

1500 Scribner Avenue, NW

Grand Rapids, MI 49504

January 28, 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, Morren and VerHeulen, Managing Director Warren, Director of Finance Barcheski and Executive Secretary Luneke.

Also present: Deputy Managing Director - Engineering Harrall, Deputy Managing Director - Operations Byrne, Director of Building and Equipment Roose, Assistant Director of Engineering Byle, Assistant Director of Finance in charge of Purchasing Wiegerink, Human Resource Coordinator Nanzer, Communications Manager Lamoreaux and Dan Parmeter, attorney from Mika Meyers PLC.

**Item #2      Public Comment**

There was no public comment.

**Item #3      Approval of Minutes**

The Board discussed minutes of the Board meeting held Tuesday, January 14, 2020.

Commissioner Medema felt the minutes did not reflect a discussion that took place at the meeting.

Commissioner VerHeulen stated the public meeting scheduled for February 18, 2020 will discuss Board leadership, transparency and policy.

Commissioner Medema made a motion to add a statement regarding this discussion to the minutes.

Motion failed due to lack of support.

Moved by Commissioner VerHeulen, seconded by Commissioner Janes that the **minutes be approved as written.**

Motion carried by the following vote:

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

Nays: Commissioner Medema — 1.

**Item #4 Disbursements and Cash Balances**

The disbursements for the check run dated January 24, 2020 were presented to the Board by Director of Finance Barcheski. She stated Payroll included \$69,894.23 in overtime. The detail of construction estimates are as follows:

<b>Contractor</b>	<b>Project</b>	<b>Amount</b>
Michigan Department of Transportation	13 Mile Road – Kenowa Avenue to Fruit Ridge (invoice #10)	42,931.90
	6 Mile Road – Walker Avenue to Alpine Avenue (invoice #3)	9,516.75
	Kraft Avenue – 28 <sup>th</sup> Street to 36 <sup>th</sup> Street (invoice #4)	6,328.22
	13 Mile Road – Fruit Ridge Avenue to Peach Ridge Avenue (invoice #10)	43,459.66
	FM Flat/Grand River Valley Rail Trail (invoice #3)	29,932.37
	FM Pioneer Trail Phase 2 (invoice #7)	5,866.02
	Algoma Bridge #52 (invoice #5)	30,771.25
	Shaner Avenue at 15 Mile Road (invoice #3)	2,644.23
	76 <sup>th</sup> Street over Buck Creek (invoice #3)	553,011.49
Wonsey Tree Service	Byron Culvert #57 (estimate #2)	9,272.60
	<b>Total</b>	<b>733,734.49</b>

Director Barcheski stated the General Fund has \$27,731,890.77 remaining after approval of disbursements. Of that amount, \$4,083,018.00 is unavailable operating funds, leaving \$23,648,872.77 in total available operating funds.

Moved by Commissioner Morren, seconded by Commissioner Medema that **Payroll of \$752,220.28, Construction Estimates of \$733,734.49, Accounts Payables of \$997,289.89, and Cash Balances and Investments for the check run dated January 24, 2020** is 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      Financial Statements**

Director Barcheski reviewed for the Board the December 2019 Financial Statements.

The report was received for information.

**Item #6      Option Agreement to Purchase Real Estate**

Commissioner Janes asked to be excused during the discussion of the agenda item.

Managing Director Warren stated the City of Grand Rapids has renewed interest in purchasing the Central Complex property. The intent is to relocate much of the City's transportation service operations to the Scribner Avenue location from the current Market Street location in downtown Grand Rapids. This will free up the downtown location for future development along the river.

The Option Agreement to Purchase Real Estate includes:

- An option term of 12 months, during which the City will commence a due diligence review and investigation of the Central Complex property to determine if the property is acceptable and suitable for the City's intended use.
- Nonrefundable payments (\$50,000 initially plus \$100,000 after six months) by the City to KCRC for the exclusive right to purchase the Central Complex property which will be deducted from the purchase price if the City exercises the Option.
- A requirement that by the end of the 12-month term, the City must exercise the exclusive right to purchase or the Option terminates.
- A negotiated purchase price for the Central Complex property of \$7,750,000.
- A mutually agreed upon closing date of no later than September 2022.

