



GCRC Board Meeting Minutes for Tuesday, June 04, 2024

Genesee County Road Commission

211 W. Oakley Street

Flint, MI 48503

CALL TO ORDER

Chairperson Elkins called the meeting of the Genesee County Board of Road Commissioners to order at 10:04 a.m. The meeting was held at the Willard P. Harris Auditorium, Genesee County Administration Building – Third Floor, 1101 Beach Street, Flint, MI 48502.

ROLL CALL

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

Others Present: Randall Dellaposta; Eric Johnston; Alex Patsy; Tracy Khan, Donna Poplar; Michael Lewis; Kylie Dontje; Kendra Love-Brezzell (GCRC Staff), Attorney William Henn; Attorney Andrew Cascini (Henn Lesperance PLC); Attorney Philip Phillips (Foley & Lardner LLP), Fred Poplar, (Genesee County Resident), Linda Kossak - Secretary of the Board.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Chairperson Elkins

APPROVAL OF AGENDA

June 04, 2024, Agenda - Motion by Ms. Lane, seconded by Mr. Gehringer, to approve the agenda for June 04, 2024.

VOTE ON MOTION

Yes: Lane, Smith, Massey, Gehringer, Elkins

No: None

Absent: None

MOTION CARRIED.

APPROVAL OF MINUTES

May 21, 2024, Board Meeting Minutes - Motion by Mr. Gehringer, seconded by Ms. Lane, to approve the May 21, 2024 Board Meeting Minutes.

VOTE ON MOTION

Yes: Smith, Massey, Gehringer, Lane, Elkins

No: None

Absent: None

MOTION CARRIED.

MEETINGS, HEARINGS, PRESENTATIONS & INFORMATION

Tuesday, June 4, 2024

CLOSED SESSIONS (3)

1. Closed session to discuss a privileged written legal opinion pursuant to MCL 15.268 (i) (h) related to a pending workplace investigation.
2. Motion to enter closed session pursuant to MCL 15.268 (i) (h) to consider a legal memorandum from general counsel regarding review of closed session meeting minutes.
3. Motion to enter closed session pursuant to MCL 15.268 (i) (h) to consider a legal memorandum from general counsel regarding disclosure in open meeting of closed meeting discussion or deliberation.

Special Board Meeting – GCRC Metro Garage Tour

2:00 pm – 3:00 pm – 5151 Energy Drive, Flint

Tuesday, June 18, 2024

9:00 am – Roads & Bridges Advisory Committee Meeting

10:00 am - Board Meeting

PUBLIC ADDRESS THE BOARD

None.

CORRESPONDENCE

INCOMING

None.

OUTGOING

None.

INTERNAL

None.

INFORMATION

None.

BOARD OF COMMISSIONERS' DECISION

DISCUSSION

Removal of Dead Animals Policy – Motion by Mr. Gehringer, seconded by Mr. Massey, to approve and adopt the Removal of Dead Animals Policy which establishes guidelines for the safe and efficient removal of dead animals from public roadways within the jurisdiction of the Genesee County Road Commission. (Copy filed with official minutes.)

VOTE ON MOTION

Yes: Massey, Gehringer, Elkins, Lane, Smith

No: None

Absent None

MOTION CARRIED.

Amended Genesee County Road Commission Mailbox Policy - Motion by Ms. Lane, seconded by Mr. Massey, to approve the Amended Genesee County Road Commission Mailbox Policy for mailboxes damaged in the road right of way during road maintenance. The homeowner will be reimbursed up to \$60.00 upon presenting a receipt to purchase a new mailbox. (Copy filed with official minutes.)

During the discussion, the board increased the amount of reimbursement from \$45 up to \$60 as the reimbursable amount for damage to mailboxes.

VOTE ON MOTION

Yes: Gehringer, Elkins, Lane, Smith, Massey

No: None

Absent None

MOTION CARRIED.

Genesee County Road Commission Gym Membership Reimbursement Policy – Motion by Ms. Lane, seconded by Mr. Massey, to approve and adopt the GCRC Gym Membership Reimbursement Policy. The reimbursement will be available to full-time employees who have been employed for a minimum of 12 months. The reimbursement will include monthly or annual fees for an individual or family membership at a fitness center or facility not to exceed five-hundred dollars (\$500) annually. (Copy filed with official minutes.)

