



# POOLCUE

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A quarterly publication of the Michigan County Road Commission Self-Insurance Pool. Visit [www.mcrcsip.org](http://www.mcrcsip.org) for past issues.

## Upcoming Events

July 20-21

MCRCSIP Annual Meeting

Soaring Eagle Conference Center

## “Free” Rooftop Solar Panels: Are They Worth It?

Bill Henn  
Robert Backus  
Henn Lesperance PLC

Recently, one of MCRCSIP’s members was approached by a company with an offer to install a solar panel system on the rooftop of the Road Commission’s garage at no cost to the Road Commission. The solar panel system converts energy from the sun into electricity, and a device called an “inverter” then converts the electricity from direct current (“DC”) into alternating current (“AC”) for use in the host building. This would allow the Road Commission to draw less electricity (or none at all) from the local utility company, and even creates the possibility that the Road Commission could put energy out onto the grid under certain weather conditions. While the Road Commission pays nothing for the installation of the solar system, it pays the solar company for the electricity produced by the solar panel system and used on site, but at a discounted rate. Essentially, the Road Commission would be targeting a 10% discount on the electricity purchased from the solar company.



This type of solar photovoltaic (PV) electrical system is known as “distributed generation,” which refers to electricity that is produced and used on-site. In these projects, the energy produced by the system flows into the host’s electrical system and provides part or all of its energy needs. A distributed generation project is primarily intended to meet the energy needs of the site where the project is located. This type of solar PV system is also connected to the utility’s transmission infrastructure and allows the property owner to sell to their local utility any excess electricity its system produces. It also allows the property owner to purchase as much electricity from the utility as needed if its solar system does not generate enough electricity to meet its needs.

The written agreement, commonly called a “Solar Power Purchase Agreement” (“Solar PPA”), is structured as a 25-year lease of the solar equipment installed on the rooftop, with the Road Commission as the Lessee and some affiliate of the solar company as the Lessor and Owner of the solar equipment. The solar panel system is designed to provide a specific percentage of the Road Commission’s energy needs, and solar company charges the Road Commission only 90% of however much the utility company would have charged the Road Commission for that same amount of energy. Over the course of 25 years, that discount adds up to a significant amount of overall savings.

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## "Free" Rooftop Solar Panels: Are They Worth It?

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Is this all too good to be true? Maybe and maybe not. There are some concerning aspects to this sort of arrangement that must be weighed and addressed by road commissions before entering into a Solar PPA. For example, road commissions store a fortune's worth of expensive equipment inside their garages. Fixing an electrical solar panel system on top of the building creates additional fire hazards and risks of casualty to the

building and the expensive equipment stored inside. In the Solar PPA this office reviewed, the responsibility for that loss lies with the Road Commission. This is not to say road commissions should avoid Solar PPA's altogether, but merely that the agreements are subject to negotiation, and that both legal counsel and MCRCSIP should be involved to negotiate the best terms possible and to minimize liability risk.

There are many benefits to utilizing a rooftop solar panel system, for both the consumer and the environment. But understanding the true nature of the Solar PPA, costs, and potential risks is essential to place both Pool Members and MCRCSIP in the best possible position to take advantage of this exciting possibility. As always, should you have any questions, please do not hesitate to contact MCRCSIP.



## MCRCSIP Annual Meeting Registrations Are Open!

July 20-21, 2022

Soaring Eagle Conference Center

You can register for our Annual Membership Meeting on the MCRCSIP website.

For Soaring Eagle room reservations, please go to [www.soaringeaglecasino.com](http://www.soaringeaglecasino.com) and use group code MCRCSIP071922.





# THE Intersection

Where News & Ideas Connect



This month's bulletin is provided by **Lester Livermore, MCRCSIP Chairman**

Dear Members,

If there has been any one area that has been a challenge these last couple of years, it has been our ability to successfully communicate. Covid shutdowns, new technologies and even having our faces covered with masks has impacted how we convey and receive information. Simon Sinek says, "Communication is not about speaking what we think. Communication is about ensuring others hear what we mean." So how do we make sure that people hear and comprehend the information that we need to share?

