

1500 Scribner Avenue, NW

Grand Rapids, MI 49504

May 24, 2022

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

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

Present: Commissioners Mark Rambo, David Morren, and Robert VerHeulen, Managing Director Steve Warren, Director of Finance Macy Barcheski, and Executive Secretary Karen Luneke.

Absent: Commissioners Cynthia Janes and Dave Medema

Also present: Deputy Managing Director of Engineering Wayne Harrall, Deputy Managing Director of Operations Jerry Byrne, Director of Traffic and Safety Tim Haagsma, Director of Building and Equipment Roose, Director of Human Resources Mike Dennis, Purchasing Manager Andrew Nordstrom, IT Manager Tim Care, Communications Manager Maura Lamoreaux, and Right-of-Way Office Manager L. R. Cole.

**Item #2      Public Comment**

There was no public comment.

**Item #3      Approval of Minutes**

The Board discussed minutes of the **Board meeting** held Tuesday, May 10, 2022. Moved by Commissioner VerHeulen, seconded by Commissioner Morren that the **minutes be approved.**

Motion carried by the following vote:

Yeas: Commissioners Rambo, Morren, and VerHeulen — 3.

Nays: 0.

The Board discussed minutes of the **Closed Session** held Tuesday, May 10, 2022.

Moved by Commissioner VerHeulen, seconded by Commissioner Morren that the **minutes be approved.**

Motion carried by the following vote:

Yeas: Commissioners Rambo, Morren, and VerHeulen — 3.

Nays: 0.

**Item #4 Disbursements and Cash Balances**

The disbursements for the check run dated May 13, 2022, were presented to the Board by Director of Finance Barcheski. She stated payroll included \$8,775.81 in overtime.

Director Barcheski stated the General Fund has \$46,517,458.05 remaining after approval of disbursements. Of that amount, \$5,937,304.38 is unavailable operating funds, leaving \$40,580,153.67 in total available operating funds.

Moved by Commissioner Morren, seconded by Commissioner VerHeulen that **Payroll of \$748,877.91, Construction Estimates of \$0.00, New Central Complex Expenditures of \$0.00, Accounts Payables of \$1,168,613.40, and Cash Balances and Investments for the check run dated May 13, 2022,** are approved by the Board, and warrants ordered drawn for the same.

Motion carried by the following vote:

Yeas: Commissioners Rambo, Morren, and VerHeulen — 3.

Nays: 0.

**Item #5 Reimbursement of Engineering Costs**

Managing Director Warren stated that in accordance with Section 12(2) of Act 51, as amended, Kent County Road Commission is eligible for reimbursement of up to \$10,000.00

for Licensed Professional Engineer Services incurred during the period of July 1, 2021, through June 30, 2022.

Commissioner VerHeulen offered the following resolution in regard to reimbursement of engineering costs:

**Resolution for  
Reimbursement of Engineering Costs**

**NOW, THEREFORE, BE IT RESOLVED**, that the Board of County Road Commissioners of Kent County does hereby request reimbursement in the amount of \$10,000.00 (not to exceed \$10,000.00) for payments made during the period of July 1, 2021, through June 30, 2022, to licensed professional engineers employed or retained by this Commission in accordance with the following:

Section 12(2) of Act 51, as amended.

“Each County Road Commission shall be reimbursed in an amount up to \$10,000.00 per year for the sum paid to a licensed professional engineer employed or retained by the County Road Commission certified by the State Transportation Department as complying with the subsection regarding the employment of an engineer.”

Moved by Commissioner VerHeulen and seconded by Commissioner Morren that the **resolution is adopted, and the reimbursement requested**, as recommended by staff.

Motion carried by the following vote:

Yeas: Commissioners Rambo, Morren, and VerHeulen – 3.

Nays: 0.

**Item #6      Sign and Execute Title Sheet**

Managing Director Warren requested that the Board sign and execute the title sheet for the 100<sup>th</sup> Street reconstruction project.

Deputy Managing Director Harrall stated the 100<sup>th</sup> Street all-season reconstruction between Hanna Lake Avenue and East Paris Avenue is included in MDOT's June 3, 2022 bid letting. The project includes pavement removal, earthwork, subbase, aggregate base, ditches, HMA pavement and permanent pavement markings. The estimated project cost is \$1,555,500. Funding includes \$971,631 Federal STP Rural funds, with the remaining \$583,869 local match provided by KCRC.

Commissioner Morren offered the following resolution with reference to execution of the Agreement between the Board of County Road Commissioners of the County of Kent and the Michigan Department of Transportation for the road reconstruction work along 100<sup>th</sup> Street from Hanna Lake Avenue to East Paris Avenue.

**Resolution for  
Road Reconstruction work along  
100th Street from Hanna Lake Avenue to East Paris Avenue  
Contract #22-5178**

**WHEREAS**, Federal Funds are available for the road reconstruction work along 100<sup>th</sup> Street from Hanna Lake Avenue to East Paris Avenue, and

**WHEREAS**, the Road Commission must enter into an Agreement with the Michigan Department of Transportation to receive Federal and State Funds, and

**WHEREAS**, the conditions of the Agreement have been reviewed by the Board of County Road Commissioners of the County of Kent, Michigan.

