

**GENESEE COUNTY ROAD COMMISSION**

**BOARD MEETING**

**September 07, 2022**

**MINUTES**

**CALL TO ORDER**

Chairperson Elkins 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: Tim Elkins, Chairperson  
Cathy Lane, Vice Chairperson  
John Mandelaris, Commissioner  
David Arceo, Commissioner  
Cloyce Dickerson, Commissioner

Others Present: Randy Dellaposta, Eric Johnston, Anthony Branch, Tracy Khan, Kylie Dontje, Kendra Love-Brezzell, Genesee County Road Commission Staff; Attorney Andrew Cascini, (Henn Lesperance PC), Corey Jarbeau, A.C. Dumas, Pastor Frederick Flowers, Arthur Woodson, Sherman Williams, James O'Shelley, Alfred Harris, Jolena Sims, Shawna Snow, G. Beaudet, Tawana Maxwell, Maurice Ryan, Karen Weaver, John Perkins, Janice Smith, Yolanda Ashburn, Daren Ashburn, Michael Miller, Janice Smith-Polate, Linda Mayfield, Shameca Mayfield, Michael Matthews, Dawan Robinson, Michael Yancho, Jacob Hawkins Jr., Linda Kossak, Secretary of the Board of Road Commissioners

**PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was led by Chairperson Elkins.

**APPROVAL OF AGENDA**

September 07, 2022 – Agenda

**ACTION TAKEN** – Motion by Ms. Lane, seconded by Mr. Mandelaris, to approve the September 07, 2022 agenda as amended with a correction made to the wording in the third closed session – ~~MCL 15.268(i)(a)~~ to MCL 15.268 (i)(h).

**VOTE ON MOTION**

Yes: Arceo, Mandelaris, Dickerson, Lane, Elkins  
No: None.

**MOTION CARRIED.**

**APPROVAL OF MINUTES**

August 09, 2022 Special Board Meeting Minutes

**ACTION TAKEN** – Motion by Mr. Dickerson, seconded by Ms. Lane, to approve the minutes of the August 09, 2022 Special Board Meeting.

**VOTE ON MOTION**

Yes: Lane, Mandelaris. Arceo, Dickerson, Elkins  
No: None.

**MOTION CARRIED.**

August 16, 2022 - Board Meeting Minutes

Commissioner Mandelaris questioned if we need to approve the proposed budget before placing on the table. Chairperson Elkins stated that our legal counsel William Henn, stated this step was not necessary before placing on the table.

**ACTION TAKEN** – Motion by Mr. Dickerson, seconded by Ms. Lane, to approve the minutes of the August 16, 2022 Board Meeting.

**VOTE ON MOTION**

Yes: Lane, Mandelaris. Arceo, Dickerson, Elkins  
No: None.

**MOTION CARRIED.**

**MEETINGS, PRESENTATIONS, HEARINGS, AND INFORMATION**

**A. Wednesday, September 07, 2022**

1. Closed Session with Attorney Andrew Cascini, Henn Lesperance PLC, to discuss a privileged legal opinion, pursuant to MCL 15.268(1)(h), concerning pending litigation in Federal Court for the Eastern District Court, *Poplar v GCRC*, Docket No. 4:21-CV-12568; and to consult with legal counsel regarding trial or settlement strategy in specific pending litigation pursuant to MCL 15.268(1)(e) for which discussion in an open meeting would have a detrimental financial effect on the litigating or settlement position of the Road Commission – (will be held after Commissioner’s Concerns).

2. Closed Session with Attorney Andrew Cascini, Henn Lesperance PLC for negotiation and strategy connected with the collective bargaining agreement regarding International Operating Engineers, Local 324 pursuant to MCL 15-268(c); 15-267(1) - (will be held after Commissioner's Concerns)
3. Closed session pursuant to MCL 15.267(i)(a) to discuss a privileged legal opinion regarding complaints of a public officer for which the named individual, Fred Peivandi, has requested a closed hearing.

## **PUBLIC ADDRESS THE BOARD**

Mr. Michael Yancho, 10640 Halsey Road, Grand Blanc addressed the Board to commend the GCRC on the Dort Highway Extension and said it was a great addition to the community. Mr. Yancho also mentioned a sharp curve on Halsey Road that he feels is banked the wrong way and has brush that may obscure motorist's vision.

Ms. Jolena Sanders-Sims, 5432 Sarah Rose, Mt. Morris Township Supervisor wanted to thank the GCRC and staff (Ms. Day, Mr. Branch, Mr. Herriman and Mr. Patsy), for the Webster Road project and also stated she is concerned about the closed session regarding Ms. Poplar.

Mr. Arthur Woodson, 402 W. Stewart Ave., Flint MI addressed the Board regarding the revised GCRC organizational chart and racism.

Mr. A.C. Dumas, NAACP, addressed the Board regarding the revised organizational chart and discrepancies in employee salary increases.

Pastor A. Harris addressed the Board regarding racism at the GCRC.

