

December 12, 2018

The Board of County Road Commissioners met at 9:00 a.m. for a regular meeting at 1250 S. M-33 West Branch, Michigan

Members present: Chairman Van Sheltroun, Commissioners Mark Williams and Dan Winter, Managing Director Pat Reinke and Board Clerk Brand Curtis

Guests: Klint Marshall, Commissioner Elect; Bill Sperow, State/Construction Foreman; Gary Kaiser, County Foreman; Luke Wilkins, Union President United Steelworkers; Dave Coates, Union Financial Secretary United Steelworkers; Bill Borushko, Employment Relations Advisors, LLC; Bruce Reetz, Ogemaw County Commissioner; Dave Mayhew, Hill Township Trustee

Commissioner Sheltroun called the meeting to order at 9:00 a.m.

Additions to the Agenda: Alward Electric Lighting  
Huron Pines Contract  
Current Legislative Updates  
Closed Session-Union Negotiations Discussion  
County Road Sign Policy & Action Plan Creation

Past minutes for November 28, 2018, were reviewed. Motion by Williams, supported by Winter, to make a correction to the minutes which should read "A discussion was held on Ogemaw Road in the Plat of Island Lake Resort, Rose Township". Motion carried by all.

Motion by Winter, supported by Williams, to approve and pay payroll voucher #1910 and payable voucher #1911 in the total amount of \$160,397.25. Motion carried by the following roll call vote: Ayes: Sheltroun, Williams, Winter. Nays: None. Motion carried.

Motion by Williams, supported by Winter, to approve the 2019 board calendar as presented. Motion carried.

A discussion was held on Ogemaw Road in the Plat of Island Lake, Rose Township. Reinke informed the Board, Mr. Zimostrad continues to pursue creating a special assessment district. Mr. Zimostrad anticipates the special assessment district will be established February-March of 2019. The Board was in concurrence in permitting the Ogemaw County Road Commission to continue winter maintenance on Ogemaw Road reliant Mr. Zimostrad continues the effort towards the creation of the special assessment district.

**Resolution 2018-14  
Decertification of Ogemaw Road, Rose Township**

Commissioner Williams moved the adoption of the following resolution:

WHEREAS, in 1931, PA 130, the Township Road Relief Act, was passed, referred to as the McNitt Act, requiring Counties to establish a Road Commission that took over jurisdiction of 20% of the townships roads each year from 1932 through 1936.

WHEREAS, the roads taken over by the Road Commission were then certified with the State of Michigan and became the base for each Road Commission's network of roads. There were two types of roads that were not certified by the Road Commission during these years: Private roads and Platted roads.

WHEREAS, the plat of Island Lake Club # 2 was approved in 1927, then vacated in 1932 and dedicated to the use of the public.

WHEREAS, the plat of Island Lake Club #2 was replatted in 1946 as Island Lake Resort and dedicated to the use of the lot owners as a private road.

WHEREAS, January 1969, Ogemaw Road, in the plat of Island Lake Resort, Sections 1 and 2, T24N, R2E, was erroneously included as an addition to the Ogemaw County Road Commission's certification map as a county maintained road and has been maintained by the Road Commission since 1969.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Commissioners for the Ogemaw County Road Commission agree in the decertification of Ogemaw Road in the Plat of Island Lake Resort, Sections 1 and 2, T24N, R2E, Ogemaw County, Rose Township, for a total decertification of 0.36 mile.

The motion was supported by Commissioner Winter and carried by the following roll call vote: Ayes: Sheltroun, Williams, Winter. Nays: None. Motion carried.

Motion by Winter, supported by Sheltroun, to approve the following policy:

**OGEMAW COUNTY ROAD COMMISSION  
EMPLOYEE THEFT POLICY**

Ogemaw County Road Commission values all employees and their property, and expects that employees in turn value the Road Commission and its assets. Therefore, we will tolerate no employee theft, or stealing of any kind, including fraudulent time card reporting. That includes theft of money, information, products, inventory, tools or any items that belong to the Road Commission or to an employee or customer.

As such, we expect all incidents of employee theft to be reported immediately to the manager or supervisor, along with any data or information you have observed or obtained. We further retain the right to use video cameras and audio recording methods as well as software to identify and detect employee theft.

Below are examples of types of theft to illustrate prohibited behaviors:

- Employees may not take petty cash without prior authorization and documentation.
- Employees may not take products without payment, such as inventory, including samples, or broken / returned items or any Road Commission equipment or supplies.
- Employees may not give away products or services without prior approval. This includes not giving freebies to friends and family or taking home samples without prior approval.

Employees caught breaking any state or federal law, including employee theft of private or company property or falsifying timekeeping records will be terminated with no warning given.

In addition, a police report may be filed, as well as a potential lawsuit against the employee with a request for restitution of funds or products, inventory or assets. We will investigate all claims of theft or employee stealing.

Motion carried by the following roll call vote: Ayes: Winter, Sheltroun, Williams. Nays: None. Motion carried.

