

Van Buren County Board of Road Commissioners

Thursday, December 6, 2018
Regular Meeting - Administrative Office, Lawrence, Michigan

BE IT REMEMBERED: That on the 6th day of December, 2018 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 Svilpe
Engineer-Manager Lawrence B. Hummel, P.E.
Board Secretary-Finance Director Linnea Rader
Highway Engineer Barry Anttila
Operations Director Greg Brucks
Administrative Assistant Jill Brien

GUESTS: Dale Frank, Resident
Attorney Kelly Page
Attorney Luis Avila
County Commissioner Kurt Doroh

Chairman Svilpe 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.

Chairman Svilpe opened a Public Hearing on the 2019 Operating Budget at 7:00 PM. Rader reviewed with the Board and those present anticipated revenues, including Federal Aid, which is expected to be lighter than other years. Projected expenditures were reviewed, including a line by line review of all federal aid projects, primary road heavy maintenance projects, local road heavy maintenance projects (culverts), and bridge projects. The Commissioners asked questions, which were answered by Rader, Hummel and Anttila. The proposed maintenance budget was then reviewed with the Board and those present. Specific special maintenance items discussed included 40 miles of sealcoat; \$150,000.00 of crackseal on primary roads. In addition, in order to make a turn from being “reactive”, to being “proactive”, tree removals on primary and local roads, de-berming on primary roads, and drainage work on primary roads are each now separate line items in the maintenance budget. County-wide millage revenues were discussed. The Treasurer did not anticipate an increase in millage revenue in 2019. A lengthy discussion was held regarding the proposed capital expenditures, which includes five new trucks. Each line item was discussed and details were provided by Rader. In addition, Rader reviewed “reserve budget items”. Should there be an additional fund appropriation, or additional MTF funds that become available, these “reserve budget items” could then be considered by the Board.

Motion by Boze, seconded by Burleson to approve the 2019 Preliminary Budget as follows:

**Van Buren County Road Commission
2019 Operating Budget
2019 Preliminary Budget**

Revenue

January 1, 2019

AOF - January 1st, 2019 \$7,494,845.00

Michigan Transportation Fund (MTF)

Engineering	\$10,000.00
Primary	\$5,313,000.00
Local	\$3,444,000.00
Primary Urban	\$425,250.00

Local Urban	\$177,450.00
Total MTF	\$9,369,700.00
Other State Revenue	
State Aid - Snow Funds	\$70,000.00
State Aid - Economic Development	\$ -
State Aid - Bridges	\$ -
State Aid - Supplemental Road Funding	\$ -
State Aid - Other (Safety, Grants, etc)	\$ -
Total Other State Funding	\$70,000.00
Federal Funds	
Federal Aid - Secondary	
Federal Aid - Safety HRRR	\$ -
Federal Aid - Bridges	\$626,054.75
Federal Aid - STP	\$260,000.00
Federal Aid - CMAQ/Other	\$226,000.00
Total Federal Aid	\$1,112,054.75
Property Taxes	
County Wide Millage	\$2,400,000.00
County Appropriation	\$ -
Township Contributions	\$3,038,588.75
Other Revenues (Interest, Gain on Equip, etc.)	\$180,000.00
Total Revenue including AOF	<u>\$23,665,188.50</u>

Van Buren County Road Commission
2019 Operating Budget
2019 Preliminary Budget

Expenditure	\$43,465.00
Heavy Maintenance	
Primary Roads	\$1,760,000.00
Primary Structures	\$319,455.00
Local Roads	\$1,926,000.00
Local Structures	\$668,550.00
Total Heavy Maintenance	\$4,674,005.00
Maintenance	
Primary Roads	
General Maintenance	\$650,000.00
Traffic Services	\$200,000.00
Snow & Ice Control	\$700,000.00
Special Maintenance Projects	\$1,675,000.00
Routine Structure Maintenance	\$5,000.00
Local Roads	
General Maintenance	\$1,100,000.00
Traffic Services	\$400,000.00
Snow & Ice Control	\$1,100,000.00
Special Maintenance Projects	\$2,500,000.00
Routine Structure Maintenance	\$10,000.00
Disaster Contingency	\$5,000.00
Total Maintenance	\$8,345,000.00
Other Expenses	
Administration	\$800,000.00
Interest Expense	\$19,000.00

Long-Term Debt Payments	\$395,000.00
Net Capital Outlay	\$1,240,560.00
Net Equipment Expense	\$200,000.00
Non-Road Improvement (Evergreen Bluff)	\$ -
Distributive Expense	\$2,700,000.00
Adjustments to Fund Balance	\$ -
Total Other Expenses	\$5,354,560.00
 Total Expenditures	 \$18,373,565.00
 Operating Fund Balance	 \$5,291,623.50
 Total Expenditures & Fund Balance	 <u>\$23,665,188.50</u>

AYES: 5
 NAYS: 0
 MOTION CARRIED.