Managing Director Warren introduced Dan Parmeter, the Road Commission's attorney from Mika Meyers, PLC. Managing Director Warren stated the new complex will be constructed in two phases. The first phase will be the bid and construction of the chemical, equipment and yard storage on the southern property at Walker View. The second phase will be the bid and construction of the garage and office on the northern property at Walker View. There may be an early closing on the northern parcels at KCRC with the City of Grand Rapids paying 1/3 of the purchase price. Managing Director Warren stated an independent contractor will be hired to develop the proper required proposal for design and the proper required proposal for construction.

Managing Director Warren stated there is lack of sufficient storage for our equipment at our present location.

Moved by Commissioner Morren, seconded by Commissioner Medema that the Board **approves the Option Agreement to Purchase Real Estate**, as recommended by staff.

Motion carried by the following vote:

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

Nays: 0.

**Item #7 Independent Contractor Agreement**

Managing Director Warren stated three qualified individuals were interviewed for the position of independent contractor. Mr. Warren stated in order to initiate the RFP (request for proposal) process related to design and construction management of the new Central Complex at Walker View, an independent contractor will be needed as soon as possible. It is Managing Director Warren's recommendation to retain the services of James Moyer under the Independent Contractor Agreement. Mr. Moyer will serve as KCRC's "Owners Representative" during the design, construction, and occupancy of the facility. Mr. Moyer has over 45 years of experience in facility development projects around the country; most recently served as Vice President for Facility Planning at Grand Valley State University. Mr. Moyer has retired and is now consulting. The estimated time for this project is 2-1/2 years and estimated fee for Mr. Moyer's services is \$100,000, approximately \$3,200 per month, which is a reasonable price. Al Jano, Facilities Management Director for the County of Kent has a vested interest and supports the choice of Mr. Moyer.

Moved by Commissioner Morren, seconded by Commissioner VerHeulen that the Board **approves the Independent Contractor Agreement with James Moyer**, as recommended by staff.

Motion carried by the following vote:

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

Nays: 0.

Commissioner Janes rejoined the meeting at 8:47 a.m.

**Item #8      Traffic Signal Maintenance Agreement**

Managing Director Warren stated the Board tabled the Traffic Signal Maintenance Agreement during the January 14, 2020 meeting. Commissioner VerHeulen's comments were forwarded to the MCRCSIP insurance pool attorney, William Henn. Mr. Henn is preparing proposed changes that will be provided to the City of Grand Rapids for review. KCRC will bring this item back to the Board following that process. The item was tabled indefinitely.

Moved by Commissioner Medema, seconded by Commissioner VerHeulen to **table the Traffic Signal Maintenance Agreement with the City of Grand Rapids** indefinitely, as recommended by staff.

Motion carried by the following vote:

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

Nays: 0.

**Item #9      Purchase of Right-of-Way**

Managing Director Warren requested authorization to **purchase right-of-way** from the following:

- a. Susan M. Warsen, 167- 84<sup>th</sup> Street, Section 18, Gaines Township

Deputy Managing Director Harrall stated Susan M. Warsen, the owner of property located at 167 84th Street, has agreed to provide a drainage easement to accommodate the 2020 84th Street reconstruction / widening work. The area of drainage easement is 20 feet wide and 70 feet long for a total area of 1,400 sft. The easement was valued at \$0.81 / sft. resulting in a \$1,134.00, and \$100 for temporary grading for a total just compensation of \$1,234.

**Easement Description:**

Commencing at the Southwest Corner of Section 18, T05N, R11W Gaines Township, Kent County, MI.; thence S89°01'38"E 823.06 feet along the South line of said Section 18; thence N00°22'29"E 33.0 feet to the northerly Right of Way line of 84th Street and the Point of Beginning; thence N00°22'29"E 70.00 feet; S89°01'38"E 20 feet; S00°22'29"E 70.00 feet to the northerly Right of Way line of 84th Street; thence N89°01'38"W 20.0 feet along said Right of Way to the Point of Ending. Contains 1,400 Square Feet M/L and is subject to easements and restrictions of record.

- b. Eva M. DeVormer Protection Trust, 8771 Eastern Avenue, Section 19, Gaines Township

Deputy Managing Director Harrall stated Eva M. DeVormer Protection Trust; the owners of property located at 8771 Eastern Avenue (SW corner of 84<sup>th</sup> Street and Eastern Avenue) have agreed to provide a drainage easement to accommodate the 84<sup>th</sup> Street reconstruction / widening project between Division Avenue and Eastern Avenue. The drainage easement is 17 feet wide and extends approximately 692 feet along the south side of 84<sup>th</sup> Street, a total area of 11,756 sft. The easement is valued at \$0.40 / sft. for total compensation of \$4,761.00.