Pastor Frederick Flowers, Promise Tabernacle Church, Flint, MI addressed the Board regarding the revised organizational chart, racism and inequality.

Mr. Dawan Robinson, Black Lives Matter addressed the Board regarding racism and inequality

Ms. Janice Smith-Palate, addressed the Board regarding the re-organization at the GCRC.

Mr. Michael Miller, 1703 Timberlane Dr, Flint addressed the Board regarding racism and inequality.

Ms. Shameca Mayfield, 5286 Kimberly Woods Circle, addressed the Board regarding the re-organization at the Road Commission and racism.

Mr. Jacob Hawkins, 710 Columbia Lane, Flint, addressed the Board regarding racism and equality.

## **PUBLIC HEARING**

### Proposed Budget for Fiscal Year Ending September 30, 2023

At 10:44 a.m., Chairperson Elkins opened the Public Hearing asking for public comments regarding the Genesee County Road Commission proposed budget for fiscal year ending September 30, 2023.

Reverend Frederick Flowers addressed the Board regarding the re-organization of the GCRC, specifically the Human Resource Department reporting to the Finance Department.

Mr. Gilbreath addressed the Board regarding the re-organization of departments that are directed by African American directors.

Bishop Bernadine Washington addressed the Board about the reorganization of the Human Resource Department reporting to the Finance Department.

Mr. DeWayne Robinson asked the Board why they are reorganizing departments that are currently directed by African American directors.

At 11:04 a.m., Chairperson Elkins closed the Public Hearing for the Proposed Budget for Fiscal Year ending September 30, 2023.

## **CORRESPONDENCE**

### **INCOMING**

None.

### **OUTGOING**

None.

## **INTERNAL**

Blanket Purchase Order #84774 to Carrier & Gable for Item #15 – Traffic Signal Devices – In an advisement dated August 29, 2022, staff advised the Board that blanket Purchase Order #84774 to Carrier & Gable for Item #15 – Traffic Signal Devices, has been increased by 10% for a new total of \$220,000. This action is consistent with GCRC Purchasing Policy, which allow increases of 10% or less. (Copy filed with official minutes.)

Board Advisement: Honorary Street Name Sign Installation in Mt. Morris Township for Margaret A. Perry – In an advisement dated August 29, 2022, staff advised the Board that the Charter Township of Mt. Morris requested Honorary Street Name Signs in honor of Margaret A. Perry for her dedicated service. The signs are located on Flamingo Drive in Section 14, Mt. Morris Township at the following locations:

- Flamingo Drive and Neff Road

- Flamingo Drive and O-Toole Lane
- Flamingo Drive and Bermuda Lane
- Flamingo Drive and Hilton Lane
- Flamingo Drive and Bates Road

(Copy filed with official minutes.)

## **INFORMATION**

None.

## **BOARD OF ROAD COMMISSIONERS' DECISIONS**

### **DISCUSSION**

Fiscal Year 2023 Proposed Budget – In a memorandum dated August 31, 2022, staff requested the Board approve the removal of the Proposed Budget for fiscal year ending September 30, 2023 from the table for public viewing and further, that the Board adopt the Proposed Budget for fiscal year ending September 30, 2023, with revenue and expenditures totaling \$92,329,525. (Copy filed with official minutes.)

Commissioner Dickerson commented that he is opposed to the proposed budget for fiscal year ending September 30, 2023 because it does not include a Human Resource Administrative Assistant position. The Benefits Coordinator, who formerly held this position, was promoted to her current job; but her job description does not include assisting the Human Resource Director with her disability. Mr. Dellaposta stated that the job duties are included in the Benefits Coordinator's job description. Mr. Dickerson added that the Benefits Coordinator is a job in itself and added when Ms. Grant retired, Ms. Pearson replaced her and we never replaced the Administrative Assistant position. Mr. Dickerson said when the Managing Director needed help, the current GCRC Chairperson promoted Randy Dellaposta as Operations Director to assist Mr. Peivandi.

Commissioner Lane asked if the Road Commission is helping and assisting Ms. Poplar with her disability. Mr. Dellaposta stated that yes; we are continuously doing things to assist her.

Mr. Dellaposta added that Ms. Kendra Love-Brezzell has been promoted to Director of Fleet Maintenance & Facilities and Mr. Dellaposta is stepping out of this department.

Mr. Elkins added that Mr. Branch is not losing his position. When Mr. Branch decides to retire, we realize that it will be difficult to replace someone with his vast knowledge of the Maintenance Department. This department will be re-organized to include two Superintendents instead of a Director.

**ACTION TAKEN** – Motion by Mr. Arceo, seconded by Ms. Lane, to approve the removal of the Proposed Budget for fiscal year ending September 30, 2023 from the table for public viewing and further, that the Board adopt the proposed Budget as the official budget for fiscal year ending September 30, 2023, with revenue and expenditures totaling \$92,329,525.