- ☑ Keep your message simple. Unnecessary information gives more opportunity for confusion.
- ☑ Stay focused on what your listener needs from you to be successful, not what you need to look important. You will get more accomplished if you aren't concerned about who gets credit.
- ☑ Explain "Why", so your listeners can see the bigger picture. When people know why, they are much better at helping the group reach the goal instead of just completing a task.
- ☑ Never assume people already know. Every time I have seen a major break down in an organization, there was a lack of communication involved. When people lack information, they always assume the worst. Don't let uninformed people tell your story.

Each of us has a responsibility to communicate effectively at our local road commissions with our managers, staff, townships, county board and the public. Good communication helps set expectations, builds trust, minimizes confusion and aids in transparency. All of these help the road commission successfully complete its mission of public service.

Here at MCRCSIP, we have been working diligently to make sure our members have the best, timely information delivered by our excellent staff in every format that is needed. I am very proud of the effort we are making to put our experts out in the field so they can share our information. It is just as important that we are communicating with our members to gain knowledge on how to do our absolute best at helping you.

Respectfully,

**Lester Livermore**  
MCRCSIP Chairman





## Employment Practices Guidelines Updates

Wendy S. Hardt, JD  
Claims Director

Unbelievably, it has been almost twenty (20) years since MCRCSIP rolled out the initial Employment Practices Guidelines binders. If you read that first sentence and said to yourself, “Hmmm... Employment Practices Guidelines, what are those?” then it is time to engage in a hunt of the Road Commission office! Every member initially received a tan binder for its office and one for each of its road commissioners, so you should have at least one there somewhere. If you are unable to locate yours, please let us know. The Employment Practices Guidelines were originally compiled at the request of MCRCSIP’s excess insurance carrier and were designed to assist members in complying with federal and state laws and regulations related to employment practices. They have proven invaluable in guiding members on sound employment practices.

The Employment Practices Guidelines have been updated throughout the years, but a complete and thorough review is in order. We will begin going through the book and gradually providing updates to all of the chapters. The formatting will change slightly. As a result, we will be sending each member and Road Commissioner a new set of tabs for the binders and e-mailing (and/or mailing) the chapters as they are completed. If you wish to retain a complete set of the old materials, you may want to transfer those to a separate binder. The new chapters will have a slightly different design and will contain an index, a series of bullet-pointed fact sheets, and important forms related to each subject.



Our goal is to make the materials more user-friendly and enable members to get to the specific information they need in a more efficient way.

The first new chapter will be on the Freedom of Information Act (FOIA). The current Employment Practices Guidelines binder does not contain a chapter on FOIA, so this will be brand new. It will include fact sheets on the general requirements of the Act, exempt records, and fees and deposits. Forms included will be FOIA Procedures and Guidelines, a Public Summary, a FOIA Request for Public Records, a Notice to Extend Response Time for FOIA Request, a Notice of Denial of FOIA Request, FOIA Appeal Forms, and a FOIA Request Detailed Cost Itemization. Road commissions should already have similar forms in place, but these should help you to update your procedures and make sure they are compliant with current FOIA requirements.

After the FOIA materials are distributed, they will be followed by updated Open Meetings Act (OMA) materials. The new

OMA chapter will include fact sheets on the general requirements of the Act, remote participation, closed sessions, meeting notice requirements, and minutes. It will also include an Open Meetings Act Policy, which was not included in the previous materials. As future changes to the OMA occur, MCRCSIP will send members new and/or replacement fact sheets, as may be appropriate.

We are looking forward to working on these updates and hope they prove even more helpful than the original guidelines. Please keep in mind that, while the guidelines are designed to point you in the right direction, they are not meant to be a substitute for legal advice. Specific situations may call for a more detailed review. Do not hesitate to reach out to legal counsel and/or MCRCSIP if you believe circumstances warrant and wherever litigation has been threatened.

## Legislative Update

|| Bob DeVries  
Lobbyist at GCSI

Election season is upon us. But what does that mean for Michigan and what does it mean for the Pool? The stakes are higher than normal for the 2022 election. All State House and Senate members are up for re-election along with the Governor, Secretary of State, and the Attorney General. This election is also unique because it is the first election using new House and Senate district lines. These lines are redrawn every 10 years to reflect population shifts. This decade, for the first time, the new lines were drawn by an independent commission rather than by the Legislature.