**Easement Description:**

The South 17.0 feet of the North 50.0 feet of the East 800 feet of the Northeast ¼ of Section 19, Gaines Township, Kent County, MI. Parcel contains 11,756 square feet more or less and is Subject to existing easements and restrictions of record.

Moved by Commissioner Janes and seconded by Commissioner VerHeulen that staff is **authorized to purchase the above-described right-of-way**, as recommended by staff.

Motion carried by the following vote:

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

Nays: 0.

**Item #10     Sign and Execute Contract Agreements**

Managing Director Warren requested authorization to sign and execute the Contract Agreement with the Michigan Department of Transportation for the following projects:

- a. **68<sup>th</sup> Street Pavement Replacement** between Byron Center Avenue and Burlingame Avenue.

Deputy Managing Director Harrall stated the 68th Street pavement replacement project between Byron Center Avenue and Burlingame Avenue is included in MDOT's February 7, 2020 bid letting. The project includes cold milling the existing asphalt pavement and placing 2 courses of new HMA and upgrading sidewalk ramps to comply with current ADA standards. The estimated project cost is \$1,094,700. Funding includes \$711,150 of Federal EDC funds with the remaining \$383,550 local match provided by KCRC.

Commissioner VerHeulen 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 HMA resurfacing work along 68<sup>th</sup> Street from Byron Center Avenue to Burlingame Avenue.

**Resolution for  
HMA Resurfacing work along  
68th Street from Byron Center Avenue to Burlingame Avenue  
Contract No. 19-5648**

**WHEREAS**, Federal Funds are available for the HMA resurfacing work along 68th Street from Byron Center Avenue to Burlingame 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 VerHeulen and supported by Commissioner Medema that the Board **adopt the resolution and sign and execute the Agreement for the HMA resurfacing work along 68th Street from Byron Center Avenue to Burlingame Avenue with Federal funds**, as recommended by staff.

Motion carried by the following vote:

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

Nays: 0.

b. **Fred Meijer Pioneer Trail Phase 5** along West River Drive between Lankamp Street and North Park Street.

Deputy Managing Director Harrall stated the final Phase (No. 5) of the Fred Meijer Pioneer Trail is included in MDOT's February 7, 2020 bid letting. The project will construct a 10-foot wide asphalt trail along West River Drive between Lankamp Street and North Park Street. The estimated cost is \$1,296,400. Funding includes 81.85% Federal TAP funds (\$1,061,100 based on the estimate) with the remaining 18.15% (\$235,300) local match funded by Kent County Parks.

Commissioner VerHeulen 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 non-motorized path construction work along the east side of West River Drive from Lankamp Street northerly to North Park Street as part of the Fred Meijer Pioneer Trail Project Phase 5.

**Resolution for  
Non-Motorized Path Construction work along the east side of  
West River Drive from Lankamp Street northerly to  
North Park Street as part of the Fred Meijer Pioneer Trail Project Phase 5  
Contract No. 19-5644**

**WHEREAS**, Federal TAP funds are available for the non-motorized path construction work along the east side of West River Drive from Lankamp Street northerly to North Park Street as part of the Fred Meijer Pioneer Trail Project Phase 5, and

**WHEREAS**, Kent County Parks Department will be providing the project local match, and

**WHEREAS**, the Road Commission must enter into an Agreement with the Michigan Department of Transportation to receive Federal 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 VerHeulen and supported by Commissioner Medema that the Board **adopt the resolution and sign and execute the Agreement for non-motorized path construction work along the east side of West River Drive from Lankamp Street northerly to North Park Street as part of the Fred Meijer Pioneer Trail Project Phase 5 with Federal Funds.**

Motion carried by the following votes:

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

Nays: 0.

**Item #11 Vacate and Replat Portion of Plat**

Managing Director Warren requested authorization to vacate and replat a portion of Glenwood Hills Office Park plat.

Deputy Managing Director Harrall stated that Glenwood Development Partners, LLC has petitioned to Circuit Court to revise Glenwood Hills Park Plat No. 2, located south of I-96 and west of Kraft Avenue, Section 18, Cascade Township. The vacation will allow for redevelopment of the westerly properties. The plat revision includes vacating the westerly 500' +/- of Glenwood Hills Parkway and changing the easterly 680 ft. to a private street. Staff has reviewed the request and based on a field inspection, recommends consenting to this request with the condition the private street be delineated with a 24" wide concrete band and placement of a street sign delineating the beginning of the private portion of Glenwood Hills.

