

Van Buren County Board of Road Commissioners
Wednesday, May 2, 2012
Regular Meeting - Administrative Office, Lawrence, Michigan

BE IT REMEMBERED: That on the 2nd day of May, 2012 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 Boze, Kinney, Ray and Svilpe
Engineer-Manager Lawrence B. Hummel, P.E.
Accountant Gregory M. Pardike
Highway Engineer Barry Anttila

ABSENT: Road Commissioner Stein (excused-medical)

GUESTS: Jacque Phillippe, Arlington Township Resident-Candidate for Supervisor

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

No additions/deletions to the Agenda.

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

AYES: 4
NAYS: 0
ABSENT: 1
MOTION CARRIED.

Moved by Boze and seconded by Kinney to approve the minutes of the April 19, 2012 meeting as presented by Board Secretary Pardike.

AYES: 4
NAYS: 0
ABSENT: 1
MOTION CARRIED.

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. He also provided a review for the Board of the final Independent Auditor's Report for FY 2011.

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

Voucher #1677	\$52,220.02
Voucher #1678	\$85,141.91
Voucher #1679	\$152,314.66

AYES: 4
NAYS: 0
ABSENT: 1
MOTION CARRIED.

Engineer-Manager provided an update for the Board on the award of Liquid Dustlayer to all bidding contractors, in the best interest of the Van Buren County Road Commission and the Townships.

Engineer-Manager updated the Board regarding the award of 22A Gravel Resurfacing bid to the as-read low bidders, in the best interest of the Van Buren County Road Commission and the Townships as follows:

Township / Garage Location	Price Per Ton	Contractor
Arlington	\$5.10	R. Smith & Sons
Bangor Garage	\$5.30	R. Smith & Sons
Bloomingtondale	\$4.98	R. Smith & Sons

Township / Garage Location	Price Per Ton	Contractor
Bloomingtondale Garage	\$4.98	R. Smith & Sons
Columbia	\$5.18	R. Smith & Sons
Decatur	\$7.44/cyd	Stoneco
Geneva	\$5.66	R. Smith & Sons
Hamilton	\$7.13/cyd	Stoneco
Keeler	\$7.08/cyd	Stoneco
Lawrence	\$5.13	R. Smith & Sons
Paw Paw	\$5.13	R. Smith & Sons
Pine Grove	\$4.81	R. Smith & Sons
Porter	\$5.23	R. Smith & Sons
Waverly	\$5.18	R. Smith & Sons
VBCRC Boudreau Pit	\$4.97	Stoneco

Hummel and Pardike provided a review for the Board regarding the proposals for the refunding of Installment Purchase Agreement dated as of June 12, 2006 by and between the Road Commission, Miller-Davis Company and LaSalle Bank, NA for the storage/maintenance facility in Lawrence. Upon a motion by Kinney, seconded by Boze, PNC Bank's direct purchase proposal was accepted.

AYES: 4
NAYS: 0
ABSENT: 1
MOTION CARRIED.

Upon a motion by Ray, seconded by Boze, the following Resolution was approved:

**RESOLUTION RE: REFUNDING OF INSTALLMENT
PURCHASE AGREEMENT DATED AS OF JUNE 12, 2006**

WHEREAS, the Board of County Road Commissioners of the County of Van Buren (the "County Road Commission") is party to that certain Installment Purchase Agreement dated as of June 12, 2006 (the "Installment Purchase Agreement") by and between the County Road Commission, Miller-Davis Company and LaSalle Bank National Association with regard to the purchase by construction of the County Road Commission's new vehicle storage/maintenance building; and

WHEREAS, the Installment Purchase Agreement is payable by the County Road Commission in 15 annual level debt payments with interest on the unpaid balance at 4.45 percent (4.45%) per annum; and

WHEREAS, due to favorable interest rates in the municipal bond market, it is in the best interest of the County Road Commission to refinance the Installment Purchase Agreement by the issuance of refunding bonds in accordance with Act 34 of the Public Acts of Michigan of 2001, as amended ("Act 34"); and

WHEREAS, the County Road Commission has received three proposals for the refunding of the Installment Purchase Agreement, copies of which are attached as Exhibit A to this resolution; and

WHEREAS, the proposal of PNC Bank has been determined to provide the highest level of savings in the cost of debt service when the cost of debt service on refunding bonds issued in accordance with the terms of the PNC Bid is compared to existing debt service payments on the Installment Purchase Agreement.

NOW, THEREFORE, BE IT HEREBY RESOLVED AS FOLLOWS:

1. The refunding of the Installment Purchase Agreement is in the best interest of the County Road Commission.
2. The proposal of PNC Bank is hereby accepted.
3. The law firm of Mika Meyers Beckett & Jones PLC is hereby retained as bond counsel ("Bond Counsel") to the County Road Commission with regard to the refunding of the Installment Purchase Agreement.

4. The financial consulting firm of Bendzinski & Co. Municipal Finance Advisors is hereby retained as financial consultant ("Financial Consultant") to the County Road Commission with regard to the refunding of the Installment Purchase Agreement.

5. The actions taken by and at the direction of the Engineer/Manager and the Secretary/Accountant, with the assistance of the Bond Counsel and the Financial Consultant, to receive proposals for the refunding of the Installment Purchase Agreement are hereby ratified and affirmed.

6. The Bond Counsel and the Financial Consultant, together with the Engineer/Manager and the Secretary/Accountant, are hereby authorized and directed to prepare the appropriate documents and take the appropriate steps to refund the Installment Purchase Agreement in accordance with the PNC Bank proposal accepted by this resolution; it being understood, however, that further action shall be required by this County Road Commission to approve the terms of the refunding security to be issued by the County Road Commission to evidence the refunding.

7. All resolutions and parts of resolutions in conflict herewith shall be and the same are hereby rescinded.

AYES: 4
NAYS: 0
ABSENT: 1
MOTION CARRIED.

Road Commissioner's Township Meeting Attendance Report

From April 19th to present:

Boze: Attended Hamilton Township; appreciated quick response to tire damage claim. Attended Keeler Township; working with Brian on road reviews. Several trees across from Lakes Bowl; staff to review. Sealcoat issue; will forward location.

Kinney: No meetings. *Decatur Republican* reported VBCRC Slated Road Construction Projects on May 3rd.

Ray: No meetings. CR380 drainage issue east of Cedar Creek. Staff is aware and is revisiting the site. Possible Gradall work after property owner installs driveway tube. CR380 West of 38th Street where tube crosses road to lake is "too short" per Jim Lisowski. Staff to review. 8th Avenue cross pipe - per Jim Lisowski - questions on participation on installation of a new pipe. Staff is aware of the request for estimate.

Svilpe: No report.

Highway Engineer Barry Anttila reported on the following:

- Local Bridge Program submittals have been done.
- CR354, Porter Township, working on completing GI package.
- CR652, Porter Township, consultant working on completing GI package.
- CR657, Antwerp Township, working on log job paperwork.
- CR388 at 68th Street, project began this week.

Engineer-Manager Update(s):

- Supervisor's Meeting on August 23, 2012 at 7:00 PM, Van Buren Conference Center.
- Southwestern Road Commission Council Meeting on Monday, May 14, 2012 at 12 noon, Muskegon.
- Bill Berrington's automobile damage claim.
- Van Buren Youth Fair assistance thank you.
- Update Board on staffing changes and work on completing vacancy searches process.

Legal issues: None.

A motion was made by Boze and seconded by Ray to adjourn the Call of the Chair at 8:08 PM.

AYES: 4
NAYS: 0
ABSENT: 1
MOTION CARRIED.

Secretary

Chairman