VOTE ON MOTION

Yes: Elkins, Lane, Smith, Massey, Gehringer

No: None

Absent None

MOTION CARRIED.

Genesee County Road Commission Record Keeping Policy for Record Maintenance and Destruction – Motion by Ms. Lane, seconded by Mr. Gehringer, to approve and adopt the GCRC Record Keeping Policy for Record Maintenance and Destruction. The GCRC has

developed an operating procedure for personnel record retention and document destruction when the retention periods have passed.

VOTE ON MOTION

Yes: Lane, Smith, Massey, Gehringer, Elkins

No: None

Absent None

MOTION CARRIED.

Genesee County Road Commission Attendance at Board Meetings Policy – Motion by Mr. Gehringer, seconded by Ms. Lane, to approve and adopt the Attendance at Board Meetings Policy. The Managing Director shall be permitted the authority to determine whether department directors are required to attend board meetings based on the relevance of agenda items to their respective departments.

During the discussion, Mr. Massey and Mr. Smith voiced their concerns they had regarding this policy.

VOTE ON MOTION

Yes: Gehringer, Elkins, Lane

No: Smith, Massey

Absent None

MOTION CARRIED.

Genesee County Road Commission Disciplinary Procedure Policy – Motion by Ms. Lane, seconded Mr. Gehringer, to approve and adopt the GCRC Disciplinary Procedure Policy. This policy provides a structured corrective action process to improve and prevent unacceptable employee behavior and performance issues. (Copy filed with official minutes.)

During the discussion, the board requested an addition be added to the fourth paragraph on page 1 that reads ‘the Managing Director will consult with legal counsel prior to termination’.

VOTE ON MOTION

Yes: Massey, Gehringer, Elkins, Lane, Smith

No: None

Absent None

MOTION CARRIED.

GCRC Resignation Policy – Motion by Ms. Lane, seconded by Mr. Gehringer, to postpone the approval and adoption of the Resignation Policy so staff and legal counsel may make some changes suggested by the board members.

During the discussion, board members had questions regarding legal counsel’s opinion on the policy, counseling of employees and adding a specific time period when an employee can rescind their resignation. Legal counsel suggested we make revisions and re-submit the policy at a later meeting.

VOTE ON MOTION (TO POSTPONE)

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

MOTION CARRIED

Local Road Agreement for Roadway Rehabilitation, Orchard Haven Subdivision, Grand Blanc Charter Township – Motion by Mr. Gehringer, seconded by Ms. Lane, to approve the Local Road Agreement for roadway rehabilitation of the Orchard Haven Subdivision No. 1 through No. 4 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. (Copy filed with official minutes.)

Grand Blanc Charter Twp (S.A.D.)	\$3,360,000
Grand Blanc Charter Twp (Sub. Allocation	\$ 150,000
GCRC (Sub Allocation Match)	\$ 150,000
GCRC (Eng. And Inspection)	<u>\$ 49,000</u>
Total Project Cost	\$4,209,000

VOTE ON MOTION

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

MOTION CARRIED

Bid Results and Award of Contract for Roadway Reconstruction with Curb and Gutter, Mt. Morris Road between Gillette Road to McKinley Road, Flushing Township – Motion by Ms. Lane, seconded by Mr. Massey, to accept the low bid of \$901,356.05 for the roadway reconstruction with curb and gutter for Mt. Morris Road between Gillette Road and McKinley Road in Flushing Township and further, authorize the award and sign the construction contract after staff has received and accepted the contract, bonds and insurance submitted by Lois Kay Construction Company. (Copy filed with official minutes.)

VOTE ON MOTION

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

MOTION CARRIED

Storm System Clearing, Oak Road and Coldwater Road, Richfield Charter Township – Motion by Mr. Gehringer, seconded by Mr. Massey, to approve the issuance of up to \$10,000 in GCRC Allocation funds in order to assist Richfield Township with the clearing of the blockage associated with the drainage system at the intersection of Oak and Coldwater Roads, and further authorize the payment up to \$10,000 to Richfield Charter Township once this portion of the project has been completed. (Copy filed with official minutes.)

