

The regular meeting of the Board of Calhoun County Road Commissioners was held on Wednesday, November 2, 2011 at 5:30 p.m. in their office located at 13300 Fifteen Mile Road, Marshall, Michigan.

PRESENT: Commissioner Scott Brown, Chairman
Commissioner Hugh Coward, Vice Chairman
Commissioner Eric Johnson, Member – via telephone
Commissioner Eric Tobin, Member
Commissioner Christopher Vreeland, Member – entered at 5:32 p.m.

ALSO PRESENT: Kevin Henning, Managing Director
Mary Jo Crumpton, Clerk
General Public

Chairman Scott Brown called the regular meeting of the Board of Calhoun County Road Commissioners to order at 5:30 p.m. and led the Pledge of Allegiance.

Motion made by Commissioner Coward and supported by Commissioner Tobin to approve the Claims Payable Listing ending October 25, 2011 for \$456,041.49. Roll call vote: Coward-Yes; Tobin-Yes; Johnson-Yes; Vreeland-Abstained; Brown-Yes. Motion carried.

Motion made by Commissioner Tobin and supported by Commissioner Vreeland to approve the October 19, 2011 regular meeting minutes. Voice vote: Motion carried.

COMMUNICATIONS AND RESOLUTIONS

Mrs. Crumpton read the communications as follows:

- a) Received Resolution 2011-14 regarding MDOT Contract #2011-0327 under the Congestion Mitigation and Air Quality Improvement Program (CMAQ), for the purchase of one "clean diesel" burning double axle dump truck with box and blade
- b) Received a recommendation regarding Snow Removal for the 6 State Car Pool Lots for 2011-2012

MANAGING DIRECTOR'S REPORT

2011-2012 Snow Removal Bid for 6 State Car Pool Lots: Mr. Henning stated that the bid for MDOT's 6 car pool lots has been held by Pro Lawn Care since the 2008-2009 winter season. He noted that the low bid, based on an average, is Pro Lawn Care and we have not had any performance issues with them in the past three winter seasons. Mr. Henning commented that they have provided quality work and dependable service and he requested Board approval to award the bid to Pro Lawn Care.

Motion made by Commissioner Tobin and supported by Commissioner Coward to award the 2011-2012 Snow Removal Bid for 6 State Car Pool Lots to Pro Lawn Care.

Commissioner Coward confirmed with Mr. Henning that there have been no issues with Pro Lawn Care in past seasons.

Roll call vote: Tobin-Yes; Johnson-Yes; Vreeland-Yes; Coward-Yes; Brown-Yes. Motion carried.

CMAQ Grant: Mr. Henning referred to Resolution 2011-14 under "Communications and Resolutions" and noted that he would not be seeking action tonight. He pointed out, however, that this is utilizing CMAQ funding that traditionally the Road Commission has not utilized very often, for the purchase of a plow truck. Our engineer who works with BCATS, as well as Commissioner Coward who attends the BCATS meetings, have modeled the application for an equipment purchase very similar to the City of Springfield's application for CMAQ grant funds to purchase a street sweeper. We have received our contracts with the State and Mr. Henning

noted that he is very excited that we can utilize CMAQ funding for equipment replacement. Mr. Henning thanked Commissioner Coward and our Engineer, Angela Kline for their work on the CMAQ grant.

Commissioner Tobin asked how the equipment purchased with CMAQ funding plays into our equipment purchases. Mr. Henning responded that this year we purchased a new distributor and our plan for future equipment purchases is two more durapatchers in 2012 and plow trucks in 2013.

2011 Construction Projects: Mr. Henning informed the Board that we have finished our construction projects for this year including our Enbridge and township projects. We are in the process of finishing shoulders on 29 Mile Road in Albion Township. He noted that the 29 Mile Road project included pulverizing, ditching, tree removal, drainage systems, adding and compacting aggregate, paving, pavement-marking and shoulders. Mr. Henning commented that 29 Mile Road is beautiful and he was very pleased with the subcontractors on this project. He noted that the Governor has spoken about opening contracts for letting to increase competition to drive our costs down. Mr. Henning stated that we had four contractors on the 29 Mile Road project and all of our projects are competitively bid. This project was collaboration with Albion Township on a 50/50 cost basis.

Winter Maintenance: Mr. Henning stated that we are currently planning for winter maintenance and have advertised for seasonal truck drivers. Interviews are scheduled for Thursday and Friday and we expect to hire 5-6 seasonal truck drivers. He added that we try to staff one driver for each snow route and the level of service remains the same as last year. Our snow routes have been mapped and will be available on our website.

Mr. Henning explained that every vehicle plowing snow is equipped with GPS and we will soon be launching "CCRC Live" on our website. This will enable everyone to see an 8-hour history of snow plowing and the current location of any given vehicle. Our garages are full of salt and our night crew has been hauling sand purchased from Alan Huffman. Mr. Henning commented that the sand is very clean and costs \$3.50 per ton.