The new redistricting process created maps with a large number of districts where either a Republican or a Democrat could win. Because of this, partisan control of the Legislature is truly up for grabs for the first time in quite a while. Based on our analysis, the Republicans still have the best shot at maintaining majority in the House and things will be very tight in the Senate.

Furthermore, a record number of House and Senate Republican incumbents are facing primary challenges from candidates aligned with former President Donald Trump. Trump has taken a special interest in Michigan legislative races because he believes Michigan legislators should have given him the state's electoral votes despite his loss in the November election. He has exclusively endorsed candidates that have promised to work to overturn the election and restore him to power. It is still unclear how the Trump factor will impact these races, but it certainly has given the Republican incumbents something to worry about.

Governor Gretchen Whitmer is running for re-election and has many Republican challenges. The top candidates seem to be Perry Johnson, Tudor Dixon, and James Craig, but it is too early to tell for sure. The Governor remains the favorite to be re-elected, due in part to her tremendous fundraising efforts. If the Republicans can consolidate support

behind a favored candidate soon, it may be possible to give the Governor a serious fight. But if the primary election turns into a drawn-out battle, the Governor will be the primary beneficiary.

MCRCSIP advocacy efforts continue to be focused on strengthening relationships with key policymakers and raising awareness of the great work done by the Pool. Legislators are continuously impressed when they learn about the Pool—particularly when they learn about how much money the Pool has been able to return to members on a yearly basis.

This relationship building is important because of the tremendous turnover that is about to happen in the Legislature. Over half of those legislators currently serving are either forced out of office due to term limits or are voluntarily leaving to run for another office. Next year, we will rely on the foundation of relationships that we have already built while we quickly work to establish relationships with the new crop of legislators. These relationships allow us to have a constant seat at the table. The Pool is often consulted on legislative issues before they are introduced and we are able to provide meaningful input when necessary. This opportunity did not regularly exist before the establishment of the advocacy program.

Thank you for the opportunity to update you all on the happenings in Lansing. I look forward to seeing you all again at your annual meeting in July.







## A Message From Your Director of Loss Control

**Charlie Pike**  
Director of Loss Control

I do not want to jinx us, but it finally looks like winter is ending. It held on as long as it could and peppered us with some late snowstorms, but we made it. With the changing of the seasons comes a change in road commission operations. Plows are being removed, and trucks are being prepared for springtime maintenance procedures. I know this time of year gets busy, but I urge you to do your best to make time for training. With that in mind, I wanted to briefly mention a couple trainings that have received positive feedback from the membership.

First, the loss control department is currently offering team focused trainings to both supervisors and road crews. "Building Trusting Teams" is designed to provide supervisors with practical tips on how to foster trust and communication amongst their subordinates. It also provides information on how to detect

and correct various behaviors that can cause dissension and distrust amongst the team. "Strong Teams: Everyone Benefits" is designed specifically for the crew. It informs the crew of the benefits of being on a strong team and discusses what it means to be a good teammate. Membership response has been positive, and we encourage you to schedule the relevant training whenever you have the time.

Another training that we highly recommend and that has received positive reviews from the membership is our "New Employee Orientation" program. According to national statistics, workers that have been with their employer for five years or less are the most likely to be involved in a workplace accident. With all the training and education that Road Commissions provide their employees each year, it is important to bring your new employees

up to speed on this information and skill development. That is why SAM and MCRCSIP developed the New Employee Orientation Programs. For the Spring program, the focus is on Work Zones. Topics like Traffic Control, Traffic Regulator, Working Around Equipment, Excavations, Miss Dig, and Select Truck Issues are discussed. These programs are offered regionally throughout the state, but if you missed the program near you, you may want to have the program for just your crew; or you may want to host a future event.

Finally, I want to thank the membership for continuing to allow us to be part of their team. Please call your MCRCSIP loss control representative if you want to schedule a training or if you have any questions.

## Why Do We Inspect Our Boilers Anyway?

|| Jack Hill  
Loss Control Representative

Boiler and pressure vessel inspections are required by law throughout the United States. You've probably had a Hartford Steam Boiler representative out at your facility conducting a Control Safety Device, or CSD-1 inspection a time or two. To understand why boiler safety is taken so seriously today, we must examine a disaster from a time when the precise opposite situation was the case, during the industrial revolution.

