

Van Buren County Board of Road Commissioners

Wednesday, September 4, 2019
Regular Meeting - Administrative Office, Lawrence, Michigan

BE IT REMEMBERED: That on the 4th day of September, 2019 at 7:00 PM, E.D.T., the Board of County Road Commissioners for the County of Van Buren met in regular session in the offices in Lawrence, Michigan.

PRESENT: Road Commissioners Askew (arrived at 7:24 p.m.), Boze, Burleson, Kinney, and Moffat
Finance Director Linnea Rader
Highway Engineer Barry Anttila
Operations Director Greg Brucks
Fleet & Facilities Superintendent Gary Rohacs
Administrative Assistant-Board Secretary Jill Brien

GUESTS: Attorney Kelly Page
County Commissioner Mike Chappell
Steven Rogusta, Village of Breedsville
Linda Norton, Village of Breedsville/Columbia Township
Dan Falkner, Village of Lawrence

Chairman Boze called the meeting to order at 7:00 PM.

Boze requested that Legal Issues be moved to Item 5A on the Agenda.

Motion by Moffat, seconded by Burleson to approve the revised Agenda.

AYES: 4
NAYS: 0
ABSENT: 1
MOTION CARRIED.

Moffat requested the following revision to the Minutes of the August 21, 2019 meeting:

Moffat: Attended the Southwest Council Meeting on the 12th. **Attended Antwerp Township's Board meeting on the 13th.** Attended Porter Township's meeting on the 14th.

Motion by Kinney, seconded by Burleson to approve the Minutes of the August 21, 2019 meeting, as revised.

AYES: 4
NAYS: 0
ABSENT: 1
MOTION CARRIED.

Motion by Moffat, seconded by Kinney to correct the Minutes of the August 15, 2019 Special Session as follows:

BE IT REMEMBERED: That on the 15th day of August, 2019 at **3:00 PM**, E.D.T., the Board of County Road Commissioners for the County of Van Buren met in special session in the offices in Lawrence, Michigan.

AYES: 4
NAYS: 0
ABSENT: 1
MOTION CARRIED.

Legal Issues

Attorney Kelly Page reported that he had reviewed and approved Greg Brucks' draft letter to Alma Township regarding ceasing maintenance on Rose Lane. He also presented a proposed Settlement Agreement with Cornelius Farms which he reviewed with the Board and those present. Motion by Moffat, seconded by Kinney to authorize signature of the Release and Settlement Agreement by Chairman Boze.

AYES: 4
NAYS: 0
ABSENT: 1
MOTION CARRIED.

Attorney Page provided an update regarding the Cell Tower Lease before leaving the meeting.

The Chairman opened the meeting to public comment. None was received.

Finance Director's Update:

- Review of Operating Budget. Rader discussed providing alternatives to a complete crush and shape for "failed roads" for the Board's consideration when reviewing the proposed 2020 budget. Road Commission staff will begin to work on some options as the Board agreed that creativity was a necessity.

Commissioner Askew arrived at approximately 7:24 PM.

- Rader reviewed Attorney Avila's proposed revisions to the Non-CDL Job Application, which proposed revisions are all under review by the Pool.

Motion by Moffat, seconded by Burleson to utilize the Pool's version of the Application for Employment (Non-CDL) in the hiring process of the Managing Director. Discussion held regarding whether the Managing Director was an appointment versus a hired position.

AYES: 5
NAYS: 0
MOTION CARRIED.

- Road Commissioner "Punch List" topics were discussed in relation to the Road Commissioners' Handbook published by the County Road Association of MI. Commissioners will review handbook and outline areas they would like to discuss in greater detail prior to staff developing Punch List presentation.
- Staff update provided.
- 2019 MCRCSIP liability refund of \$134,285 was discussed.

Summary of today's Vouchers to be paid was reviewed with the Board by Finance Director. Motion by Askew, seconded by Burleson to approve the following Vouchers:

Voucher #2111	\$130,434.67
Voucher #2112	\$839,196.73

AYES: 5
NAYS: 0
MOTION CARRIED.

Rader presented MDOT Form 2067, Annual Certification of Employee-related Conditions for certification year 2019. After discussion was held a motion was made by Askew, seconded by Burleson to approve Form 2067. Askew requested a role call vote. Kinney reminded Board that a 2/3 vote was required for a role call vote.

AYES: 4
NAYS: 1 (Kinney)
MOTION CARRIED.

Rader provided discussion regarding the MERS Employer Contact form. Motion by Moffat, seconded by Burleson to approve the Employer Contact form.

