

GENESEE COUNTY ROAD COMMISSION

BOARD MEETING

June 20, 2023

MINUTES

CALL TO ORDER

Chairperson Elkins called the meeting of the Genesee County Board of Road Commissioners to order at 10:05 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:

Timothy Elkins, Chairperson
Cathy Lane, Vice Chairperson
Reggie Smith, Commissioner
Chris Gehringer, Commissioner
Joe Massey, Commissioner

Others Present: Fred Peivandi, Randy Dellaposta, Eric Johnston, Anthony Branch, Tracy Khan, Kylie Dontje, Kendra Love-Brezzell, Monica Pearson (Genesee County Road Commission Staff), A.C. Dumas, Dr. Beverly Brown, Charles Winfrey, Bishop Bernadel Jefferson, Barbara Holder, Pastor Harris, (Genesee County residents), Regina Brown, Linda Mayfield, Mary Hughes, Reverend Threlkeld, G. Grundy II, May Dillard, Latham Hill Jefferson, Attorney Andrew Cascini (Henn Lesperance PLC), Linda Kossak, Secretary of the Board of Road Commissioners

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Chairperson Elkins.

APPROVAL OF AGENDA

June 20, 2023 – Amended Agenda

Chairperson Elkins stated that Benefits Coordinator, Ms. Monica Pearson, would be giving a presentation this morning regarding the healthcare open enrollment summary.

ACTION TAKEN – Motion by Mr. Gehringer, seconded by Mr. Smith, to approve the amended agenda for June 20, 2023 with addition of a presentation by Benefits Coordinator, Monica Pearson regarding healthcare open enrollment summary.

VOTE ON MOTION:

Yes: Lane, Smith, Gehringer, Massey, Elkins
No: None.

MOTION CARRIED.

APPROVAL OF MINUTES

June 06, 2023 - Board Meeting Minutes

ACTION TAKEN – Motion by Mr. Gehringer, seconded by Ms. Lane, to approve board meeting minutes for June 06, 2023.

VOTE ON MOTION:

Yes: Smith, Massey, Gehringer, Elkins, Lane
No: None

MOTION CARRIED.

MEETINGS, PRESENTATIONS, HEARINGS, AND INFORMATION

Tuesday, June 20, 2023 – Presentation

Presentation by Benefits Coordinator, Monica Pearson, regarding healthcare open enrollment summary.

Tuesday, June 20, 2023 – Closed Session (to be held after Consent Items)

Closed session for negotiation and strategy with legal counsel connected with the collective bargaining agreement regarding the Technical, Professional, and Officeworkers Association of Michigan (TPOAM) union pursuant to MCL 15-268©;15-267(1).

Tuesday, July 04, 2023 and Wednesday, July 05, 2023

GCRC closed (non-essential operations) in observance of the 4th of July holiday

Tuesday, July 11, 2023

10:00 a.m. – Board Meeting

PUBLIC ADDRESS THE BOARD

Bishop Bernadel Jefferson, 2814 Lewis Street, Flint, MI addressed the Board regarding the GCRC Diversity, Equity and Inclusion (DEI) speaker that gave a workshop to employees and said an unintentional racial slur.

Mary Hughes, Flint addressed the Board regarding the GCRC DEI speaker and racial slur

Latham Jefferson, 2814 Lewis St. Flint addressed the Board regarding the GCRC DEI speaker.

Barbara Holder, 9154 Suncrest Dr. Flint, addressed the Board regarding the GCRC DEI speaker.

A.C. Dumas, 3455 Branch St., Flint, addressed the Board regarding the GCRC DEI speaker.

County Commissioner, Charles Winfrey addressed the board regarding the GCRC DEI speaker.

George Grundy II, 1010 Pershing St., Flint addressed the Board regarding the GCRC DEI speaker.

Alfred Harris, President of Concerned Pastors for Social Action, addressed the Board regarding the GCRC DEI speaker

County Commissioner, Dr. Beverly Brown addressed the Board regarding the GCRC DEI speaker and recommended staff get in touch with University of Flint, David Luke, PhD, who is an experienced DEI speaker. Dr. Brown stated she would follow up with Chairperson Elkins.

