

GENESEE COUNTY ROAD COMMISSION

BOARD MEETING

APRIL 03, 2018

MINUTES

CALL TO ORDER

Chairperson Kautman-Jones called the meeting of the Genesee County Board of Road Commissioners to order at 10:01 a.m. The meeting was held in the Board Room of the Genesee County Road Commission, 211 W. Oakley, Flint, Michigan 48503-3995.

ROLL CALL

Present: Shirley Kautman-Jones, Chairperson
John Mandelaris, Vice Chairperson
Robert Johnson, Commissioner
David M. Arceo, Commissioner
Cloyce Dickerson, Commissioner

Others Present: Fred Peivandi, Coetta Adams, Donna Poplar, Anthony Branch, Randy Dellaposta, Stephanie Jaeger, Genesee County Road Commission Staff; Jeffrey Peake, Argentine Township resident; A'lea Gardner, Genesee County Clerk's Office; Vicki Bachakes, Secretary of the Board of Road Commissioners

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Chairperson Kautman-Jones.

APPROVAL OF AGENDA

April 03, 2018 - Agenda

ACTION TAKEN - Motion by Mr. Arceo, seconded by Mr. Dickerson, to approve the agenda for April 03, 2018, as presented.

MOTION CARRIED.

APPROVAL OF MINUTES

March 06, 2018 -Board Meeting

ACTION TAKEN – Motion by Mr. Dickerson, seconded by Mr. Johnson, to approve the minutes of the March 06, 2018 Board Meeting.

MOTION CARRIED.

MEETINGS, PRESENTATIONS, HEARINGS, AND INFORMATION

Sunday, April 15 through Tuesday, April 17, 2018

Commissioners Seminar – Bavarian Inn Lodge, 1 Covered Bridge Lane, Frankenmuth, MI

Tuesday, April 17, 2018

9:00 a.m. -Roads & Bridges Advisory Committee Meeting

1:00 p.m. -Board Meeting

Tuesday, May 01, 2018

10:00 a.m. -Board Meeting

PUBLIC ADDRESS THE BOARD

Mr. Jeffrey Peake, 11050 Charles Drive, Byron MI, Argentine Township, addressed the Board regarding the poor condition of Murray Road and Charles Drive. Mr. Peake feels the condition of the roads are ridiculous with the 6-8" deep potholes that are 2' across. The roads were graded two weeks ago and the potholes are back. Mr. Peake understands that due to the frost in the winter time, the potholes cannot be removed, but he spoke with the road commission in the fall about grading the road below the potholes. Mr. Peake complained that Charles Drive was plowed once this past winter and that was after he called Mr. John Daly.

CORRESPONDENCE

INCOMING

None.

OUTGOING

Local Government Retirement System Annual Report - In correspondence dated January 05, 2018 from Michigan Department of Treasury, Local Units of Government with Retirement

System(s) in accordance with Public Act 202 of 2017 are required to electronically file pension and retiree health care reports for retirement systems no later than six months after the end of the local unit of government's fiscal year. (Correspondence and Pension Report filed with official minutes.)

INTERNAL

Genesee County Road Commission Automated Clearing House (ACH) Transactions Policy – In a memorandum dated March 26, 2018, Coetta Adams, Director of Finance, advised the Board that a Resolution and Memo showing that the Board approved a policy on February 04, 2003 authorizing electronic transactions as well as naming the Director of Finance as the Electronic Transactions Officer (ETO) already exists despite the notation by Plante Moran in the fiscal year 2017 audit report. (Correspondence and policy filed with official minutes.)

Vice Chairperson Mandelaris said that the existing policy was not done properly and he will draft a revision to be adopted by the Board at the April 17, 2018 meeting.

INFORMATION

Bay Region 2018 Salt and Sand Usage by County, Report #9 – March 01, 2018 thru March 15, 2018 – Included in the agenda is the Bay Region 2018 Salt & Sand Usage by County, Report #9, March 01, 2018 through March 15, 2018. The report includes tons used for the current period, year to date, and a 5 year average. (Report filed with official minutes.)

Genesee County Road Project Information Brochures – Included in the agenda are four brochures for upcoming projects.

- Coldwater Road - Saginaw Road to Harry Street, Genesee Township
- Fenton Road – Cook Road to Grand Blanc Road, Mundy Charter Township and Grand Blanc Charter Township
- Flushing Road – Elms Road to Warner Road, City of Flushing, Flint and Mt. Morris Charter Townships
- Hill and Belsay Roundabout Project, Grand Blanc Charter Township

(Brochures filed with official minutes.)

Mr. Fred Peivandi said that the brochures are distributed door to door by the inspector assigned to the projects. At the start of the project, a media notice will be released to the public.

