

Van Buren County Board of Road Commissioners

Wednesday, August 21, 2019
Regular Meeting - Administrative Office, Lawrence, Michigan

BE IT REMEMBERED: That on the 21st day of August, 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, 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: Holly Levine
Mike Levine
Joe Miko
Kenneth Corke
Linda Norton, Columbia Township
Steven Rogusta, Village of Breedsville

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

Motion by Kinney, seconded by Moffat to add to the Agenda 13 (I), Director's Managing Director Job Description; and 13 (II), Director's Managing Director Application form to be prepared and presented to Board at 9-4-19 Board meeting, and sent out with 9-4-19 preliminary Agenda.

AYES: 5
NAYS: 0
MOTION CARRIED.

Moffat requested that Item 12(a), Travel Policy, be added to the Agenda.

Motion by Moffat, seconded by Kinney to approve the Agenda.

AYES: 5
NAYS: 0
MOTION CARRIED.

Moved by Kinney and seconded by Askew to approve the minutes of the August 7, 2019 meeting as presented by Board Secretary Brien.

AYES: 5
NAYS: 0
MOTION CARRIED.

Moved by Askew, seconded by Moffat to approve the minutes of the August 15, 2019 Special Session as presented by Board Secretary Brien.

AYES: 5
NAYS: 0
MOTION CARRIED.

The Chairman opened the meeting to public comment. Holly Levine, 47233 CR380, Columbia Township, addressed the Board regarding the condition of CR380. She shared pictures with the Board. The Board and staff provided project status information to Ms. Levine and those present.

Ken Corke, Columbia Township, asked why Silver Lake Road was paved when he believes that is not wide enough for two vehicles? He feels that the road is not safe given encroachments in the right of way. Road Commission staff will look into the accident history, dates, decisions that have been made, and road right of way and get back to Mr. Corke.

Linda Norton inquired as to the status of the project on 14th Avenue at CSX Railroad. Anttila explained that the project was on hold as CSX has not granted the contractor a permit to work in the railroad right of way.

Joe Miko, a neighbor of the Levines on CR380, addressed the Board regarding condition of CR380 as he believes that there is no accountability to the residents by the Road Commission.

Public comment was interrupted at 7:37 PM to open bids for Grader and Underbody Blades as follows:

Vendor	3/4" x 8" x 6' single bevel curved (each)	Manufacturer
Truck & Trailer	97.67	Bucyrus Blades
Wear Parts	84.97 (Double Bevel)	Black Cat Wear Parts
St. Regis Culvert	98.40	Valley Blades
Winter Equipment Co.	84.78 (Double Bevel)	Black Cat Wear Parts
Heights Machinery	78.66 (Double Bevel)	Black Cat Blades

Motion by Moffat, seconded by Kinney to authorize any Managing Director to award the bid upon review and tabulation by staff, in the best interest of the Van Buren County Road Commission.

AYES: 5
 NAYS: 0
 MOTION CARRIED.

Public Comment was continued as follows:

Holly Levine re-addressed the Board regarding CR380, specifically with regard to liquid dustlayer. Additional comments were made and answered by Board and staff.

Finance Director's Update:

- Review of the current Operating Budget.
- Discussion regarding 2020 Primary Road Planning Memo to Townships.
- Township Supervisors' Meeting on 8-29-19 at 7 PM.
- Update regarding See-Click-Fix.
- Staffing update.

Summary of today's Vouchers to be paid was reviewed with the Board by Finance Director. Questions were raised regarding Varnum invoice, which were answered by Rader. Motion by Askew, seconded by Burleson to approve the following Vouchers:

Voucher #2109 \$130,573.84
 Voucher #2110 \$1,041,558.57

AYES: 5
 NAYS: 0
 MOTION CARRIED.

Rader provided information regarding the Paid Medical Leave Act (PA 338 of 2018, amended by PA 369 of 2018), which took effect on March 29, 2019. The Road Commission's Union Contract and Non-Union Personnel Policy are both in compliance with the Act; however, counsel has suggested that the Road Commission have a Policy in place stating that all paid medical leave authorized to be accrued, and paid, by the Road Commission are in compliance with the Act. Motion by Askew to approve the Policy. Discussion held regarding draft the Policy relating to review by counsel. Motion by Kinney to amend Askew's Motion to approve the Policy, to a Motion to request review and approval by counsel of the Paid Medical Leave Act Policy. Motion seconded by Moffat. Role call vote:

Kinney: Aye
Askew Nay
Moffat: Aye
Burlison: Aye
Boze: Nay
MOTION CARRIED.

Motion by Askew to approve the Paid Medical Leave Act Policy once it has been reviewed and received back from counsel with approval. Role call vote:

Askew: Aye
Moffat: Aye
Burlison: Aye
Kinney: Aye
Boze: Aye
MOTION CARRIED.

