

Van Buren County Board of Road Commissioners

Summary of Proposed Minutes

February 1, 2018

Regular Meeting - Administrative Office, Lawrence, Michigan

BE IT REMEMBERED: That on the 1st day of February, 2018 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, Brown, Kinney and Svilpe
Board Secretary-Finance Director Linnea Rader
Highway Engineer Barry Anttila
Administrative Assistant Jill Brien
Operations Director Greg Brucks
Permit Officer-County Weighmaster Andy Abbott
Surface Group Leader Bob Drake

GUESTS: County Commissioner Hanson
County Commissioner Doroh
Attorney Luis Avila, Varnum Law

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

No additions/deletions to the Agenda.

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

AYES: 5
NAYS: 0
MOTION CARRIED.

Moved by Kinney and seconded by Boze to approve the minutes of the January 18, 2018 meeting as presented by Board Secretary Rader.

AYES: 5
NAYS: 0
MOTION CARRIED.

The Chairman opened the meeting to public comment. Rader introduced Andy Abbott, Permit Officer and County Weighmaster, and Greg Brucks, Operations Director for the Van Buren County Road Commission. Bob Drake, Surface Group Leader, was also re-introduced.

Board Secretary-Finance Director Rader provided a review of the operating budgets and operating fund. MTF received for 2017 were up 30%. A history of the MTF was also reviewed and Rader explained that although the Road Commission is now seeing an increase in funding due to the increase in gas tax and vehicle registration fees, if funding received in 2004 had continued at that same rate, the Road Commission would still have received approximately \$500,000 more than we have to date. This helps to explain current road conditions. Rader explained the county-wide road project needs versus what the additional money received will actually allow the Road Commission to accomplish, and the

funding gap that continues to exist. A couple of township projects did not take place late in December, so township revenues are lower than expected. Bills in tonight's Voucher include Consumers Energy, which reflects a jump from last month due to nature gas heat costs, 100 tons of cold patch, road salt, as well as a payment to Brad Thomas Excavating regarding the revetment project.

Moved by Boze, seconded by Kinney to approve the following Road Commission Vouchers:

Voucher #2014	\$120,123.84
Voucher #2015	\$203,795.92

AYES: 5
NAYS: 0
MOTION CARRIED.

Commissioner Svilpe mentioned "chuckholes" in the northbound lane of CR653 south of Red Arrow Highway that need attention.

Road Commissioner's Township Meeting Attendance Report

From January 18th to present:

Askew: Reported a situation in Covert Township to Jill regarding a broken pipe on CR 378 at West Michigan Flocking. Bob Drake provided information regarding the Road Commission's findings as the Michigan Department of Transportation and a private plowing company also plow that area. Drake also spoke with Road Commission staff and the pipe was not damaged by the Road Commission. Jill reported the damaged utility to the City of South Haven Department of Public Works and they responded that they will review.

Boze: No meetings.

Kinney: KATS meeting on January 24th.

Brown: Reached out to all three of his Townships, but only made contact with Supervisor Stone in Bloomingdale Township. Mr. Stone had requested that "Water Over The Road" signs on 20th Avenue be removed.

Svilpe: Had attended Antwerp, Almena and Porter Township's January board meetings, and reported back to Jill via email.

County Commissioner Doroh reported that there are many Amish families moving in the area. Informed all present that according to Michigan law, lights must be used on buggies if they are on the road after dark; however, certain sects cannot have lights for religious reasons.

Commissioner Brown also reported that he had a discussion with a resident regarding her driveway tube that had failed in Pine Grove Township. Drake discussed that he had reviewed the tube on site, that the tube was failing because it was installed in 2000 and was now 17 to 18 years old. Brown asked if the Road Commission could cover the hole and place some gravel; however, Drake indicated that the homeowner did not want this type of a fix. Commissioners and staff discussed driveway maintenance and repairs are

homeowner responsibility and, thus, not paid for by the Road Commission.

Highway Engineer Barry Anttila reported on the following:

- Anttila and Hoort putting together estimates for Federal Aid work on CR665 from M40 to just South of 60th Avenue and on CR687 6/10 mi. South of Burnette Foods to 90th Avenue.
- Evergreen Bluff, South Haven Township, contractor is hauling quarry stone in at this time. Start date in three to four weeks, pending weather.

Finance Director's Update:

- Southwestern District Council Meeting, Monday, February 12th in Hastings.
- New Account Clerk, Shawna Kelley, begins employment on Monday.
- Will be out of the office and not in attendance at the 2/15 and 3/1 board meetings. Greg Pardike will assist in preparing the Vouchers.