Frost Law Test Report results for March 28, 2018 – Included in the agenda are the Frost Test Reports conducted on March 28, 2018 at two locations. Mr. Anthony Branch reported that when the third of four planned tests was conducted, the drill bit hit a rock and broke. The two completed reports showed 10-12" thickness of front 7-8" deep. Mr. Branch said that with the cold temperatures in the forecast, frost laws will not be lifted as soon as they usually are. Genesee County had a colder winter than normal. (Report filed with official minutes.)

Request to Approve Correspondence:

ACTION TAKEN -Motion by Mr. Mandelaris, seconded by Mr. Dickerson, to receive and file the presented correspondence.

MOTION CARRIED.

BOARD OF ROAD COMMISSIONERS' DECISIONS

DISCUSSION

Local Road Agreement for Crack Sealing, Atlas Township – In a memorandum dated March 27, 2018, staff requested Board approval of an agreement with Atlas Township for crack seal of over
fro miles of local roads as part of the 2018 crack seal contract. The cost sharing agreed for this work will be Atlas Township (100% construction cost) \$18,000.00 and GCRC (Engineering & Inspection) \$1,000.00, for a total project cost of \$19,000.00. (Copy of memorandum and contract filed with official minutes.)

ACTION TAKEN – Motion by Mr. Dickerson, seconded by Mr. Johnson, to approve and sign the duplicate original agreements with Atlas Township for the crack sealing of over 1.6 miles of local roadway in 2018.

MOTION CARRIED.

Local Road Agreement for Crack Sealing, Mundy Charter Township – In a memorandum dated March 27, 2018, staff requested Board approval of an agreement with Mundy Charter Township for crack seal of over 10.65 miles of local roads as part of the 2018 crack seal contract. The cost sharing agreed for this work will be Mundy Charter Township (100% construction cost) \$95,000.00 and GCRC (Engineering & Inspection) \$3,000.00, for a total project cost of \$98,000.00. (Copy of memorandum and contract filed with official minutes.)

ACTION TAKEN – Motion by Mr. Dickerson, seconded by Mr. Arceo, to approve and sign the duplicate original agreements with Mundy Charter Township for the crack sealing of over 10.65 miles of local roadway in 2018.

MOTION CARRIED.

Local Road Agreement for Approach Resurfacing and Reconstruction, Mundy Charter Township – In a memorandum dated March 27, 2018, staff requested Board approval of an agreement with Mundy Charter Township for approach paving and reconstruction at four separate intersections. The cost sharing agreed for this work will be Mundy Charter Township (100% construction cost) \$50,000.00 and GCRC (Engineering & Inspection) \$12,500.00, for a total project cost of \$62,500.00. (Copy of memorandum and contract filed with official minutes.)

ACTION TAKEN – Motion by Mr. Dickerson, seconded by Mr. Johnson, to approve and sign the duplicate original agreements with Mundy Charter Township for paving and reconstruction at four separate intersections.

MOTION CARRIED.

FY 2018 Budget Transfer. Approval of Payment for Severance Agreement and Release for John Daly – Staff requested Board approval for a budget transfer in the amount of \$30,000 from Dept. 81 Administration-Labor to Dept. 90 Non-Departmental-Fringes to cover the amount needed for consideration promised to John Daly, as well as payment of the consideration promised to John Daly in the Severance Agreement and Release. (Copy of memorandum filed with official minutes.)

ACTION TAKEN – Motion by Mr. Johnson, seconded by Mr. Mandelaris, to approve a budget transfer in the amount of \$30,000 from Dept. 81 Administration-Labor to Dept. 90 Non-Departmental-Fringes to cover the amount needed for consideration promised to John Daly, as well as payment of the consideration promised to John Daly in the Severance Agreement and Release.

MOTION NOT CARRIED.

ACTION TAKEN – Motion made by Mr. Arceo, seconded by Mr. Mandelaris, to vote separately on the budget transfer and the payment of the consideration promised to John Daly. Mr. Johnson did not agree to rescind the previous motion.

MOTION NOT CARRIED.

Chairperson Kautman-Jones explained that both parties agreed that the payout would happen as a 1099, not as W-2 wages, and that the payout would happen before April 15, 2018. Chairperson Kautman-Jones declared that all previous motions on the floor are cleared. Vice Chairperson Mandelaris stated that attorneys on both sides have agreed to have this issue on today's agenda and to close out the obligation that the Board has to John Daly with respect to his retirement.

ACTION TAKEN – Motion by Mr. Mandelans, seconded by Mr. Arceo, to approve a budget transfer in the amount of \$30,000 from Dept. 81 Administration-Labor to Dept. 90 Non-Departmental-Fringes to cover the amount needed for consideration promised to John Daly AND to approve the payment of the consideration promised to John Daly in the Severance Agreement and Release.

MOTION CARRIED.

