

HILLSDALE COUNTY ROAD COMMISSION

January 30, 2015

SPECIAL MEETING MINUTES

A special meeting was called to order by Chair Bob Godfrey on Friday, January 30, 2015, at 11:00 a.m. at the road commission office to review the suggested resolution of two winter overtime grievances after mediation last Friday and to attend to other business as necessary.

Members present: Mike Parney, Bill Watkins & Bob Godfrey.

Staff present: Stanley Clingerman, Engr.-Mgr., Bill Hendershot-Foreman & Janet Aemisegger, Clerk.

Visitors present: None.

Agenda Approved

Having reviewed the agenda for this date, one addition was requested. The chair declared the agenda to stand approved as revised.

CONFIRMATION OF PAYROLL AS AUTHORIZED FOR PAYMENT BY THE STAFF

#15-015 Bob Godfrey moved, Bill Watkins seconded, to confirm the payment of the personal leave pay-off payroll in the amount of \$24,837.80 and the regular payroll in the amount of \$81,249.53 per Payroll Check Registers dated 01/28/2015 and 01/29/2015 respectively as authorized by the engineer-manager and the clerk. Motion carried.

AMBOY TOWNSHIP GRAVEL ROAD STABILIZATION AGREEMENT APPROVED

#15-016 Bill Watkins moved, Bob Godfrey seconded, to approve and sign a township agreement with Amboy Township for gravel road stabilization. Carried.

2014 Gravel Road Scraping Report for Allen Township

In response to his inquiries at the recent annual township meeting with the HCRC, the engineer-manager advised that he prepared and delivered to the Allen Township Supervisor a package of documents detailing our gravel road scraping in 2014 and driver absences. The engineer-manager and Foreman Bill Hendershot met with Supervisor Scholl and Trustee Payn on Tuesday regarding some projects.

After some research, it was documented that the road crews scraped 33 different days in 2014 in Allen Township and Mr. Scholl was given copies of the scraping maps as proof. The entire crew scraped gravel roads throughout the county on 28 days of the year. As for Mr. Scholl's question regarding driver absences, the absentee records showed the western truck driver was only absent 5 days during scraping. The eastern truck driver actually missed more days, mostly for fall harvest. Mr. Clingerman noted that employees are entitled to vacation and personal days and he's sure there were employee absences in other township beats on scraping days also.

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As for the amount of scraping in adjacent Fayette Township, the crews scraped 21 days in 2014 in this township. The engineer-manager reminded the township officials that Fayette Township brines their gravel roads 3 times so maybe that's probably why Bean Road gets scraped a little more.

Update Re: Litchfield Road Bridge Replacement Project

The engineer-manager mailed to the abutting property owners and township clerk, an update regarding the Litchfield Road bridge replacement plans and schedule. A meeting was held with MDOT and our bridge designer on 1/16/2015 to review the plans and documents. The project will be bid by MDOT in the spring, probably about May 1st. The contractor should begin work after the July 4th holiday with the bridge to be open by September 25th in time for fall harvest. DNR won't allow them to work in the river in May and June. The project cost is \$650,000 and there will be 475 feet of road work.

Report Re: MDEQ Meeting Re: Oil Field Brine

The engineer-manager reported that he attended an oil field brine meeting at the MDEQ this week. It appears they will renew 5 year general permits as long as applicators have written standard operating procedures on file. The engineer-manager said he was the only southern road commission representative at the meeting. There were several there from the northern counties and they stressed the importance of being able to use oil field brine on the roads. John Pate attended the meeting as well and expounded at great length. It was proposed that more brine tests should be done behind the trucks, but those present indicated that would be pretty expensive. The engineer-manager doesn't think there will be any change in the procedures. It was agreed everyone needs good operating procedures.

Progress Update Re: Truck Bid Specs

The engineer-manager updated the board on his progress on the truck bid specs and bidding of 4 new trucks and which trucks should be replaced. The board reviewed a list of our tandem trucks showing the year and the miles on each truck. The four older 1999 model trucks have 280,000-318,000 miles on them and Gerry Lawson's tandem has a very badly cracked frame. The three 2002 tandem trucks used on the state roads have been proposed for replacement so MDOT could help share their replacement cost based on their depreciation. Upon study of the recent state audit, MDOT paid an additional \$30,000 over and above the equipment rental on the newer state road truck, which really helps. These trucks have 112,000 to 133,000 miles on them. The oldest two spare trucks, 8618 and 8619, 1996 Fords, have over 300,000 miles on them so they will be sold. Mike Parney asked if any of the trucks in particular have major issues no matter what their age or miles. If so, we might consider moving them up on the replacement list based on their repair history. Mr. Clingerman said the decision doesn't have to be made right now, but we'll have to decide what the best replacement plan might be.

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Outcome of January 23 Mediation Grievances

Mr. Clingerman updated the board on the outcome of the January 23rd mediation session on two grievances as follows:

Koers –Hiring of winter temp snow plow drivers:

No contract violation per mediator, but suggested employer could cap the number hired to alleviate fears from the Association.

Stemen –Winter temp overtime not offered to him:

Mediator felt that OT should be offered to all Association employees before offering OT to winter temps, and pay employee for all 17 OT hours he missed.

The Koers' grievance was handled first and there was a lengthy discussion regarding hiring the winter temps. Everyone agreed on both sides, management and Association, that we'd rather have full-time employees than winter temps, but due to the budget it's not affordable at this time. In order to provide good service in the winter, we have been somewhat forced to hire the temporary winter snow plow drivers. In a survey of our eight surrounding counties, Mr. Clingerman noted that all of them hire temporary truck drivers, except for Lenawee because it's prohibited in their labor contract. It's standard practice in road commissions. The Jackson CRC actually hired a winter temp for a mechanic. In conclusion during mediation, the mediator said there was no contract violation and the grievance would not prevail in the Association's favor if it went to arbitration. The employer is under no obligation to limit the number of temps hired either.

