

1500 Scribner Avenue, NW

Grand Rapids, MI 49504

August 11, 2020

The Board of County Road Commissioners of the County of Kent met in the Road Commission Offices.

The regular meeting was called to order by Commissioner Rambo, Chair at 8:00 a.m.

Present: Commissioners Rambo, Janes, Medema, and VerHeulen, Managing Director Warren, Director of Finance Barcheski and Executive Secretary Luneke.

Present Remotely: Commissioner Morren.

Also present: Deputy Managing Director - Engineering Harrall, Deputy Managing Director – Operations Byrne, Director of Traffic and Safety Haagsma, Director of Building and Equipment Roose, Purchasing Manager Nordstrom, Communications Manager Lamoreaux, and James Moyer, Owners Representative.

**Item #2      Public Comment**

There was no public comment.

**Item #3      Approval of Minutes**

The Board discussed minutes of the Board meeting held Tuesday, July 28, 2020 and Public Hearing held July 22, 2020.

Moved by Commissioner Medema, seconded by Commissioner Janes that the **minutes be approved.**

Motion carried by the following vote:

Yeas: Commissioners Rambo, Janes, Medema, Morren, and VerHeulen — 5.

Nays: 0.

**Item #4      Disbursements and Cash Balances**

The disbursements for the check run dated August 7, 2020 were presented to the Board by Director of Finance Barcheski. She stated Payroll included \$16,344.58 in overtime. The detail of construction estimates are as follows:

<b>Contractor</b>	<b>Project</b>	<b>Amount</b>
J. E. Kloote Contracting, Inc.	Alpine Bridge #24 – Vinton Avenue 0.45 mile north of 7 Mile Road (estimates #1 and #2)	124,703.30
	Bowne Bridge #5 – Wingeier Avenue 200 ft. south of 72 <sup>nd</sup> Street (estimate #1)	95,397.25
	Sparta Bridge #38 – Alpine Avenue over the Rogue River (estimate #3 and FINAL)	51,704.30
Michigan Department of Transportation	Byron Center Avenue – 92 <sup>nd</sup> Street to 84 <sup>th</sup> Street (invoice #6)	57,164.36
	Algoma Bridge #52 (invoice #7)	31,367.06
	FM Trail Phase 5 (estimate #1)	2,605.43
	100 <sup>th</sup> Street – east and west of 100 <sup>th</sup> Street Bridge over US-131 (invoice #4)	7,935.92
	100 <sup>th</sup> Street – east and west of 100 <sup>th</sup> Street Bridge over US-131 (estimate #2)	6,017.97
Michigan Paving and Materials Company	Alpine Township 2020 local roads program (estimate #3)	51,117.75
Rieth-Riley Construction Company	Grand Rapids Township 2020 local roads program (estimate #1)	548,340.07
	Algoma Township 2020 local roads program (estimate #1)	341,013.53
	Byron Township 2020 local roads program (estimate #1)	450,085.93
Superior Asphalt, Inc.	Cannon Township 2020 local roads program (estimate 2)	576,784.61
	Spencer Township 2020 local roads program (estimate #1)	228,872.65
	Gaines Township 2020 local roads program (estimate #2)	205,528.28
	Lincoln Lake Avenue – 18 Mile Road to 19 Mile Road (estimate #1)	174,688.50
	<b>Total</b>	<b>\$2,963,325.91</b>

Director Barcheski stated the General Fund has \$28,506,957.80 remaining after approval of disbursements. Of that amount, \$5,346,273.08 is unavailable operating funds, leaving \$23,160,684.72 in total available operating funds.

Moved by Commissioner Medema, seconded by Commissioner Morren that **Payroll of \$733,482.20, Construction Estimates of \$2,963,325.91, Accounts Payables of \$1,102,133.62, and Cash Balances and Investments for the check run dated August 7, 2020**, are approved by the Board, and warrants ordered drawn for the same.

Motion carried by the following vote:

Yeas: Commissioners Rambo, Janes, Medema, Morren, and VerHeulen — 5.

Nays: 0.

**Item #5 Michigan Transportation Fund**

Director Barcheski reviewed the Michigan Transportation Fund revenue that was collected for June 2020. She stated the funds received were \$4,207,506, a variance of \$164,855 more than what was budgeted. To date, receipts are up 3.9 percent over this time last year.

The report was received for information.

**Item #6 Schedule Public Hearing for FY2021 Operating Budget**

Finance Director Barcheski requested authorization to schedule a Public Hearing for FY2021 Operating Budget on Tuesday, September 8, 2020, at 8 a.m.