The proposed Education and Training Policy was discussed and reviewed by Rader. The support of the Policy is shown by the Union Competency Program that is part of the Union Contract and, should the Board so choose, a Tuition Reimbursement Policy to support the Administrative Staff. Responsibilities of the Board were also outlined. Kinney requested several revisions to the draft Policy, which were made by staff.

Rader also discussed the proposed Tuition Reimbursement Policy with the Board. This was discussed previously by the Board and tabled last fall. Board members asked questions regarding eligibility and reimbursement provisions. Revisions were suggested by Boze, Kinney and Moffat. Motion by Kinney to approve the Tuition Reimbursement Policy, as revised. Seconded by Askew. Role call vote:

Moffat: Nay
Burlison: Nay
Kinney: Nay
Askew Aye
Boze: Aye
MOTION DEFEATED.

A discussion was then held regarding the proposed Education and Training Policy, which, with the defeat of the proposed Tuition Reimbursement Policy, now only supports the Union Competency Program. A variety of discussions were held regarding other trainings offered Administrative and Union Staff, tuition reimbursement policies in place within other agencies, etc. Motion by Moffat, seconded by Kinney to postpone consideration of the Education and Training Policy, and the Tuition Reimbursement Policy until the September 4, 2019 meeting of the Board.

AYES: 5
NAYS: 0
MOTION CARRIED.

Moffat discussed his view that the Road Commission needs a Travel Policy for out of state travel and conferences, which could probably be incorporated into other policies rather than having an additional policy. Rader suggested that she would make those requested policy revisions and have them ready for the next meeting to present. Moffat requested that if the information in the County's Travel Policy is covered by some other policy or contract, to let the Board know which policy and provide a copy.

Process for Hiring Managing Director

The draft Managing Director's Job Description was reviewed by the Board. Minimum qualifications were reviewed. The residency requirement was also discussed which, if required, should be included in the minimum qualifications as well as the job advertisement per counsel. Moffat requested that, under Special Requirements, the following be included, "The Managing Director shall have a residence in, or within 20 miles of the Van Buren County line based upon Public Act 212 of 1999, Section 2(2)." Motion by Moffat, seconded by Kinney to adopt the three-page Job Description, as revised. Additional discussion was held regarding minimum qualifications. Role call vote to approve the Job Description as follows:

**Van Buren County Road Commission
Job Description**

Title Managing Director

General Summary

Serves as chief administrator of the Van Buren County Road Commission. Manages and directs the organization toward its primary objectives, based on board policy and annual revenue, by performing the following duties personally or through subordinate managers. Researches and makes recommendations for changes to road commission policies. Represents the road commission to local, state, and federal officials.

Supervision -

Under the direction of the Board of County Road Commissioners, manages four subordinate Supervisors/Directors who supervise the Accounting and Human Resources, Engineering, Operations and Equipment Departments.

Essential Duties -

Supervises staff directly and through subordinate managers to plan, coordinate, and control the operations of the organization to ensure the operations are being executed in accordance with Board policies.

Conduct periodic employment evaluations for subordinate managers at set intervals.

Implements Board decisions including policies, procedures, provisions of services and programmatic and financial objectives.

Establishes current and long range goals, objectives and plans, subject to approval by the Board of County Road Commissioners.

Makes recommendations to the Board based on thorough analysis of all variables, outlining pros/cons, benefits, pitfalls, etc. of any and all options. Settles on an optimal recommendation which he/she will champion.

Dispenses advice, guidance, direction, and authorization to carry out major plans, standards and procedures, consistent with established policies and Board approval.

Oversees the adequacy and soundness of the organization's financial structure.

Reviews operating results of the organization, compares them to established objectives, and takes steps to ensure that appropriate measures are taken to correct unsatisfactory results.

Negotiates and administers labor contracts, contracts for provision of services, procurement contracts, and state and federal contracts.

Works to locate and secure additional funding through federal, state, and local programs as available.

Establishes and maintains an effective system of communications throughout the organization.

Represents the interests of the Road Commission at the local, state and federal levels.

Collaborates and cooperates with various local, state, and federal agencies concerning road commission matters. Regularly confers with other road commission representatives to resolve problems of mutual concern.

Responds to concerns and attends meetings with the public, contractors, news media and government officials and prepares necessary correspondence regarding road commission operations.

Minimum Qualifications -

Bachelor's Degree in Civil Engineering, Business Administration or closely related discipline and/or equivalent experience in lieu of the degree, and 6-8 years experience in construction or engineering management in public works, road commission or similar organization. Possession of a valid Michigan Drivers License.

Desired Qualifications -

Knowledge of the laws and regulations affecting road commissions.

Thorough knowledge of the organization for county government and the relationships of county government to state and federal governmental agencies.

Knowledge of the policies and procedures relating to road commission activities.