Motion by Kinney, seconded by Boze to approve the minutes of the September 19, 2018 meeting as presented by Board Secretary Rader.

AYES: 5
 NAYS: 0
 MOTION CARRIED.

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

The following bids were opened at 7:30 PM for removal of existing twin CMPs and installation of a new 112" x 75" pipe arch on 56th Street South of CR360 in Hamilton Township:

Krohn Excavating	\$46,330.00
Brenner Excavating	\$110,557.50
Scott Pavlak Excavating	\$42,617.00
Riverworks Construction	\$81,589.00
Brad Thomas Excavating	\$43,832.04

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

AYES: 5
 NAYS: 0
 MOTION CARRIED.

Finance Director Rader reviewed the 2018 Operating Budget as of today’s date. Proposed 2018 Budget Adjustments were reviewed by Rader with the Board and those present. Proposed revisions are to township revenues, heavy maintenance dollars that have not been spent, and winter maintenance funds that have been transferred to routine maintenance. Motion by Boze, seconded by Svilpe to approve the adjusted 2018 Budget as follows:

Revenue	December, 2018	October, 2018	Adjustment
AOF - January 1st, 2018	\$7,606,992.00	\$7,606,992.00	\$ -
Michigan Transportation Fund (MTF)			
Engineering	\$10,000.00	\$10,000.00	\$ -
Primary	\$5,210,000.00	\$5,060,000.00	\$150,000.00
Local	\$3,375,000.00	\$3,280,000.00	\$95,000.00
Primary Urban	\$417,000.00	\$405,000.00	\$12,000.00
Local Urban	\$174,000.00	\$169,000.00	\$5,000.00
Total MTF	\$9,186,000.00	\$8,924,000.00	\$262,000.00

Other State Revenue			
State Aid - Snow Funds	\$55,000.00	\$55,000.00	\$ -
State Aid - Economic Development	\$94,807.00	\$94,807.00	\$ -
State Aid - Bridges	\$ -	\$ -	\$ -
State Aid - Supplemental Road Funding	\$1,808,600.38	\$1,238,378.69	\$570,221.69
State Aid - Other (Safety, Grants, etc)	\$819,274.00	\$819,274.00	\$ -
Total Other State Funding	\$2,777,681.38	\$2,207,459.69	\$570,221.69
Federal Funds			
Federal Aid - Secondary	\$472,185.00	\$472,185.00	\$ -
Federal Aid - Safety HRRR	\$ -	\$ -	\$ -
Federal Aid - Bridges	\$ -	\$ -	\$ -
Federal Aid - STP	\$966,698.00	\$966,698.00	\$ -
Federal Aid - CMAQ/Other	\$ -	\$ -	\$ -
Total Federal Aid	\$1,438,883.00	\$1,438,883.00	\$ -
Property Taxes			
County Wide Millage	\$2,400,000.00	\$2,400,000.00	\$ -
County Appropriation	\$ -	\$ -	\$ -
Township Contributions	\$3,200,000.00	\$3,881,753.00	(\$681,753.00)
Other Revenues (Interest, Gain on Equip, etc.)	\$180,000.00	\$180,000.00	\$ -
Total Revenue including AOF	\$26,789,556.38	\$26,639,087.69	\$150,468.69
Expenditure			
	December, 2018	May, 2018	Adjustment
Heavy Maintenance			
Primary Roads	\$3,100,000.00	\$3,500,011.51	(\$400,011.51)
Primary Structures	\$20,000.00	\$20,000.00	\$ -
Local Roads	\$1,661,000.00	\$1,880,789.00	(\$219,789.00)
Local Structures	\$200,000.00	\$519,718.00	(\$319,718.00)
Total Heavy Maintenance	\$4,981,000.00	\$5,920,518.51	(\$939,518.51)
Maintenance			
Primary Roads			
General Maintenance	\$800,000.00	\$700,000.00	\$100,000.00
Traffic Services	\$250,000.00	\$250,000.00	\$ -
Snow & Ice Control	\$700,000.00	\$800,000.00	(\$100,000.00)
Special Maintenance Projects	\$1,180,000.00	\$1,180,000.00	\$ -
Routine Structure Maintenance	\$5,000.00	\$5,000.00	\$ -
Local Roads			\$ -
General Maintenance	\$1,200,000.00	\$1,100,000.00	\$100,000.00
Traffic Services	\$450,000.00	\$450,000.00	\$ -
Snow & Ice Control	\$1,000,000.00	\$1,100,000.00	(\$100,000.00)
Special Maintenance Projects	\$3,020,000.00	\$3,020,000.00	\$ -
Routine Structure Maintenance	\$15,000.00	\$10,000.00	\$5,000.00
Disaster Contingency	\$5,000.00	\$5,000.00	\$ -
Total Maintenance	\$8,625,000.00	\$8,620,000.00	\$5,000.00
Other Expenses			
Administration	\$800,000.00	\$780,000.00	\$20,000.00
Interest Expense	\$27,000.00	\$27,000.00	\$ -
Long-Term Debt Payments	\$385,000.00	\$385,000.00	\$ -
Net Capital Outlay	\$751,711.00	\$751,711.00	\$ -
Net Equipment Expense	\$200,000.00	\$200,000.00	\$ -