Chairperson Elkins addressed the public and commented that on behalf of the Board, they would like to apologize for the un-intentional racial slur spoken by the speaker at the DEI employee workshop. Mr. Elkins added that the language that was used at the workshop was addressed in the morning session and remedied by the afternoon session and we are making every effort to apologize and to move on from this error. We were in too much haste, we moved too quickly to get the job done and in the future, we will seek individuals that are well qualified to teach this subject matter. Going forward, we have been making an effort to fix the problems and Mr. Elkins added that he would be in touch with Dr. Beverly Brown (Genesee County Commissioner) regarding this subject.

PRESENTATION

Benefits Coordinator, Ms. Monica Pearson gave a presentation to the Board regarding the health care open enrollment sessions that were held on May 16, 2023. Ms. Pearson said that Ms. Angela Garner, Brown & Brown of Central Michigan as well as Ms. Kelli Quiroga, Client Engagement Manager from Blue Cross Blue Shield of Michigan, attended the enrollment sessions to answer employee's questions. There were three sessions that were held at the GCRC and one virtual session in the evening so spouses of employees could participate and ask questions. Ms. Pearson added that employees expressed concerns regarding the increase in rates, the elimination of plan options, misinformation that more costly healthcare options only applied to certain employee groups and the need to understand the difference between HSA and FSA. Ms. Pearson said that all the employees were respectful and professional at the available sessions.

Session one (7:00 am) had 47 employees in attendance, session two (9:00 am) had 42 employees in attendance and session three (1:00 pm) had 40 employees in attendance. The virtual session drew 22 participants. Ms. Pearson stated some of the healthcare changes for the 2023-2024 included:

- Rate increases due to PA 152
- The end of the pandemic, more members seeking healthcare services
- A record number of catastrophic claims.

The GCRC also added new plan options:

- Simply Blue (SB) 500 and,
- SB High Deductible Health Plan (HDHP) w/Health Saving Account (HSA)

Employee 2023-2024 Plan Options Summary:

Total enrolled employees in healthcare coverage was 139

Total employees opting out of healthcare was 8

Total employees not eligible for healthcare coverage was 5

A further breakdown of the enrollment by employees regarding the 2023-2024 Plan Options:

Option 1 – Total enrolled employees 58

Option 2 – Total enrolled employees 10

Option 3 – Total enrolled employees 44

Option 4 – Total enrolled employees 27

Commissioner Gehringer commented that his concern is that many of these costs are ending up on the employee and maybe we need to look and see if we can do something to help employees. Commissioner Massey added that he would like discussion on how to lighten the burden on the employee. Finance Director Tracy Khan added that we have to keep in mind that we are limited with ACT 51 on how much we can spend on Administrative Services.

Chairperson Elkins thanked Ms. Pearson for an excellent presentation.

CORRESPONDENCE

INCOMING

Memorandum from Ms. Wendy Hardt, MCRC SIP, Claims Director, regarding new mobile phone restrictions legislation – In a memorandum dated June 08, 2023, Ms. Wendy Hardt, Claims Director for MCRC SIP, provided information regarding legislation amending the Michigan Motor Vehicle Code to prohibit, with some exceptions, holding or using a cell phone or other mobile device while operating a motor vehicle, beginning June 30, 2023. (Copy filed with official minutes.)

Letter Correspondence from GCRC Retiree, Mr. Herb Herrick regarding his commending two GCRC Co-Workers – In an undated letter, GCRC retiree, Herbert Herrick commended two of his fellow co-workers for checking on his well-being when he was not feeling well. (Copy filed with official minutes.)

Email correspondence from Kent County Road Commission announcing their grand opening to their new central complex – In an email dated June 8, 2023, Kent County Road Commission extended an invitation to their grand opening of their new central complex on Tuesday, July 11, 2023 at 1:30 p.m. at 1900 4 mile Road NW, Walker, MI 49544. (Copy filed with official minutes.)

OUTGOING

None.

INTERNAL

None.

INFORMATION

None.

BOARD OF ROAD COMMISSIONERS' DECISIONS

DISCUSSION

Chairperson Elkins commented that Discussion items A1 and A2 will not be voted on today, he would like the board members to read the items over and we will vote of them at the July 11, 2023 board meeting.

Policies covering Code of Ethics for Board Members, Code of Ethics and Standards for Employees, Code of Civility for Board Members, Employment of Relatives/Family Members – Included in the board packet were policies covering Code of Ethics for Board Members, Code of Ethics and Standards for Employees, Code of Civility for Board Members and Employment of Relatives/Family Members policy. These policies were provided by the Michigan County Road Commission Self-Insurance Pool to be considered by the Genesee County Board of Commissioners for adoption. (Copies filed with official minutes.)

