

**LAPEER COUNTY ROAD COMMISSION  
REGULAR BOARD MEETING  
Wednesday, January 12, 2022  
4:30 p.m.**

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Present: Mr. James Novak, Jr., Chairman; Mr. Leslie Nichols, Vice Chairman, Member; Mr. Terry Jostock, Member; Mr. Erick Pearson, Managing Director; Mr. Joseph Minaudo, Board Secretary; Mr. Destain Gingell, County Highway Engineer.

Residents: Mr. Bob Van Den Berg, Mr. Ron Cischke, Mr. Rick Dodge, Mr. Israel Farret, Mr. Jack Jostock, Ms. Jani Powell, Mr. Robert Hartwig, Mr. Rick Shankel, Mr. Bob Dennany, Mr. Larry Van Horn.

Chairman Novak called the meeting to order at 4:30 p.m.

**Approval of the Agenda**

**011222-002**

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

**Approval of Prior Board Meeting Minutes**

**011222-003**

Motion by Commissioner Nichols, seconded by Commissioner Jostock to approve the Regular Meeting minutes for December 29, 2021. Motion carried.

**Approval of Disbursements**

**011222-004**

Motion by Commissioner Nichols, seconded by Commissioner Jostock to approve the Accounts Payable and Payroll dated January 13, 2022 in the amount of \$737,743.44. Motion carried.

**Road Project Agreements**

**011222-005**

Motion by Commissioner Jostock seconded by Commissioner Nichols to approve the Township Road Project Agreements. Motion carried.

489-004-223304 Burlington Township – Gravel Haul – Various Roads.  
Estimated Cost: \$17,500.00 Twp.

**Managing Director Report**

**Board Code of Conduct Amendment**

**011222-006**

Motion by Commissioner Nichols, seconded by Commissioner Jostock to approve Code of Conduct Amendment. Motion carried.

**Policy Subject: Lapeer County Road Commissions' Code of  
Conduct**

Authorized by Board of Road Commissioners  
Amended

Date: 07/14/2021  
Date: 01/12/2022

The Lapeer County Road Commission Board agrees they shall conduct themselves lawfully, with integrity and high ethical standards. Each Commissioner shall:

- Attend as many meetings as possible, stay informed of issues concerning the Road Commission, and inform the Managing Director of any impending absences.
- Exercise his/her obligation to vote upon issues at hand unless a conflict of interest is present, or abstain.
- Avoid personally directing or interfering with any part of the operations or administration of the Road Commission, and instead refer operational or administrative matters or concerns to the Managing Director.
- Work with other Commissioners to establish effective policies, and delegate authority for administration of the Road Commission to the Managing Director.
- Avoid being placed in a position of conflict of interest and refrain from using our Board position for personal or partisan gain.
- Avoid, as any individual member, indicating that a position is representative of the Board unless the issue has been thoroughly discussed and approved at a Board meeting and will support the position officially taken by the Board.
- Promptly and timely report any threatened, suspected, or known legal concerns involving the Road Commission or any threatened or filed litigation against the Road Commission to the appropriate entities, which may include (but may not be limited to) the Managing Director, the Board Chairperson, or the Road Commission’s risk insurers.
- Strictly maintain confidentiality appropriate to sensitive issues and information that otherwise may tend to compromise the integrity or legal standing of the Road Commission, especially those matters discussed in a closed session that is privileged under applicable law.
- Adopt policies and programs that do not discriminate on the basis of religion, race, color, national origin, age, sex, height, weight, marital status or disability.

**Allan Johnson Resolution**  
**011222-007**

**BE IT KNOWN TO ALL PERSONS THAT**

**In Special Recognition of**

**Allan Johnson, Lapeer County Road Commission**

WHEREAS, Allan Johnson worked in the following departments and locations; Mechanic in the Lapeer Garage in December of 1996; Truck Operator in September of 1998, Truck Operator in the Construction Crew in 2000, and a Heavy Equipment Operator at the North Branch Garage in June of 2005, and has remained there for the remainder of his career; and,

WHEREAS, Allan Johnson is a dedicated and faithful employee of the Lapeer County Road Commission; and,

WHEREAS, Allan Johnson has used his talents as an Mechanic, Truck Operator and knowledge as a Heavy Equipment Operator to maintain the roads in Lapeer County for the past twenty-five plus years; and,

WHEREAS, as a result of Allan Johnson’s diligence and work ethic, he has contributed greatly to the excellent condition of the roads in the Lapeer and North Branch Districts, ensuring the wellbeing of all who use them; and,

WHEREAS, Allan Johnson will be retiring January 15, 2022 after more than twenty-five years of service to the community; and,

WHEREAS, Allan Johnson’s hard work will be missed by one and all.