**NOW, THEREFORE, BE IT RESOLVED**, that Mark E. Rambo, Chairman of the Board of the Kent County Road Commissioners of the County of Kent, Michigan, and Steven A. Warren, Managing Director are hereby authorized to execute said Agreement for and on behalf of the Board.

Moved by Commissioner Morren and supported by Commissioner VerHeulen that the Board **adopt the resolution and sign and execute the Agreement for the road reconstruction work along 100th Street from Hanna Lake Avenue to East Paris Avenue with Federal Funds.**

Motion carried by the following vote:

Yeas: Commissioners Rambo, Morren, and VerHeulen — 3.

Nays: 0.

**Item #7      Vacation of Ann Street**

Managing Director Warren requested authorization to vacate Ann Street within Kehoe's Park Ratigan Lake Plat.

Deputy Managing Director Harrall stated Circuit Court will consider a request to replat a portion of Kehoe's Park Rattigan Lake Plat, within section 31, Grattan Township. KCRC's interest consists of vacating portions of Ann Street (Jim Street to the north plat limit). The existing paper street is encumbered with garages, carports, and sheds. There is no intention to construct a public street since an existing county road, Kehoe Drive, lies immediately east of Ann Street. Grattan Township Board supports the vacation.

Commissioner Morren offered the following resolution with reference to vacating Ann Street within Kehoe's Park Ratigan Lake Plat.

**RESOLUTION**

At a regular meeting of the Board of County Road Commissioners of the County of Kent ("Board") held at 1500 Scribner Avenue, NW, Grand Rapids, Michigan 49504 on May 24, 2022, at 8:00 a.m., the following Resolution was offered for adoption by Commissioner Morren and was seconded by Commissioner VerHeulen as follows:

**A RESOLUTION TO VACATE (OR CONSENT TO THE VACATION OF) ANN STREET IN KEHOE'S PARK RATTIGAN LAKE**

A. A vacation lawsuit has been filed in the Kent County Circuit Court by Kerry Foley, seeking to vacate the following described rights of way located in Kehoe's Park Rattigan Lake, recorded in Liber 27, Page 39, Kent County Register of Deeds (the "Street"):

All that portion of a roadway platted as Ann Street adjacent to Lots 16-29, inclusive.

That lawsuit is *Kerry Foley, an individual v Daniel J. Diemer, et al.* (Kent County Circuit Court Case No. 21-08452-CZ).

B. The lawsuit is also seeking to include within the plat the triangular shaped non-platted property adjacent to lots 16-19, inclusive as depicted in Exhibit A. By virtue of the Release of Right of Way recorded at Liber 109, Page 507 and the Resolution recorded at Liber 118, Page 243 of the Kent County Register of Deeds office, the Board may own an easement interest in the triangular shaped property.

C. It appears that the vacation of the Street will not interfere with travel within the County, will better allow the property owners the use of their property, will enhance the quality and character of the County, and will reduce liability and maintenance exposure for the Board.

D. The Board otherwise believes that it is in the best interest of the public health, safety, and welfare to vacate the Street.

E. The Board believes that there is no further use for public road purposes of the triangular shaped non-platted property adjacent to lots 16-19, and that is in the best interest of the public that the Board's interest in this property shall be conveyed to the owners of lots 16-19.

## RESOLUTION

### IT IS HEREBY RESOLVED AS FOLLOWS:

1. Subject to the terms of this Resolution, the Board hereby vacates the Street, and agrees to the Street being vacated by the Kent County Circuit Court pursuant to the above-mentioned lawsuit, such that the abutting lots shall hereafter extend to the eastern boundary line of the Plat.
2. Any existing public utilities or public utility easements must be reserved and preserved within the area formerly comprising the Street.
3. Subject to the terms of this Resolution, the Board authorizes the conveyance of such rights as it may have in the triangular shaped property to the adjacent owners of lots 16-19. Any existing public utilities or public utility easements must be reserved and preserved within the triangular shaped property.
4. Upon being presented with the amended plat of Kehoe's Park Rattigan Lake, after all necessary approvals are received, and the amended Plat is recorded with the Kent County Register of Deeds, L.R. Cole, Right-of-Way Office Manager, is hereby authorized to execute any and all such documents as will release any existing easements for highway purposes owned by the Kent County Road Commission over the Street, except as otherwise provided in this Resolution.
5. The Board shall retain (a) sixty (60) feet of easement for highway purposes over the West sixty (60) feet of Kehoe Drive adjacent to lots 16-19 (inclusive),
6. This Resolution shall not be effective until Kerry Foley (or one of her agents) files and records a certified copy of this Resolution with the Kent County Register of Deeds and submits a copy to the State Treasurer.

7. L.R. Cole, Right-of-Way Office Manager, is hereby authorized to execute all documents as are reasonably necessary to effectuate this Resolution, including signing an appropriate Consent Judgment in the above-captioned lawsuit and a Quit-Claim Deed.