**VOTE ON MOTION**

Yes: Elkins, Lane, Mandelaris, Arceo

No: Dickerson

**MOTION CARRIED.**

MDOT Contract No. 22-5374 – Solar Beacon Installation – Three Primary Road Intersections, Dodge/Linden; Mt. Morris/Irish; Coldwater/Irish in Vienna and Richfield Townships – In a memorandum dated September 07, 2022, staff requested the Board approve MDOT Contract No. 22-5374 for the installation of ground mounted solar beacons at three separate intersections in Vienna and Richfield Townships. (Copy filed with official minutes.)

Federal HSIP Funds	\$82,546.51
GCRC Local Share	<u>\$ 9,171.83</u>
Total Project Cost	\$91,718.34

**ACTION TAKEN** – Motion by Mr. Mandelaris, seconded by Ms. Lane, to approve MDOT Contract No. 22-5374 for the installation of ground mounted solar beacons at three separate intersections, Dodge/Linden; Mt. Morris/Irish; Coldwater/Irish and further, authorize two Board members to electronically sign the contract for and on behalf of the Board of County Road Commissioners.

**VOTE ON MOTION**

Yes: Lane, Mandelaris, Arceo, Dickerson, Elkins

No: None

**MOTION CARRIED.**

Resolution of Support – Federal Highway Administration 2022 Bridge Investment Program (BIP) Grants – In a memorandum dated August 26, 2022, staff requested the Board approve the resolution of support for the application for the reconstruction of four bridges in various townships. (Copy filed with official minutes.)

<u>Bridge &amp; Location</u>	<u>Scope</u>	<u>Est. Project Total</u>	<u>Est. Local Share</u>
Grand Blanc Rd @ Jones Creek, Gaines Twp.	Replacement	\$2,000,000	\$400,000
Linden Rd @ Pine Run, Vienna Twp.	Replacement	\$2,000,000	\$400,000
Mt. Morris Rd @ Butternut Creek, Genesee Twp.	Replacement	\$2,000,000	\$400,000
Dye Rd. @ Pirnie Creek, Flint Twp.	Replacement	<u>\$1,400,000</u>	<u>\$140,000</u>

**ACTION TAKEN** – Motion by Ms. Lane, seconded by Mr. Arceo, to approve the Resolution of Support for the application for the reconstruction of four bridges via the U.S. Federal Highway Administration 2022 Bridge Investment Program (BIP) Grant, in Gaines, Vienna, Genesee and Flint Townships. If selected, the bridges will be bundled into one contract and reconstructed in fiscal year 2023, 2024 or 2025 with the GCRC providing the financial contribution for the local share.

**VOTE ON MOTION**

Yes: Mandelaris, Arceo, Dickerson, Elkins, Lane  
No: None

**MOTION CARRIED.**

Resolution of Support – Request to be named Co-Applicant of the Economic Development Administration (EDA) Grant Application, LaFontaine, Funds and Lehman Drive Completion Project, Commercial and Industrial Park, Mundy Charter Township – In a memorandum dated August 31, 2022, staff requested the Board approve the Resolution of Support request to be named co-applicant of the Economic Development Administration (EDA) Grant Application, LaFontaine, Funds and Lehman Drive Completion Project, Commercial and Industrial Park, Mundy Charter Township. (Copy filed with official minutes.)

Federal Economic Development Administration	\$2,000,000.00
Mundy Charter Township	\$1,919,568.55
State of Michigan	\$2,400,000.00
Genesee County Road Commission	\$ 0.00
Total Grant Application	\$6,319,586.55

Commissioner Lane asked what could hold this project up. Mr. Corey Jarbeau, Mundy Township, stated that we have no way of knowing if the grant will be awarded. The Township has their funding in place; we are just waiting for the EDA Grant to be awarded to Mundy Township.

**ACTION TAKEN** – Motion by Mr. Mandelaris, seconded by Ms. Lane, to approve the Resolution of Support request to be named co-applicant of the Economic Development Administration (EDA) Grant Application, for LaFontaine Drive, Funds Drive and Lehman Drive Completion Project located in the Commercial and Industrial Park, Mundy Charter Township.

**VOTE ON MOTION**

Yes: Elkins, Dickerson, Lane, Arceo, Mandelaris  
No: None.

**MOTION CARRIED.**

Bid Results and Award of Contract for the 2022 Drainage Structure Local Repairs – Proposal DS-1, Mt. Morris, Flushing, Grand Blanc, Davison, Mundy, Vienna and Flint Townships - In a memorandum dated August 30, 2022, staff requested the Board accepts the low bid and authorizes the award for the 2022 Drainage Structure Local Repairs – Proposal DS-1 project. (Copy filed with official minutes.)

**ACTION TAKEN** – Motion by Ms. Lane, seconded by Mr. Arceo, to accept the low bid of \$241,713.00 authorize the award and sign the construction agreement after staff has received and accepted the contract, bonds, EEOP, and insurance submitted by Joe Raica Excavating for the 2022 Drainage Structure Local Repairs – Proposal DS-1 project.