NOW THEREFORE BE IT RESOLVED, that the Board of Lapeer County Road Commissioners, does hereby extend our sincere thanks and heartfelt gratitude.

BE IT FURTHER RESOLVED, that this resolution be entered into the records of the Board of Lapeer County Road Commissioners, Lapeer County, State of Michigan on this twelfth day of January, 2022, there to remain forever.

**Board Resolution**

**011222-008**

Motion by Commissioner Nichols, seconded by Commissioner Novak to approve Board Resolution. Novak and Nichols Aye, Jostock Nay. Motion carried.

**RESOLUTION**  
**LAPEER COUNTY ROAD COMMISSION**

WHEREAS, the Lapeer County Road Commission has adopted a Code of Conduct for the Commissioners;

WHEREAS, that Code of Conduct specifically prohibits Commissioners from directing or interfering with any parts of the operations or administration of the Road Commission;

WHEREAS, it further directs Commissioners to refer operational or administrative matters or concerns to the Managing Director, not to involve themselves;

WHEREAS, in carrying out that Code of Conduct, the Board re-affirms that policy and directs that no individual Commissioner should be in any of the work areas and/or discuss with any employee any matter pertaining to the Road Commission during working hours without the express approval and consent of the Managing Director;

WHEREAS, also in furtherance of this policy, all employees of the Road Commission when approached by any individual member of the Road Commission during working hours and on Road Commission premises, is authorized to tell the individual Commissioner that pursuant to the actions by the Board of Road Commissioners, they are not obligated to talk to the Road Commissioner during working hours and are directed to refer any questions to the Managing Director;

WHEREAS, the Managing Director will provide a copy of this Resolution to all supervisors; and

WHEREAS, the Board acknowledges its obligation to allow the Managing Director to manage the operations, employees to perform their job and services on behalf of residents of the community and that the Board of Commissioners only speaks through the Board as a whole, not through individual Board Members and their statements or actions.

Mr. Pearson informed on the change of Precision time clock programs, from TCK to RMS. TCK support will be discontinued. Board member payroll check stubs will be emailed.

Mr. Pearson stated brush axe work is going on in Dryden and Attica. A new John Deere Tractor will be delivered in March 2022. All are happy due to prices now being 20% higher than when we originally ordered.

Mr. Pearson said we are using a sand/salt mixture due to the frigid temperatures.

Mr. Pearson stated the more seasoned staff are sharing their winter maintenance experience with the younger guys.

Mr. Pearson informed we are preparing for the Township Meeting coming up soon.

**Engineering Report**  
**Approval of Act 51 Changes**  
**011222-009**

Motion by Commissioner Nichols, seconded by Commissioner Jostock to approve the Act 51 changes. Motion carried.

Mr. Gingell informed the District Forman are to review maps for the bridge policy on bridges less than 8 tons.

Mr. Gingell stated the Oxcart program is live for right of way permits.

**Public Comment**

Mr. Ron Cischke thanked LCRC for it's great work on clearing the roads for the Gerald Nelson funeral precession.

Mr. Ron Cischke of Goodland Township also thanked the LCRC Board for it's support with the Shaw Road Project.

**Closed Session**

Discussion of written legal opinion

**011222-010**

Motion by Commissioner Novak, seconded by Commissioner Nichols to go into closed session for the purpose of a discussion of written legal opinion. Roll Call Vote: Novak, aye; Nichols, aye; Jostock, aye. Motion carried unanimously at 4:52pm.

**011222-011**

Motion by Commissioner Jostock, seconded by Commissioner Nichols to come out of closed session at 5:48pm. Roll Call Vote: Jostock, aye; Novak, aye; Nichols, aye. Motion carried.

**011222-012**

Motion by Commissioner Nichols, seconded by Commissioner Jostock to approve the closed session minutes. Motion carried.

**Commissioner Comments**

Commissioner Nichols remarked on the good job done on the roads.

Commissioner Jostock suggested the need for a financial report of some kind.

Being no further business, Chairman Novak declared the meeting adjourned at 5:50 p.m.

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James Novak Jr., Chairman

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Joseph P. Minaudo, Jr., Board Secretary