The vote in favor of adopting this Resolution was as follows:

Moved by Commissioner Morren seconded by Commissioner VerHeulen that the **resolution is adopted**, as recommended by staff.

Motion carried by the following vote:

Yeas: Commissioners Rambo, Morren, and VerHeulen – 3.

Nays: 0.

**Item #8 Preliminary Street Approval**

Managing Director Warren requested authorization for preliminary street approval of Rapids Drive Extension.

Deputy Managing Director Harrall stated Rapids Drive is located south of 68th Street and west of Patterson Avenue in Section 12, Gaines Township. The proposed extension of this industrial public street will extend Rapids Drive 968 feet with a temporary cul-de-sac on the south end providing access to two industrial lots.

Moved by Commissioner Morren, seconded by Commissioner VerHeulen that the Board **authorizes the preliminary street approval of Rapids Drive Extension**, Section 12, Gaines Township, as recommended by staff and subject to the following special conditions, requirements, and modifications:

1. At the time the Final Takeover of Rapids Drive Extension is requested for Board action, the 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 2600 feet 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. Proprietor shall provide a 10' maintenance strip to the Kent County Road Commission at the end of Rapids Drive for future extension of public streets. Proprietor shall also provide a temporary turn around with easement to the Kent County Road Commission at the end of Rapids Drive.
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, Morren, and VerHeulen – 3.

Nays: 0.

**Item #9**      **Award of Bids**

Managing Director Warren requested authorization to award bids for the following:

a. **Contract #22-50:** Design Services for a Roundabout at Kalamazoo Avenue and 84th Street

KCRC received proposals from six consultants for Contract #22-50 and were reviewed by Wayne Harrall, Shirley Wollner, and Tim Haagsma. Staff ranked the submittals and afterwards evaluated the firm’s prices.

Staff recommends awarding Contract #22-50 to **Fishbeck**, based on their proposal, experience/references, and cost, for a total cost of **\$49,450**.

Reviewer	Wayne	Shirley	Tim
<b>Rank #1 Consultant</b>	<b>Fishbeck</b>	<b>Fishbeck</b>	<b>Fishbeck</b>
Rank #2 Consultant	DLZ	AECOM	DLZ
Rank #3 Consultant	LRE	DLZ	AECOM

Consultant	Cost
<b>Fishbeck</b>	<b>\$49,450</b>
LRE	\$49,970
Rowe	\$54,675
DLZ	\$55,000
Progressive AE	\$77,900
AECOM	\$135,000

b. **Contract #22-51:** Algoma Bridge #49  
 Algoma Avenue over Rogue River, 0.3 Miles North of 11 Mile Road

Staff recommends awarding Contract #22-51: Algoma Bridge #49 to **Grand River Construction, Inc.**, the lowest responsible and responsive bidder, for a total cost of **\$125,954**, which is **8.92% below** the estimated cost.

c. **Contract #22-52: South Kent Landfill – DPW**

This contract is 100% funded by Kent County Department of Public Works.

Staff recommends awarding Contract #22-52: South Kent Landfill – DPW to **Michigan Paving & Materials, Co.**, the lowest responsible and responsive bidder, for a total cost of **\$243,955.30**, which is **15.15% above** the estimated cost.

Moved by Commissioner VerHeulen, seconded by Commissioner Morren to **authorize the award of bids for the above listed**, as recommended by staff.

Motion carried by the following vote:

Yeas: Commissioners Rambo, Morren, and VerHeulen — 3.

Nays: 0.

**Item #10 Award or Rebid**

**Contract #22-04: Building & Grounds Maintenance at two rest areas and one roadside park – MDOT**

Pending the removal of R&R Enterprises from the current contract due to non-compliance, staff requests from the Board for authorization to award the remainder of the contract to the next bidder, **Hi-Tech Building Services**, at their previous bid cost of **\$281,970** per year, or to rebid the contract to receive new submittals.

As this contract is 100% funded by the State of Michigan - Department of Transportation, the contract will require MDOT approval prior to commencement of the new contractor.

Moved by Commissioner VerHeulen, seconded by Commissioner Morren to **authorize the award or rebid for the above listed**, as recommended by staff.

Motion carried by the following vote:

Yeas: Commissioners Rambo, Morren, and VerHeulen — 3.

Nays: 0.

**Comments**

➤ Deputy Managing Director Byrne stated KCRC staff worked with Barry County Road Commission on the ramps on US-12. Mr. Byrne shared an email with the Board that he received from BCRC's Managing Director, Jay Miller.

“Good morning! Outstanding work this week on US12! I was beyond impressed with the Kent County Road Commission supervision, staff, equipment, and coordination with our supervision/staff! Thanks again and have a great weekend!”

➤ A PowerPoint presentation was given to the Board by Managing Director Warren that will be presented to the County of Kent on Thursday, May 26, 2022. The PowerPoint covered all aspects of what KCRC does.

There being no further business to come before the Board, Chair Rambo adjourned the meeting at 8:45 a.m.

Respectfully submitted,



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Macy Barcheski, Secretary