Moved by Commissioner Medema, seconded by Commissioner Janes that staff is **authorized to schedule a Public Hearing for FY2021 Operating Budget on September 8, 2020 at 8:00 a.m.**, as recommended by staff.

Motion carried by the following vote:

Yeas: Commissioners Rambo, Janes, Medema, Morren, and VerHeulen — 5.

Nays: 0.

**Item #7      Public Hearing**

The Board of County Road Commissioners held a public hearing on Wednesday, July 22, 2020, at the Algoma Township offices to consider revoking the Natural Beauty Road designation on Elstner Avenue from 11 Mile Road to the south end, and remove the Natural Beauty signs on 11 Mile Road west of Wolven Avenue. This action is necessary for KCRC to permit the installation of new 12" water main along the west side of Elstner Avenue and north side of 11 Mile Road. The water main will provide a loop to a long dead-end water main and provide water to residence along Elstner Avenue and 11 Mile Road impacted by the Wolverine PFAS settlement.

Three residents and Algoma Township Supervisor Kevin Green attended the public hearing. The public comment was positive toward the proposed water main work. Other questions and concerns were related to the process to have the Natural Beauty Road designation reinstated sometime after completion of the water main.

Moved by Commissioner Medema, seconded by Commissioner VerHeulen that the Board **authorize to remove the Natural Beauty Road Designation on Elstner Avenue**, south of 11 Mile Road, and **remove the Natural Beauty Road signs on 11 Mile Road**, west of Wolven Avenue, Sections 26, 27, 34 and 35, Algoma Township, as presented at the Public Hearing held Wednesday, July 22, 2020, as recommended by staff.

Motion carried by the following vote:

Yeas: Commissioners Rambo, Janes, Medema, Morren, and VerHeulen — 5.

Nays: 0.

**Item #8**                    **Sign and Execute Title Sheet**

Managing Director Warren requested authorization to sign and execute the title sheet for Tyrone Bridge #15.

Deputy Managing Director Harrall stated the 20 Mile Road over Walter Creek bridge project (Tyrone Bridge #15) is ready to bid through MDOT. The project includes removing the existing bridge and replacing it with a precast concrete box culvert along with approach work. The estimated project cost is \$465,000 and funding includes \$441,750 (95%) State and Federal Local bridge funds, with the remaining \$23,250 (5%) Local match funded by KCRC.

Moved by Commissioner Janes, seconded by Commissioner Medema that the Board is **authorized to sign and execute the title sheet for Tyrone Bridge #15**, 20 Mile Road over Walter Creek, as recommended by staff.

Motion carried by the following vote:

Yeas: Commissioners Rambo, Janes, Medema, Morren, and VerHeulen — 5.

Nays: 0.

**Item #9**                    **Resolution of Non-Acceptance of Streets**

Managing Director Warren requested a resolution of non-acceptance of streets within Orchard Park Plat.

Deputy Managing Director Harrall stated Orchard Park plat is located on the east side of Camp Lake, in Section 7, Algoma Township. This plat is currently served by private

streets, Orchard Park Drive and Maple Drive. The private streets are partly within platted right-of-way that was intended for public streets. Review of KCRC records indicates there was never an acceptance for public streets within the plat. Our legal council is recommending that KCRC pass a formal resolution stating non-acceptance of streets within Orchard Park plat. This will clarify any future inquires related to street ownership and neighborhood concerns associated with the platted right-of-way within Orchard Park plat.

Commissioner VerHeulen offered the following resolution with reference to the streets located within the Orchard Park Plat in the Township of Algoma, Kent County, Michigan, recorded in Liber 31 of Plats, Page 18, Kent County Records.

**RESOLUTION REGARDING STATUS  
OF STREETS IN ORCHARD PARK PLAT**

**WHEREAS**, the Plat of Orchard Park recorded at Liber 31 of Plats, Page 18, Kent County Records, offered to dedicate the streets within the plat to the public on August 20, 1925; and

**WHEREAS**, a search of the records of the Board of County Road Commissioners for the County of Kent (“Board”) has found no record that the Board formally accepted the dedication of the streets in the Orchard Park Plat; and

**WHEREAS**, a search of the records of Algoma Township has found no record that the Township formally accepted the dedication of the streets in the Orchard Park Plat; and

**WHEREAS**, a search of the records of the Board has found no record that the Board has expended any money or undertaken any work to improve the streets in the Orchard Park Plat or otherwise asserted jurisdiction over the streets in that plat; and

**WHEREAS**, a search of the records of the Board has found that the streets in the Orchard Park Plat have never been certified as public streets for the purpose of receiving funding from the State of Michigan under Public Act 51 of 1951, MCL 247.651 *et seq.*; and

**WHEREAS**, a search of the records of the Board has found no McNitt Act (1931 PA 130) resolution adopted by the Board expressly identifying by name the streets dedicated in the Orchard Park Plat or otherwise referencing streets in the Orchard Park Plat; and

**WHEREAS**, a field investigation of the location of the streets dedicated in the Orchard Park Plat determined that there is no public interest or purpose in accepting a dedication of the streets or to assert jurisdiction over the streets as public roadways.