Brown addressed the Board and those present regarding grievances and employee reprimands. He stated that he is trying to understand the grievance and reprimand process, and believes, based upon conversations he has had with employees and management, that there is "high tension". Commissioner Kinney asked if he had reviewed the Collective Bargaining Agreement, and he stated that he has, indeed. Brown asked if everything was "roses, or are there problems"? Rader discussed that contract negotiations are being entered into with the Union, and that, together with the staff restructure, has added to some tension. She stated that the Road Commission was able to settle one grievance recently, and the other grievances are in process. Attorney Avila stated that there are currently a "fair amount" of grievances, but that this is not unusual during a contract negotiations period as, historically, the Van Buren County Road Commission sees an increase during this time. What is telling to him, however, is that while there have been a number of grievances, history tells that they are rarely, if ever arbitrated. He believes that this speaks to some level of vetting between all parties. Commissioner Kinney asked if the change in union dues might be making a difference in the process, and the uptake in grievances? Attorney Avila agreed that unions have become more aggressive as a result of this increase in dues likely to "prove" their value. Drake addressed Brown specifically with regard to the staff restructure that recently took place at the Road Commission. Drake believes that there are, by far, more staff currently satisfied, than not. Brown asked how is Engineer-Manager's effectiveness is reviewed by the Board? Discussion to continue after bid openings.

The following bids were received at 7:30 PM for Liquid Dustlayer:

Vendor	Product	Gallons/Mi.	1 st App.	2 nd App.	3 rd App.
SWMDC	Oil Well Brine	3,000	0.13/gal.	0.13/gal.	0.13/gal.
MI Chloride	Mineral Well Brine	2,000	No Bid	No Bid	0.227
Great Lk. Chloride	Liquidow	1,500	0.63/gal.	0.60/gal.	No Bid

Motion by Boze, seconded by Askew to authorize the Engineer-Manager to award, upon

tabulation and review by staff, in the best interest of the Van Buren County Road Commission.

AYES: 5
NAYS: 0
MOTION CARRIED.

The following bids were received for MDOT 22A Gravel Resurfacing:

	Yerington Bros.	Brusky	Agg. Industries	StoneCo.	Red Arrow Trans.	R.Smith & Sons	Kalin
Arlington	\$7.20	\$7.15	No Bid	\$7.25	No Bid	\$9.19	No Bid
Bangor	\$7.84	\$7.90	No Bid	\$7.80	No Bid	\$9.26	No Bid
Columbia	\$8.95	\$9.20	No Bid	\$8.34	No Bid	\$8.82	No Bid
Decatur	\$7.30	\$7.40	No Bid	\$7.40	No Bid	\$9.48	\$7.08
Geneva	\$9.10	\$9.05	No Bid	\$8.25	No Bid	\$9.31	No Bid
Hamilton	\$6.98	\$7.05	No Bid	\$7.65	No Bid	\$7.48	\$6.70
Keeler	\$7.15	\$7.25	No Bid	\$8.05	No Bid	\$7.12	\$7.24
Lawrence	\$6.60	\$6.55	No Bid	\$6.42	No Bid	\$10.50	No Bid
Paw Paw	\$6.59	\$6.65	No Bid	\$6.70	No Bid	\$10.50	No Bid
Pine Grove	\$9.05	\$9.10	No Bid	\$8.05	No Bid	\$7.98	No Bid
Porter	\$8.20	\$8.30	No Bid	\$8.05	No Bid	\$9.75	\$7.24
VBCRC Boudreau Pit	\$6.07	\$6.10	\$8.75	\$6.25	\$6.84	\$10.50	No Bid
VBCRC Bangor Garage	\$8.20	\$8.60	\$8.75	\$7.75	\$8.68	\$8.99	No Bid
VBCRC Bloomingdale Garage	\$9.05	\$9.10	\$8.25	\$8.30	\$8.68	\$7.55	No Bid

Motion by Boze, seconded by Askew to authorize the Engineer-Manager to award, upon testing, and tabulation and review by staff, in the best interest of the Van Buren County Road Commission and the respective townships.

AYES: 5
NAYS: 0
MOTION CARRIED.

The following vendors submitted proposals of interest for Motor Fuels:

PriMar Petroleum
Brenner Oil Company
RKA Petroleum Companies, Inc.
PriMar Petroleum-Bangor, MI Branch

Fleming Brothers Oil Co.
Crystal Flash, Inc.
Petroleum Traders Corporation

Motion by Kinney, seconded by Boze to add all vendors to the Road Commission's email list for motor fuels for the 2018 season, in the best interest of the Van Buren County Road Commission.

AYES: 5
NAYS: 0
MOTION CARRIED.

The following bids were received for work in Antwerp Township, 1.5" Overlays with 2' shoulder gravel in three areas as follows: Martha's Vineyard End Sub., (Terry Lane), Martha's Vineyard No. 2 Sub., (Dennis Sweet Memorial Drive), and Pawton Way Sub., (Pawton Way):

Rieth-Riley Construction	\$89,524.45
MI Paving & Materials	\$72,439.00

Motion by Boze, seconded by Askew to authorize the Engineer-Manager to award, upon tabulation and review by staff, in the best interest of the Van Buren County Road Commission and Antwerp Township.

