

**LAPEER COUNTY ROAD COMMISSION
REGULAR BOARD MEETING
Wednesday, June 30, 2021
4:30 p.m.**

Present: Mr. James Novak, Jr. Chairman; Mr. Les Nichols, Vice Chairman; Mr. Terry Jostock, Member; Mr. Erick Pearson, Managing Director; Mrs. Tamela Delvecchio, Acting as Board Secretary; Mr. Zeb Schons, Superintendent; Mr. Destain Gingell, County Highway Engineer.

Mr. Gabe Forro, Lapeer District Foreman; Mr. Adam Sanderson, Shop Working Foreman; Mr. Dustin Vermeulen, Union President; Mr. Bradley McNary, Lapeer Working Foreman; Mr. Nicholas Streichert, Sign Foreman;

Mrs. Michell Haack; Mrs. Lisa Haack; Mrs. Joan Baker; Unknown guest;

Mr. Novak called the meeting to order at 4:30 p.m. The Pledge of Allegiance was recited.

Approval of the Agenda

063021-127

Motion by Commissioner Nichols, seconded by Commissioner Jostock to approve the agenda.
Motion carried.

Approval of Prior Board Meeting Minutes

063021-128

Motion by Commissioner Jostock, seconded by Commissioner Nichols to approve the Regular Meeting minutes for June 16, 2021. Motion carried.

Approval of Disbursements

063021-129

Motion by Commissioner Nichols, seconded by Commissioner Jostock to approve the Accounts Payable and Payroll dated July 1, 2021 in the amount of \$843,247.62. Motion carried.

Road Project Agreements

061621-122

Motion by Commissioner Nichols, seconded by Commissioner Jostock to approve the Deerfield, Rich, Atlas and Marathon Township Road Project Agreements.

Deerfield

504-006-213501 – Roadside Mowing, 1 double pass late spring and 1 double pass summer
Estimated Cost: \$6,904 per mowing, 3,452 LCRC, 3,452 Twp

Rich

504-018-214705 – Culvert replacement on E Millington Road
Estimated Cost: \$6,140 Twp.

Atlas

505-000-216009 - Dust Control – 3 miles of Washburn Road in Atlas Township

Marathon

504-013-214204 -Cross culvert – Klam Road between Williams and Dead end
Estimated Cost \$4200.00 Twp

489-013-214207 Tree removal – Levalley Road between Peters and Flint River & Flint River between
Levalley and Norway Lake
Estimated Cost: \$36,000.00 Twp

504-013-214205 Ditching and tree removal - Wilson Road
Estimated Cost \$24,189 Twp

489-013-214206 Gravel haul – 2000 ton to Barnes Lake
Estimated cost: \$24,780 Twp

TCO – Davison Lake Road
063021-131

Mr. Gingell requested approval of TCO#1(18)2021

TCO#1(18)2021

WHEREAS, under the provisions of Chapter VI of Act No. 300, Public Acts of Michigan of 1949, as amended (Michigan Vehicle Code), this Board is authorized to place and maintain traffic control devices and traffic control signals on any highway under its jurisdiction for the purpose of regulating, warning or guiding traffic;

WHEREAS, Squaw Creek Road over the Squaw Creek Drain located between M-24 and Beck Road is a local county road in Rich Township under the jurisdiction of this Board and, in the interest of public safety, it is deemed necessary to place and maintain certain traffic control devices and/or signals on said roads to regulate, warn or guide traffic.

THEREFORE, BE IT RESOLVED in accordance with the Engineer’s recommendation, that Squaw Creek Road over the Squaw Creek Drain located between M-24 and Beck Road in Rich Township be posted as follows:

CLOSED

This TCO Supersedes TCO# 1(18)1993

BE IT FURTHER RESOLVED, that the necessary signs shall be erected/removed to give notice of the regulation herein before established; and

BE IT FURTHER RESOLVED, that a certified copy hereof be filed with the County Clerk of the County of Lapeer, Michigan.

Roll call vote. Novak, aye; Nichols, aye; Jostock, aye. Motion Carried.

Title VI Non-Discrimination Plan

Motion by Commissioner Nichols seconded by Commissioner Novak to approve the updated Title VI Non-Discrimination Plan and the separate Limited English Proficiency Plan.

Commissioner Jostock requested a roll call vote.
Roll call vote. Novak, aye; Nichols, aye; Jostock, nay. Motion Carried

Commissioner Code of Conduct

Brief discussion was held by the commissioners, motion by Commissioner Nichols to approve, the matter was then tabled for the following meeting as Commissioner Jostock requested more time to review.

Managing Director Report

Mr. Pearson gave a brief update on the KWA 4005, he also explained that 5004, 4006 & 4007 are currently in stale mate holding pattern.

Superintendent Report

Mr. Schons stated that the first round of grading for brine done by LCRC came in under budget for all but two Townships. Mr. Schons gave the credit to the crews as he felt they did a great job! Mr. Schons mentioned that we started spray patching and we are still working on tree cleanup from the storm. Mr. Schons declared that Atlas Township had reached out to him and he worked with Genesee County to brine 3 miles of Atlas Township.

Engineering Report

Mr. Gingell gave a project update on General Squier and Saginaw Bridge projects as well as an update on IRT's. Mr. Gingell mentioned that there is a material shortage for projects but so far contractors have not asked for extensions on the current deadlines.

Public Comment

No comments during public time.