AYES: 5
NAYS: 0
MOTION CARRIED.

The proposed Tuition Reimbursement Policy was reviewed and proposed revisions from the August 21, 2019 meeting were reviewed and discussed. Van Buren County's Travel Policy was also discussed as it related to Road Commission procedures. Additional discussion was held with regard to GPA, and continued employment with the Road

Commission following the completion of the course(s). Motion by Askew to approve the following Policy:

Tuition Reimbursement Policy
Policy No. 2019-03

Policy Statement

It is the intent of the Van Buren County Road Commission to encourage continual learning and educational development by providing a tuition reimbursement program.

General

The Finance and Human Resources Department will coordinate the tuition reimbursement program and will evaluate and approve tuition reimbursement applications in conjunction with the employee's immediate supervisor and department head. Disagreements concerning the eligibility of tuition reimbursement may be appealed to the Managing Director(s).

Employee Eligibility

All regular full-time administrative employees who have been a regular full-time employee for at least one (1) year will be eligible for tuition reimbursement. Non-administrative employees will be considered on a case by case basis.

Course Eligibility

A course must meet the following criteria in order to be eligible for reimbursement:

1. The course must be taken through an accredited college, university, or technical school; and,
2. The course must directly relate to the employees current position / duties, or be in preparation for a future position / duties within the organization; and,
3. The course is required in a curriculum program leading to a degree or certification or is a preparatory course for a professional certification.

Reimbursement Provisions

- A. Employees will be reimbursed 100% of the cost of tuition, with the exception of preparatory courses, up to a maximum of \$5,250 per calendar year. This does not include books, supplies, transportation and other costs related to attending the course(s).
- B. Employees are required to receive a "C+" (2.3 on a 4.0 scale), or better grade in the course(s). If grades are not given, the employee must provide the Finance and Human Resources Department with a certification of successful (pass) completion of the course requirements.
- C. Employees are required to continue employment with the Van Buren County Road Commission for at least five (5) years following the completion of the course(s) for which they received reimbursement, or will be responsible for Tuition reimbursement to the Van Buren County Road Commission for any payment made for course work completed within the five years prior to termination.
- D. Conventions, seminars and employee training workshops are not eligible for reimbursement under the provisions of this policy.

AYES: 4
NAYS: 1 (Burlson)
POLICY ADOPTED.

The Education and Training Policy was reviewed by Rader specifically with regard to the proposed revisions made at the August 21, 2019 meeting of the Board. Additional questions were answered and discussed. Motion by Kinney, seconded by Moffat to approve the following Policy:

Education and Training Policy
Policy 2019-04

Policy Statement

The Van Buren County Road Commission seeks to create a positive work environment and foster a workforce that is knowledgeable, responsive and experienced. To promote this environment, the Road Commission is dedicated to providing opportunities for employees to learn and challenge themselves professionally toward personal growth and career enhancement. The Road Commission regularly reviews its level of investment in staff training and development to ensure not only that adequate resources are being provided, but also that training and development activities are delivering a benefit to both the staff member and the organization.

General

The Van Buren County Road Commission is committed to ensuring that all staff have access to learning, development and training opportunities which enable them to be suitably knowledgeable and skilled to carry out their role within the Road Commission, and to develop their talents in ways that fit with the Road Commission's development to meet its strategic goals.

Training and development can be defined as any activity designed to help individuals become more effective at their work by improving, updating or refining their knowledge and skills. It encompasses a range of activities including involvement in various professional organizations, attendance at training courses, conferences or seminars, visits to other organizations, work shadowing, formal study, coaching and mentoring.

Responsibilities

Staff Members

The Van Buren County Road Commission believes that staff member development is most effective when the individual staff member takes responsibility for identifying any opportunities for self-development which will enhance work performance through increased skills and knowledge. This includes taking an active role in planning one's own personal development, undertaking agreed development activities, and evaluating the effectiveness of these opportunities.

Road Maintenance Employees and Mechanic Technician employees will review their competency report at least on an annual basis. During this review, employees shall indicate preference in initial training as well as maintenance training opportunities. Additionally, these employees shall review and respond to posted training opportunities in relation to their interest towards personal and professional growth.

Administrative staff will meet with their supervisor at least annually to discuss goals for education and training. These employees shall also review and respond to shared training opportunities in relation to these goals.

Supervisors

Supervisors are responsible for assisting staff members in identifying learning needs and for ensuring that they review these with staff on a regular basis. Supervisors have an important part in encouraging and facilitating their team members' involvement in training and development activities, both as participants or organizers, and in providing guidance and feedback with regard to the skills and knowledge required for their current role.

