

Van Buren County Board of Road Commissioners

April 20, 2017

Regular Meeting - Administrative Office, Lawrence, Michigan

BE IT REMEMBERED: That on the 20th day of April, 2017 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
Accounting Clerk Linnea Rader

GUESTS: Attorney Stewart
County Commissioner Kurt Doroh
John Vargo
Joe Grimes
Kreg Kincaid
Thomas Talayer
Lisa Kincaid
Francis Bell
Donna Bell

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

No additions/deletions to the Agenda.

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

AYES: 5
NAYS: 0
MOTION CARRIED.

Moved by Kinney and seconded by Ray to approve the minutes of the April 6, 2017 meeting as presented by Board Secretary Pardike.

AYES: 5
NAYS: 0
MOTION CARRIED.

The Chairman opened the meeting to public comment. Frank Bell, a resident of the North Scott Lake Area, Arlington Township, informed the Board of a drainage issue on North Scott Lake. The Broadway culvert drains onto his lot. His neighbor, Kreg Kincaid, installed a pipe and sloped drainage down to road and caused further problems on his property. He spoke with Superintendent Cornish last year. Mr. Bell indicated that he was willing to provide an easement for any necessary project.

Donna Bell requested that Mr. Kincaid be required to remove the mound of dirt from the area. She asked why this is taking "so long" as it is creating "foundation issues" at her residence. Ms. Bell asked for documentation from this Board Meeting.

Kreg Kincaid informed the Board that he has been unable to do anything because of standing water. He indicated that he received an encroachment letter in November 2016 and that he met with Gordon and paid for an after-the-fact permit for the work, and that he thought he had handled the problem. Mr. Kincaid claims that he has not created a drainage problem for the Bells any more than has existed in the past, and that the Bells caused extra problems by placing concrete from cross-pipe under the road. Mr. Bell notified the Board that he removed the concrete as soon as he was notified of the issue, and that he only placed the concrete because he thought no one was taking responsibility.

Attorney Stewart reviewed with the Board and those present the contents of the encroachment order, and advised Mr. Kincaid that he must remove the encroachment. Mr. Kincaid indicated that Remington Excavating will be removing encroachment according to the terms of the encroachment order.

Joe Grimes advised that he lives down the street, and his lawn mower tractor “fell in ditches along the road”. He does not see any problem with the encroachment as he is against ditching and wants all areas piped and covered.

The Board Secretary-Accountant and Account Clerk provided a review of the operating budgets and operating fund. Road materials balance is similar to last year. Slag is being hauled in currently. Salt will be hauled in soon. CR380 project currently at \$121,000 for drainage and tree work. Available Operating Fund \$7,755,333.72. Reviewed revenue and expenditures this year. Good shape going into fall with snow budget.

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

| | |
|---------------|--------------|
| Voucher #1964 | \$101,051.61 |
| Voucher #1965 | \$304,593.22 |

AYES: 5
NAYS: 0
MOTION CARRIED.

The Annual Report for the year ending December 31, 2016 was reviewed and discussed by Hummel, Pardike and Rader. Upon a motion by Ray, seconded by Boze the Annual Report was approved as presented.

AYES: 5
NAYS: 0
MOTION CARRIED.

Motion by Ray, seconded by Svilpe to authorize the appointment of Lawrence Hummel, Linnea Rader, Jill Brien, Karen Makay, Van Buren County Treasurer, and Tania Sheeley, Chief Deputy Treasurer as signers for all authorized financial institutions.

AYES: 5
NAYS: 0
MOTION CARRIED.

Motion by Svilpe, seconded by Kinney to authorize the Board Secretary-Accountant to sign *PNC Bank Account Registration and Agreement.

AYES: 5
NAYS: 0
MOTION CARRIED.

*On file at the Road Commission offices and available for inspection by contacting the Administrative Office.

Motion by Kinney, seconded by Boze to authorize Lawrence B. Hummel to execute *Fifth Third Direct Agreement and Fifth Third Direct User Access Request Form, and to authorize Gregory Pardike to execute the Authorized Signer’s Resolution and Certificate of Resolution.

AYES: 5
NAYS: 0
MOTION CARRIED.

*All Fifth Third Agreements, Forms and Resolutions are on file at the Road Commission offices and available for inspection by contacting the Administrative Office.

Motion by Kinney, seconded by Ray to appoint Linnea Rader to the Van Buren County Road Commission’s Pension Committee.

AYES: 5
NAYS: 0
MOTION CARRIED.

Motion by Boze, seconded by Kinney to appoint Linnea Rader as Board Secretary effective May 28, 2017.

AYES: 5
NAYS: 0
MOTION CARRIED.

Hummel reviewed the Request for Qualifications for Labor Attorney with the Board.

Hummel provided review with the Board of the Permit Policy for Safely Allowing Limited Communication Service Provider Facilities Access Within the County Road Right-of-Ways (Policy No. 2017-01), the Communication Service Provider Right-of-Way Permit: Special Terms and Conditions, and the Amended Fee Schedule Policy. These documents are on file at the Road Commission's Administrative Office and are available for inspection. Upon a motion made by Ray, seconded by Boze the Policies and Permit were adopted by the Board.

