

MINUTES OF THE BOARD OF COUNTY ROAD COMMISSIONERS - MONROE, MICHIGAN

April 10, 2023

1 At a Regular Meeting of the Board of County Road Commissioners at their offices located at the Monroe County Road Commission (MCRC) 840 S. Telegraph Road, Monroe, Michigan, the meeting was called to order by Chairman Stewart at 2:02pm

2 ROLL CALL by the Deputy Clerk as follows:

Jack Thayer	Present
William Kipf	Present
James Jacobs	Present
Danny Minton	Present
Greg Stewart	Present

A quorum being present, the Board proceeded to transact business.

3 The PLEDGE OF ALLEGIANCE was lead by Chairman Stewart.

4 AN OPENING MOMENT OF SILENCE OR PRAYER was lead by Chairman Stewart.

5 REGULAR MEETING AGENDA APPROVAL

Moved by Commissioner: Minton Supported by Commissioner: Thayer
to approve the regular meeting agenda as amended.

Vote: Ayes: 5 Nays: 0 Excused: 0 Motion Carried

6 PRESENTATION

6.1 Audit Presentation by Scot Hoskins, UHY LLP.

Mr. Scot Hoskins presented the 2022 Financial Report to the Board. Beginning with the Independent Auditors Report, the Road Commission received a clean, unmodified opinion. An overview of the financial statement along with comparative information was provided. The fund balance and net position explained. The Net Pension Liability and Net OPEB Liability showed progress in both areas. The independent auditors report on internal controls reported one significant deficiency which is that the financial report is not completed in-house. This is not truly a deficiency because the MCRC has contracted with UHY, LLP. to perform the reporting duties.

Appreciation was given by the Board to Ms. LaRocca for her role and to Mr. Hoskins and his team.

Mr. Scot Hoskins reported that Act 51 is needed because it is a key element to completing the financial statement on time. Act 51 is not due until May 1st; however, in order to report the financial statements completed correctly and on time, Act 51 is needed earlier. Mr. Hoskins also reported the Board should be receiving a monthly report summarizing the monthly activity similar to a summarized Financial Statements for informational purposes.

6.2 Acceptance of the Monroe County Road Commission Annual Financial Report for the year-ended September 30, 2022 and the retention of an official copy on file.

Moved by Commissioner: Minton Supported by Commissioner: Thayer
to accept the MCRC Annual Financial Report as presented.

Roll Call Vote as Follows:

James Jacobs	Yes
William Kipf	Yes
Jack Thayer	Yes
Danny Minton	Yes
Greg Stewart	Yes

Vote: **Ayes:** 5 **Nays:** 0 **Excused:** 0 **Motion Carried**

7 PUBLIC COMMENT - None

8 CONSENT AGENDA (with immediate effect)

8.1 Approval of Minutes: Regular Meeting - March 13, 2023

8.2 Journal Entries

Entry No.	Date	Description	Transfer Amount
172	3/15/2023	Payroll Checks 66602 - 66617	\$ 339,886.43
		Advices 34941 - 35027	
		Voided Checks 66401 & 66416	
		Payroll Checks 66620 - 66621	
		1st Qtr. Cafeteria 66640 - 66658	
		D. Leach Bonus Check 66639	
173	3/15/2023	Vendor Checks 80360 - 80400	\$ 203,901.18
191	3/22/2023	Vendor Checks 80401 - 80431	\$ 133,603.28
208	3/28/2023	Payroll Checks 66659 - 66673	\$ 294,621.33
		Advices 35114 - 35199	
209	3/29/2023	Vendor Checks 80432 - 80450	\$ 117,610.50
		Bank Service Fee February 2023	

