

The meeting of the Board of Road Commissioners of the County of Calhoun was held Wednesday, March 21, 2007 at 9:00 a.m. in their office located at 13300 Fifteen Mile Road, Marshall, Michigan.

Present: Commissioner Chester E. Travis, Chairman
Commissioner Charles E. Monaweck, Vice-Chairman
Commissioner Scott A. Brown, Member
Dennis Randolph, Managing Director
Joanna Johnson, Assistant Managing Director
Kevin Henning, Finance Director
Pixie Coats, Human Resource Director
Angela Kline, Assistant County Highway Engineer

Also Present: Eusebio Solis Jr., Calhoun County Commissioner
Tom Frank, Albion Township Supervisor
Frank Manke, Clarendon Township Supervisor
Bob Brownell, Marengo Township Supervisor
Pete Shrontz, Marengo Township Trustee
Richard Harvey, Bedford Township Trustee
Dave Veramay, Clarence Township Resident
Clarence Millard, Newton Township Resident
Joe Bramble, Convis Township Resident
Alice Godde, Pennfield Township Resident
Gardy Berezonsky, Marengo Township Resident
Jim Russell, Sheridan Township Resident
Steve Ball, Calhoun County Road Commission
Hershel Stacy, Calhoun County Road Commission
Robert Volkmer, Calhoun County Road Commission
Paul Adams, Calhoun County Road Commission

Chairman Chester Travis called the regular meeting of the Board of County Road Commissioners to order at 9:00 a.m.

Moved by Commissioner Brown and supported by Commissioner Monaweck to approve the regular meeting minutes of March 7, 2007. Voice vote: Motion carried.

COMMUNICATIONS AND RESOLUTIONS

- Received Resolution 2007-4 from Marengo Township to match funds with the Calhoun County Road Commission for road improvements on 20 Mile Road from Michigan Avenue to B Drive North, 1.21 Miles.
- Received a letter from Ronald Lebeuf, Attorney, to Mr. Jim Demarest, Emmett Township Supervisor, requesting a special assessment to be set up for the Trappers Ridge road improvements.

- Received a memo from Angela Kline, Assistant County Highway Engineer, asking the Board to deny the acceptance of Pebble Lane and Gavin Lane into the County Road System.
- Received employment agreement for Steven L. Ball, Operations Manager.

NEW BUSINESS

Moved by Commissioner Monaweck and supported by Commissioner Brown to approve the March 9, 2007 accounts payable for \$379,629.66. Voice vote: Motion carried.

Moved by Commissioner Monaweck and supported by Commissioner Brown to approve the March 14, 2007 payroll for \$128,643.07. Voice vote: Motion carried.

Moved by Commissioner Monaweck and supported by Commissioner Brown to approve the Traffic Control Order 07-100-001; WHEREAS, Calhoun County Road Commission deems it necessary to place stop signs at the North-South Parking Lot Service Road between B Drive North and Harper Creek High School's back parking lot for the interest of public safety. Voice vote: Motion carried.

Moved by Commissioner Brown and supported by Commissioner Monaweck to approve the recommendation from Angela Kline, Assistant County Highway Engineer, to deny the acceptance of Pebble Lane and Gavin Lane into the County Road System.

Commissioner Brown asked if Mrs. Kline could bring the Board up to speed on the above-mentioned recommendation. Mrs. Kline stated that the road did meet County specification; however, CEI did a good job of inspecting the road and brought to their attention that they had some failure by their drainage retention pond. Mrs. Kline said she is proposing to wait until after November 15, 2007 to see if there is any settlement or any problems with the water or the pipe under it. Mrs. Kline noted that if we were going to have any failure, it would most likely happen before November 15, 2007. Voice vote: Motion carried.

Moved by Commissioner Brown and supported by Commissioner Monaweck to approve the employment agreement for Steven Ball, Operations Manager.

