

Van Buren County Board of Road Commissioners

November 3, 2016

Regular Meeting - Administrative Office, Lawrence, Michigan

BE IT REMEMBERED: That on the 3rd day of November, 2016 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 and Kinney
Engineer-Manager Lawrence B. Hummel, P.E.
Accountant Gregory M. Pardike
Highway Engineer Barry Anttila

GUESTS: John Vargo
John Rosevelt
Rachael Whise
Nick Ricketts, Michigan Paving and Materials
County Commissioner Susan Hammond

ABSENT: Road Commissioners Ray and Svilpe

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

Agenda item 18, Legal Issues, was moved in sequence to item 4(a). Motion by Boze, seconded by Kinney to approve the revised Agenda.

AYES: 3
NAYS: 0
ABSENT: 2
MOTION CARRIED.

Moved by Kinney and seconded by Boze to approve the minutes of the October 20, 2016 meeting as presented by Board Secretary Pardike.

AYES: 3
NAYS: 0
ABSENT: 2
MOTION CARRIED.

Legal Issues

Attorney Page discussed Burda Road in Columbia Township where Thomas Hughes has filed suit against the Van Buren County Road Commission. The relief requested by Mr. Hughes would be to maintain the status quo of Burda Drive. The section of Burda Drive at issue in the case is not maintained by the Road Commission and the Road Commission has no jurisdiction over the portion of the road at issue in the case. The Road Commission is only required to be added because it is arguably a statutory requirement and the Attorney General is requesting that the Road Commission be added.

Mr. Hughes is seeking to have vacated a very small portion of road existing behind his property that has contained structures for over 15 years. It is not the actual traveled portion of Burda Road, it is platted as "Burda Road" in the dedication, but that portion of the platted Burda Road is not utilized as a roadway. The vacation would in no way change or limit access to Burda Road or Silver Lake. The relief would simply maintain the status quo and ensure future access to land owners.

Motion by Boze, seconded by Kinney to grant the relief so requested by Thomas Hughes and as set forth in Mitchell & Morse Land Surveying drawing dated October 9, 2013, Job No. 13-1004.

AYES: 3
NAYS: 0
ABSENT: 2
MOTION CARRIED.

Attorney Page discussed South Haven Area Water Sewer Authority. He has reviewed the proposed language for the creation of the new authority between the City of South Haven, South Haven Township and Casco Township. He will confer with Attorneys at Dickinson Wright on several questions.

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

The Board Secretary-Accountant provided a review of the operating budgets and operating fund through October. Approximately 80% of anticipated revenues have been received. Approximately \$61K of salt bills are in tonight's voucher, which is the final shipment for early delivery. MTF is down approximately \$1,800 for October's check from last year. A few additional line item adjustments will be coming to off-set items associated with Federal and State Aid funds. May also need adjustment to Primary and Local Road General Maintenance as weather stays mild.

Moved by Boze, seconded by Kinney to approve the following Road Commission Vouchers:

| | |
|---------------|--------------|
| Voucher #1937 | \$101,628.43 |
| Voucher #1938 | \$251,000.35 |

AYES: 3
NAYS: 0
ABSENT: 2
MOTION CARRIED.

The following bids were received at 7:30 PM for heavy maintenance on 30th Street from 48th Avenue to CR653, Almena Township:

| | |
|-----------------------------|----------------|
| Peters Construction | \$1,313,131.31 |
| Michigan Paving & Materials | \$757,801.40 |
| Al's Excavating Co. | \$929,759.55 |
| Brad Thomas Excavating | \$784,478.48 |
| Brenner Excavating | \$907,076.85 |
| Balkema Excavating | \$998,406.17 |
| Langlois & Sons Excavating | \$889,641.83 |
| J&S Tree Service | \$68,950.00* |

*Bid for trees only.

Motion by Boze, seconded by Kinney to authorize the Engineer-Manager to award the bid, in the best interest of the Van Buren County Road Commission and Almena Township, upon review and tabulation by staff.

AYES: 3
NAYS: 0
ABSENT: 2
MOTION CARRIED.

The following proposals were received for tree trimming and removal of dead trees along 30th Street between Red Arrow Highway and 48th Avenue, Antwerp Township:

| | |
|-----------------------------|--------------|
| Peters Construction | No Bid |
| Michigan Paving & Materials | \$24,900.00 |
| Al's Excavating Co. | \$17,000.00 |
| Brad Thomas Excavating | \$25,000.00 |
| Brenner Excavating | \$30,000.00 |
| Balkema Excavating | No Bid |
| Langlois & Sons Excavating | \$16,000.00* |
| J&S Tree Service | \$10,800.00 |

*This bid only applies if we are chosen for the big 30th Street project.

Motion by Boze, seconded by Kinney to authorize the Engineer-Manager to award, in the best interest of the Van Buren County Road Commission and Antwerp Township, upon review and tabulation by staff.

AYES: 3
NAYS: 0
ABSENT: 2
MOTION CARRIED.

Motion by Kinney, seconded by Boze to adopt the following Project Management Policy:

Project Management Policy - 2016-09

The objectives of this Policy are to provide a consistent, reliable and transparent approach to the management and delivery of projects on the roads and bridges under the jurisdiction of the Van Buren County Road Commission.

It is, therefore, imperative that the Van Buren County Road Commission have effective Project Management arrangements in place which allow projects to be:

- Managed within the limitations of scope, quality and resources (time and budget) of the Van Buren County Road Commission, and the Townships that it serves; and,
- Built to the minimum requirements and specifications as set forth in the Van Buren County Road Commission Road Development Policy.

Responsibilities.