Requesting Board approval to purchase Trailered Light Towers for the Fleet Maintenance & Facilities Department – In a memorandum dated March 22, 2018, staff requested Board approval for the issuance of a purchase order to Alta Equipment for two (2) Terex RL4 Light Towers in a total amount not to exceed \$16,558.00. (Copy of memorandum filed with official minutes.)

Mr. Arceo said that last Thursday night he could see this type of light on the Bristol Road Bridge and that having thi equipment for emergencies was commendable. Mr. Mandelaris asked if the options are included in this purchase of the light towers. Mr. Randall Dellaposta said that the engine, tongue and trailer plug are included.

ACTION TAKEN – Motion by Mr. Dickerson, seconded by Mr. Mandelaris, to approve the issuance of a purchase order to Alta Equipment for two (2) Terex RL4 Light Towers in the amount not to exceed \$16,558.00.

MOTION CARRIED.

Ratification of Vouchers Totalingg \$838,111.18 -(Copies filed with official minutes.)

Voucher #V-40349

ACTION TAKEN – Motion by Mr. Dickerson, seconded by Mr. Johnson, to ratify Voucher #40349 in the amount of \$382,688.04.

VOTE ON MOTION:

Yes: Dickerson, Johnson, Arceo, Mandelaris, Kautman-Jones

No: None

MOTION CARRIED.

Voucher #V-40350

ACTION TAKEN – Motion by Mr. Dickerson, seconded by Mr. Johnson, to ratify Voucher #40350 in the amount of \$455,423.14.

VOTE ON MOTION:

Yes: Dickerson, Johnson, Arceo, Mandelaris, Kautman-Jones

No: None

MOTION CARRIED.

Discussion and Selection of the Executive Search Firm for the Manager-Director position – Chairperson Kautman-Jones stated that two firms, Hiring Solutions and MSAE, were interviewed and she talked to many of the provided references by both firms.

ACTION TAKEN – Motion made by Ms. Kautman-Jones, seconded by Mr. Arceo, to engage MSAE for the search for hiring of a new Manager-Director.

Vice Chairperson Mandelaris referred to the expense involved in this process and asked how far the search net will go. Mr. Mandelaris would prefer to hire from within. Chairperson Kautman-Jones replied that after the selection of a firm is made, the Board will talk to the firm and set

parameters for the search. Mr. Mandelaris asked if the consideration is still negotiable. Ms. Kautman-Jones said that a salary range will be developed. MSAE's fee will be 20% of the recommended salary for the position. Mr. Mandelaris noted that the sample search timeline provided by MSAE refers to a search committee and he is not available to a search committee since he is already on the committee for co-directors.

MOTION CARRIED.

Chairperson Kautman-Jones will have correspondence drafted to both firms informing them of the Board's decision.

CONSENT

None.

MANAGER-DIRECTOR REPORT

Mr. Fred Peivandi reported that the Grand Blanc Bridge could be opened up by the end of next week which is ahead of schedule.

Mr. Peivandi said that multiple bridges required weight restriction postings this week based upon the latest bridge inspections. Of particular concern is the Linden Road Bridge, south of Bristol Road in Flint Township, which is listed in critical condition. The maximum weight allowed on this bridge is now 18 tons which is not enough for a semi-truck. A media notice will go out after the sign is up to let the truckers know to take Hill Road to get to the industrial park. Mr. Peivandi will be meeting with the Bay Region Bridge Council in May and will try to advance the 2020 bridge replacement to 2019. This would require a deposit from GCRC in 2019 which would be refunded in 2020. Ms. Kautman-Jones asked if GCRC has a weighmaster. Mr. Peivandi replied that we rely on the Sheriff's Department but he will contact the Townships to have their police chiefs keep an eye on the bridges that were recently posted. Ms. Kautman-Jones suggested asking the Townships to notify local businesses of the weight restrictions.

Ms. Kautman-Jones asked about the Reid Road Bridge. Mr. Peivandi said that it has been restricted to one lane. Mundy Township Supervisor wants to rebuild the structure and Mr. Peivandi plans to discuss it with the Finance Director for inclusion in next year's budget.

In reference to the Grand Blanc Road Bridge, Mr. Arceo asked if businesses have an insurance policy available to them to cover lost revenues when bridges are closed. Ms. Kautman-Jones said that it is a business owner's personal responsibility to cover business interruption.

Mr. Mandelaris asked about the status of the Maple Avenue lawsuit. Mr. Peivandi answered that it has been postponed until June.

Ms. Donna Poplar would like for the Board to request the search firm's methods of searching for minority candidates.

Ms. Donna Poplar said that yesterday was Mr. Daly's official last day of employment and inquired about efforts to remove his access to the system. Mr. Peivandi has already discussed these efforts with Mr. Mike Lewis.