**VOTE ON MOTION**

Yes: Dickerson, Elkins, Lane, Mandelaris, Arceo

No: None.

**MOTION CARRIED.**

Separation of Previously Approved Design Services Project, Grand Blanc Road – In a memorandum dated August 29, 2022, staff requested the Board approve assignment of Rowe Professional Services, to continue to prepare construction plans for the proposed design projects on Grand Blanc Road, Grand Blanc Township. (Copy filed with official minutes.)

**ACTION TAKEN** – Motion by Ms. Lane, seconded by Mr. Arceo, to approve assignment of Rowe Professional Services, a consultant in ‘Group A’ category, to continue to prepare construction plans for the proposed design projects and further, to authorize the Chairperson of the Board to sign the construction agreement when returned. The Board previously approved the assignment of Rowe Professional Services to prepare construction plans for Grand Blanc Road (Fenton Road to Dort Highway) in Grand Blanc Township. Due to funding limitations, it is necessary to separate the one project into two projects.

**VOTE ON MOTION**

Yes: Elkins, Lane, Mandelaris, Arceo, Dickerson

No: None.

**MOTION CARRIED.**

Local Roadway (Subdivision) Improvements, Special Assessment District Cost Sharing Policy – In a memorandum dated August 29, 2022, staff requested the Board approve the policy regarding Genesee County Road Commission contribution sharing for local roadways/subdivision Special Assessment Districts.

Commissioner Arceo asked for clarification of the wording on the memorandum regarding ‘If funding is available’. Eric Johnston answered that we have \$500,000 budgeted in the fiscal year 2023 budget. If the Road Commission is not in the position to offer this, then this clause gives us an option to opt out of the program.



**ACTION TAKEN** – Motion by Ms. Lane, seconded by Mr. Arceo, to approve the policy regarding Genesee County Road Commission contribution sharing for local roadways/subdivision Special Assessment Districts.

VOTE ON MOTION:

Yes: Lane, Mandelaris, Arceo, Dickerson, Elkins

No: None

**MOTION CARRIED.**

Approval of Consultant for Construction Inspection, Seymour Road Drainage – 1400’ south of Lahring Road, Argentine Township - In a memorandum dated August 29, 2022, staff requested the Board approve the issuance of a blanket Purchase Order to Spalding DeDecker Associates (SDA) to perform construction inspection services for the Seymour Road drainage project in Argentine Township. (Copy filed with official minutes.)

**ACTION TAKEN** – Motion by Mr. Mandelaris, seconded by Ms. Lane, to approve the issuance of a blanket Purchase Order to Spalding DeDecker Associates (SDA) to perform construction inspection services in an amount of \$175,000 for the Seymour Road drainage project in Argentine Township.

VOTE ON MOTION

Yes: Mandelaris, Arceo, Dickerson, Elkins, Lane

No: None

**MOTION CARRIED.**

Approval of Consultant for Construction Inspection, Seymour Road High Friction Surface Treatment – 1500’ north of Farrand Road, Montrose Township - In a memorandum dated August 29, 2022, staff requested the Board approve the issuance of a blanket Purchase Order to Spalding DeDecker Associates (SDA) to perform construction inspection services for the Seymour Road high friction surface treatment project, Montrose Township. (Copy filed with official minutes.)

Commissioner Lane asked what a high friction surface does to the road. Mr. Johnston answered that a high friction surface treatment is a stony aggregate mix that is added to the top of a road surface. These materials are high quality and are less likely to wear down than normal pavement. Having greater friction helps to keep vehicles in their lane on slippery pavement around curves and helps the driver to stop.

**ACTION TAKEN** – Motion by Mr. Mandelaris, seconded by Ms. Lane, to approve the issuance of a blanket Purchase Order to Spalding DeDecker Associates (SDA) to perform construction inspection services in an amount of \$175,000 for the Seymour Road drainage project in Argentine Township.

VOTE ON MOTION

Yes: Lane, Arceo, Mandelaris, Dickerson, Elkins

No: None

**MOTION CARRIED.**

GCRC Permit Agreement – Flint Charter Township – 2022 Road Improvements on Lavelle Road, Mackin Road and Concord Drive – In a memorandum dated August 29, 2022, staff requested the Board approve the Permit Agreement for the proposed roadway improvements to Lavelle Road, Mackin Road and Concord Street in Flint Township. (Copy filed with official minutes.)

Flint Charter Township – 2022 Road Improvements

- Lavelle Road – Flushing Road to Pasadena Avenue
- Mackin Road – Lavelle Road E’ly to the Flint City Limits
- Concord Drive – Lavelle Road W’ly to End

**ACTION TAKEN** – Motion by Mr. Arceo, seconded by Mr. Dickerson, to approve the Permit Agreement for the proposed roadway improvements to Lavelle Road, Mackin Road and Concord Street in Flint Township and further, authorize both the Chairperson and the Vice Chairperson to sign the agreement on behalf of the Board of County Road Commissioners.