Commissioner Coward asked when the asphalt plants would be closing and if we would continue to patch potholes. Mr. Henning replied that we are still patching during the day and did crack filling today. He added that we will continue to do road maintenance throughout the winter with cold patch and our durapatchers. Commissioner Coward asked if Mr. Henning has communicated this to the Township Supervisors. Mr. Henning responded that he had and reminded everyone that the Township Supervisors meet on the 4th Wednesday of the month at 9:00 a.m. here at the Road Commission.

Commissioner Brown commended Mr. Henning and staff for their good work utilizing CMAQ funding. He asked Mr. Henning the expected life of 29 Mile Road. Mr. Henning commented that we are hoping for 20 years.

SUPERVISORS AND PUBLIC OFFICIALS COMMENTS

County Commissioner Julie Camp Seifke thanked the Board for their comments and information over the years and she thanked Mr. Henning for the report he gave to the Board in January.

CITIZEN COMMENTS

Mr. Joe Bramble, Convis Township resident, commented that the leaning trees on 17 ½ Mile Road and 17 Mile Road, north of N Drive North have not been taken care of yet. Mr. Henning responded that R & S is still working on the list.

COMMISSIONER TIME

Commissioner Vreeland thanked County Commissioner Julie Camp Seifke for her attendance at our meetings, as well as her good questions and input. He noted that she is the only County Commissioner that attends the Road Commission meetings. Commissioner Vreeland also commented that he believes that the County's Road Commissioner Selection Committee should include a Road Commissioner.

Commissioner Vreeland prepared an open letter to Calhoun County residents that will be published in the Battle Creek Enquirer and on our website, and asked that the letter be included in the minutes as follows:

November 1, 2011

As a Calhoun County Road Commissioner, I am pleased to see that Governor Snyder has mustered the political willpower to bring up the topic of road funding because the lack of an appropriate funding mechanism is the main cause of the current sorry state of Michigan's county roads. We can spend as much time and energy as we like debating whether one county does things better or worse than another county but at the end of the day, shrinking gas tax revenues mandate a change in the funding of Michigan county roads and sooner rather than later.

Road building, and, more importantly, road maintenance is not "new technology" by any stretch of the imagination. People presently working on the roads in every county in Michigan know how to build and maintain good roads but there is no free lunch - you get what you pay for. We could build and maintain longer-lasting European style roads but I know that I am not willing to pay European style gas prices of \$8 per gallon to fund those roads.

People who would like to learn more about the history of roads and road funding in Michigan are encouraged to visit the links below to gain a long-term perspective. It would appear that our current experience with roads in Michigan is part of a long-standing pattern which appears to be about a 40 year cycle. Throughout our history as a state, there is a public uproar about bad roads, followed by increased funding and the roads getting fixed, which is inevitably followed by an eventual complacency leading to a lack of funding. Our frost-freeze cycle, coupled with a lack of funding, causes ongoing decay in our roads and we are back to the public uproar phase again.

<http://www.michiganhighways.org/history.html> - General history of Michigan roads

http://www.calhouncountyroads.com/wp-content/uploads/finances/Road_Funding_Guide.pdf

"A Quick Guide to Roads and Road Funding in Michigan"

<http://www.calhouncountyroads.com/about/faq/> -

"I pay high property taxes. How come my roads are in lousy shape?"

Recently, the question has been posed, "Are road commissions necessary?" This was a fundamental question that I asked when appointed as a road commissioner and here is my answer.

Road commissions as a separate entity may, or may not, be necessary but the functions of the road commission are certainly necessary. In other words, we can choose to make the road commission into a county department and eliminate the five current commissioners (me being one of them). We might save approximately \$40,000 per year (\$36K in commissioners' pay and perhaps \$4K in administrative costs). Don't forget that the people actually doing the work of maintaining the roads would presumably become county employees with all of the county benefits, so the actual savings might be less than my figures.

For the sake of argument, let's say that the administrative savings of such a consolidation were in the neighborhood of \$50K. A mile of new road with 24 feet width and 3 inch depth costs approximately \$140,000, regardless of who does it. \$86,000 buys you a little over 1/2 mile of new road and you still have approximately 1300 miles of Calhoun County roads to maintain on a budget that has remained the same or decreased every year but one since 1997. Granted, a half a mile is better than none but let's not fool ourselves, whether or not the road commission becomes a county department, our statewide road system is still failing and crying out for significant change in its funding mechanism.

No amount of "common sense" is going to generate the revenue that will enable the responsible parties to avoid turning roads back to gravel when electric cars and more efficient gasoline cars continue to reduce gas tax revenues. We can spend a lot of time arguing about whether it is better to have road building in the hands of elected officials or in the hands of professional road builders who answer to an appointed board. Either way, new and/or properly maintained roads cost money and there is no free lunch.