Van Buren County Road Commission supervisory staff will review training and development opportunities individually based upon their relation to the following criteria:

- Topic and Agenda items meeting Road Commission goals and objectives
- Staff interest in relation to their goals for personal and professional growth
- Location, timing and cost of the opportunity

Supervisors have a responsibility to monitor and evaluate the effectiveness of learning for their team members who have undergone training and development. Supervisors shall seek feedback on any training, including quality and cost effectiveness. Supervisors should also ensure that team members implement the skills that they have gained through training and ensure that feedback is shared with the Human Resources department.

Supervisors also are responsible for identifying learning needs for themselves. Supervisors will work with the Managing Director to set goals and take an active role in selecting appropriate education and training opportunities for themselves as well.

The Managing Director and the Department Heads will keep the Board specifically apprised of training and educational opportunities for him/herself. Additionally, any out of state training and education travel being arranged for the Managing Director or a Department Head must be approved in advance by the Board.

Board of County Road Commissioners

The Board of County Road Commissioners are committed to ensuring that education and training is supported and encouraged. This support is directly shown through the support of the Union Competency Program and an Administrative Tuition Reimbursement Policy. Indirectly, the Board shall execute this support by providing appropriate policies, budget and direction.

Partnership and Scholarship Opportunities

When available, the Road Commission will utilize partnerships with Professional Organizations and scholarship opportunities to assist in offsetting costs associated with education and training opportunities. All staff members are responsible for notifying the Road Commission when such opportunities exist and assisting in the completion of necessary paperwork to receive the funding or reimbursement.

AYES: 5
 NAYS: 0
 POLICY ADOPTED.

Moffat discussed Antwerp Township's request for reimbursement of acquisition costs in the amount of \$18,325.00 for property on 62nd Avenue at M-40 in Antwerp Township. The detailed costs were reviewed by the Board. Discussions were held regarding the Township's 2019 project at this location, as well as recollections of Supervisor Ruzick's statement to the Board that the Township intended to give the Road Commission the right-of-way at no cost to the Road Commission. Motion by Askew, seconded by Burleson to deny the Township's request for reimbursement.

AYES: 4
 NAYS: 1 (Moffat)
 MOTION CARRIED.

Rader discussed the error that was recently discovered in the Non-Union Personnel Policy, and the proposed revision that would not only correct the Policy to accurately reflect the Board's decision pursuant to its Resolution, but would also modify the Policy for long term purposes by setting forth the language contained in PA 152 of 2011 (MCL 15.561, et seq.). Motion by Boze, seconded by Askew to make the following revision to the Non-Union Personnel Policy, Article VII, Section 1(e), as follows:

The Road Commission shall contribute an amount towards the group medical insurance benefits premium as set by the Board in accordance with PA 152 of 2011 (MCL 15.561, et seq.). Employees will contribute any resulting balance between the premium cost and the Road Commission's contribution. In addition, employees will contribute 20% of the insurance premium for selected dental and vision insurance.

AYES: 5
NAYS: 0
MOTION CARRIED.

Discussion by Rader regarding Public Act 152 of 2011 relating to hard cap limitations versus an alternative 80/20 provision in the Statute. She recommended the hard cap limitation in 2020 and discussed her reasoning, including predictability for employer's portion of health care costs. Health Savings Accounts were also discussed as an alternative for employees choosing a higher deductible health insurance policy. The Board requested feedback from staff following the upcoming meeting on September 17th. In addition, the Board would like to see written explanations with some examples to assist with their understanding. Motion by Moffat, seconded by Kinney to postpone any action until the next regular meeting of the Board, with staff to provide feedback from employees, and also written explanations containing examples.

AYES: 5
NAYS: 0
MOTION CARRIED.

Process for Hiring Managing Director

The Board reviewed the costs for obtaining a Post Office box. Motion by Moffat, seconded by Kinney to approve an 11" x 11" box with two (2) keys for three months.

AYES: 5
NAYS: 0
MOTION CARRIED.

Board requested that staff begin the advertising process as soon as reasonably possible after opening the Post Office Box. Job advertisement will state that all applications, resumes and letters of interest be received at the Post Office Box at a date to be set forth which will be approximately 45 days from the date the advertising officially begins. Discussion held regarding pick up at Post Office Box by Boze.

Chapter 2 of the Road Commissioners Handbook was reviewed regarding information directly relating to selecting the Road Commission's Chief Administrative Official.