VOTE ON MOTION

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

MOTION CARRIED

Argentine Dam Contract Modification #001 – Silver Lake Road & Lobdell Lake/North Ore Creek, Argentine Township – Motion by Mr. Gehringer, seconded by Ms. Lane, to approve Contract Modification #001 for the increased work associated with the Mechanical Gate Operator Repairs at the Argentine Dam in Argentine Township and further, approve the Engineering Director to sign the Contract Modification #001. The GCRC has received \$750,000 from the State of Michigan to cover its portion of the costs. (Copy filed with official minutes.)

VOTE ON MOTION

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

MOTION CARRIED

Authorization to Request State Reimbursement of \$10,000 for Licensed Professional Engineers – Motion by Ms. Lane, seconded by Mr. Gehringer, to authorize the request to the State of Michigan for reimbursement in the amount of \$10,000 for licensed professional engineers employed by the Road Commission for the period covering July 1, 2023, through June 30, 2024 and further, directs the Chairperson and two members of the Board to sign Form 2044 requesting reimbursement. (Copy filed with official minutes.)

VOTE ON MOTION

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

MOTION CARRIED

Authorization to Pay County Road Association Self-Insurance Fund (CRASIF) – Motion by Mr. Massey, seconded by Ms. Lane, to authorize the payment for Workers' Compensation Insurance to CRASIF in the amount of \$409,954, payable in quarterly installments. Funds have been budgeted in Department 90, Fiscal Year 2023/2024 - Workers' Compensation line item. (Copy filed with official minutes.)

VOTE ON MOTION

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

MOTION CARRIED

Annual Certification of Employee-related Conditions – Motion by Mr. Gehringer, seconded by Mr. Smith, to approve the completed Form 2067, Annual Certification of Employee-related Conditions for certification year 2024 and further, authorize the Chairperson to sign Form 2067 and direct the Finance Director to submit the form to the State of Michigan. (Copy filed with official minutes.)

VOTE ON MOTION

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

MOTION CARRIED

Amendment to Purchase Orders #86341 and #86342 for Roto Milling and Asphalt Emulsion – Motion by Mr. Gehringer, seconded by Mr. Massey, to approve the amendment of Purchase Order(s) #864341 to Shaw Contracting and #86342 to Michigan Paving & Materials. Funds are available in Department 20, Fiscal Year 2023/2024 Contracted Services and Materials account. (Copy filed with official minutes.)

- Purchase Order #86341 issued to Shaw Contracting, reflecting an increase of \$45,000 raising the total amount to \$80,000.
- Purchase Order #86342 issued to Michigan Paving & Materials reflecting an increase of \$660,000 raising the total amount to \$1,050,000.

VOTE ON MOTION

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

MOTION CARRIED

Amendment to Purchase Order for Bulk Tack Coat – Motion by Mr. Massey, seconded by Ms. Lane, to approve the amendment of Purchase Order #86865 to Ace Saginaw Paving Industries reflecting an increase of \$79,000, raising the total amount to \$145,000. Funds are available in Department 20, Fiscal Year 2023/2024 Materials account. (Copy filed with official minutes).

VOTE ON MOTION

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

MOTION CARRIED

Amendment to Purchase Order #86339 to Wirt Saginaw Stone Dock for 29A Limestone – Trap 50/50 Blend – Motion by Ms. Lane, seconded by Mr. Gehringer, to approve the amendment of Purchase Order #86339 to Wirt Saginaw Stone Dock reflecting an increase of \$180,000 raising the total amount to \$380,000. Funds are available in Department 20, Fiscal Year 2023/2024 Materials account. (Copy filed with official minutes.)

VOTE ON MOTION

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

MOTION CARRIED

Amendment to Purchase Order #86835 to Winter Equipment for Grader Blades – Motion by Ms. Lane, seconded by Mr. Smith, to approve the amendment of Purchase Order #86835 to Winter Equipment reflecting an increase of \$11,169.60, raising the total amount to \$22,339.20. Funds are available in Department 30, Fiscal Year 2023/2024 Materials account. (Copy filed with official minutes.)

VOTE ON MOTION

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

MOTION CARRIED

Amendment to Purchase Orders for Materials and Services – Motion by Ms. Lane, seconded by Mr. Gehringer, to approve the amendment of Purchase Orders for Materials and Services. Funds have been budgeted in Department 30, Fiscal Year 2023/2024 Materials and Contracted Services Account. (Copy filed with official minutes.)