VOTE ON MOTION

Yes: Arceo, Dickerson, Elkins, Lane Mandelaris

No: None

**MOTION CARRIED.**

Genesee County Road Commission Banners, Parades, Road Races and Temporary Road Closure Permit Application Information Document – In a memorandum dated August 29, 2022, staff requested the Board approve the update to the Genesee County Road Commission’s Banners, Parades, Road Races and Temporary Road Closure information document. (Copy filed with official minutes.)

Commissioner Lane asked that staff add the current date and page numbers to the bottom of the document.

**ACTION TAKEN** – Motion by Mr. Mandelaris, seconded by Ms. Lane, to approve the updates made to the Genesee County Road Commission’s Banners, Parades, Road Races and Temporary Road Closure information document. Staff will add the current date and page numbers to the document.

VOTE ON MOTION

Yes: Elkins, Lane, Mandelaris, Arceo, Dickerson

No: None

**MOTION CARRIED**

Traffic Control Order Controlling Speed, Ripley Road from Rolston Road northerly 0.5 miles, Sections 16 & 17, Fenton Township – In a memorandum dated August 30, 2022, staff requested the Board adopt the resolution to approve the Traffic Control Order controlling Speed on Ripley Road in Fenton Township. (Copy of memorandum filed with official minutes.)

Commissioner Lane asked what was the speed limit previously. Staff stated that it was 55 mph (unposted). This change was requested by a property owner due to a site distance issue for Spring Meadows Country Club. Staff looked at the number of access points, which allowed us to lower the speed limit to 40 mph.

**ACTION TAKEN** – Motion by Ms. Lane, seconded by Mr. Arceo, to adopt the resolution to approve the Traffic Control Order for Speed on Ripley Road from Rolston Road, northerly for 0.5 miles and to set the speed limit to 40 mph, Section 16 & 17, Fenton Township.

VOTE ON MOTION

Yes: Lane, Mandelaris, Arceo, Dickerson, Elkins

No: None

**MOTION CARRIED**

Addendum to Land Lease Agreement with the Linden Sportsmen Club, 7028 Silver Lake Road, Linden, MI – In a memorandum dated August 29, 2022, staff requested the Board approve the addendum to the land lease agreement with the Linden Sportsmen Club. (Copy of memorandum and Land Lease Agreement filed with official minutes.)

**ACTION TAKEN** – Motion by Mr. Arceo, seconded by Ms. Lane, to approve and sign the land lease agreement with the Linden Sportsmen Club, located at 7028 Silver Lake Road, Linden, MI. Addendum is on a month-to-month tenancy and LSC continues to pay the Genesee County Road Commission \$41.67 per month.

VOTE ON MOTION

Yes: Mandelaris, Arceo, Dickerson, Elkins, Lane

No: None

**MOTION CARRIED**

Issuance of Blanket Purchase Orders for Materials and Services for the Fleet Maintenance & Facilities Department – In a memorandum dated August 15, 2022, staff requested the Board approve the issuance of Blanket Purchase Orders for materials to be ordered on an as needed basis for the Fleet Maintenance & Facilities department:

MD Solutions for Steel Posts for Signs and Delineators	\$ 70,000
Winter Equipment for Grading Tips	\$ 30,000
Truck & Trailer Specialties Blades and Curb Guards	\$ 70,000
Exotic Automation for Hydraulic Fittings	\$ 40,000
Cintas for Uniforms, Mats, Mop Heads, Towels	\$ 25,000
Premier Cleaning for Janitorial Cleaning	\$ 80,000
Pomp's Tire Service for Wheels & Tires	\$ 40,000
C&S Motors for Navistar International Parts & Service	\$ 40,000
Metro Airport Truck for HD Equipment Repair Services/Parts	\$ 50,000
M&K Truck Center for HD Equipment Repair Services/Parts	\$ 80,000
Truck & Trailer Specialties for HD Equip. Repair Services/Parts	\$ 80,000
C&S Motors for HD Equipment Repair Services/Parts	\$160,000
Michigan CAT for HD Equipment Repair	\$160,000

(Copy filed with official minutes.)

**ACTION TAKEN** – Motion by Ms. Lane, seconded by Mr. Mandelaris, to approve the issuance of Blanket Purchase Orders for materials to be ordered on an as needed basis for the Fleet Maintenance & Facilities department.

**VOTE ON MOTION**

Yes: Arceo, Dickerson, Elkins, Mandelaris, Lane

No: None

**MOTION CARRIED**

**Issuance of Purchase Orders for Annual Equipment Lease Payments** – In a memorandum dated August 16, 2022, staff requested the Board approve the issuance of Purchase Orders for the annual equipment lease payments:

AIS	Gradall XL4100 Series V	\$68,209.00/yr
AIS	Gradall XL4100 Series V	\$69,463.25/yr
AIS	Gradall XL4100 Series V	\$69,463.25/yr
Caterpillar Financial	Caterpillar 962M Wheel Loader	\$41,793.96/yr
Caterpillar Financial	Caterpillar 962M Wheel Loader	\$23,569.93/yr
Caterpillar Financial	Caterpillar 962M Wheel Loader	\$23,319.58/yr
Deere Credit Inc.	JD 870G Motor Grader	\$43,150.74/yr
Deere Credit Inc.	JD 5241XT Wheel Loader	\$21,325.93/yr

(Copy of memorandum filed with official minutes.)