Commissioner Moved by VerHeulen and supported by Commissioner Morren offered the following resolution with reference to vacating portions of Glenwood Hills Parkway in the Township of Cascade, Kent County, Michigan, recorded in Liber 2598 of Plats, Page 1218, Kent County Records.

**Resolution  
Board of Road Commissioners of the County of Kent  
{Vacation of Street}**

**NOW, THEREFORE, BE IT RESOLVED**, by the Board of County Road Commissioners of the County of Kent that the following portion of street hereinafter described, be vacated for the reasons and upon the conditions set forth below, viz:

The following portion of Glenwood Hills Parkway in the Township of Cascade, Kent County, Michigan, recorded in Liber 2598 of Plats, Page 1218, Kent County Records and which is legally described as follows:

Vacation of the following described portion of Glenwood Hills Parkway, being all of Glenwood Hills Parkway lying within Glenwood Hills Office Park No. 2:

Part of the Northeast 1/4 of Section 18, Town 6 North, Range 10 West, Cascade Township, Kent County, Michigan, more particularly described as:

Commencing at the East 1/4 corner of said Section 18; thence North  $01^{\circ}46'38''$  West 471.00 feet along the East line of said Section; thence South  $88^{\circ}13'22''$  West 52.00 feet to a point on the South line of Lot 10, Glenwood Hills Office Park No. 2; thence continuing along said South line Northwesterly 192.79 feet along a 294.27 foot radius curve to the right, the long chord of which bears North  $73^{\circ}00'30''$  West 189.36 feet; thence North  $54^{\circ}14'22''$  West 418.55 feet to a point on the Northerly right of way line of Glenwood Hills Parkway and the Point of Beginning; thence along said Northerly right of way Northwesterly 153.36 feet along a 318.30 foot radius curve to the left, the long chord of which bears North  $27^{\circ}58'33''$  West 151.88 feet; thence along said Northerly line North  $41^{\circ}46'36''$  West 201.00 feet; thence Northwesterly 279.54 feet along a 843.00 foot radius curve to the left, the long chord of which bears North  $51^{\circ}16'35''$  West 278.26 feet; thence North  $60^{\circ}46'34''$  West 54.13 feet; thence Northwesterly 53.05 feet along a 50.00 foot radius curve to the right, the long chord of which bears North  $30^{\circ}22'51''$  west 50.60 feet; thence Southwesterly 315.17 feet along a 75.00 foot radius curve to the left, the long chord of which bears South  $59^{\circ}37'09''$  West 129.38 feet; thence South  $60^{\circ}46'34''$  East 163.24 feet; thence Southeasterly 251.02 feet along a 757.00 foot radius curve to the right, the long chord of which bears South  $51^{\circ}16'35''$  East 249.87 feet; thence South  $41^{\circ}46'36''$  East 201.00 feet; thence Southwesterly 344.38 feet along a 232.30 foot radius curve to the right, the long chord of which bears South  $00^{\circ}41'34''$  West 313.70 feet; thence South  $43^{\circ}09'47''$  West 92.00 feet; thence South  $46^{\circ}50'13''$  East 86.00 feet; thence North  $43^{\circ}09'47''$  East 92.00 feet; thence Northeasterly 318.52 feet along a 318.30 foot radius curve to the left, the long chord of which bears North  $14^{\circ}29'38''$  East 305.40 feet to the point of beginning.

Said parcel contains 109,766 sq. ft., which is 2.52 acres of land, more or less. (the "Street").

A vacation lawsuit has been filed in the Kent County Circuit Court by GLENWOOD DEVELOPMENT PARTNERS, LLC, a Michigan limited liability company, who seeks a vacation of the Street. That lawsuit is *GLENWOOD DEVELOPMENT PARTNERS, LLC, a Michigan limited liability company v Mark Rambo, Chairperson of The Board of County*

*Road Commissioner of the County of Kent, et al.* (Kent County Circuit Court Case No. 19-11143-CZ).

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 of County Road Commissioners of the County of Kent.

The Board of County Road Commissioners of the County of Kent otherwise believe that it is in the best interest of the public health, safety, and welfare to vacate the Street.

Subject to the terms of this Resolution, the Board of County Road Commissioners of the County of Kent hereby vacates the Street, and agrees to the Street being vacated by the Kent County Circuit Court pursuant to the above-mentioned lawsuit.

Any existing public utilities or public utility easements must be reserved and preserved within the area formerly comprising the Street.