Ability to establish and maintain effective working relationships with employees, public officials, news media and the public.

Knowledge of modern policies and practices of public administration, road commissions, human resources, public works, finance, public safety and community development.

Maintain professional temperament in confrontational situations.

Skill in the preparation and administration of budgets. Considerable experience and skill in planning, directive and administering policies and programs.

Ability to prepare and analyze comprehensive reports. Skill in organization and the ability to make decisions. Capability to carry out assigned projects to their completion. Ability to verbally communicate, listen and write effectively.

Practical knowledge of the principles and practices of civil engineering, particularly as applied to highway construction and maintenance of roads and bridges.

Ability to draft, review and approve bid specifications for materials, maintenance and construction projects and programs.

Practical knowledge of the permitting process and practices relating to work in the road right-of-way, including utilities, wireless facilities, overweight/over width moves and residential and other than residential driveways.

Ability to plan, organize and administer a variety of ongoing projects for efficient operation and maximum coordination.

Ability to professionally communicate Road Commission policies pertaining to substance abuse and sexual or other harassment issues.

Commitment to maintain confidentiality.

Special Requirements -

Shall have a residence in, or within 20 miles of the Van Buren County line based on Public Act 212 of 1999, Section 2(2).

Tools, Equipment, and/or Materials Used -

Daily use of computers and a variety of computer programs and office equipment.

Physical Demands -

This job requires the ability to perform the essential functions contained in this description. These include, but are not limited to, the following requirements. Reasonable accommodations may be made for otherwise qualified applicants unable to fulfil one or more of these requirements:

Physical Mobility: Ability to walk over uneven terrain and sit for extended periods.

Vision: Ability to read instructions, directions and similar written information in letters, memos, engineering plans, forms and other documents.

Hearing/Speaking: Ability to communicate via telephone, radio and personally to receive and convey information to employees, the public, local officials and the news media.

Agility/Movement: Ability to lift, push, pull and manipulate objects weighing 10-100 lbs.

Disclaimer - This job description does not constitute an employment agreement between the Road Commission and employee and is subject to change by the Road Commission as its needs and requirements of the job change.

Burleson: Aye

Kinney: Aye

Askew: Aye

Moffat: Aye

Boze: Aye

MOTION CARRIED.

An update was provided by Rader regarding revisions to the Pool's Job Application which were recommended by Attorney Avila. Those requested revisions were sent back to the Pool and are awaiting a response. Rader will check to see where the Pool is at with regard to review of these proposed revisions.

Advertisement Cost		
Staff Recommendation		
Kalamazoo Gazette: Option 3	SHORT VERSION: 2 Column Employment Display Ad for 4 Sundays: \$590 (includes a 30 day mlive.com job posting)	
American Public Works Association (APWA)	1 post 45 days \$325	
APWA -MI	Free	
County Road Association (CRA)	Free	
VBCRC Website	Free	
VBCRC Facebook	Free	
Mid-West Family Broadcasting Digital Job Fair Beginning on Sept 6	\$349 one month of publication on myjobfair.com, mentions on 7 radio stations, website is a click-thru on popular radio/news websites, company name included in at least one FB live broadcast on 3 pages, posting on "Jobs on the Market" @ Moody on the Market, ad in Town Crier Wire	Choose one based on timing
Mid-West Family Broadcasting Recruitment Plans	Cosy Only \$900 for 90 commercials + 23 add ons for paying in advance (spread M-F, approx 25 per week) Fall Festival on Cosy \$900, 500 promos, 100 commercials; Sept through October	
Monster	Standard \$449/month, also "Standard" and "Premium" options available	
Indeed	Free unless pay to "boost"	
We send all job postings to the Van Buren County Clerk's office to post as well		
We would also like to formulate a "News Release" in hopes that some of the recipients would publish or share the information.		

The Board reviewed staff's recommendations regarding advertising. Motion by Moffat, seconded by Kinney to approve Staff's advertising recommendations as follows:

AYES: 5
 NAYS: 0
 MOTION CARRIED.

Discussion held regarding suggested wording for the job advertisement. Rader will prepare the job ads, either long or short, based on criteria for each advertiser, at her discretion.

A proposed advisory committee was also discussed, as well as how to collect and receive resumes and letters of interest for the Managing Director's position.

Motion by Kinney, seconded by Moffat to appoint Chairman Boze and Vice-Chairman Kinney as members of the Advisory Committee for the Managing Director hiring process, with Jill Brien acting as record keeper.

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

Motion by Kinney, seconded by Burlson to authorize Chairman Boze to open a Post Office Box at the Lawrence Post Office in his name and Vice-Chairman Kinney's name, for the shortest amount of time possible, to receive resumes and letters of interest for the Managing Director's position.

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

The Candidate Screening Criteria submitted by the Managing Directors was accepted.

