

Van Buren County Board of Road Commissioners

October 15, 2015

Regular Meeting - Administrative Office, Lawrence, Michigan

BE IT REMEMBERED: That on the 15th day of October, 2015 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, Kinney, Ray, and Svilpe
Engineer-Manager Lawrence B. Hummel, P.E.
Accountant Gregory M. Pardike
Highway Engineer Barry Anttila
Traffic Services Technician Craig Ericksen

GUESTS: 46 Citizens were present

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

On motion by Ray, seconded by Askew, CR653 property owner concerns were added to the agenda as 5(a).

AYES: 5
NAYS: 0
MOTION CARRIED.

Motion by Svilpe, seconded by Kinney to approve the Agenda.

AYES: 5
NAYS: 0
MOTION CARRIED.

Moved by Kinney and seconded by Ray to approve the minutes of the October 1, 2015 meeting as presented by Board Secretary Pardike.

AYES: 5
NAYS: 0
MOTION CARRIED.

The Chairman opened the meeting to public comment. Robert May, CR681 resident, stated that he attended a previous board meeting and that he is still concerned about the removal of trees in front of his home. He is requesting a copy of the latest letter from the State Historical Preservation Office, Dennis Grinnel, and copies of all information regarding the project. He is still not in agreement with the road relocation, tree removal and fence relocation, and he is requesting more details on the current status of their property. Commissioner Boze responded and informed Mr. May as to the need to provide details for a Freedom of Information Act request.

Paul Rieker, a resident of Rolling Pines Court in the Rolling Pines Subdivision, expressed his concern over the safety of the roadway due to drivers not seeming to know that they are on a dead-end roadway, but thinking they are on 60th Avenue. The cars don't slow down and he feels that this is a dangerous situation that needs work.

Ken Bobo, a Rolling Pines Court resident provided the Board with some detail as to the Rolling Pines Court layout and his concerns over traffic in their subdivision. He recognized that the Board cannot control drivers' actions, but feels that they hold a responsibility to provide a reasonably safe roadway condition.

Paula Bye of Rolling Pines Court gave the Board her perspective as to what has "continued" to happen. She provided her version of several incidents that damaged private property.

Commissioner Boze responded and requested that residents contact the Sheriff's Department, and also look into installing video cameras.

Janet Rieker, a Rolling Pines Court resident informed the Board of lack of follow through by enforcement.

Engineer-Manager Hummel informed the Board and those present with details regarding the work and review already done by the Road Commission staff. Commissioner Svilpe indicated that he believes the overhead lights may be the issue. Staff will review with the township.

Chairman Boze opened the CR653 Property Owner Concerns discussion by reading the email that Hummel sent to County Commissioner Beth Griffin in response to multiple citizen complaints/concerns over the pulverization of CR653 north of the Paw Paw River to Fish Lake Public Access drive.

Connie Selles, a resident of CR653, expressed concerns over the existing condition of the CR653 section north of the bridge. None of the answers they have received have been satisfactory and she feels the lack of communication from the Road Commission is unacceptable. She claims even the township had no knowledge of the work. They questioned the decision making process of the Road Commission and asked:

- Why did other roads get repaired and not theirs; 22nd Avenue, 18th Avenue?
- What is criteria to make such a determination”?
- Are traffic studies are done?
- If chemicals are being applied for dust control, can they have a copy of the Material Safety Data Sheet (MSDS)?
- What other criteria was used to make decision?
- Was the environment considered?

Ms. Selles feels that the road is now “very dangerous”. She also provided the Board with her opinion as to the potential effects of the Paw Paw River headwaters. She feels CR653 needs to be repaved now, before winter comes!

Multiple concerns on similar issues from all residents present. Several residents requested MSDS for the chloride dust control and they were instructed to contact the office for this information.

David Ekola, a member of the Fish Lake Association, asked if there was a plan to “fix” the grade at everyone’s driveway. He wanted to put the Board on notice that they have “created a hazard” that will cause someone to be harmed. How will the winter maintenance be handled? The road is “very rough”. He asked, who do they call for surface to be re-graded, and Chairman Boze indicated they should contact the office. Mr. Ekola also discussed what he called “heavy trucking” that was being done last year.

Several residents questioned and wanted a commitment to repave in 2016. Commissioner Boze indicated that CR653 is currently on a list pending no significant events impacting next year’s budget. Commissioner Ray explained the history and cost of events such as washouts, bridges, severe storms, etc.

Ray provided all present with the issues of budgetary restrictions. The Road Commission is still operating with a 2004 revenue stream, with increases in materials of 50% to 200% within the same time frame. He proceeded to explain the difference between local roads, which are the responsibility of the township, and primary roads. Costs to patch this section last spring were extensive and done for safety reasons. The issues of overall pavement deterioration on that section made ongoing pavement maintenance impractical. The group of residents continued to advocate for greater improvements, and much better communication. Residents requested that the Fish Lake Association receive advanced notice of work.

The Board Secretary-Accountant provided a review of the operating budgets and operating fund.

Moved by Svilpe, seconded by Ray to approve the following Road Commission Vouchers:

Voucher #1874	\$96,089.09
Voucher #1875	\$615,225.07

AYES: 5
NAYS: 0
MOTION CARRIED.