Discussion took place on the employment agreement as follows:

Commissioner Brown stated that the first time this employment agreement came before the Board, it was on really short notice with no discussion in the process. The second time, today, it is again on really short notice and very limited discussion with him. During the February 7th meeting, he expressed concerns on several issues, including language, which exceeds Board policy. Some of the issues were addressed and some were not. In the course of the agreement being rewritten, there was an item added, that he was unaware of, and he doesn't agree with it. The severance package is something we may want to look at as a Board policy and not rolled into an employment agreement. Commissioner Brown

commented that he has had a lot of time to reflect on this issue since it was brought to the Board the first time. Items in this agreement that he does not agree with are the severance package and the performance bonus, which should be a Board policy and not in an employment agreement. He doesn't agree with the tuition reimbursement because it states "in excess of Board policy". He does not agree with any employment agreement that exceeds Board policy. One of the items that did get addressed was the fringe benefits. Commissioner Brown asked to have the fringe benefits spelled out and some of them did get spelled out; however, they still referred to other management team members. He did attempt to communicate his concerns prior to today's meeting and was told it would remain on the agenda so that it could be discussed here, which is appropriate. Commissioner Brown stated that he does intend to vote no on this employment agreement for the reasons he outlined above. After a lot of reflection, he feels this should be a simple "at will" agreement. The Managing Director does not need Board approval to hire an Operations Manager. It is completely within his authority to do so. Commissioner Brown wants to make it clear that the sticking points we seem to keep running across here, in no way affects the operations of the Road Commission. If there are areas that management feels we need to address then maybe they should be addressed, through Board policy and not in an employment agreement.

Commissioner Monaweck stated that he was an advocate of this position before Mr. Russell retired. He felt that we needed a different way to manage our outside forces. He said that he knows this employment agreement is not perfect, but it is our first attempt in making a big change in the way the Calhoun County Road Commission operates in one specific area. He has had concerns with the agreement and not all of it is to his liking, but he feels it is a start. In the future if we need corrections then we can make those corrections and bring it in line with some of Commissioner Brown's opinions and ideas. Commissioner Monaweck stated that he is anxious to get this position going and to see what it can do for us to improve operations in the field. His concern is to have a better and more efficient operation in the field. Commissioner Monaweck commented that he is in favor of the employment agreement because he wants to get this position moving and hopefully get our operations running in a more efficient manner. He hopes that this position will do just that. It's a big step forward for Mr. Ball and he has a load on his shoulders to get these things going. Mr. Ball has six months to prove whether he can do it or not, so based on that, he is in favor of moving on and seeing how things are going to operate.

Commissioner Travis stated that he has worked on some of these contracts before and most of those things mentioned are in all management contracts. He feels it's a good contract and doesn't have a problem with it.

Commissioner Brown responded to Commissioner Monaweck's comments regarding changing the employment agreement. He noted that a lot of things in the employment agreement can be changed, but once the employment agreement is enacted by the Board, both parties have to agree to the change or it doesn't get changed.

Moved by Commissioner Brown to amend the employment agreement. Commissioner Travis reminded him that there was already a motion on the floor. Moved by

Commissioner Brown to amend the original motion. Commissioner Travis asked for support and none was received. Commissioner Travis called for a vote for the motion on the floor to approve the employment agreement for Steven Ball, Operations Manager. Voice Vote: Yes, 2, No, 1: Motion carried.

MANAGING DIRECTORS' REPORT

Mr. Randolph noted that during the past week we have had some transition from winter activity to spring work. We have also had some calls over the past week with snow activity, pothole activity, and frost laws. We have been trying to keep up on the potholes. Today we are cleaning up after this past snow.

Mr. Randolph provided the Board with the following information:

- Frost Laws will be pulled on Monday, April 2nd at 7:00am provided we have no big changes in weather.
- We have agricultural concerns because when they start moving crops, the equipment is hard on the roads and causes damage. We put frost laws on and try to time them so that they aren't excessive.
- Soil temperature and air temperature is what we use to base whether or not to put on frost law. Pothole calls is another indicator that is used.

Mr. Randolph stated that he was asked to talk at the Asset Management Council meeting in East Lansing in a couple of weeks. This spring, the Asset Management Council is authorized by law to use Asset Management for roads and Public Works in general. The one item that the Council pushes for is an annual multi-year program.

- 1½ inch overlay is considered maintenance and anything over that amount is classified as construction work and has to be paid 50/50.
- We have restrictions on local roads and how we deal with these restrictions has to do with planning. The State law requires a Regional Task Force. This Task Force has to have a 5-year plan or they won't qualify for funds. We have both a Rural and Urban Task Force.
- Roadsoft is our record base for where we plan to do roadwork. These records contain road conditions, culverts, signs, pavement markings, guardrail, and bridges.
- Some of our projects have partners such as developers, schools, cities, townships, the State, and even other Road Commissions.