Commissioner Comments

Commissioner Jostock declared that he had an issue with how a situation with Joe, an employee, was being handled. Mr. Jostock stated that the situation was not handled the same as a previous employee. There was a discussion on the matter of the employee and how issues and concerns need to go through the proper channel, specific details were not released as the employee was not present to give permission for the discussion. Mr. Schons explained that all cases are handled differently and all our moves are based on recommendations from our Work Comp carrier, our Liability Insurance pool and/or through our legal counsel.

Commissioner Jostock also declared that he had spoken with Ms. Emma Brandt after she left the Finance position at LCRC. Mr. Jostock stated some complaints from Ms. Brandt about the Road Commission. Commissioner Jostock stated that he had an issue with the contracts for Ms. Emma Brandt and Mrs. Tamela Delvecchio. Mr. Pearson stated that we all agreed on these contracts in the executive session. There was continued discussion on the positions and the office.

Mr. Schons asked Commissioner Novak if he could read a statement he had prepared. Commissioner Novak allowed.

“Along with every employee here I have an extremely difficult job to do and that is to ensure that the traveling public make it to and from home everyday safely. This when coupled with budget constraints seems impossible some days, but we manage to pull it off every day of the year no matter the conditions. I hope this board recognizes just how difficult of a task this is. My staff and I are responsible for the maintenance of 1500 miles of road, working with 18 Township boards all while directly supervising the maintenance department consisting of roughly 40 employees. I believe if you were to ask my staff if I was a fair and honest boss they would agree. Would they tell you I’m their favorite person every day? No and I don’t expect them too. There are days where they might not like the answer, I give them. I think they would tell you I’m quick to give praise but am also quick to address a problem or a concern. For the last 17 years, 10 of which being in a supervisor capacity, I have never once been in front of this board for a performance or disciplinary issue. Over my 17 years I have never received any type of disciplinary action. To say LCRC runs flawless would be a lie. Do we make mistakes, every day? That being said not once in 17 years have I seen Rick make a poor moral decision. To be honest sometimes it is frustrating because of his ability to slow down a project of mine by making sure all of the process is by the book. I am always responsive to questions or concerns that the board might have. I believe I always answer or return the call. That being said this board employees me to make decisions that are in the best interest of the Road Commission. Decisions that keep the traveling public safe, our employees safe and to minimize any litigation that we could find ourselves in. To say I was knocked down on me heels last night is an understatement. I received a text from a board member advising me that he had advised one of my employees not to sign a document that I wanted him to sign. I immediately call Mr. Jostock and asked what this pertained to. Mr. Jostock advised that he had been contacted by this employee and Mr. Jostock advised him to not sign any document before coming to the board. While on the phone I was also asked about Tamela using 5 days of funeral leave for the unfortunate and tragic death of her brother. He asked why this was approved when her contract only grants her 3 days. I advised Mr. Jostock that I would check into both of these situations and immediately call him back. I contacted the employee and asked what form he was talking about and the employee advised me that it wasn’t a form but the summary of the employee consultation that he had already signed. I looked at payroll and verified that Tamela had only in fact used 3 days of funeral leave. Tamela brought her paycheck stub for you to see and confirm this. I immediately called and texted Mr. Jostock back but received no answer.”

“To say I was even more blindsided last night is an understatement. While laying down for bed I opened Facebook and was immediately taken back by Mr. Jostocks posts. I have screen shots if anyone would like to read them. The first is obviously about LCRC authorizing five days off for Tamela which I believe by the documents in front of you have been proven false. The second was a post by Mr. Jostock stating that he is going for the juggler, is sick of LCRC fucking with good people and stating that myself Rick and Linette better look out. The third is a post about him having an hour-long conversation about how LCRC can treat their employees and how anybody can be such a piece of shit. Mr. Jostock I will ask you to provide details of this conversation here or in an executive session so that I can address these concerns. I find these posts to be deeply concerning. I find myself asking why on Facebook, why not address these issues with me first so that I can get all the facts. I feel these posts are a direct attack on not only myself but every other supervisor here. How am I supposed to perform my duties as a superintendent if an employee can make these claims to a board member and the board member informs

him to not do what I have asked? I can assure you that this is the first time I am hearing these concerns. How am I to address or correct this if I am not aware of them?"

“In my 17 years of service, I have always been proud to work for this organization. I have always been proud of our employees as well as our board. For the first time I can say that I am embarrassed. Not because of the performance of the employees and fellow supervisors but because of the public allegations that come with no merit or justification. Maybe this wasn't the best statement to make to the board but you do pay me to be honest and upfront. I view these comments as a direct slap in the face to my employees and supervisors who work hard for us everyday and also to this board. I would ask that in the future you direct any employee related concerns to me first before going to social media. I told you I would call you right back with factual information, these calls went unanswered.”

There was a brief discussion.

Mr. Gingell asked Commissioner Novak to be excused from the meeting as he had an appointment, 5:15pm.

Mr. Forro, District Foreman for Lapeer, stated that he has always been treated fairly and he enjoys working here. Mr. Forro mentioned that he doesn't always agree with Managements decisions but those our above his pay grade. Mr. Forro declared that he fielded several phone calls from people who saw the post and it was upsetting to read these on Facebook, it stirs things up with the employees and causes issues.

Being no further business, Chairman Novak declared the meeting adjourned at 5:20 p.m.

James Novak Jr., Chairman

Tamela M Delvecchio, Acting as Board Secretary