**ACTION TAKEN** – Motion by Mr. Arceo, seconded by Mr. Mandelaris, to approve the issuance of Purchase Orders for the annual equipment lease payments to AIS, Caterpillar Financial and Deere Credit Inc.

**VOTE ON MOTION**

Yes: Dickerson, Elkins, Lane, Mandelaris, Arceo

No: None

**MOTION CARRIED**

Amendment to Purchase Order #85396 to Cummins Sales & Service for EGR Cooler Repairs on Truck #4038 – In a memorandum dated August 22, 2022, staff requested the Board approve the amendment of Purchase Order #85396 to Cummins Sales and Service for EGR Cooler Repairs on Truck #4038. (Copy filed with official minutes.)

**ACTION TAKEN** – Motion by Mr. Arceo, seconded by Ms. Lane, to approve the amendment of Purchase Order #85396 to Cummins Sales & Service for EGR (Exhaust Gas Recirculation) Cooler Repairs on truck #4038. Reflecting an increase of \$12,948.41, raising the total amount to \$19,121.44.

**VOTE ON MOTION**

Yes: Elkins, Lane, Mandelaris, Arceo, Dickerson  
No: None

**MOTION CARRIED**

Issuance of Blanket Purchase Orders for Materials and Services for the Fleet Maintenance & Facilities Department – In a memorandum dated August 17, 2022, staff requested the Board approve the issuance of Blanket Purchase Orders for Materials and services to be purchased on an as needed basis:

Wirt Saginaw Stone Dock – 23A & Ohio #2 Limestone	\$2,280,000
Wirt Saginaw Stone Dock 29A Limestone	\$ 200,000
Ace Saginaw Paving – QPR	\$ 20,000
Ace Saginaw Paving – Hot Mix Asphalt	\$5,280,000
Great Lakes Chloride – Calcium Chloride	\$1,375,000
Michigan Paving – Materials for Asphalt Emulsion	\$ 515,000
JV Contracting – Pavement Markings	\$ 464,000
Mark Martin & Sons – Snow/Ice Control Abrasives	\$ 22,000
Great Lakes Chloride – Liquid Calcium Chloride	\$ 50,000
S&N Hydroseeding – Hydroseeding	\$ 225,000
Ronald’s Tree Service – Tree Removal	\$ 250,000
Shaw Contracting – Roto Milling	\$ 35,000
Allied Equipment Rental – Equipment Rental	\$ 40,000
Pierce & Pitt Trucking – Rip Rap	\$ 25,000

(Copy filed with official minutes.)

**ACTION TAKEN** - Motion by Ms. Lane, seconded by Mr. Mandelaris to approve the issuance of Blanket Purchase Orders for the Maintenance Department materials and services to be purchased on an as needed basis.

**VOTE ON MOTION**

Yes: Lane, Mandelaris, Arceo, Dickerson, Elkins

No: None

**MOTION CARRIED**

Extension of Unit Bid Prices and Issuance of Purchase Orders for the Maintenance Department Material and Services – In a memorandum dated August 18, 2022, staff requested the Board approve the extension of bid prices and issuance of Purchase Orders for materials and services for the Maintenance Department for the following companies:

Nationwide Construction Grp – Guardrail Placement/Repair (County Rds.)	\$200,000
Nationwide Construction Grp – Guardrail Placement/Repair (MDOT Rds.)	\$450,000
SCA of MI – Street Sweeping	\$250,000
Modern Concrete – Concrete	\$105,000
Pierce and Pitt Trucking – 23A Gravel	\$357,500

(Copy filed with official minutes.)

**ACTION TAKEN** – Motion by Ms. Lane, seconded by Mr. Arceo, to approve the extension of the unit bid prices and the issuance of Purchase Orders for material and services on an as needed basis for the Maintenance Department.

**VOTE ON MOTION**

Yes: Mandelaris, Arceo, Dickerson, Elkins, Lane

No: None

**MOTION CARRIED**

Renewal Purchase Order for Disposal of Trash to Waste Management for Item #33 – In a memorandum dated August 18, 2022, staff requested the Board approve the issuance of a blanket Purchase Order to Waste Management for Item #33 - Disposal of Trash. (Copy filed with official minutes.)

**ACTION TAKEN** – Motion by Mr. Arceo, seconded by Ms. Lane, to approve the issuance of a blanket Purchase Order to Waste Management for Item #33 - Disposal of Trash in an amount of \$30,000 for fiscal year 2022/2023.