“The Board of County Road Commissioners of the County of Kent authorizes the Managing Director to consent to the entry of a judgment granting the Petitioner the relief requested in the above-referenced Petition.

Moved by Commissioner VerHeulen and supported by Commissioner Morren that the **Board consents to vacate and replat Glenwood Hills Park Plat No. 2 with the condition of a concrete band that will define the public road limits and approves Managing Director Warren to sign the consent to entry of judgement**, as recommended by staff.

Motion carried by the following vote:

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

Nays: 0.

**Item #12     Award of Bids**

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

- a. Purchase of **one (1) 60,000 pound trailer** for the Central Complex

As part of the Kent County Road Commission's Purchasing Procedures and Policies, purchases may be made through cooperative ventures / alliances and with other governmental agencies when it is in the best interest of the road commission. Kent County Road Commission takes advantage of all governmental sources for pricing when applicable. Sourcewell (formally National Joint Powers Alliance - NJPA), is a government organization, that partners with education, government and non-profits offering a cooperative purchasing program and conducts competitive solicitations awarding to the most responsive and responsible vendors. Alta Equipment Company is one of those vendors.

Staff is recommending the Board's authorization to purchase one (1) 2020 Towmaster T-60 trailer from **Alta Equipment Company**, Byron Center, Michigan, off Sourcewell Contract #121918-MNR, for a **total cost of \$50,161.00**.

- b. **Contract 20-25:** US-131 installation of wrong-way system devices at two (2) locations in the City of Grand Rapids, Kent County for the Michigan Department of Transportation
- US-131, northbound south of Wealthy Street
  - US-131 northbound south of Hall Street

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

The system uses radar detection to detect when a wrong-way vehicle is present which triggers a flashing LED ring around a wrong way sign placed where the wrong-way driver can see it. It also validates the detection with another radar detector and takes a picture. The picture is sent by email to the Traffic Operations Center (TOC) for visual verification and then followed up with law enforcement, as appropriate.

Staff recommends the Board's approval to award Contract #20-25: US-131 installation of wrong-way alert system devices to **Strain Electric Company**, Wyoming, Michigan, lowest responsive and responsible bidder at a **total contract cost of \$39,500.00**.

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

Motion carried by the following vote:

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

Nays: 0.

**Item #13 Advertise for Bids**

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

- a. Purchase of **one (1) trailer-mounted air compressor** for the Southwest Complex
- b. Purchase of **two (2) enclosed trailers** for the work crews
- c. **Contract #20-26:** Install concrete material storage bunkers at the North Complex
- d. **Contract #20-27:** Catch basin cleaning on Primary and Local Roads in Kent County for 2020
- e. **Contract #20-30:** Catch basin cleaning on State Trunklines in Kent County for 2020

Moved by Commissioner VerHeulen, seconded by Commissioner Janes that staff is **authorized to advertise for bids on the above listed purchases with bids to be accepted until 8:30 a.m. on the 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 #16**    **Comments**

➤     Managing Director Warren provided a copy of the County Road Association's handbook to the Board. The handbook is a good source of information and has a summary of the Open Meetings Act for future reference.

➤     Deputy Managing Director Byrne updated the Board on winter maintenance operations and budget as of January 24, 2020. This season, 32 inches of snow has fallen. There have been seven days of freezing rain/drizzle and 6224 hours of overtime. Most of the storms have been on the weekends. Since October 1, 2019, the Road Commission has spent \$2,038,258.00 or 32 percent of the \$6,300,000.00 budget. 34 percent of that amount has been spent on equipment, 44 percent on material, and 22 percent on labor.

The Michigan Department of Transportation has spent \$1,831,796.00 of the \$4,510,962.00 budget or 41 percent. 32 percent of that amount has been spent on equipment, 52 percent on material, and 17 percent on labor.

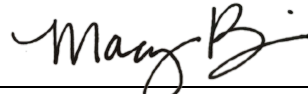
➤     Commissioner Rambo asked if the weight restrictions on Squires Street between Young Avenue and Parmeter Avenue have helped. Deputy Managing Director Byrne stated that they have, and the township continues to monitor the street.

➤     Managing Director Warren stated a press release will be posted today regarding the Option Agreement to Purchase Real Estate in coordination with the City of Grand Rapids.



There being no further business to come before the Board, the meeting was adjourned at 9:12 a.m.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Macy B.", written in a cursive style.

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Macy D. Barcheski, Secretary