The suggested first round interview questions were reviewed by the Board. Moffat thanked the Directors for their input and the Board will take the questions into consideration.

The Board discussed the Managing Director Team's offer to test the hiring processes put into place by submitting their Resumes to the Post Office Box to begin the process. The

general consensus was to have any interested Team Member apply like anyone else would and have the Advisory Committee review for the Board and proceed accordingly.

Operations Director's Update:

- The Van Buren-Cass Intergovernmental Agreement was signed by the Board of Commissioners of Cass County and insurance was provided. Work began on Tuesday.

Brucks discussed work that occurred around the County that would necessitate an Intergovernmental Agreement, such as on non-certified township and/or city-village roads. In addition, Cass County has added sealcoat roads to the Agreement entered into by the Board. In Brucks opinion, it would make sense to allow a staff member to enter into Intergovernmental Agreements, with proper insurance, as the Agreement itself was drafted and approved by legal counsel. Motion by Moffat to authorize any of the Managing Directors to amend the Interlocal Agreement with the Cass County Road Commission regarding additional road segments, as necessary. Motion seconded by Askew.

AYES: 5
NAYS: 0
MOTION CARRIED.

Motion by Moffat to authorize signature of the standard form Interlocal Agreement by one of the Managing Directors for work on non-certified roads within Van Buren County in townships, cities and villages, as deemed to be appropriate, and only on those segments of that have common access easements, public right of way, etc. Motion seconded by Burleson.

AYES: 5
NAYS: 0
MOTION CARRIED.

- Rose Lane, Alma Township, the Road Commission's contract with the Township for maintenance runs through the end of the fall season, and this is a Township Special Assessment District for such maintenance. Attorney Page will draft a legal opinion regarding this issue, as well as a proposed letter to the residents of Rose Lane.

Discussion continued regarding Rose Lane, Alma Township. Chairman Boze relayed discussions he had with Attorney Page. Moffat read a statement: Based on the information recently provided to the Road Commission it appears that Rose Lane in Section 18 of Alma Township has neither established right of way or common easements. Based on a legal opinion received by the Road Commission from Attorney Henn the Road Commission can no longer engage in summer or winter maintenance upon Rose Lane. In order to establish regular maintenance by the Road Commission the following must be addressed: Describe a common access easement across each benefitting property and a cul de sac turn-around sufficient for maintenance operations. Brucks will continue to work with Attorney Page to provide a response to Alma Township.

Fleet & Facilities Superintendent's Update:

- Status quo in maintenance department.
- Sending a maintenance technician down with the crews in Cass due to travel time. He is working on other tasks while he is on site.
- Working to cross-train maintenance staff.
- Received one Walk and Roll, two more to come.
- Meeting is scheduled tomorrow with Medema Auction.
- Update regarding five tandem axle trucks currently at Truck & Trailer.

Highway Engineer's Update:

- Update regarding Silver Oaks site condominium. Need additional information from the Developer to finalize Agreement.
- Arlington Township, 50th Street between 24th and 28th Avenue, contractor work continues.
- Long Grove Subdivision, Antwerp Township, has been paved. Shoulders installed today.

- 63rd Avenue, Antwerp Township, culvert is installed and has been base paved.
- 63rd Avenue from Drape Road to CR652, Antwerp Township, will receive overlay tomorrow, and shoulders on Saturday, all pending weather.
- 40th Street from CR390 South, Bloomingdale Township, paving and shoulders are complete.
- CR380, Columbia Township, contractors to begin pulling stumps yet this week. Hold-ups due to utilities.
- Signs and reflective sheeting installed on 76th Avenue at 46th Street, Hamilton Township.

Interim Directors' Update:

- CRA Commissioners' Survey.

Commissioner Updates and Reports:

- Askew: Attended Board meetings in Covert, Geneva, Bangor and South Haven Townships. Attended Board's Special Session on the 15th, and the Southwest Council meeting.
- Boze: Attended Board meetings in Lawrence, Hartford and Hamilton Townships. Attended the Board's Special Session on the 15th, and the Southwest Council meeting on the 12th.
- Burleson: No meetings.
- Kinney: Attended Board's Special Session on the 15th.
- 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.

Moffat relayed a "formal request" from the Antwerp Township Board that they would like the sum of \$20,000 from the Road Commission to pay for the right of way on 62nd at M-40 together with the cost for the title work and documentation that was prepared and incurred by the Township. General consensus by the Board was that they would like to receive a written formal request from Antwerp Township to include an itemized statement with copies of receipts. This will be an item on the agenda for the Board to consider at the next regular meeting.

Motion by Moffat, seconded by Askew to adjourn the Call of the Chair at 10:08 PM.

AYES: 5
 NAYS: 0
 MOTION CARRIED.

 Secretary

 Chairman