.
- KATS Technical Committee meeting in Oshtemo today. Funding requests were discussed.
- Red Arrow Highway at CR681 was discussed as Federal/State funding was approved in 2017 for intersection realignment and grade modifications; however, the Road Commission has been unable to acquire the necessary right of way to move forward with the project. The Road Commission is now being required to either utilize the funding, or cancel the project as programmed. Discussions were held as to whether the scope of the project could be revised. Anttila will continue to review right of way options with Gail Morton, the Road Commission's right of way acquisition agent.
- 62<sup>nd</sup> Avenue connection completed at M40, Antwerp Township.
- Received contact from Supervisor Ruzick regarding a project planned on 62<sup>nd</sup> Avenue from CR657 to M40. Supervisor Ruzick received an estimate from Michigan Paving for the project which extended the pricing from other projects let for bid in Antwerp Township earlier this season. After discussion it was the consensus of the Board to reject Michigan Paving's bid extension due to the late date in the season, in favor of letting the segment for bid when other 2020 Antwerp Township projects are let for bid.

#### Interim Directors' Update:

- Update regarding upcoming trainings/conferences for staff, director and managers were reviewed by Rader with the Board.

#### Legal Issues:

Rader provided an update regarding the workers comp case. Anttila provided an update regarding the deed drafted by Antwerp Township which is under review by Attorney Page.

#### Commissioner Updates and Reports:

- Askew: Attended the Township Annual Meetings.
- Boze: Attended the Township Annual Meetings. Attended Keeler Township's board meeting.
- Burleson: Attended the Township Annual Meetings.
- Kinney: Attended the 2:00 PM Township Annual Meeting. Attended the Board's Special Session on the 29<sup>th</sup>.

- Moffat: Attended the 2:00 PM Township Annual Meeting.

Motion by Moffat, seconded by Kinney to approve the requests for special per diem(s) by the Board Members and the Interim Directors for their attendance at the Township Annual Meeting(s).

AYES: 5  
NAYS: 0  
MOTION CARRIED.

The Chairman opened the meeting to Public Comment. Kinney voiced concerns over rounding of the number of certified miles maintained by the Road Commission.

Motion by Moffat, seconded by Burleson to adjourn the Call of the Chair at 8:44 PM.

AYES: 5  
NAYS: 0  
MOTION CARRIED.

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Secretary

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Chairman