ACTION TAKEN – None. The Board will review and consider the policies at the July 11, 2023 Board meeting.

Genesee County Road Commission Board Operating Procedure for Subpoenas, Complaints, Warrants and other legal documents – Included in the board packet is a formalized operating procedure to follow for receipt of legal documents in regards to Subpoenas, Complaints, Warrants and other Legal Documents as written by GCRC legal counsel, Henn Lesperance PLC. (Copy filed with official minutes.)

Commissioner Massey commented that we have no control over these legal items; this process is performed by the court system. Attorney Anthony Cascini replied we want to make sure, when a legal document is served to the Road Commission that everyone knows what to do when we are served with one of these documents and fulfill all of our requirements.

Commissioner Massey added that this board is being presented with a lot of material and they need time to ‘digest’ some of this material. Attorney Cascini reminded everyone that it is his job to answer any questions the Board may have.

ACTION TAKEN – None. The Board will review the formalized operating procedure for legal documents as outlined by legal counsel and consider it for adoption at the July 11, 2023 board meeting.

Amended Rehiring Retirees Policy – In a memorandum dated June 14, 2023, staff recommended the Board adopt the amended Rehiring Retirees Policy. (Copy filed with official minutes.)

Commissioner Massey commented that he did not see anything in the policy about posting jobs internally or publically first, but it is in the minutes from the prior meeting. Mr. Dellaposta referred Mr. Massey to the employee handbook where we spell out how employees are hired. Mr. Massey said he wants this board to be able to review items thoroughly before making a decision and when he receives changes at the last minute he cannot make a decision until he reviews it.

Secretary’s Note: On Item #9 in the policy, legal counsel added the following sentence, “It is the Board’s intention that this Rehiring Retirees Policy comply and adhere to the greatest extent

possible to the Board's Hiring Policy and any Special Hiring Policies. This sentence was added after the packets had been distributed.

Commissioner Smith asked for clarification from Mr. Dellaposta regarding 'Special Hiring Policies'. Mr. Dellaposta commented that it basically means nothing at this point, in the event that we are in the middle of winter and we are in transition because we don't have time to hire anyone, this gives us the ability to bring in retirees which may result in 'Special' hiring. Attorney Cascini said the word 'Special' does not apply right now but it may apply to the policy in the future.

Commissioner Gehringer commented that he understands what Mr. Massey is saying. He said he was also surprised to get an email about the addition to something in the policy. We should maybe make a phone call in the future to the board to alleviate apprehension about last minute changes.

Chairperson Elkins commented that he has asked members to contact him regarding any questions they may have.

Commissioner Massey asked that the word 'Emergency' be added to the policy after 'Special'. Attorney Cascini answered that he sees no reason why it could not be added to the policy.

ACTION TAKEN – Motion by Ms. Lane, seconded by Mr. Gehringer, to adopt the amended Rehiring Retirees Policy in accordance with the provisions of the Genesee County Employees' Retirement System (GCERS). With the addition of a sentence in Item #9 and the word "Emergency" which will read, "It is the Board's intention that this Rehiring Retirees Policy comply and adhere to the greatest extent possible to the Board's Hiring Policy and any Special or Emergency Hiring Policies".

VOTE ON MOTION:

Yes: Elkins, Lane, Smith, Massey, Gehringer
No: None

MOTION CARRIED.

Managing Director Employment Agreement – Chairperson Elkins distributed copies of the Managing Director Employment Agreement to board members.

Commissioner Smith commented that he never saw the actual agreement that Fred Peivandi is currently working under. Chairperson Elkins stated that he does not have his current agreement. Managing Director Peivandi said he would send Mr. Smith a copy of his current agreement (2108).

Commissioner Massey stated that he read over the contract, thoroughly. Before he votes on this agreement, he would like know what is required of the Managing Director, his vision or his goals, and his progressive wage increases. He also has questions regarding accumulated sick leave time and salary. Mr. Massey would like some time to talk to Attorney Cascini regarding some questions before he votes on this agreement. Mr. Peivandi stated he would provide this information to him.

ACTION TAKEN – None. The Board wishes to postpone this agenda item until the July 11, 2023 Board Meeting so they may review the Agreement further.