During the industrial revolution, the potential of steam power seemed infinite, but the methods for controlling that power were crudely understood. Lack of metallurgy and metal fatigue understanding at the time meant that poor quality, thin iron was widely used in boiler construction. Many engineers of the day were experimenting with boilers that had less and less space

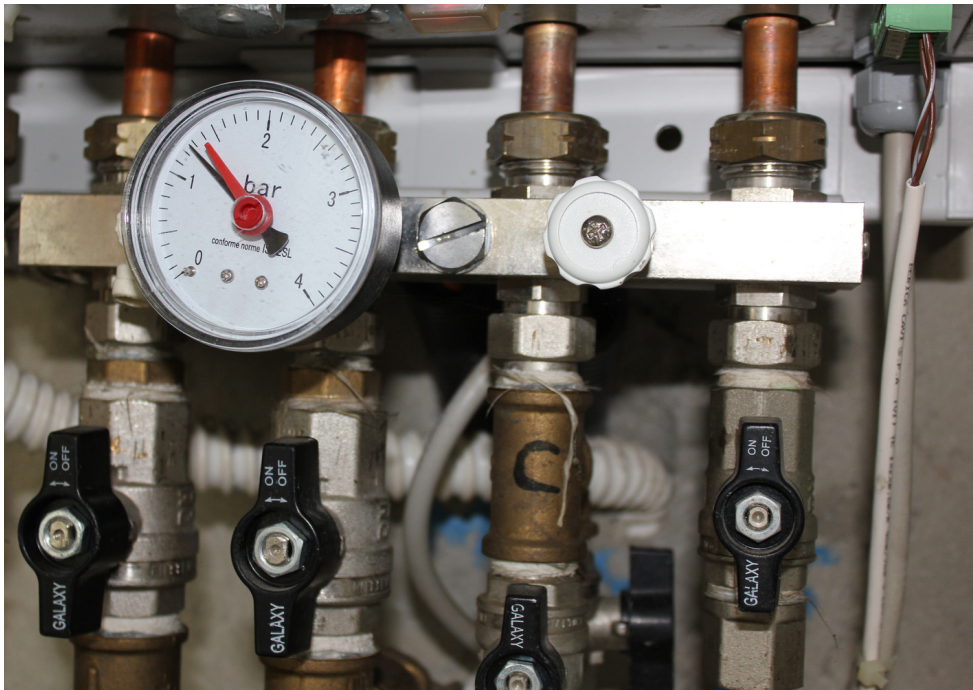
between the flues, which yielded better steam output, but made proper cleaning much harder. Sediment and poor water circulation through the tight spaces further exacerbated the already poor-quality iron being used. Sediment buildup was a particular problem for river boats, which pull in dirty, sediment laden river water for use in their boilers. In the late 1800s, boiler safety was so bad that explosions were happening at a rate of 1 every 4 days in the United States.

On April 27, 1865, the Sultana, a steam powered riverboat, departed Vicksburg on a journey north along the Mississippi River to carry 2,200 newly freed, exhausted, and malnourished Union civil war POWs home. In the middle of the night, one of the ship's four 18-foot long 24 flue fire-tube boilers exploded, destroying the pilot

house and setting all the highly combustible wooden decks on fire. One thousand two hundred of the 2,200 passengers were lost to the Mississippi River. The ship's boiler explosion and subsequent fire remains the deadliest maritime disaster in US history. This disaster and countless others like it from the period led to advances in metallurgy, better safety protocols, and ultimately led to the founding of the Hartford Steam Boiler and Insurance Company in 1866. HSB is one of the foremost authorities in boiler and pressure vessel safety research to this day.

Any boiler installed today with a capacity under 12,500,000 btu/hr input must undergo a rigorous CSD-1 inspection every 1-3 years. Despite numerous technological and safety advances over the decades, boilers of any size still have the potential to fail suddenly and catastrophically. If you have a boiler at your facility that hasn't been inspected, let us know and we'll help you get set up. During a CSD-1, the inspector will check the function of components including, but not limited to:

- Pressure relief valve
- Gas valve
- High pressure/temp limit
- Operating controller
- Main low water cutoff
- Low fire hold
- Combustion air proving
- Pilot flame turn-down
- Water/steam leaks
- Indicating lights





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