8.3 Township Contracts

Township	Project #	Road	Location	Work Type
Ash	489.001.230113	Labo	Concrete End of HMA to US-24	Base Stabilization
Ash	504.021.232118	Swan Creek	Berlin Twp. Line to Labo	Single Chip Seal
Berlin	504.003.230302	Swan Creek	Newport to Ash Twp. Line	Single Chip Seal
Berlin	504.021.232118	Swan Creek	Berlin Twp. Line to Labo	Single Chip Seal
Exeter	504.006.235206	Various	Various	Mowing
Milan	504.011.231101	Cone	Ann Arbor to End of HMA	Single Chip Seal
Milan	504.011.231108	Couper	Far to Milwaukee	Aggregate Lift
Milan	504.011.231109	Far	Milwaukee to Hickory	Aggregate Lift
Milan	504.011.231103	Hickory	Dennison to Petersburg	Single Chip Seal
Milan	504.011.231110	Petersburg	Milwaukee to Hickory	Aggregate Lift
Milan	504.011.231107	Welch	Far to N. County Line	Cross Tile
Milan	504.011.235011	Various	Various	Dust Control
Whiteford	504.015.235215	Various	Various	Mowing

- 8.4 Award the contract for inspection services for the Newburg at CN Railroad Project to Spicer Group in the amount of \$92,786.00 and authorize the Managing Director to sign all documents on behalf of the Board.
- 8.5 Approve the application for State of Michigan Local Bridge Program Funding for the Bragg Road at Swamp Raisin Creek and authorize the Managing Director to sign all documents on behalf of the Board.
- 8.6 Approve the application for the State of Michigan Local Bridge Program Funding for Bay Creek Road at Bay Creek and authorize the Managing Director to sign all documents on behalf of the Board.
- 8.7 Approve the Municipal Resolution for the conducting of business with First Merchants Bank.
- 8.8 Approve the Resolution to enter into MDOT Contract No. 23-5065 for the micro-surfacing of various road segments and authorize the Managing Director to sign the contract on behalf of the Board.

- 8.9 Reject all 2023 Precast Concrete Box Culvert Material bids due to confusion in material specifications and authorize the rebidding of 2023 Precast Concrete Box Culvert Materials with clarified specifications.
- 8.10 Approve the Resolution to request reimbursement of \$10,000.00 from the Michigan Department of Transportation for the sum paid for a Licensed Professional Engineer employed by the Monroe County Road Commission.
- ~~8.11 Award the 2023 Bridge Preventative Maintenance contract to the low bidder Fahrner Asphalt Services, LLC in the amount of \$328,157.74 and authorize the Managing Director to sign all documents on behalf of the Board.~~ Item 8.11 moved to unfinished business.
- 8.12 Award the 2023 HMA Paving contract to the low bidder Cadillac Asphalt, LLC in the amount of \$3,052,623.00 and authorize the Managing Director to sign all documents on behalf of the Board.
- 8.13 Award the bid for Spray Patch Emulsions to all bidders who submitted a bid.
- 8.14 Award the bid for Asphalt Emulsions to all bidders who submitted a bid.
- 8.15 Award the bid for HMA Mixtures to all vendors who submitted a bid.
- 8.16 Approve the application for the State of Michigan Local Bridge Program Funding for Deerfield Road at Raisin River and authorize the Managing Director to sign all documents on behalf of the Board.
- 8.17 Approve the 2023 As-Needed Services agreements with the following entities and authorize the Managing Director to sign all documents on behalf of the Board.
 - 1. Fishbeck, Inc.
 - 2. The Mannik & Smith Group, Inc.
 - 3. Spicer Group, Inc.
 - 4. CT Consultants (Formerly TTL Associates, Inc.)
 - 5. Spalding DeDecker
 - 6. Bartolo Surveying LLC.

8.18 Approve the termination of all benefits for Dori Hawkins-Freelain effective Monday April 24, 2023 with the exception that benefits may continue if the Employment Separation Agreement and Release is fully executed and returned by Monday April 24, 2023.

Moved by Commissioner: Jacobs Supported by Commissioner: Kipf
to approve the consent agenda items 8.1 through 8.18 as presented.