**NOW, THEREFORE, BE IT RESOLVED** that the Board hereby determines and confirms that it has not accepted the streets dedicated in the Orchard Park Plat and therefore has no jurisdiction or authority over the streets dedicated in the Orchard Park Plat.

**AND BE IT FURTHER RESOLVED** that this resolution be recorded with the Kent County Register of Deeds and be submitted to the Office of Land Survey and Remonumentation in the Michigan Department of Licensing and Regulatory Affairs.

Moved by Commissioner VerHeulen, seconded by Commissioner Medema to **adopt the Resolution of Non-Acceptance of Streets**, as recommended by staff.

Motion carried by the following vote:

Yeas: Commissioners Rambo, Janes, Medema, Morren, and VerHeulen — 5.

Nays: 0.

**Item #10 Preliminary Street Approval**

Managing Director Warren requested preliminary street approval of Windward Avenue.

Deputy Managing Director Harrall stated that Windward Avenue is located north of 108th Street and east of Wilson Avenue in Section 32, Byron Township. The proposed residential public street is approximately 1000 feet long with a permanent cul-de-sac. Due to the length of the permanent cul-de-sac, staff is requesting a 50-foot radius cul-de-sac (10 feet greater than our residential street standard) to accommodate turns for larger vehicles. This meets and bounds development includes a total of 9 lots. The developer is Steve Windemuller and the engineer is Exxel Engineering.

Moved by Commissioner Janes, seconded by Commissioner VerHeulen, that **preliminary street approval is granted for Windward Avenue**, Section 32, Byron Township, as recommended by staff and subject to the following special conditions, requirements, and modifications:

- (1) Proprietor shall provide title commitment to demonstrate that there are no existing encumbrances within limits of proposed street right of ways for review and evaluation by staff.
- (2) Proprietor shall acquire termination of encumbrances, easements, restrictions, etc., in favor of the Board of County Road Commissioners for that part of the land division that includes all proposed public streets.
- (3) Proprietor shall acquire acceptable subordinations of existing mortgages, etc. in favor of the Board of County Road Commissioners within the proposed public street right of way.
- (4) Proprietor is advised to abstain from encumbering land proposed to be conveyed to the Board without obtaining prior concurrence from the Deputy Managing Director, Engineering (County Highway Engineer).
- (5) The permanent cul-de-sac length of approximately 980 feet is acceptable. The increased cul-de-sac radius (50'), similar to a commercial / industrial cul-de-sac radius, is acceptable.



- (6) Proprietor shall obtain the required permits from the Kent County Drain Commission and provide copies to KCRC staff.
- (7) Proprietor shall provide private utility easements adjoining the proposed streets for private public utilities which shall in no way encroach, nor encumber, proposed street right of way. Recommend coordinating with private public utilities to accommodate their specific requirements to the extent possible.
- (8) Proprietor is advised to require that private public utilities design and install their facilities in conformance with the Board's requirements, regulations, specifications, etc., including obtaining highway permit for said private public utility facilities.
- (9) The Proprietor shall incorporate USPS customer mail delivery mode requirements in their improvements design and construction documents and provide written confirmation from the USPS local postmaster or station master confirming that customer mail delivery requirements conform to both USPS and KCRC requirements.
- (10) The Board retains the sole discretion to determine time and conditions for the take-over of proposed public streets.

Motion carried by the following vote:

Yeas: Commissioners Rambo, Janes, Medema, Morren, and VerHeulen — 5.

Nays: 0.

**Item #11 Award of Bid**

Managing Director Warren requested authorization to award bid on:

- a. **Contract #20-74:** I-196 – 71<sup>st</sup> Street to 118<sup>th</sup> Avenue;  
Allegan County Concrete Pavement Repairs

This contract is 100% funded by the State of Michigan - Department of Transportation and will require MDOT approval prior to commencement.

