

Van Buren County Board of Road Commissioners

Wednesday, May 15, 2019, 2019
Regular Meeting - Administrative Office, Lawrence, Michigan

BE IT REMEMBERED: That on the 15th day of May, 2019 at 7:00 PM, E.D.T., the Board of County Road Commissioners for the County of Van Buren met in regular session in the offices in Lawrence, Michigan.

PRESENT: Road Commissioners Askew, 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: Ross Stein, South Haven Township Supervisor
Attorney Kelly Page
Kurt Doroh, County Commissioner
Michael Laws
Gail Patterson-Gladney, County Commissioner
Linda Norton, Columbia Township Supervisor
Steven Rogusta, Village of Breedsville

Chairman Boze called the meeting to order at 7:02 PM.

Kelly Page requested that Item 14, Legal Issues, be moved to Item 5A. Kinney requested that Item 16A, Discussion Regarding Recording of Van Buren County Road Commission Meetings, be added to the Agenda.

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

AYES: 5
NAYS: 0
MOTION CARRIED.

Kinney moved that Commissioner Doroh's comments be deleted from minutes of the May 1, 2019 Regular Meeting of the Board. Motion seconded by Moffat. Roll call vote.

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

Motion by Moffat, seconded by Kinney to approve the minutes of the May 1, 2019 meeting, as amended.

AYES: 5
NAYS: 0
MOTION CARRIED.

The Chairman opened the meeting to public comment. Comment was given by Supervisor Ross Stein regarding Agenda Item 13.

Public Comment was closed by Chairman Boze.

Legal Issues:

Attorney Kelly Page provided a legal update regarding VBCRC vs. Cornelius Farms. Motion by Kinney, seconded by Moffat to authorize Chairman Boze to speak on behalf of the Board of County Road Commissioners at court proceedings regarding VBCRC vs. Cornelius Farms. Roll call vote:

Kinney: Aye
Moffat: Aye
Askew: Aye
Burlison: Aye
Boze: Aye
MOTION CARRIED.

Discussion held regarding request by Kinney to waive attorney-client privilege.

Finance Director's Update:

- Active Shooter Training
- Hiring Update
- Act 51 Report
- Spring Summing-Improving Michigan's Infrastructure Asset Management
- Permit Department Update
- Service Request Update
- Personnel Update

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

Voucher #2095	\$151,441.25
Voucher #2096	\$765,024.72

AYES: 5
NAYS: 0
MOTION CARRIED.

Motion by Askew, seconded by Burlison to adopt the following Resolution:

RESOLUTION 2019-13

BE IT RESOLVED: That the Highway Engineer, Barry J. Anttila, and the Finance and Human Resources Director of the Van Buren County Road Commission, Linnea Rader, are hereby authorized to execute M.D.O.T. Contract No. 19-5113, Control Section STRH 80000; Job Number: 202793CON:

Preliminary engineering services and roadway improvement work at the at-grade crossings of the tracks of the CSX Transportation, Inc. with 14th Avenue (National Inventory #234-531-H); including hot mix asphalt base crushing, shaping and resurfacing, trenching, earth excavation, embankment, subbase, permanent pavement markings, permanent signing, and slope restoration work; and all together with necessary related work.

AYES: 5
NAYS: 0
RESOLUTION ADOPTED.

The following bids were opened at **7:30 PM**:

59th Street from 4th Avenue to CR388, Geneva Township, top course paving:

Rieth-Riley Construction	\$69,150.00
Michigan Paving & Materials	\$79,596.00

40th Street from 10th Avenue to 4th Avenue, Bloomingdale Township, top course overlay:

Rieth-Riley Construction	\$177,814.00
Michigan Paving & Materials	\$166,428.00

22nd Avenue between 68th Street and 69th Street, Geneva Township, final grading and base course paving:

Rieth-Riley Construction	\$82,665.00
Michigan Paving & Materials	\$86,250.00

CR388 between 47.50 Street and 48.50 Street, Columbia Township, remove existing 18"

CMP and install concrete cross-pipe and drainage structure:

Krohn Excavating	\$49,990.00
Brad Thomas Excavating	\$42,506.31
Scott Pavlak Excavating	\$39,482.75

Motion by Burleson, seconded by Moffat to authorize Interim Managing Directors to award the bids, upon review and tabulation by Engineering Staff, in the best interest of the Van Buren County Road Commission and the respective townships.