The Stemen winter temp overtime grievance was handled next. Mr. Stemen is currently working in the night patrol position and grieved that he should be offered the winter overtime before the winter temps. The last couple winters, when the crews were working overtime due to the snow, all of the drivers have been called in to work, including the mechanics and sign crew. In reading over the labor contract, it was agreed that the temporary employees have no protection in the contract and that the winter overtime should be offered to all bargaining unit employees before the winter temps.

A discussion was held regarding all of the different scenarios for winter call-ins, including winter week-end overtime, and how the overtime should be handled in everyone's opinion. Bob Godfrey asked how many hours Stemen can work in accordance with DOT rules, if he's worked all night as night patrol and the crews are working overtime during the day? Bill Hendershot said we aren't governed by DOT relative to hours worked. We're exempt. They discussed Stemen's sleep pattern and he explained how he could be rested and available for overtime work.

Mr. Clingerman said one way this matter could be handled would be to restrict the winter temps to just 8 hours of work per day—don't call them in early or work them late. If we do call the winter temps in at 4:00 a.m., we'll have to pay Stemen for a half hour of overtime for 6:30 a.m.-7:00 a.m.

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Per Stemen's grievances, he missed 17 hours of overtime and they were not negotiable per Mr. Stemen. The mediator determined the HCRC owed him for those hours based on the terms of the contract so he will be compensated for the hours.

Stemen filed another grievance this week when all of the crews were called in at 5:30 a.m. yesterday morning. He requested he be paid for the 1.5 hours of overtime that the winter temps worked. Management asked him how he can be paid for the overtime when he's already working his night patrol shift until 6:30 a.m. He is already being paid for the first hour and we agreed to pay him for the 0.5 hour of overtime he was available to work. He also asked for a half hour he thought he missed on January 21st, but the engineer-manager showed him he was already paid for that time in the 17 hours. Mr. Clingerman contacted the mediator regarding the new grievance and he firmly stated that we already have an agreement with the Association regarding all of the overtime scenarios pertaining to Mr. Stemen. He said there's nothing in the contract about equalizing overtime. He would recommend that the Association not advance this new grievance any further. Mr. Clingerman has conveyed the message to the Association president.

"WINTER TEMPORARY EMPLOYEES" LETTER OF UNDERSTANDING APPROVED FOR CONVEYANCE TO ASSOCIATION FOR CONSIDERATION

The engineer-manager offered a letter of understanding (LOU) for the board's consideration in an effort to resolve the winter temporary employee grievance filed by Jim Koers. A summary of the LOU follows:

- Offer OT to all bargaining unit employees before offering OT to winter temporary employees.
- Agree to limit number of winter temporary employees hired to not exceed 13.33% of the number of bargaining unit employees.

The board agreed that the terms of the contract require that overtime be offered to all bargaining unit employees first. However, the general consensus of the board was to not limit the number of winter temporary employees that can be hired. The engineer-manager will offer the letter of understanding to the Association after the last sentence of the draft is struck.

#15-017 Bill Watkins moved, Bob Godfrey seconded, to approve and sign the revised "Winter Temporary Employees" letter of understanding agreeing to offer overtime to all bargaining unit employees before offering overtime to winter temporary employees. Carried. Copy attached.

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“ISOLATED WINTER MAINTENANCE OVERTIME” LETTER OF UNDERSTANDING APPROVED FOR CONVEYANCE TO ASSOCIATION FOR CONSIDERATION

The engineer-manager offered another letter of understanding (LOU) to the board for their consideration to resolve an older grievance. A summary of the LOU follows:

--OT on call-in during winter season for isolated slippery spots shall be offered first to the heavy truck driver whose beat the hazard is located in.

After some discussion and one slight revision, the board agreed to the letter of understanding as revised. The terms made sense to the board.

#15-018 Bob Godfrey moved, Bill Watkins seconded, to approve and sign the “Isolated Winter Maintenance Overtime” letter of understanding as revised. Carried. Copy attached.

The engineer-manager will offer both letters of understanding to the Association for their approval.

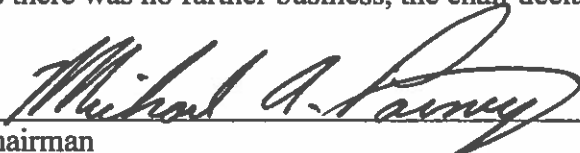
NEXT BOARD MEETING CANCELLED (2/05/2015) WITH STAFF AUTHORIZED TO PREPARE BILLS FOR PAYMENT NEXT WEEK

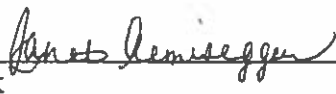
Due to other meeting conflicts and scheduled absences for next week, Bob Godfrey asked the other board members if they would consider cancelling the 2/05/2015 board meeting and authorize the staff to prepare and pay the bills next week with confirmation at the next board meeting to be held on 2/19/2015.

#15-019 Due to other meeting conflicts and scheduled absences for next week, Bob Godfrey moved, Bill Watkins seconded, to cancel the February 5, 2015, board meeting and to authorize the staff to prepare and pay the bills next week with confirmation by the board at their February 19, 2015, board meeting. Carried.

Meeting Adjourned – 11:50 a.m.

As there was no further business, the chair declared the meeting adjourned at 11:50 a.m.


Chairman


Clerk

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