1. Management

The Van Buren County Road Commission will develop and maintain:

- A. A Project Management Manual specifically outlining road and bridge project requirements, inventory and inspection schedules, bid requirements, right-of-way acquisition requirements, and needs for material testing.
- B. Road Project Procedures which will set forth the progress of a project, from initiation to completion.

2. Project Management Structure

The Van Buren County Road Commission is committed to utilizing a Shared Leadership project management system wherein each individual on the team will share in providing the tools that are necessary to make each project successful.

3. Training/Continuing Education

The Van Buren County Road Commission is committed to training its Engineering Staff in project management, along with other leadership training curriculum.

AYES: 3
NAYS: 0
ABSENT: 2

Motion by Boze, seconded by Kinney to adopt the following Amended Equal Employment Opportunity Policy:

Equal Employment Opportunity Policy - 2016-10

The Road Commission shall recruit, hire, train, and promote in all job categories without regard to race, color, national origin, sex, genetics, religion, physical handicap, age, height, weight, marital status, status as a disabled veteran or veteran of the Vietnam era, except where sex, religion, national origin, or age is a bona fide occupational qualification.

Management and supervisory personnel shall insure that all other personnel actions such as compensation, benefits, road commission sponsored training, education tuition assistance, transfers, demotions, terminations, layoffs, return from layoffs, and social recreation programs shall be administered without regard to race, color, national origin, sex, religion, physical handicap, age, height, weight, marital status, status as a disabled

veteran or veteran of the Vietnam era, except where sex, genetics, religion, national origin, or age is a bona fide occupational qualification.

Management and supervisory employees shall base employment decisions on the principles of equal employment opportunity and with the intent to further the road commission's compliance with Federal and State civil rights laws.

The Board names the Engineer-Manager, or his designee, to act as the EEO Officer for the Van Buren County Road Commission.

AYES: 3
NAYS: 0
ABSENT: 2

Resolution adopted as set forth below upon a motion by Boze, seconded by Kinney:

RESOLUTION

WHEREAS, 43rd Avenue West of Blue Star Memorial Highway in Covert Township, Van Buren County, Michigan appeared on the Certification Maps of the Van Buren County Road Commission approximately 50-60 years ago; however, the roadway:

1. Was never constructed to Road Commission standards;
2. Has not been used, worked on or maintained by public authorities;
3. Was never accepted by the Board of County Road Commissioners of Van Buren County by a vote of the County Road Commissioners, nor was any notice of determination published in a newspaper of general circulation in the County; and,

WHEREAS, it appears that 43rd Avenue West of Blue Star Memorial Highway in Covert Township, Van Buren County, Michigan was inadvertently placed on the Certification Map of Van Buren County in error, and the roadway was never officially recognized as a roadway under the jurisdiction of the Van Buren County Road Commission.

NOW, THEREFORE, IT IS RESOLVED that 43rd Avenue West of Blue Star Memorial Highway in Covert Township, Van Buren County, Michigan is hereby removed from certification by the Board of County Road Commissioners of Van Buren County.

AYES: 3
NAYS: 0
ABSENT: 2

Motion by Boze, seconded by Kinney to adopt the following Resolution:

RESOLUTION IMPOSING 80/20 HEALTH CARE RULE

WHEREAS: Public Act 152 of 2011 sets a "hard cap" limiting the amount public employers can contribute towards the cost of employees' health care benefits; and,

WHEREAS: By a majority vote of its governing body, a local government can opt to comply with an alternate 80/20 provision in the law and cap its costs at 80%; and,

WHEREAS: By a two-thirds vote taken annually, a local government can exempt itself entirely from the law for the next year.

NOW, THEREFORE, BE IT RESOLVED: That the Board of County Road Commissioners of Van Buren County, by a majority vote, hereby opts to comply with the alternate 80/20 provision in the law and cap the Road Commission's costs at 80%, and its employees' costs at 20% for the year 2017.

IT IS FURTHER RESOLVED: That the above alternate provision shall apply to all Road Commission employees.

AYES: 3
NAYS: 0
ABSENT: 2

Discussion held regarding extension of bid prices.

Road Commissioner's Township Meeting Attendance Report

From October 20th to present:

Askew: No meetings.

Boze: Keeler Township, asking are barricades down yet on CR687? If not, when will they be done? Will signs be reinstalled? Per Anttila, the signage is to be installed within the next week. Questions on who determines mailbox placement for road closures? Details are required by the US Postal Service and we, and our contractors, meet these guidelines when performing temporary relocates and new installs of mailboxes on projects.

Kinney: No meetings.

Highway Engineer Barry Anttila reported on the following:

- CR687, Burnette Foods, signage remains to be installed, and restoration.
- Will be working on getting bid tabulations completed for 30th Street to the Townships.
- 40th Street pipe replacement should be underway tomorrow.

Engineer-Manager Update(s):

- Letter sent to Antwerp Township on October 28, 2016 regarding letting of local road projects.
- Staff hearing tests held on Friday, October 28th.
- Active shooter and de-escalation training held on Wednesday, November 2nd.
- SW Road Commission Council meeting Monday, November 7th, Muskegon. Leave Road Commission office at 8:30 AM.
- Continuing work on Evergreen Bluff; bluff erosion issue.

Motion by Boze, seconded by Kinney the Board extended a Thank You to the Road Commission staff and several spouses who volunteered their time to assist with showing off the facilities, equipment, etc. to attendees of the 100th Anniversary Open House this evening.

AYES: 3
NAYS: 0
ABSENT: 2
MOTION CARRIED.

A motion was made by Kinney and seconded by Boze to adjourn the Call of the Chair at 8:34 PM.

AYES: 5
NAYS: 0
MOTION CARRIED.

Secretary

Chairman