Non-Road Improvement (Evergreen Bluff)	\$825,000.00	\$825,000.00	\$ -
Distributive Expense	\$2,700,000.00	\$2,600,000.00	\$100,000.00
Adjustments to Fund Balance	\$ -	\$ -	\$ -
Total Other Expenses	\$5,688,711.00	\$5,568,711.00	\$120,000.00
Total Expenditures	\$19,294,711.00	\$20,109,229.51	(\$814,518.51)
Operating Fund Balance	\$7,494,845.38	\$6,529,858.18	\$964,987.20
Total Expenditures & Fund Balance	\$26,789,556.38	\$26,639,087.69	\$150,468.69

AYES: 5
 NAYS: 0
 MOTION CARRIED.

Rader discussed the anticipated 2019 county-wide millage revenue with the Board. It is her recommendation that the 2018 township allocations be held over in 2019. Motion by Burleson, seconded by Boze.

AYES: 5
 NAYS: 0
 MOTION CARRIED.

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

Voucher #2064	\$115,274.29
Voucher #2065	\$290,251.76
Voucher #2066	\$119,475.66
Voucher #2067	\$204,773.04

AYES: 5
 NAYS: 0
 MOTION CARRIED.

Engineer-Manager Hummel reviewed a request from Michigan Pavement Markings to renew the pavement marking contract for the 2019 season honoring 2018 unit prices. Motion by Askew, seconded by Boze to approve.

AYES: 5
 NAYS: 0
 MOTION CARRIED.

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

RESOLUTION 2018-23

BE IT RESOLVED: That the Engineer-Manager of the Van Buren County Road Commission, Lawrence B. Hummel, P.E., is hereby authorized to execute M.D.O.T. Contract No. 2019-0688:

A grant from the Federal Highway Administration (FHWA) to the Van Buren County Road Commission under the Congestion Mitigation and Air Quality Improvement (CMAQ) Program for the purchase of a new, less polluting utility truck cab and chassis to replace an older model.

AYES: 5
 NAYS: 0
 RESOLUTION ADOPTED.

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

RESOLUTION 2018-24

WHEREAS, an error has been discovered by the Michigan Department of Transportation on the Certification Maps of the Van Buren County; specifically, Old Swamp Road southeast from CR669 to 40th Street, and 40th Street from Old Swamp Road South to 96th Avenue in Decatur Township, Van Buren County, Michigan appear on the Certification Maps as County Primary Roads; and,

WHEREAS, Old Swamp Road from CR669 southeast to 40th Street is a County Local (paved) road; and,

WHEREAS, 40th Street from Old Swamp Road South to 96th Avenue is a County Local (paved) road; and,

NOW, THEREFORE, IT IS RESOLVED that the Certification Maps of the Van Buren County Road Commission are hereby corrected to reflect the designation of Old Swamp Road, and 40th Street, as set forth herein, as County Local (paved) roads.

AYES: 5

NAYS: 0

RESOLUTION ADOPTED.

Motion by Boze, seconded by Kinney to schedule 2019 regular meetings of the Board as follows:

January 3 and 17

February 7 and 21

March 7 and 21

April 4 and 18

May 1 and 15

June 5 and 19

July 10 and 24

August 7 and 21

September 4 and 18

October 10 and 24

November 7 and 21

December 5 and 19

AYES: 5

NAYS: 0

MOTION CARRIED.