Commissioner Minton requested item number 8.11 be pulled from the consent agenda. Commissioner Stewart placed item number 8.11 under unfinished business. Commissioner Jacobs revised his motion.

Moved by Commissioner: Jacobs Supported by Commissioner: Kipf
to approve the consent agenda items 8.1 through 8.10 and 8.12 through 8.18 as presented, with item number 8.11 moved to unfinished business.

Vote: Ayes: 5 Nays 0 Excused: 0 Motion Carried

9 UNFINISHED BUSINESS - None

8.11 Award the 2023 Bridge Preventative Maintenance contract to the low bidder Fahrner Asphalt Services, LLC in the amount of \$328,157.74 and authorize the Managing Director to sign all documents on behalf of the Board.

Commissioner Minton asked who the other bidders were. Mr. Snell stated Ram is one of the other bidders who received the contract last year although he is unsure of the other bidder. Ms. Woodhull stated the other bidder is Smith's Waterproofing. Commissioner Minton confirmed all bids received were under the Engineering estimate and asked if Farhner had been used prior. Mr. Snell indicated they were not used for this type of work and the historical information is not known by Mr. Snell at this time. Commission Minton clarified that RAM was utilized last year for this program and asked the satisfaction level. Mr. Snell reported they did good work. Commissioner Minton stated there is history with RAM and the bid difference is approximately \$19,000.00. Commissioner Minton stated he is comfortable with RAM because of their history. Commissioner Thayer asked if Farhner has completed any other work for the Road Commission. Mr. Snell stated they may have but he did not know the historical information at this time. Commissioner Stewart asked if one of the companies was a local company. Mr. Snell indicated he was unsure where Farhner is located but he believed RAM is headquartered in Livonia with an office in Toledo. Commissioner Jacobs asked what type of reference checking was completed to come back with the recommendation to go with Farhner. Mr. Snell stated with newly returning to the Road Commission, he would have to look into that information and bring it back to the Board to review and present this item at a subsequent meeting. Mr. Leach stated reference and cross checking would be completed by staff prior to a recommendation being given. Commissioner stated he would assume that was done as part of the recommendation. Mr. Leach stated that is typically how it happens with a sealed bid and we would ask for references. Commissioner Minton asked if project would be delayed if the item was tabled until the next meeting. Mr. Snell responded no. Commissioner Stewart stated he is a big believer in trusting and letting operations do their job as that is why they were hired. The faith is put in their hands and he is a big believer in handing over the operations piece.

Moved by Commissioner: Minton Supported by Commissioner: Jacobs
to table item 8.11 until the next board meeting pending the receipt of business references.

Vote: Ayes: 5 Nays 0 Excused: 0 Motion Carried

10 NEW BUSINESS - None

11 REPORT OF OFFICERS

David Leach (Interim Managing Director/Superintendent of Maintenance) -

Mr. Leach reported we now have a full staff. Mr. Leach stated he is very happy with where we are at and is proud to have the team in place with many new (but old) faces. Mr. Leach echoed comments to Ms. LaRocca and staff for outstanding work on the audit. Mr. Leach reported interviews are in process for several CDL positions which are opening in 543 due to retirements. An abundance of applications have been received and several potential candidates will have offers extended. Mr. Leach stated crews are doing berm removals in preparation for projects to get started.

Commissioner Stewart stated he spoke with Mr. Leach in regards to working with the Drain Commission regarding drainage issues in subdivisions. Commissioner Stewart stated one of the problems which occurred in the late 50's/early 60's is with who owns the drainage within certain subdivisions. Commissioner Stewart stated he spoke with Mr. Csurgo and there may be an opportunity to turn over some of those responsibilities and/or petition the Drain Commission to take them over. Commissioner Stewart stated he would like an explanation of what the conversation was.