<u>PO Number</u>	<u>Supplier</u>	<u>Increased Amount</u>	<u>Total Amount</u>
86312	C & S Motors	\$100,000	\$240,000
86409	Hutson	\$ 20,000	\$ 35,000
86278	MI Cat	\$ 15,000	\$ 55,000
86367	Pomp’s Tire Service	\$ 15,000	\$ 95,000
86293	Shrader Tire	\$ 10,000	\$ 45,000
86280	Versalift	\$ 25,000	\$ 50,000
86363	Winter Equipment	\$ 15,000	\$ 75,000
86284	Truck & Trailer Specialties	\$ 20,000	\$170,000
86494	Marathon	\$ 55,000	\$955,000
86288	Grainger	\$ 15,000	\$ 85,000
86301	Birks Works Env.	\$ 10,000	\$ 45,000
86383	Quench	\$ 3,000	\$ 18,000
86294	Safety Kleen	\$ 5,000	\$ 65,000
86310	Pomp’s Tire Service	\$ 5,000	\$ 50,000
86394	Mid State Bolt & Screw	\$ 10,000	\$ 25,000
86442	Lunghammer Ford	\$ 5,000	\$ 20,000
86334	Auto Value Flushing	\$ 5,000	\$ 20,000
86408	Applegate Chevrolet	\$ 5,000	\$ 20,000

VOTE ON MOTION

Yes: Lane, Smith, Massey, Gehringer, Elkins

No: None

Absent None

MOTION CARRIED

Ratification of Voucher Nos. 41040, 41041, 41042, 41043, and #41044 - Motion by Mr.

Gehringer, seconded by Mr. Smith, to ratify the following vouchers totaling

\$2,816,117.07. (Copies filed with official minutes.)

Voucher #41040 - Accounts Payable Vendor Payments in the amount of \$488,315.60

Voucher #41041 - Voided

Voucher #41042 - Pay ending 5/3/2024 in the amount of \$582,053.49

Voucher #41043 - Accounts Payable Contractor Payments in the amount of \$61,323.75

Voucher #41044 - Accounts Payable Vendor Payments in the amount of \$1,684,424.23

VOTE ON MOTION

Yes: Smith, Massey, Gehringer, Elkins, Lane

No: None

Absent None

MOTION CARRIED.

Pay Grade Adjustment Associated with the Wage Study – Motion by Mr. Gehringer, seconded by Ms. Lane, to postpone this item to a later meeting so staff members can gather more information for the Board. (Copy filed with official minutes.)

VOTE ON MOTION (TO POSTPONE)

Yes: Smith, Massey, Gehringer, Elkins, Lane

No: None

Absent None

MOTION CARRIED.

Stipend for Secretary of the Board and Deputy Secretary of the Board - Motion by Ms. Lane, seconded by Mr. Gehringer, to postpone this item to a later meeting so the staff can gather more information for the Board. (Copy filed with official minutes.)

VOTE ON MOTION (TO POSTPONE)

Yes: Gehringer, Elkins, Lane, Smith, Massey

No: None

Absent None

MOTION CARRIED.

Cost Agreement for T-0406 Solar Powered Beacon Flasher for School Zone, 7201 Silver Lake Road at Linden High School/Central Elementary Access, T-406, Section 25, Argentine Township – Motion by Ms. Lane, seconded by Mr. Massey, to authorize the Managing Director sign the Cost Agreement for T-406 Solar Powered Beacon Flasher with Driver Feedback Sign Assemblies for School Zone at 7201 Silver Lake Road at Linden High School/Central Elementary Access, Section 25, Argentine Township. (Copy filed with official minutes.)

VOTE ON MOTION

Yes: Gehringer, Elkins, Lane, Smith, Massey

No: None

Absent None

MOTION CARRIED.

IT Department Equipment Items to be placed in the Government Internet Auction – Motion by Ms. Lane, seconded by Mr. Massey, to approve the following IT Equipment Items be placed in the Government Internet Auction. (Copy filed with official minutes.)