**VOTE ON MOTION**

Yes: Arceo, Dickerson, Elkins, Lane, Mandelaris,

No: None

**MOTION CARRIED**

Ratification of Voucher Nos. 40833, 40834, 40835, 40836, 40837, 40838, 40839 and 40840 totaling \$4,253,496.71 – (Copies filed with official minutes.)

**ACTION TAKEN** – Motion by Mr. Dickerson, seconded by Mr. Mandelaris, to ratify the following Vouchers totaling \$4,253,496.71:

Voucher #40833 in the amount of \$288,752.15  
Voucher #40834 in the amount of \$1,030,560.27  
Voucher #40835 in the amount of \$554,003.92  
Voucher #40836 in the amount of \$618,055.79  
Voucher #40837 in the amount of \$868,754.52  
Voucher #40838 in the amount of \$11,478.00  
Voucher #40839 in the amount of \$737,892.52  
Voucher #40840 in the amount of \$143,999.54

VOTE ON MOTION:

Yes: Dickerson, Elkins, Lane, Mandelaris, Arceo  
No: None

**MOTION CARRIED**

**CONSENT**

Work Request for Roadside Ditching on Morrish Road, from Beecher Road to Calkins Road, Clayton Township – In a memorandum dated August 29, 2022, staff requested the Board approve the roadside ditching request on Morrish Road from Beecher Road to Calkins Road, Clayton Township with the funding as follows:

Clayton Township	\$10,097.12
GCRC	\$ 0
Project Total	\$10,097.12

(Copy filed with official minutes.)

**ACTION TAKEN** – Motion by Ms. Lane, seconded by Mr. Dickerson, to approve the roadside ditching request for Morrish Road between Beecher Road and Calkins Road, Clayton Township.

VOTE ON MOTION:

Yes: Elkins, Lane, Mandelaris, Arceo, Dickerson  
No: None

**MOTION CARRIED**

Work Request for Roadside Ditching on Van Vleet Road from Lennon Road to M-21, Clayton Township – In a memorandum dated August 29, 2022, staff requested the Board approve the roadside ditching request on Van Vleet Road from Lennon Road to M-21, Clayton Township with the funding as follows:

Clayton Township	\$12,080.19
GCRC	\$ <u>0</u>
Project Total	\$12,080.19

(Copy filed with official minutes.)

**ACTION TAKEN** – Motion by Ms. Lane, seconded by Mr. Dickerson, to approve the roadside ditching request for Van Vleet Road from Lennon Road to M-21, Clayton Township.

VOTE ON MOTION:

Yes: Dickerson, Lane, Mandelaris, Arceo, Elkins

No: None

**MOTION CARRIED**

Work Request for Milling and Paving on Peach Tree Drive from Detroit Street to Cypress Drive, Mt. Morris Township – In a memorandum dated August 24, 2022, staff requested the Board approve the Milling and Paving request for Peach Tree Drive from Detroit Street to Cypress Drive in Mt. Morris Township, with the funding as follows:

Mt. Morris Township	\$44,741.47
GCRC	<u>0</u>
Project Total	\$44,741.47

(Copy filed with official minutes.)

**ACTION TAKEN** – Motion by Mr. Arceo, seconded by Mr. Dickerson, to approve the work request for Milling and Paving on Peach Tree Drive from Detroit Street to Cypress Drive, Mt. Morris Township.

VOTE ON MOTION:

Yes: Lane, Mandelaris, Arceo, Elkins, Dickerson

No: None

**MOTION CARRIED**

Work Request for Milling and Paving on Flower Day Drive from Orange Blossom Lane to Flamingo Drive, Mt. Morris Township – In a memorandum dated August 24, 2022, staff requested the Board approve the Milling and Paving request for Flower Day Drive from Orange Blossom Lane to Flamingo Drive in Mt. Morris Township, with the funding as follows:

Mt. Morris Township	\$64,018.11
GCRC	<u>0</u>
Project Total	\$64,018.11

(Copy filed with official minutes.)



**ACTION TAKEN** – Motion by Mr. Arceo, seconded by Mr. Dickerson, to approve the work request for Milling and Paving on Flower Day Drive from Orange Blossom Lane to Flamingo Drive, Mt. Morris Township.

**VOTE ON MOTION:**

Yes: Mandelaris, Arceo, Elkins, Dickerson, Lane  
No: None

**MOTION CARRIED**

Work Request for Aggregate Resurfacing on Reid Road from Jennings Road to Torrey Road, Mundy Township – In a memorandum dated August 22, 2022, staff requested the Board approve the work request for aggregate resurfacing Reid Road from Jennings Road to Torrey Road, Mundy Township with the funding as follows:

Mundy Township	\$28,015.00
GCRC	<u>\$28,015.01</u>
Project Total	\$56,030.01

(Copy filed with official minutes.)

**ACTION TAKEN** – Motion by Mr. Arceo, seconded by Ms. Lane, to approve the work request for aggregate resurfacing Reid Road from Jennings Road to Torrey Road, Mundy Township.