Road Commissioner's Township Meeting Attendance Report

From September 19th to present:

Askew: Northern-Southern Joint Conference (Committee Meeting).

Boze: Keeler Township on December 5th. Supervisor requested a status update on two street sign requests. Boze also discussed with the Township the Road Commission's new Weekly Township Update.

Burleson: Bloomingdale Township on November 21st.

Kinney: Arlington Township on November 21st. KATS on November 28th.

Svilpe: Porter Township on November 19th.

Operations Director Greg Brucks reported as follows:

- Wrapping up township programmed work.
- Snow/Ice control continues, as needed.

Highway Engineer Barry Anttila reported on the following:

- 34th Avenue, Covert Township, pipe is in the ground.
- 47.50th Street, Columbia Township, structure has been put together on site. Will begin excavating old pipe out tomorrow.
- Mt. Pleasant at DEQ Conference yesterday and today.
- Antwerp Township, estimates have been sent to township.
- Working on other culvert packages.
- Working on other township requests for estimates.

Engineer-Manager Update(s):

- Community Forum, Paw Paw High School driveway entrance, December 10 at 6 PM at the High School with Sgt. Jim Campbell, MSP.
- Service Request Monthly Activity by Township, month of November. Newly added to Report is an asterisk (*) which indicates that there are requests in that category that remain open as of the date the report was prepared.
- Walnut Street, Bangor Township, meeting on December 17th with the City of Bangor, Bangor Township, and Bangor Schools.
- Received call from Attorney Tim Tornga, pension attorney, that he is retiring at year end. Looking for recommendations from Atty Tornga and Varnum Law.
- Senate Bill 396 has been passed out of Senate after very insignificant changes. Now in the House. Talk to our State Representatives if you have an opportunity as this Bill could have a serious negative impact to our road network.
- CRA Annual Commissioners Seminar (3/10-12/19) and Highway Conference (3/12-14/19).

Legal Issues

Attorney Page, Engineer-Manager Hummel and Highway Engineer Anttila discussed the status of the Kincaid situation. Drain Office has plans for a drainage district, so area may see changes as a result. We will have to wait to see what the Drain Office's plans entail.

Motion by Boze, seconded by Kinney to recess the regular meeting at 8:24 PM to open a regular meeting of the Board of Public Works.

AYES: 5
NAYS: 0
MOTION CARRIED.

The regular Road Commission meeting was reconvened at 8:26 PM, with all members present.

Motion by Svilpe, seconded by Kinney to recess the regular meeting at 8:27 PM to move to Closed Session for the purpose of a negotiation session connected with a Collective Bargaining Agreement.

AYES: 5
NAYS: 0
MOTION CARRIED.

The regular Road Commission meeting was reconvened at 8:35 PM with all members present.

Motion by Svilpe, seconded by Burleson to approve the Collective Bargaining Agreement between the Board of County Road Commissioners of Van Buren County and Local No. 2901, Council 25, effective January 1, 2019 and expiring December 31, 2022.

AYES: 5
NAYS: 0
MOTION CARRIED.

A revised Non-Union Personnel Policy was presented by Attorney Avila. The Board asked questions and concerns were voiced. Attorney Avila, Hummel and Rader answered and responded accordingly. Motion made by Boze to approve. Motion died for lack of support. Further discussions were then held, and revisions were made to the draft. Motion by Boze,

seconded by Kinney to approve the Non-Union Personnel Policy with the approved revisions.

AYES: 4
NAYS: 1 (Askew)
MOTION CARRIED.

Motion by Svilpe, seconded by Kinney to approve the Non-Union Pay Schedule.

AYES: 5
NAYS: 0
MOTION CARRIED.

Motion by Boze, seconded by Kinney to recess the regular meeting at 9:26 PM to move to a Closed Session for the purpose of considering written material subject to the attorney-client privilege relating to Engineer-Manager's Employment Agreement.

AYES: 5
NAYS: 0
MOTION CARRIED.

The regular meeting was reconvened at 9:48 PM with all members present.

Motion by Askew, seconded by Boze to approve the Engineer-Manager's Employment Agreement.

AYES: 4
NAYS: 1 (Kinney)
MOTION CARRIED.

Motion by Boze, seconded by Svilpe to adjourn the Call of the Chair at 9:50 PM.

AYES: 5
NAYS: 0
MOTION CARRIED.

Secretary

Chairman