Local Road Agreement for Gibson Road, Drainage Improvements, Grand Blanc Charter Township
– In a memorandum dated June 12, 2023, staff requested the Board approve the local road agreement for drainage improvements near 2300 Gibson Road, Grand Blanc Charter Township. (Copy filed with official minutes.)

ACTION TAKEN – Motion by Ms. Lane, seconded by Mr. Gehringer, to approve the local road agreement for drainage improvements near 2300 Gibson Road in Grand Blanc Charter Township and further, authorize both the Chairperson and Vice Chairperson to sign the construction agreement on behalf of the Board of County Road Commissioners. Funds are available in Department 91.

Grand Blanc Township	\$150,000.00
GCRC (Engineering & Inspection)	<u>\$ 15,000.00</u>
Total project Cost	\$165,000.00

VOTE ON MOTION:

Yes: Smith, Massey, Gehringer, Elkins, Lane

No: None

MOTION CARRIED.

As Needed Construction Services for Kraft Engineering 2023 - Flagstone Pointe Subdivision, Flint Charter Township – In a memorandum dated June 07, 2023, staff requested the Board accept the as-needed cost unit price cost proposal from Kraft Engineering & Surveying, Inc. for the Flagstone Pointe Subdivision in Flint Charter Township. (Copy filed with official minutes.)

Commissioner Gehringer said he is surprised that the project did not go out for bid by Flint Township. Managing Director Peivandi said that Flint Township requested Kraft Engineering perform this project and he added if a township wants their township engineer to perform a project, we usually allow it.

Commissioner Massey asked for clarification that Flint Township chose Kraft Engineering. Does the Road Commission have a say on who the township chooses for their projects? Mr. Peivandi answered Flint Township chose Kraft Engineering to do the engineering only, not the construction. Our Director of Engineering will determine who has the Road Commission's best interest. Mr. Peivandi said these are consultants that have already been approved by the Road Commission. We have a list of pre-approved consultants that we are able to choose from.

Mr. Johnston added that Flint Township requested Kraft Engineering and our Board determines who receives the project. We utilize the ASCE P-curve for our project costs which determines the fee. If we chose a different consultant, they would still get the same fee as Kraft Engineering. Mr. Johnston added that we only go out for consultant services if our staff is unable to do the engineering for the project. We have a purchasing policy and this does follow our policy.

Commissioner Gehringer added that he would like to see a document from Flint Township requesting this consultant. Staff stated that we have an email and will include it with the paperwork. In the future, Mr. Gehringer said that he would like to see this included in the documents.

ACTION TAKEN – Motion by Ms. Lane, seconded by Mr. Gehringer, to accept the as-needed cost unit price cost proposal from Kraft Engineering & Surveying, Inc. for the Flagstone Pointe Subdivision in Flint Charter Township and approves the issuance of a Purchase Order in the amount of \$115,705.39 to perform construction engineering services for the Flagstone Pointe Subdivision project as requested by Flint Township Supervisor, Karyn Miller (via email). Funds have been allocated in Department 91 to cover these costs.

VOTE ON MOTION:

Yes: Massey, Gehringer, Elkins, Lane, Smith
No: None

MOTION CARRIED.

Bid Results and Primary Culvert Package No. 2 for Grand Blanc Road over Lum Drain and Torrey Road Culvert over the Branch of the Dawe Drain, Mundy Township – In a memorandum dated June 12, 2023, staff requested the Board approve the low bid from Zito Construction Inc. for the Primary Culvert Package No. 2, Mundy Township. (Copy filed with official minutes.)

ACTION TAKEN – Motion by Mr. Smith, seconded by Mr. Massey, to approve the low bid of \$877,202.00 from Zito Construction, Inc., for the Primary Culvert Package No. 2 - Grand Blanc Road over Lum Drain and Torrey Road Culvert over the Branch of the Dawe Drain, located in Mundy Charter Township and further, authorize the Chairperson to sign the construction contract documents after staff has received and accepted the contract, bonds and insurance. Funds are available in Department 91.

VOTE ON MOTION:

Yes: Gehringer, Elkins, Lane, Smith, Massey
No: None

MOTION CARRIED.

Authorization to pay County Road Association Self-Insurance Fund (CRASIF) Invoice - In a memorandum dated June 12, 2023, staff requested the Board authorize the payment for workers' compensation insurance to CRASIF. (Copy filed with official minutes.)