<u>Equip. No.</u>	<u>Description</u>	
2346	Laptop	Microsoft Surface Pro 3
2350	Laptop	Microsoft Surface Pro 3
2368	Laptop	Microsoft Surface Pro 4
2390	PC	HP EliteDesk 800 G2
2391	PC	HP EliteDesk 800 G2
2393	PC	HP EliteDesk 800 G2
2396	PC	HP EliteDesk 800 G2
2399	PC	HP EliteDesk 800 G2
2406	PC	HP EliteDesk 800 G2
2407	PC	HP EliteDesk 800 G2
2411	PC	HP EliteDesk 800 G2
2415	PC	HP ProDesk 600 G3 SFF
2417	PC	HP ProDesk 600 G3 SFF
2418	PC	HP ProDesk 600 G3 SFF
2421	PC	HP ProDesk 600 G3 SFF
2322	PC	HP ProDesk 600 G3 SFF
2439	Laptop	HP EliteBook 820 G4
2471	Printer	HP MF477fdn
1794	Printer	Canon i92100
2262	Printer	HP MF251

VOTE ON MOTION

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

MOTION CARRIED.

Equipment Items to be placed in the Government Internet Auction – Motion by Ms. Lane, seconded by Mr. Massey, to approve equipment item #1821 to be placed in the Government Internet Auction. (Copy filed with official minutes.)

<u>Equipment #</u>	<u>Description</u>
#1821	96’ Interstate Flatbed Trailer

VOTE ON MOTION

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

MOTION CARRIED.

Removal of Equipment from Genesee County Road Commission Records – Motion by Ms. Lane, seconded by Mr. Massey, to authorize the removal of sold and unrepairable equipment from all Genesee County Road Commission records. (Copy filed with official minutes.)

<u>Equipment #</u>	<u>Description</u>	<u>Reason</u>
#3401	15’ Sandvik Grader Blades	Unrepairable
#3438	10’ Sandvik Grader Blades	Unrepairable

VOTE ON MOTION

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

MOTION CARRIED.

Removal of Equipment from Genesee County Road Commission Records – Motion by Ms. Lane, seconded by Mr. Massey, to authorize the removal of sold and unrepairable equipment from all Genesee County Road Commission records. (Copy filed with official minutes.)

<u>Equipment #</u>	<u>Description</u>	<u>Reason</u>
#3438	10’ Sandvik Grader Blades	Unrepairable

VOTE ON MOTION

Yes: Gehringer, Elkins, Lane, Smith, Massey

No: None

Absent None

MOTION CARRIED.

MANAGING DIRECTOR REPORT

Managing Director Dellaposta provided copies of his Managing Director's report.

Metro District Garage Visit – Deputy Managing Director Johnston reminded the board that we will be attending a Special Board Meeting at the Metro District Garage building, 5151 Energy Drive, Genesee Township immediately following today's board meeting. Hard hats and safety vests will be provided.

COMMISSIONERS' CONCERNS

Commissioner Lane wished Commissioner Gehringer a happy upcoming birthday with a card and cookies.

CLOSED SESSION(S)

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

Motion by Ms. Lane, seconded by Mr. Smith, to enter closed session to discuss a privileged written legal opinion pursuant to MCL 15.268 (i) (h) related to a pending workplace investigation.

VOTE ON MOTION

Yes: Elkins, Lane, Smith, Massey, Gehringer

No: None

Absent None

MOTION CARRIED.

At 12:22 pm, the Board entered closed session

At 1:12 pm the Board left closed session

Motion by Ms. Lane, seconded by Mr. Smith, to reconvene into open session.

VOTE ON MOTION

Yes: Lane, Smith, Massey, Gehringer, Lane

No: None

Absent None

MOTION CARRIED.

Attorney Henn stated that the second and third closed sessions are closely related so we may combine both meetings under one closed session.

Chairperson Elkins asked for a motion to go into the combined second and third closed sessions.

Motion by Ms. Lane, seconded by Mr. Smith, to enter closed session pursuant to MCL 15.268 (i) (h) to consider a legal memorandum from general counsel regarding review of closed session meeting minutes and to consider a legal memorandum from general counsel regarding disclosure in an open meeting of closed meeting discussion or deliberation.

At 1:15 pm, the Board entered closed session

At 1:38 pm the board left closed session

Motion by Ms. Lane, seconded by Mr. Gehringer, to reconvene into open session.

VOTE ON MOTION

Yes: Elkins, Lane, Smith, Massey, Gehringer

No: None

Absent None

MOTION CARRIED.

ADJOURNMENT

Chairperson Elkins adjourned the meeting at 1:46 pm

DOMONIQUE CLEMONS

Clerk/Register

Linda B. Kossak

Secretary of the Board

of the Genesee County Road Commissioners

lbk/June 04, 2024