Mr. Leach reported he had a conversation with Mr. Csurgo, particularly regarding Greenhills Subdivision located in Bedford Township. Typically the way it would become a district in which the Drain Commission would replace the drainage system is for the area to become a Special Assessment District (SAD); however, it was expressed that they like to see this type of work completed along with road replacements. Mr. Leach reported Greenhills Subdivision just finished payments for an SAD that was put in place approximately fifteen (15) years ago when it was repaved. At the time of repavement, the drainage aspect was ignored. Turning the work into a drainage district through the Drain Commission can be done however, they have the ability to not accept the district. Discussions are continuing to be held at the MCRC internally. Mr. Leach reported the Road Commission is not too involved with an SAD until everything has gone through the Township. When looking at old roads and old subdivisions, service requests on this type of subdivision are for a 60-70 year old system that needs much larger repair than what maintenance work can handle. Mr. Leach reported he will be meeting with Mr. Snell and Mannik and Smith to ensure the Road Commission is included in these conversations at the planning stages of the project. If these types of projects can be passed on to the Drain Commission as a drainage district, the Drain Commission has the ability to tax the homeowners whereas the Road Commission does not. Mr. Leach stated relationships need to be built so that the Road Commission is a part of the initial review in the beginning.

Commissioner Stewart stated for full understanding, that he happens to live in Greenhills Subdivision. However, he would like this to be a bigger more permanent solution for all subdivisions. Commissioner Stewart also stated fifteen (15) years ago, he believed the residents of Greenhills decided they did not want the drainage fixed at that time. Mr. Leach stated he recalled the same scenario. Commissioner Stewart reported that there was pushback from residents because those residents did not want their enclosed ditches dug back up again. The citizens of Greenhills are just as responsible as anyone else. Mr. Leach reported these issues are not going away. Commissioner Stewart stated this is not the only subdivision with these types of issues and he is looking for direction on how to move forward for all subdivisions.

Jim Morgan (Assistant Superintendent of Maintenance) -

Mr. Morgan stated he appreciated the opportunity to be on this team. Crews are taking advantage of weather. All Township gravel roads have been graded. The focus now is on shoulders and pulling shoulder berm for those roads which will receive a two (2) inch lift. Staff will be meeting to prepare for dust control soon. Mr. Morgan reported we are on task and will continue to take advantage of the weather the best way we can.

Matthew Snell (Director of Engineering/County Highway Engineer) -

Mr. Snell stated it feels great to be back and sincerely thanked the whole agency for the opportunity to return. Mr. Snell reported he will have more to report as he continues to get settled into his position. Commissioner Stewart stated he would like to touch base on the potential roundabout project located at Smith and Jackman. Commissioner Stewart reported seeing it was placed on the Bedford Township agenda and requested an update on funds from the Federal Government. Mr. Snell reported we received a CMAC grant for a little over one (1) million dollars but he is not aware of any other Federal funds for the project at this time. Commissioner Stewart asked for confirmation that there was no further commitment from township. Mr. Snell responded he is not aware of any.

Commissioner Thayer, asked in reference to consent agenda item number 8.9, if there was any chance we might get additional bids since only two bids were originally received. Ms. Snell stated it is hard to say, there are not many companies known who produce the materials requested.

Camden Regis (Director of Human Resources) -

Ms. Regis reported having eight open positions for laborers and drivers in which five offers were made today. Two candidates responded positively, the other three we are waiting to hear back from. Additionally there are still four more interviews scheduled this week with a total of 15 interviews held so far. Ms. Regis reported a few open positions remain within the engineering department. Once these positions are full, staffing will be complete. Ms. Regis had nothing further to report on COVID, however we have had staff out with the norovirus. Ms. Regis reported she will be attending the County Road Association Finance and Human Resources conference with Ms. LaRocca from May 9th through 11th, 2023. Ms. Regis reported it will be a great opportunity for Ms. LaRocca to meet other Road Commission staff in similar positions.

Commissioner Thayer asked what percentage of CDL drivers were full time versus part time. Ms. Regis responded all are full time. Seasonal hiring has not yet begun with so many other positions to fill. Mr. Leach reported he does not see any issue in getting seasonal applicants as many will be returning seasonal employees.