AYES: 5
NAYS: 0
MOTION CARRIED.

The following bids were received for work in Antwerp Township, 1.5" Overlays with 2' shoulder gravel in two areas as follows: Oak Ridge Drive South of 66th Avenue, and 28th Street from 72nd Avenue to CR358:

Rieth-Riley Construction	\$129,258.50
MI Paving & Materials	\$121,771.00

Motion by Boze, seconded by Askew to authorize the Engineer-Manager to award, upon tabulation and review by staff, in the best interest of the Van Buren County Road Commission and Antwerp Township.

AYES: 5
NAYS: 0
MOTION CARRIED.

The following bids were received for work in Antwerp Township, Ultra-thin overlays in two areas as follows: Hunt Road North of Red Arrow Highway, and Brownstone Subdivision (2.94 mi.):

Rieth-Riley Construction	\$216,879.90
MI Paving & Materials	\$171,688.00

Motion by Boze, seconded by Askew to authorize the Engineer-Manager to award, upon tabulation and review by staff, in the best interest of the Van Buren County Road

Commission and Antwerp Township.

AYES: 5
NAYS: 0
MOTION CARRIED.

Anttila also discussed with the Board that he sent an email to Antwerp Supervisor, Dan Ruzick, as Barry feels that the work requested by the Township in the Brownstone Subdivision may not be the best approach given current road conditions. Anttila advised Supervisor Ruzick that, in his opinion, the best approach would be to mill out the existing pavement, and re-pave. Still awaiting a final response from Antwerp Township.

The following bids were received for work in Bangor Township, CR376 from 42nd Avenue to CR681, final shaping and grading with a 2.5" HMA base course, shoulder gravel and restoration:

Rieth-Riley Construction	\$269,913.00
MI Paving & Materials	\$269,234.00

Motion by Boze, seconded by Askew to authorize the Engineer-Manager to award, upon tabulation and review by staff, in the best interest of the Van Buren County Road Commission.

AYES: 5
NAYS: 0
MOTION CARRIED.

Discussion continued regarding the grievance and employee reprimand process. Brown reviewed the question on the table regarding how Engineer-Manager Hummel's effectiveness is reviewed by the Board? Rader discussed that the restructuring of staff is what has everyone all "cranked up". Two positions were eliminated to move to an Operations Director structure with four Group Leaders reporting to the Operations Director. The Union was brought in to discuss the "Group Leader" structure, and union staff were "excited" about the upcoming changes at that time. Barry, Linnea, and Larry sat down with all nine (9) candidates for the four (4) Group Leader positions, and all candidates agreed that if they were not awarded the position there would be "no hard feelings". Rader feels that this has not been the case. Chairman Svilpe wanted it known that the restructure was a Board decision, not a management decision. Brown asked if it would be appropriate if the Board was copied with all grievances and reprimands? Svilpe advised that the Board is informed of grievances by Engineer-Manager Hummel, not by receiving copies of papers, but verbally. Attorney Avila agreed that reprimands and grievances are personnel matters that, once copied, can become "FOIA"able. Brown voiced his question again, how does the Board gauge Hummel's effectiveness? The Board all addressed this question by discussing other matters that have been brought to them at different times, which are then discussed and monitored until the Board is comfortable. Brown discussed that there are two parts to leadership: operational and employee. He asked how does the Board gauge if there is a disconnect? Commissioner Askew stated that employees do not approach him for the reason that he needs both sides of any given situation. Therefore, Askew lets the Board's Attorney handle these situations and he has confidence that it will be handled properly. All Board members agreed that it was inappropriate to speak directly with employees regarding such matters. Attorney Avila stated that he does receive copies from the Road Commission of every grievance filed by the Union, and also copies of

management's responses. He states that while he does monitor them, he typically does not have to become involved. He stated that he has no reason to think that the grievances or reprimands are being mishandled by Hummel and, further, that if he had any concerns, that he would bring them immediately to the Board, as the Board is his client.

Motion by Boze, seconded by Askew to move into Closed Session at 8:01 PM for the purpose of considering written material subject to the attorney-client privilege.

AYES: 5
NAYS: 0
MOTION CARRIED.

The regular Road Commission meeting was reconvened at 8:32 PM, with all members present.

Rader discussed the ongoing positive staff processes continuing at the Road Commission, such as the Strategic Planning Process, Employee Performance Evaluations, etc. Anttila stated that "consistency is key", especially in road projects. Additional staff-related discussions were held regarding ongoing training, past practices, and moving forward under the new structure. The Board's expectations following restructuring were also discussed. The Board expected some level of discontent/upheaval as the changes take place, and management and staff need time to get everything updated and evaluated to receive full buy-in from staff. It was recognized that change is difficult for all involved, but that there are great, positive things coming from the new structure.

A motion was made by Boze and seconded by Kinney to adjourn the Call of the Chair at 8:45 PM.

AYES: 5
NAYS: 0
MOTION CARRIED.