Motion by Winter, supported by Sheltroun, to approve the following policy:

**OGEMAW COUNTY ROAD COMMISSION  
DISPOSAL OF SURPLUS PROPERTY**

The following procedure is to be followed by the Manager and/or his/her designee in the disposal of surplus equipment. This policy shall not apply to real property. "Surplus" materials are defined as items no longer useful to the Road Commission but having resale value.

All Road Commission property that is no longer required or useful for operations shall be disposed of in the manner most advantageous to the Road Commission. Equipment/materials that are deemed obsolete, scrap, or surplus should be either sold at the highest price or removed at the least cost to the Road Commission.

Employees of the Road Commission are eligible to purchase surplus property of the Road Commission for its resale value. The resale value shall be determined by the Road Commission and shall be no less than the depreciated value of the equipment. The employee must secure the written authorization of the Manager and/or his/her designee to make such a purchase.

A sale to an employee may only occur if the following criteria are met:

- a. The employee pays the established resale price;
- b. The employee is willing to arrange for removal of the property, within a reasonable time and at his/her expense;
- c. The employee is willing to accept the property on an "as is" basis; and
- d. There is little or no expense to the Road Commission in making the sale.

The Road Commission reserves the right to accept or reject any or all bids and requests for its surplus property. Surplus equipment that cannot be disposed of by sale shall be disposed of in the most cost effective, environmentally acceptable manner available.

Any equipment which records or stores material of a proprietary nature, material which is protected by federal or state statute (such as HIPAA), or which has material with separate copyright issues must have this material/data removed before disposition. Computer drives must be cleared of all software and files prior to disposition.

Motion carried by the following roll call vote: Ayes: Williams, Winter, Sheltroun. Nays: None. Motion carried

A discussion was held on the Social Media Policy approved by the Board on January 10, 2018. Reinke informed the Board, the Social Media Policy provides guidance for employees, he does not have the means to monitor every social

media site, and issues must be brought to his attention.

Motion by Winter, supported by Williams, to process the damage claim submitted by Jon Crawford/Crawford Sand and Gravel for damages sustained to a building in the amount of \$6,073.07. Motion carried by the following roll call vote: Ayes: Williams, Winter, Sheltroun. Nays: None. Motion carried.

Motion by Winter, supported by Williams, to approve Alward Electric's quote for parking garage light upgrade in the estimated amount of \$7,050. Motion carried by the following roll call vote: Ayes: Sheltroun, Winter, Williams. Nays: None. Motion carried.

Motion by Williams, supported by Winter, to authorize Manager to enter into agreement with Huron Pines for the replacement of a culvert on Houghton Creek Road for an estimated cost of \$53,000, 50/50 cost sharing with Huron Pines agreeing to pay up to \$31,000 towards the project. Motion carried by the following roll call vote: Ayes, Sheltroun, Winter, Williams. Nays: None. Motion carried.

A discussion was held on current sign purchases, installations, and upgrades. Commissioner Williams, requested Manager to create a County Road Sign Policy and an action plan to include the estimated budget amount of the project, sign count in Ogemaw County, and the estimated years it will take to replace and upgrade signs countywide. Reinke will follow up.

As a follow up to the last board meeting regarding Sage Lake Pedestrian Crossing sign, Reinke informed the Board a sign upgrade took place in 2014 at this location and Pedestrian Crossing signs were installed. Reinke did visit the location to verify the Pedestrian Crossing signs were still in place and informed the Board they were. Commissioner Williams, requested Reinke to contact the State Police and request a speed study for this location. Reinke will follow up. Public comment was received. It was consensus of the Board to direct Manager to install lollipop reflectors on the Pedestrian Crossing signs. Reinke will follow up.

Reinke updated the Board on recent legislative activities.

Reinke reviewed winter maintenance expenditures with the Board. It was reported as of December 8, 2018, 20% of the winter maintenance budget has been used to date.

Employee safety meeting and lunch will be held on December 24, 2018.

Mr. Mayhew approached the Board regarding the trimming of trees on Birch Drive in Hill Township. Sperow informed the Board of the Road Commission's right-of-way in the subdivision along Birch Drive. Sperow requested Mr. Mayhew to contact the Road Commission when issues such as this occur so we can promptly look into the concern.

Commissioner Reetz informed the Board of 3 new Commissioners who will take office January 1, 2019.

Reinke updated the Board on the status of the federal aid exchange.

At 10:08 a.m., Chairman Sheltroun made a motion for five-minute recess.

Motion by Williams, supported by Winter, to recess the board at 10:15 a.m. to go into closed session for union negotiation discussion. Motion carried by the following roll call vote: Ayes: Winter, Williams, Sheltroun. Nays: None. Motion carried.

The board returned to regular session at 10:50 a.m.

There being no further business, meeting adjourned at 10:50 a.m.

Signed: \_\_\_\_\_  
Van Sheltroun, Chairman

Countersigned: \_\_\_\_\_  
Brandy Curtis, Board Clerk