AYES: 5
NAYS: 0
MOTION CARRIED.

Email from Linda Norton, Supervisor of Columbia Township was discussed by Road Commission staff and the Board.

Operations Director's Update:

Maintenance Report:

- Gravel road re-shaping and grading.
- Boom mowing.
- De-berming.
- Washouts.
- Ditching and pipe replacements.

Equipment Update:

- Three tri-axels, and two tandem axels previously approved by the Board have been ordered for 2020 delivery.
- Gradall being delivered next week.

Highway Engineer's Update:

- Survey work on CR360 at Red Lake Drain.
- Sent program sheet to Alma Township for work on 27th Street.
- Preliminary design work on 62nd Avenue at M40, re-alignment of intersection, Antwerp Township.
- 30th Street, Antwerp Township, paved today.
- County Road Association of Michigan is seeking a representative to serve on the Southwest Regional Bridge Council. Board supported Anttila's application for the position.

Interim Directors' Update:

- Van Buren County Supervisors' Meeting.
- Discussion regarding vacant Engineer-Manager's position. Current plan is to wait at least six months to fill.
- Letter dated May 8, 2019 from South Haven Charter Township to the Commission Board Members was reviewed as follows:

The South Haven Charter Township Board has always had a wonderful working relationship with the Road Commission and looks forward to a continued good relationship in the future.

The South Haven Charter Township Board would like to address concerns as the Road Commission moves forward to hire a replacement for Larry Hummel the former Engineer-Manager.

The Board thinks it is very important to hire a Manager who is also a P.E. We feel the replacement needs to be a person who has the proper knowledge and certifications to make sure the road improvement and repairs are carried out correctly.

Thank you for allowing us input into this process.

Sincerely,

Ross Stein, Supervisor
Brenda Bertorelli, Clerk

- Roadside Group Leader internal interviews were held today.

“Punch List” topic presented by Finance Director Rader “Michigan Transportation Funds” (MTF). A handout was distributed and an overview provided.

Commissioner Updates and Reports:

Askew: South Haven Township on May 8. Southwest Council Meeting on May 13. Covert Township on May 14. Geneva Township on May 14. Staff is doing a wonderful job. Bangor Township on May 14.

Boze: Attended Keeler Township on May 7, Lawrence Township on May 9, Hartford Township on May 9, and Hamilton Township on May 14.

Burleson: Attended Pine Grove Township on May 14.

Kinney:

- Updated “Managing Director-Engineer Manager: Summary.
- Requested copy of email referenced in Special Meeting Minutes of April 25, 2019 by Commissioner Doroh.

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

Kurt Doroh, County Commissioner, District 2, stated that the current Road Commission staff in place are good, and that was due to Larry Hummel. He stated that he has an email from a Road **County** Commissioner to **him**. ~~the County Commission and that he will be hiring counsel to investigate.~~

AYES: 5
NAYS: 0
MOTION CARRIED.

Attended Waverly Township on May 2. Attended Decatur Township on May 9.

Moffat: No meetings.

Discussion provided by Moffat regarding request by Porter Township to review abandonment of various lake end roadways. Motion by Moffat to have legal counsel fashion a policy that addresses parcels that access a lake or stream in which the Road Commission has a legal interest by virtue of title or otherwise. Motion seconded by Burleson.

AYES: 5
NAYS: 0
MOTION CARRIED.

Discussion held regarding recording of Road Commission Board Meetings. Motion by Kinney to institute recording of Road Commission Board Meetings as soon as possible to be retained consistent with the rules in the Open Meetings Act, or as prudently responsible. Roll call vote:

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

On motion by Moffat, the Call of the Chair was adjourned at 8:47 PM.

AYES: 5

NAYS: 0

MOTION CARRIED.

Secretary

Chairman