- Planning is a necessity. We have two choices when it comes to planning. We can do nothing, or we can envision the future. Waiting for developers to come in, then propose a plan, and try to figure out how we are going to fund it, is not what is needed to envision the future. We need to anticipate where improvements might be needed, develop concepts, and determine what money is needed, then develop a finance plan that includes both public and private money.

Mr. Randolph said that we received our first request for a speed change involving the new prima-fascia requirements. What prima-fascia means is that there isn't a formal traffic speed control order. If someone wants a speed change, we want to direct them to the township and, if the township agrees, then we need a resolution asking the Road Commission to review it. We will go through the prima-fascia process. This means we will go out and count driveways. If it meets the criteria of the law, then we will go out and put signs up. We will ask the Road Commission Board to approve a Traffic Control Order.

Mr. Randolph said that Mr. Henning is finishing up on the Act 51 report. He has done a great job. Mr. Volkmer is working with Mr. Henning and he too is doing a nice job with maintaining our fleet.

Mr. Randolph commented about the truck rental rates. When he came to the Road Commission, the truck rental rates were up 30%-50% above Schedule C. It cost us 30%-50% more to run our fleet 15 years ago than it does today, because we didn't meet the requirement for Schedule C. Right now, we are charging the standard Schedule C rates.

Mr. Randolph commented that he was invited by Mrs. Segal to attend the County Budget Workshop and is preparing a presentation.

Mr. Randolph said that he would be off a couple of days next week. He has business in Washington with the American Society of Civil Engineers. The following Monday he will be with the Concrete Canoe Team for Western Michigan University.

COMMISSIONERS' COMMENTS

Commissioner Monaweck stated that we did a very good job of placing the guardrail at the creek in East Leroy. He did, however, receive reports that we did not have reflective tape on the ends. This morning he received compliments because the job was completed and the public noticed it. The public does notice the small things and they notice when we do a good job.

SUPERVISORS' & PUBLIC OFFICIALS' TIME

Mr. Frank asked what power Mr. Ball has as Operations Manager. Mr. Randolph stated that Mr. Ball reminds staff about what to plan for and when to plan it. Mr. Randolph gives direction to Mrs. Johnson, she takes care of the administrative things and the internal planning of our organization to make sure the federal work, and maintenance work gets done. She, in turn talks to Mr. Ball who takes care of the external work for the organization.

Mr. Ball, in turn will talk to the other Supervisors and make sure work is completed and followed up .

Mr. Millard stated that with so much interference from other agencies, he can't see how we can get anything accomplished. He also said that he didn't care for the idea that the trees on 15 Mile Road were approved for planting 25 feet off the road.

Mr. Manke asked about the bridge on 22 Mile Road. Mr. Randolph noted that we are planning o get it obligated with the funds this year. This is going to be the first rapid construct in the State.

Mr. Harvey asked if the bids are going out for the Custer Road Bridge. Mr. Randolph noted that the bids are going out the first week of June. The biggest complaint citizens have when collecting taxes is that they think their taxes go for the roads. Mr. Randolph said he would be happy to give him some brochures to assist in explaining it to the public.

CITIZENS' TIME

Mr. Veramay commented that we have quite a bit of oil well activity going on around the county and he hopes that Mr. Randolph is keeping his eye on it. Their equipment is very hard on the roads.

Mr. Bramble asked if the loggers were getting permits. They don't pay much attention to how much they put on the trucks. He inquired if we received the resolution from the township. Mrs. Johnson said that we received it this morning.

Mr. Berezonsky inquired about the building development on H Drive North and Kimball Pines Parkway. He wanted to know if it was a safety factor. Mr. Randolph noted that Kimball Pines Road would have limited access. Mr. Berezonsky asked why we put such a big ad in the newspaper. Mr. Randolph stated that we try to inform the public of what we do.

The next meeting of the Board of Road Commissioners of the County of Calhoun will be Wednesday, April 4, 2007 at 9:00 a.m. There being no additional business before the Board, Chairman Travis adjourned the meeting at 10:17 a.m.

Chester E. Travis, Chairman

Pixie Ann Coats, Deputy Clerk