Kim LaRocca (Director of Finance) -

Ms. LaRocca reported several reports were filed as required six (6) months following our fiscal year end. The reports were for PA 202, OPEP and Pension. These reports were filed on time and the funding status is good. Additionally, the annual certification of employee related conditions was filed however the last posting to our website was for the year 2020. This certification has been posted to the website with up-to-date data. Ms. LaRocca stated she will look into reports previously given to the Board and work to develop what is needed going forward. Additionally, as of April 3, 2023, all finance positions are filled from the advancement of internal candidates. The Finance department will be in training mode for the next several months.

Commissioner Minton asked if there was any idea as to when a budget amendment might take place. Ms. LaRocca stated there are a few items which need to be taken care of first which are daily and/or monthly requirements. The next priority is Act 51 reporting which is due by May 1st. Following this reporting, the budget will be worked on.

Commissioner Thayer stated he appreciated the focus on promotion from within the organization.

Philip Costello (Legal Counsel) -

Mr. Costello reported on the VanWashnaova lawsuit which was on verge of being dismissed. However, It has not been officially dismissed as Mr. VanWashenova did file an appeal. This lawsuit could be out there for another year to year and a half before a resolution is reached.

Commissioner Thayer asked if there is a percentage of appeals that get overturned. Mr. Costello responded it is relatively small, around a quarter that actually get reversed. The thought is an appeal was filed to continue the negotiations in an effort to reach some sort of cost sharing resolution for the replacement of the culvert between the property owner, Township and Drain Commission.

12 PUBLIC COMMENT -None

13 COMMISSIONERS COMMENT

Commissioner Jacobs (Member) -

Commissioner Jacobs stated he hoped everyone had a good Easter. Last week Commissioner Jacobs met with Mr. Leach and Mr. Morgan to continue discussion on facility improvements. Progress is being made, and program needs within the Sign Shop were reviewed. The next step is putting together a budget and an approach for the solicitation of bids potential through a design/build approach. If it is found that a different approach is needed, we will come back with that recommendation.

Commissioner Kipf (Member) -

Commissioner Kipf welcomed Mr. Snell back and stated he is glad to hear all positions are being filled in the departments as needed. Commissioner Kipf stated he is looking forward to positive movement.

Commissioner Thayer (Member) -

Commissioner Thayer stated he feels very good about the team, excellent job to all. It is a big improvement, appreciation was given to everyone.

Commissioner Minton (Vice Chairman) -

Commissioner Minton welcomed Mr. Snell back and welcomed Mr. Morgan to the management team. Commissioner Minton stated Mr. Morgan does a great job and is a known asset to the organization; his willingness to stay instead of retiring is appreciated. Commissioner Minton stated Mr. Snell does need a few more employees added to his team however staffing is moving right along. Commissioner Minton added it was very interesting to watch everyone enter into the meeting today as each member was smiling and in a great mood which to him speaks volumes to where the organization is headed. Appreciation was given to everyone.

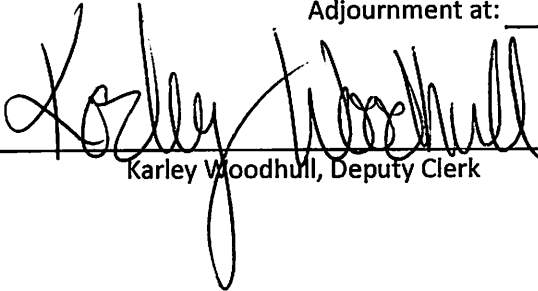
Commissioner Stewart (Chairman) -

Commissioner Stewart thanked Commissioner Jacobs for helping with facilities. Commissioner Stewart agreed that it is definitely a great atmosphere today.

14 ADJOURNMENT

Chairman Stewart adjourned the meeting with no further objection.

Adjournment at: 3:04 PM



Karley Woodhull, Deputy Clerk

Monday April 24, 2023

Date