ACTION TAKEN – Motion by Ms. Lane, seconded by Mr. Massey, to authorize the payment for worker's Compensation insurance to CRASIF in the amount of \$331,007, payable in quarterly installments of \$82,752. Funds have been budgeted in Department 90, workers' compensation line item.

VOTE ON MOTION:

Yes: Elkins, Lane, Smith, Massey, Gehringer
No: None

MOTION CARRIED.

Amendment to Purchase Order No. 85948 to Wirt Saginaw Stone Dock for Maintenance Material
– In a memorandum dated June 13, 2023, staff requested the Board approve the amendment to Purchase Order No. 85948 for Maintenance Material. (Copy filed with official minutes.)

ACTION TAKEN – Motion by Mr. Gehringer, seconded by Mr. Massey, to approve the amendment of Purchase Order No. 85948 to Wirt Saginaw Stone Dock for 29A Limestone Trap Rock 50/50 Blend reflecting an increase of \$100,000 raising the total amount to \$450,000. Funds are available in Department 20.

VOTE ON MOTION:

Yes: Lane, Smith, Massey, Gehringer, Elkins

No: None

MOTION CARRIED.

Ratification of Voucher Nos. #40927, #40928, #40929, and #40930 totaling \$2,332,455.80 – (Copies filed with official minutes.)

Commissioner Massey asked who provides these vouchers for the board packets. Ms. Khan stated that the Finance Department prepares these vouchers.

ACTION TAKEN – Motion by Ms. Lane, seconded by Mr. Massey, to ratify the following Vouchers totaling \$2,332,455.80:

Voucher #40927 in the amount of \$354,799.97

Voucher #40928 in the amount of \$584,935.57

Voucher #40929 in the amount of \$526,268.19

Voucher #40930 in the amount of \$866,452.07

VOTE ON MOTION:

Yes: Smith, Massey, Gehringer, Elkins, Lane

No: None

MOTION CARRIED.

CONSENT

None.

At 12:45 pm, the Board of Road Commissioners took a five-minute recess.

At 12:49 pm, the Board of Road Commissioners reconvened.

Chairperson Elkins asked for a motion to go into closed session for negotiation and strategy related to the TPOAM Collective Bargaining Agreement.

ACTION TAKEN - Motion by Ms. Lane, seconded by Mr. Massey, to enter into closed session for negotiation and strategy with legal counsel connected with the collective bargaining agreement

regarding the Technical, Professional, and Officeworkers Association of Michigan (TPOAM) union pursuant to MCL 15-268©;15-267(1).

VOTE ON MOTION:

Yes: Smith, Massey, Gehringer, Elkins, Lane
No: None

MOTION CARRIED.

At 12:50 pm, the Board entered into closed session.
At 2:13 pm, the Board reconvened into open session.

MANAGING DIRECTOR REPORT

DEI Survey Results - Deputy Managing Director Randy Dellaposta gave an update to the Board regarding the survey that was conducted to get employee comments regarding the DEI employee workshops. Mr. Dellaposta stated that 26 employees responded to the survey and he handed out a report with the anonymous comments.

COMMISSIONER’S CONCERNS

Managing Director Evaluations – The Managing Director evaluations were handed out to the Board members to be turned into the Chairperson by the end of July. Commissioner Massey commented that it is hard to evaluate the Managing Director when he is unsure what the Managing Director’s total responsibilities are. Managing Director Peivandi commented that he would send Mr. Massey a copy of his job description, accomplishments and resume by Friday.

Commissioner Smith asked if he could get a copy of the Managing Director’s previous employment agreement (2018). Mr. Peivandi answered that he would email him a copy of the agreement.

Hiring Process – Commissioner Smith asked how the Road Commission communicates the hiring process to the public. Staff responded that we send notifications to Flint Beat, Mlive, GCRC Website, Social Media Platforms (Facebook, Twitter) as well as County Road Association.

Closed Sessions – Commissioner Lane requested closed sessions be placed after Commissioner’s Concerns moving forward.

ADJOURNMENT

Chairperson Elkins, without objection, adjourned the meeting at 2:24 pm am

Domonique Clemons
Clerk/Register

Linda B. Kossak, Secretary of the
Board of County Road Commissioners –
lbk 6/20/2023