Staff recommends awarding **Contract #20-74: I-196 - 71st St. to 118<sup>th</sup> Ave. to Rigid Pavement Construction, LLC**, the lowest and responsible bidder at a contract cost of **\$733.20 per cubic yard** placed.

Moved by Commissioner Medema, seconded by Commissioner Janes that **staff is authorized to award the above-listed purchase**, as recommended by staff.

Motion carried by the following vote:

Yeas: Commissioners Rambo, Janes, Medema, Morren, and VerHeulen — 5.

Nays: 0.

**Item #12 Award Contract #20-45: Design Services**

Commissioner Janes recused herself from the discussion and left the meeting at 8:24 a.m.

Managing Director Warren stated the Sub Committee reviewed eight proposals from design firms and selected four firms to be interviewed. The project was temporarily halted by the pandemic, but interviews resumed on July 21, 2020. The firms received topics in advance to discuss at their interviews. Following the interviews, the Sub Committee ranked the design firms from (1) to (4) with (1) being the most responsive. Hobbs + Black ranked the highest with 1.9. The Sub Committee discussed the two highest rated firms, Hobbs + Black and Fishbeck, and made the decision to open the two sealed bids.

The Sub Committee met on July 23, 2020, to review the information and cost proposals. The proposals were very similar, though Hobbs + Black provided 3,000 more hours than Fishbeck. The Sub Committee's recommended design firm is Hobbs + Black.

Hobbs + Black have the most experience in projects of similar nature. They have worked with other road commissions, Michigan Department of Transportation, and Michigan State Police. They also have experience dealing with the City of Walker.

Positive references were received from the road commissions of Washtenaw, Allegan, and Gladwin counties, and the post commander for the Michigan State Police. Frank Walsh, Assistant City Manager/Planner for the City of Walker said their experience with Hobbs + Black has been very positive with no problems or major changes.

Commissioner Morren stated that he was impressed with the hiring process. The process was well thought out and all of the design firms interviewed were good.

Commissioner VerHeulen questioned if the cost was consistent to what KCRC had determined. Managing Director Warren stated KCRC estimated approximately \$2M. Commissioner VerHeulen stated he was concerned about the future of KCRC's budget and questioned whether the project could be paused if needed; Managing Director Warren stated that it could. KCRC has a structured option agreement with the City of Grand Rapids and there is no commitment to start construction at this time. KCRC continues to evaluate a two-phase construction with the first phase being the southern portion of the property with heated, cold and salt storage buildings.

Moved by Commissioner Medema, seconded by Commissioner VerHeulen that staff is **authorized to award Contract #20-45: Design Services for Walker View to Hobbs + Black and execute a contract**, as recommended by the Sub Committee.

Motion carried by the following vote:

Yeas: Commissioners Rambo, Medema, Morren, and VerHeulen — 4.

Nays: 0.

Commissioner Janes returned to the Board Meeting at 8:40 a.m.

**Item #13 Advertise for Bid**

Managing Director Warren requested authorization to advertise for bids on the following:

- a. **Contract 20-75:** Construction Manager
- b. **Contract 20-76:** Commissioning

Finance Director Barcheski stated that timing is important for the hiring of a Construction Manager and Commissioning agent. Managing Director Warren stated a Construction Manager will work with the owner and design firm so there is good organization and communication. Later on in the project, a Commissioning agent would be responsible to recognize any potential problems and make sure everything is at the highest standard.

Managing Director Warren stated Owner's Representative James Moyer has been excellent at advising KCRC. Mr. Moyer stated the Construction Manager provides cost control so the project isn't over designed or under designed. The Commissioning agent looks at the whole system and recommends what needs to be accomplished before KCRC moves in to the new building.

Moved by Commissioner VerHeulen, seconded by Commissioner Medema that staff is **authorized to advertise for bids on the above-listed contracts with bids to be accepted on date to be determined** and as recommended by staff.

Motion carried by the following vote:

Yeas: Commissioners Rambo, Janes, Medema, Morren, and VerHeulen — 5.

Nays: 0.

**Item #14**     **Comments**

- Managing Director Warren stated he anticipates hearing from Lansing soon.
  
- Managing Director Warren discussed the use of Federal aid in rural and future urbanized areas with the Board.
  
- Finance Director Barcheski stated KCRC recently purchased a used semi-tractor to haul the brine trailer from Ryder Exchange, LLC, for a total cost of \$23,864.

There being no further business to come before the Board, Chair Rambo adjourned the meeting at 8:54 a.m.

Respectfully submitted,



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Macy D. Barcheski, Secretary