The biggest potential "downside" I see to having the road commission become a county department is that road building and maintenance could easily become more politicized than they already are. For example, it might be somewhat more difficult for a road commission to treat damage to a county

commissioner's personal car from a pothole differently than when a citizen calls in with a similar complaint, such as recently occurred. Currently, county commissioners and their families are treated just like anyone else when they call us or write us to request that the taxpayers fix their car after it is damaged by a pothole. It might be somewhat more difficult for a county employee to tell "the boss" to "contact our insurance company" like everyone else.

As for "increasing accountability", pursuant to MCL 224.6, the county commissioners can remove a county road commissioner at any time after giving notice of the reasons and a "due process hearing." *Lucas v. Board of County Road Com'rs of Wayne County*, 131 Mich.App. 642, 348 N.W.2d 660 (Mich.App. 1984). I am unaware of any statute that says anything like the county commissioners can only remove a road commissioner for due cause. In other words, any road commissioner can be removed by a majority vote of the county commissioners for any reason. If the reason is silly, the voters will ultimately choose whether or not to re-elect any particular county commissioner. County road commissioners currently serve at the pleasure of the elected county commissioners and it appears that there are quite a few people applying to fill the upcoming vacancy.

The accountability exists but if the majority of the voters, through their elected representatives, feel that they would be better served by bringing the road commission "in house," it appears that they will soon have the legal ability to do so. I do find it interesting that the very commissioner quoted in the paper complaining about a "lack of control" over the road commission has not been to a road commission meeting in the three years that I have been on the board. Of our current county commissioners, there is only one who regularly attends our meetings, and there are three whom I have never seen at one of our meetings in the last three years. There is also one sitting commissioner who attended one road commission meeting but did not speak.

As for any alleged "inefficiencies" at the Calhoun County Road Commission, I am not sure that bringing the road commission "in house" will result in any savings at all. As one example, I would note that the Calhoun County Board of Commissioners paid approximately \$93,000.00 to an out-of-state entity to create the county government website. The Calhoun County Road Commission's website cost the taxpayers of Calhoun County approximately \$200.00 and was constructed by Scott Brown, Chairman of Board of Calhoun County Road Commission. There are other areas where bringing the road commission "in house" may not result in any savings and, may in fact, result in higher costs to the taxpayer.

As positive steps going forward, I would suggest that our county board already has the power to switch from a system of appointing road commissioners to a system of general election for road commissioners. Direct election by the voters is, in my humble opinion, perhaps the best way for increasing accountability instead of hiding the road commission away as one more county department in the county bureaucracy. I, like the rest of the board as well as our managing director, are more than willing to meet with anyone to discuss our county roads and ideas about fixing them.

Finally, I would also suggest that all county commissioners actually meet with the road commission in a public format to discuss ways to improve our roads. Crying "we need common sense" and "we have no accountability" is nothing more than political grandstanding when you have not even come to the table to discuss the matters. If elected officials who complain about the roads are not willing to "come to the table", then I will place them in the same category as the politicians in Lansing who showed up for photo opportunities and promised us \$250,000.00 to help clean up the May 29 storm damage and then delivered about 1/5th the promised monies.

If folks really want to get something done about the roads, the rest of the road commissioners and I have been, and continue to be, more than willing to participate in the discussion, but it will be hard work and there are no easy answers.

Chris Vreeland

Member, Calhoun County Board of Road Commissioners
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Commissioner Coward agreed with Commissioner Vreeland's comments and noted that while we can wait for the State to change the funding mechanism for road funds, local government can react much sooner by establishing their own funding source (i.e., millages).

Commissioner Tobin commented in response to the Battle Creek Enquirer's article and stated that he hopes the new Road Commissioner will be an advocate of long-term planning, as he has been. He added that Mr. Henning has provided the Board with a 5-year plan for primary roads and continues to work with the townships to create their local road plans. Commissioner Tobin commented that Mr. Henning has done a tremendous job getting finances under control and he added that he hopes the County's Selection Committee looks for someone with a finance and marketing background. He stated that Mr. Henning has done a phenomenal job of keeping the Board well informed on operations and he applauds Mr. Henning and his staff for their work on our website which he believes is more transparent than most.

Commissioner Johnson agreed with Commissioner Coward's comment that a road millage should be put to the people and let them decide.

ANNOUNCEMENTS

The next regular meeting of the Board of Calhoun County Road Commissioners will be held on Wednesday, November 16, 2011 at 5:30 p.m.

There being no additional business before the Board, Chairman Brown adjourned the meeting at 6:07 p.m.

Submitted by:

Mary Jo Crumpton, Board Clerk

Scott A. Brown, Chairman