Operations Director's Update:

- Village of Breedsville's proposed winter maintenance was discussed by Brucks relating to the correspondence and Intergovernmental Agreement that was sent to the Village for consideration. Burlson discussed contact that he had received from the Village specifically with regard to the insurance requirement, which was responded to by Brucks. Linda Norton and Steven Rogusta provided further discussion regarding complaints received by the Road Commission and offered suggestions on how to handle. After discussion it was decided that all citizen concerns regarding winter maintenance should be forwarded to the Breedsville Village Clerk.
- Rose Lane, Almena Township, reviewed the letter sent to Township ceasing all maintenance operations.
- Discussion regarding Slag by Brucks. Bids were received for the 2019, 2020 and 2021 seasons and awarded to Yellow Rose Transport for only the 2019 season pending recommendations by staff for award for the 2020 and 2021 seasons based upon their performance. Brucks recommended awarding to Yellow Rose as their performance during the past season has been outstanding.

Motion by Askew, seconded by Burlson to award the Slag contract for the 2020 and 2021 seasons to Yellow Rose Transport in accordance with their bid dated January 14, 2018.

AYES: 5
NAYS: 0
MOTION CARRIED.

- Service Request Monthly Activity Report for August, 2019.
- Electrical tester was demonstrated for the Board. This would be used on tree calls to confirm whether there is a downed power line tangled in a tree, especially at night.

Motion by Askew, seconded by Burleson to approve the purchase of six units at \$280.00 each.

AYES: 5
NAYS: 0
MOTION CARRIED.

Fleet & Facilities Superintendent's Update:

- Will begin getting ready for winter maintenance operations in a few short weeks.
- Conveyed conversations with Medema Auction representative.
- Bids opened at the last meeting for scraper blades and grader blades were reviewed. The day after the Board meeting a late bid was received via FedEx from Michigan CAT, and on 8/26 a "no bid" was received from Valk Manufacturing.

Discussion was held regarding past practice and the recommendation of Rohacs. The general consensus was to reject the late bids.

- Update regarding tandem axle trucks and the delay at Truck & Trailer.
- Update regarding Handi Hitch Rollers.

Highway Engineer's Update:

- 8th Avenue, South Haven Township, Brenner Excavating to begin the week of September 23rd.
- 14th Avenue Railroad Crossing, Columbia Township, will send a follow up email to MDOT Rail as no response has been received to date.
- CR653 from Red Arrow to I94 Bridge, Federal Aid package is being completed.
- CR376 top course paving West of CR681, Bangor Township, the Board previously approved this project in the budget. Anttila provided discussion regarding Rieth-Riley Construction, which is currently on strike, and the scab crews, which are performing sub-standard paving while the strike continues. The only other paver in the area, Michigan Paving & Materials, has agreed to hold its bid prices from the CR380 project in Columbia Township on the job on CR376, Bangor Township.

Motion by Askew, seconded by Boze to approve Michigan Paving & Materials' proposal to provide work on CR376 from CR681 West, Bangor Township, at the unit prices bid by Michigan Paving & Materials on CR380 from CR681 East to the Village of Breedsville in Columbia Township.

AYES: 5
NAYS: 0
MOTION CARRIED.

Interim Directors' Update:

- Update regarding upcoming trainings/conferences.
- Road-eo and Safety Training.
- Township Annual Meetings.
- See-Click-Fix update.

Motion by Moffat, seconded by Burleson to recess the regular meeting at 9:38 PM to open a Regular Meeting of the Board of Public Works.

AYES: 5
NAYS: 0
MOTION CARRIED.

Motion by Moffat, seconded by Burleson to reconvene the Regular Meeting at 9:45 PM with all Members present.

AYES: 5
NAYS: 0
MOTION CARRIED.

Commissioner Updates and Reports:

Askew: Attended 8/29 Supervisors' Meeting.

Boze: Attended 8/29 Supervisors' Meeting. Attended Keeler Township's Board meeting last night.

Burleson: Attended 8/29 Supervisors' Meeting.

- Union Competency Program was discussed by Rader as Burleson had requested copies of the training procedures. Past and upcoming trainings were discussed, as were competencies and the Union Contract requirements. Board questions were answered by staff, as well.

Kinney: Attended KATS on 8/28. Also attended Supervisors' Meeting on 8/29.

Moffat: Attended Supervisors' Meeting on 8/29.

Moffat also provided a brief discussion regarding the 2020 budgeting process and information that would assist Board members in their understanding.

Motion by Kinney, seconded by Burleson to adjourn the call of the Chair at 10:01 PM.

AYES: 5
NAYS: 0
MOTION CARRIED.

Secretary

Chairman