AYES: 5
NAYS: 0
MOTION CARRIED.

Motion by Boze, seconded by Svilpe to adopt the following Resolutions:

RESOLUTION NO. 2017-08

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; 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 120 days after notification of a successful application.

AYES: 5
NAYS: 0
RESOLUTION ADOPTED.

RESOLUTION NO. 2017-09

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; 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 issues; 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 8th Avenue over the Black River.

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

AYES: 5
NAYS: 0
RESOLUTION ADOPTED.

RESOLUTION NO. 2017-10

WHEREAS: The Board has reviewed the application for Local Bridge Funding for preventative maintenance to the bridge that carries CR665 over the North Branch of the Paw Paw River in Waverly Township; and,

WHEREAS: The bridge is in need of rip rap, hot mix asphalt, rail, and concrete repair; 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 for the structure that carries CR665 over the North Branch of the Paw Paw River in Waverly Township.

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

AYES: 5
NAYS: 0
RESOLUTION ADOPTED.

RESOLUTION NO. 2017-11

WHEREAS: The Board has reviewed the application for Local Bridge Funding for preventative maintenance to the bridge that carries CR384 over the Black River in Geneva Township; and,

WHEREAS: The bridge is in need of scoon, joint repair, rip rap, and spalled pile 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 for the structure that carries CR384 over the Black River in Geneva Township.

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

AYES: 5
NAYS: 0
RESOLUTION ADOPTED.

RESOLUTION NO. 2017-12

WHEREAS: The Board has reviewed the application for Local Bridge Funding for preventative maintenance to the bridge that carries CR665 over the Paw Paw River in Waverly Township; and,

WHEREAS: The bridge is in need of removal and replacement of HMA surface and deck sealer, guardrail repairs, abutment wall, and rip rap; 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 for the structure that carries CR665 over the Paw Paw River in Waverly Township.

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

AYES: 5
NAYS: 0
RESOLUTION ADOPTED.

RESOLUTION NO. 2017-13

WHEREAS: The Board has reviewed the application for Local Bridge Funding for preventative maintenance to the bridge that carries 16th Avenue over the Black River in Geneva Township; and,

WHEREAS: The bridge is in need of joint repair, epoxy seal and rip rap; 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 for the structure that carries 16th Avenue over the Black River in Geneva Township.

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

AYES: 5
NAYS: 0
RESOLUTION ADOPTED.

RESOLUTION NO. 2017-14

WHEREAS: The Board has reviewed the application for Local Bridge Funding for the replacement of the bridge that carries 48th Avenue over Rogers Creek in Covert Township; and,

WHEREAS: The bridge does not meet present day standards for loads as it currently is load posted and is structurally deficient and rated in "poor" condition; 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 48th Avenue over Rogers Creek in Covert Township.

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

AYES: 5
NAYS: 0
RESOLUTION ADOPTED.

Motion by Svilpe, seconded by Kinney to adopt a Performance Resolution for Governmental Agencies authorizing Engineer-Manager, Traffic Services Technician, Highway Engineer, and Engineering Technician to apply for permits to work in the State Highway Right of Way.

AYES: 5
NAYS: 0
MOTION CARRIED.

Road Commissioner's Township Meeting Attendance Report

From April 6, 2017 to present:

Askew: South Haven Township, considering a road millage.

Boze: Hamilton Township, road projects approved. Boat landing questions. Hartford Township, all is okay. Provided an update regarding CR687 N. Lawrence Township, upset with McDonald Towing situation. They do not feel their voices are being heard by Road Commission staff. Township has trouble understanding change of use permit requirements. Discussion about 60th Avenue turn-around.

Kinney: Decatur Township, using Southwestern Michigan Dust Control. They received a letter from SWMDC regarding dust control. Old Swamp paving estimate was signed. Also received a call from Mr. Kincaid.

Ray: No township meetings.

Svilpe: Antwerp Township, light at Red Arrow Highway and CR652 malfunction notification questions. Alma Township, potholes on CR652 North of Red Arrow Highway and Trestle Creek. Porter Township, road end questions. Also water problem on 93rd Avenue around Streeter and Chamberlin.

Construction Update

Highway Engineer Barry Anttila reported on the following:

- CR380, work ongoing. Brad Thomas working on culverts. Residents seem content.
- Antwerp projects being let for bid at next meeting.
- Bridge submissions May 1.
- CR689 drainage email received today.

Engineer-Manager Update(s):

- Southwestern Council Meeting, May 8, 2017 at 10:00 AM hosted by St. Joseph County Road Commission.
- Doug Cultra Retirement Open House, tomorrow from 2-4PM.
- Federal Aid discussion about Congress funding problems.
- Primary road plan in the works taking into account Asset Management and millage. Discussion about possible Primary road millage.

Legal issues update by Attorney Stewart as follows:

- Kincaid, Arlington Township.
- McDonald Towing, Lawrence Township.
- Smith, Lawrence Township.
- Terry Cummings.

Motion by Kinney, seconded by Svilpe to adjourn the Call of the Chair at 8:43 PM.

AYES: 5
NAYS: 0
MOTION CARRIED.

Secretary

Chairman