Update by Hummel regarding the award of the Underbody and Grader Scraper Blade bid to all bidders, with Michigan CAT as primary supplier.

Pardike provided a review of the Title VI Plan Annual Certification form submitted to the Michigan Department of Transportation. Linnea is scheduled to attend a Title VI educational workshop on November 2nd.

Motion by Ray, seconded by Askew to approve the following Resolution *pending receipt of the Road Commission's fees and costs from requesting party*:

RESOLUTION FOR ABANDONMENT

WHEREAS, a Petition to Abandon and Vacate Pine Grove Court located in the North Lake Park Subdivision in Pine Grove Township, Van Buren County, Michigan having been received, signed by all of the owners of record and occupants of land abutting the road; and,

WHEREAS, the petition asked that Pine Grove Court be absolutely abandoned; and,

WHEREAS, this portion of road has not been maintained by the Road Commission as a public highway, nor are public funds expended on the road; and,

WHEREAS, there are no objections presented by the general public; and,

WHEREAS, in the opinion of the Board, it is in the best interest of the public that Pine Grove Court be absolutely abandoned.

NOW, THEREFORE, BE IT RESOLVED that 302' of Pine Grove Court located between 27½ Street and Lake Shore Drive in the North Lake Park Subdivision in Pine Grove Township, Van Buren County, Michigan be absolutely abandoned as a public road.

BE IT FURTHER RESOLVED that copies of this Resolution shall be filed with the Office of the Register of Deeds for the County of Van Buren, State of Michigan, that a copy be served on the Clerk of the Township of Pine Grove, and that a copy of this Resolution be published once each week for three (3) successive weeks in the *Courier-Leader*, a newspaper printed and circulated in the County.

AYES: 5
NAYS: 0
RESOLUTION ADOPTED.

Motion by Svilpe, seconded by Ray to approve the proposal by The Daltons to extend roadside brush spraying bid in 2016.

AYES: 5
NAYS: 0
MOTION CARRIED.

Road Commissioner's Township Meeting Attendance Report

From October 1st to present:

Askew: Covert Township, happy with the Road Commission. Bangor Township, has concerns over the "dip" in the patch on 48th Avenue. Per Anttila, the Contractor is looking into the issue. Geneva Township, all is good. South Haven Township, Deerlick Point, Sheriff's Department conducted speed study; only 21 mph. Township conducted parking study for park, which required 100 spaces. Should move forward with pavement markings as originally planned. Concerned citizen also reported sign height at 13th Avenue, Deerlick Point, should be reviewed. Also report of trash dumping issue on 14th Avenue. 12688 Blue Star Highway, complaint about a piece of steel sticking up. Staff will review.

Boze: Keeler Township, discussion on 95th Avenue and Wildwood, encroachment issue. Lawrence Township, an issue with CR215 at 72nd Avenue. Also attended Hamilton Township and Hartford Township.

Kinney: Paw Paw Township, Richard Schalthorn complaint about truck traffic damaging curb and gutter on CR671 at Red Arrow Highway. Decatur Township, general pothole question, 96th Avenue between 40th Street and 38.50th Street, already reported. James Abshagen asked whose responsibility 96th Avenue was to patch. Staff already answered this question.

Ray: No additional report.

Svilpe: Almena Township, attended meeting. Antwerp Township, things are going well. Supervisor Ruzick is requesting a call on the status of Hamilton Avenue, and also to answer a question since one parcel sold on land contract, do both parties need to sign for easement to move forward? Almena Township, possible missing sign on Old M43 at 34th Avenue – stop sign gone? Staff will review in the morning. 30th Street south of 48th Avenue, ease side, tree trunk leaning from woods to roadway; may need to remove.

Construction Update

Highway Engineer Barry Anttila reported on the following:

- South Haven Township, 8th Avenue, all restoration has been completed. Working on final billings.
- Geneva Township, CR388, culvert put together. Conflict with Frontier's fiberoptic line. Frontier will do their work October 22-23. We will move forward with the installation from that point.
- Bangor Township, 48th Avenue, 200' section was dug out and undercut and paved back. Paving contractor is going to review "dip" on the east.
- Bangor Township, CR376, crush and shape tomorrow. Gravel has been placed and will receive chloride application next Thursday.
- Pine Grove Township, 18th Avenue, shoulders and restoration is complete, as well as adjusting the mailboxes.
- Almena Township, CR653 is all restored and open to traffic. Chloride will be applied next Thursday and we will grade again prior to the application.

Engineer-Manager Update(s):

- Staffing update; one of three have been hired. One withdrawn, one awaiting decision on background check.
- Fatal accident; Porter Township.
- APWA Truck Road-eo, Grand Rapids. Northern Garage Team placed 11th and the Southern Garage Team placed 16th out of 30 total teams.
- Van Buren Intermediate School, and Van Buren Technology Center (Preschool Program) visit with truck and loader by Linnea Rader, Brian Cornish, Tim Nicholas, Dave Stafinski and Mike Ritsema. Watched winter safety video, delivered winter safety flyer, and let the kids get in the truck.

A motion was made by Svilpe and seconded by Ray to adjourn the Call of the Chair at 9:22 PM.

AYES: 5
NAYS: 0
MOTION CARRIED.

Secretary

Chairman