**VOTE ON MOTION:**

Yes: Arceo, Elkins, Dickerson, Lane, Mandelaris  
No: None

**MOTION CARRIED**

**MANAGING DIRECTOR REPORT**

COVID Cases - Deputy Managing Director Randy Dellaposta stated that at this present time, there are no COVID cases to report at the Road Commission.

Commissioner’s Conference, Frankenmuth, MI - Mr. Dellaposta reminded the Board of the Commissioner’s Seminar/Conference that will be held in Frankenmuth, MI this year. If you are interested in attending please let staff know so they can sign you up for the conference.

**COMMISSIONER’S CONCERNS**

Bridge at US 23 and Hill Road – Commissioner Lane inquired about repairs to the bridge at US 23 and Hill Road causing traffic delays. Staff stated that the Michigan Department of Transportation is taking care of this area due to a truck accident. Staff added that work would

start mid-October in this area.

Chairperson Elkins asked staff to address the comments made by resident Mike Yancho this morning regarding the curve on Halsey Road. Eric Johnston stated he would go out to this area today and look at it.

Commissioner Mandelaris also thanked the public for their comments they made this morning.

Closed Session Wordage - Commissioner Mandelaris made some suggestions be made to the wordage on the closed sessions. Attorney Cascini commented that the notation for session one and two are correct as printed. The third closed session should have a change made ~~MCL 15.268(1)(a)~~ should be MCL 15.268(1)(h).

Chairperson Elkins asked for a motion to make this change.

**ACTION TAKEN** - Motion by Ms. Lane, seconded by Mr. Mandelaris, to change the wordage on the third closed session in the agenda.

VOTE ON MOTION

Yes: Elkins, Lane, Mandelaris, Arceo, Dickerson

No:

**MOTION CARRIED.**

Commissioner Elkins requested a 5-minute break before the Board enters into closed session.

(At 12:10 p.m. the Board took a 5-minute recess.)

(At 12:14 p.m. the Board reconvened into open session.)

Chairperson Elkins requested a motion to go into closed session.

**ACTION TAKEN** - Motion by Ms. Lane, seconded by Mr. Mandelaris to enter into closed session with Attorney Andrew Cascini, Henn Lesperance PLC, to discuss a privileged legal opinion, pursuant to MCL 15.268(1)(h), concerning pending litigation in Federal Court for the Eastern District Court, *Poplar v GCRC*, Docket No. 4:21-CV-12568; and to consult with legal counsel regarding trial or settlement strategy in specific pending litigation pursuant to MCL 15.268(1)(e) for which discussion in an open meeting would have a detrimental financial effect on the litigating or settlement position of the Road Commission

VOTE ON MOTION:

Yes: Lane, Mandelaris, Arceo, Elkins, Dickerson

No: None

**MOTION CARRIED**

(At 12:15 p.m., the Board went into closed session.)

(At 12:34 p.m., the Board reconvened into open session.)

Chairperson Elkins asked for a motion to go into the second closed session.

**ACTION TAKEN** - Motion by Ms. Lane, seconded by Mr. Dickerson, to go into closed session to discuss with Attorney Andrew Cascini, Henn Lesperance PLC for negotiation and strategy connected with the collective bargaining agreement regarding International Operating Engineers, Local 324 pursuant to MCL 15-268(c); 15-267(1)

VOTE ON MOTION:

Yes: Mandelaris, Arceo, Elkins, Dickerson, Lane

No: None

**MOTION CARRIED**

(At 12:35 p.m., the Board entered into closed session.)

(At 1:06 p.m., the Board reconvened into open session.)

Chairperson Elkins asked for a motion to go into the third closed session

**ACTION TAKEN** - Motion by Ms. Lane, seconded by Mr. Mandelaris, to go into closed session to discuss a privileged legal opinion regarding complaints of a public officer for which the named individual, Fred Peivandi, has requested a closed hearing.

VOTE ON MOTION:

Yes: Mandelaris, Arceo, Elkins, Dickerson, Lane

No: None

**MOTION CARRIED.**

At 1:07 p.m., the Board entered into closed session.

At 1:29 p.m., the Board reconvened into open session.

Chairperson Elkins asked for a motion based on the closed session discussion, regarding the pending employee complaint.

**ACTION TAKEN** - Motion by Ms. Lane, seconded by Mr. Arceo, to conduct an external investigation, through a third party to investigate the subject matter of the complaint, with notification to MCRCSIP, our insurer.

**VOTE ON MOTION**

Yes: Elkins, Lane, Mandelaris, Dickerson, Arceo

No: None

**MOTION CARRIED**

**ADJOURNMENT**

Chairperson Elkins, without objection, adjourned the meeting at 1:33 p.m.

**JOHN J. GLEASON**

Clerk/Register

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Linda B. Kossak, Secretary of the  
Board of County Road Commissioners  
/lbk 09/07/22