Ms. Donna Poplar requested that arrangements be made to forward to Mr. Daly any personal emails for Mr. Daly received on the GCRC email account. Ms. Kautman-Jones said that an employer has no obligation to filter and forward an employee's personal emails received on a work email account. Once an email address has been inactivated, the senders will receive a non-delivered or bounce back message. Ms. Kautman-Jones added that it would be the decision of Mr. Daly to allow Ms. Linda Kossak to disclose any personal email address. In discussions with the attorneys on both sides, it was established that Mr. Daly's use of the GCRC email would be done.

Ms. Donna Poplar expressed appreciation for her meeting last week with Ms. Kautman-Jones and Mr. Mandelaris related to clerical assistance in the HR Department. Ms. Poplar said that Mr. Peivandi requested job descriptions for her and her staff and cc'd Attorney Tom Derderian. Ms. Poplar would like to know if she and her staff are subject to reprisal or are up for review. Attorney Derderian does not write job descriptions. Ms. Kautman-Jones said that last week's meeting was to discuss the needs of the HR Department and as part of that she feels that having the job descriptions of staff is an important part of trying to identify those needs. Attorney Derderian is needed for assistance with policies. Ms. Poplar would like to know how things went from a request for a clerical position to requesting job descriptions of the HR staff. Ms. Poplar does not question the intentions of the Board but the perception creates a problem. Ms. Poplar said that other directors have clerical assistants but have never been asked for the job descriptions of their staff. Ms. Poplar has spent a year getting acclimated in her position and has seen that GCRC is operating off of old policies. She understands the use of an attorney to make sure that policies are within legal guidelines, but Ms. Poplar feels that HR is being singled out and is questioning the role of Attorney Derderian as it relates to job descriptions. Mr. Dickerson asked if Mr. Peivandi and Mr. Branch, as Co-Interim Manager Directors, talked about the clarification of the HR Department and the request for job descriptions. Mr. Peivandi said that he and Mr. Branch both received an email from Ms. Kautman-Jones and Mr. Peivandi responded to the email. Mr. Peivandi has not received any job descriptions from Ms. Poplar. Ms. Poplar feels that HR is the core of the organization and should not have to go through turmoil to get a clerical person. Ms. Kautman-Jones said that one of the difficulties is that the Board does not have the ability to hire and fire staff and she is trying to assist in Ms. Poplar's request. The request is for a new position that has not existed. Ms. Kautman-Jones recognized that the Board has homework to do on this issue but she is inclined to get temporary help for the HR Department to get up to date and to allow the new Manager-Director to create a position. Attorney Derderian's office has said that within 5 billable hours, Wendy Hardt in his office, can review, audit and produce policies for adoption by the Board to get things up to date. Ms. Kautman-Jones would like to look at what everyone is doing before creating an additional position. Ms. Poplar said that Ms. Rachel Mullin took on the clerical responsibility 20 years ago but has become an HR generalist person. Ms. Poplar feels that not having a clerical person is the

reason why HR is not up to date. Ms. Poplar is trying to figure out what is prohibiting her from getting the same clerical support as the other directors. If Ms. Poplar is going to be evaluated objectively on her work performance, she feels that she needs more resources. Ms. Kautman-Jones said that she and Mr. Mandelaris met with Ms. Poplar and need time to share the information to the other Board members. Mr. Dickerson said that he sees why Ms. Kautman-Jones needs the information that she is requesting.

Ms. Kautman-Jones would like Attorney Derderian's help with updating the policies, especially with a new Manager-Director coming on board. Ms. Poplar asked if the Chairperson still wants her to contact Hiring Solutions as suggested at the end of last week's meeting. Ms. Kautman-Jones answered yes. Instead of paying Hiring Solutions for assistance with a job description for a clerical level person, Ms. Poplar would like to use the information put together last year about what the new person would do. Ms. Kautman-Jones stated that she does not have that information. Ms. Kautman-Jones would like to find a person with a paralegal background. Mr. Mandelaris concluded the discussion by saying that the Board has no intention of changing the HR Department but would like to know the existing workload.

COMMISSIONER'S CONCERNS


Chairperson Kautman-Jones asked that staff attend the State of the County address at 5:30 p.m. this evening as a sign of support. As the financial outlook improves and there is commercial growth, it will mean more revenues in the County. Ms. Kautman-Jones encouraged everyone to let the County Board know that the winter maintenance concerns and the condition of bridges could be helped with more funding.

Ms. Kautman-Jones has flyers available for Vintage in the Village, Weekend in the Country at Crossroads Village happening on Saturday, May 19, 2018 from 10 a.m. until 4 p.m.

ADJOURNMENT

Chairperson Kautman-Jones, without objection, adjourned the meeting at 11:11 a.m.

JOHN J. GLEASON
Clerk/Register


Vicki Bachakes, Secretary of the
Board of County Road Commissioners

/vb

04/03/18