

Van Buren County Board of Road Commissioners

December 3, 2020

Regular Meeting - Administrative Office, Lawrence, Michigan

BE IT REMEMBERED: That on the 3rd day of December, 2020 at 5:00 PM, E.D.T., the Board of County Road Commissioners for the County of Van Buren met in regular session via teleconference pursuant to the Governor's Executive Order in an effort to suppress the spread of COVID-19 and protect the public health and safety of this state and its residents, as well as the Road Commissioners and Road Commission staff.

PRESENT VIA TELECONFERENCE:

Road Commissioners Askew, Boze, Burleson, Kinney, and Moffat
Managing Director Dan Bishop
Highway Engineer Barry Anttila
Operations Director Greg Brucks
Administrative Assistant-Board Secretary Jill Brien

GUESTS PRESENT VIA TELECONFERENCE:

County Commissioner Mike Chappell
County Commissioner Kurt Doroh

Chairman Kinney called the meeting to order at 5:07 PM due to technical difficulties. Roll call:

Askew: PRESENT
Boze: PRESENT
Burleson: PRESENT
Moffat: PRESENT
Kinney: PRESENT

Chairman Kinney read the Special Rules for Remote Meeting: All participating Road Commissioners can vote by phone; all votes must be roll call with Chairman always voting last. All people should identify themselves before they speak. Any participant or listener may record the meeting.

Commissioner Kinney withdrew the proposal from Item 10B on the Agenda that the Board have a final step review for all non-union employees, and consider a final step review for department heads only.

Motion by Boze, seconded by Askew to approve the Agenda, as amended.

Roll call vote:

Askew: AYE
Boze: AYE
Burleson: AYE
Moffat: AYE
Kinney: AYE
MOTION CARRIED.

Motion by Moffat, seconded by Burleson to approve the Minutes of the November 19, 2020 meeting as presented by the Board Secretary.

Roll call vote:

Askew: AYE
Boze: AYE
Burleson: AYE
Moffat: AYE
Kinney: AYE
MOTION CARRIED.

The Chairman opened the meeting to first public comment. None was received.

Staff Reports by Managing Director Bishop:

- 1) I contacted Kingscott and informed them the Road Commission approved their proposal for the Master Facility Plan. The Board's attorney reviewed the proposal and made revisions.
- 2) Many employees are taking time off the week of Thanksgiving and the following week so we are operating on a skeleton crew.
- 3) We transferred scraper blades to all the garages. The new drivers are getting some "mentoring" on their plow routes.
- 4) Working on a Mutual Aid Agreement with other Road Commissions. This Agreement would be more specific to situations arising due to the pandemic.
- 5) Road Commission staff will be eligible for their first COVID-19 shot before the end of the year as they are deemed to be essential.
- 6) The MML is lobbying to extend virtual meetings past December 31st.
- 7) Joel continues to work to find a user friendly format to present long-term road project planning information, including maps showing traffic counts combined with PASER ratings.

Concerns regarding Kingscott were discussed by the Board. Managing Director Bishop assured the Board that any recommendations by Kingscott in their completed Master Facility Plan would be let for bid, at the direction of the Board, and not simply given to Kingscott to design, or otherwise build, etc.

Bishop updated the Board regarding the following Vouchers and provided details and clarifications relating to certain vendor payments.

Voucher #2175	\$137,164.86
Voucher #2176	\$228,138.56

Brucks provided discussion and a recommendation to the Board regarding the award of Fine Aggregate-Modified for Bituminous Sealcoat which bids were publicly opened on October 27, 2020. Further discussion was held regarding the positive investment in using Trap Rock. Motion by Boze, seconded by Moffat to award Fine Aggregate-Modified for Bituminous Sealcoat to all bidding contractors with Yellow Rose Transport as Primary Supplier for their alternate bid of CS2 Trap Rock at \$40.75 per ton, in the best interest of the Van Buren County Road Commission.

Roll call vote:

Askew: AYE
Boze: AYE
Burleson: AYE
Moffat: AYE
Kinney: AYE
MOTION CARRIED.

Bishop outlined the current Anti-Nepotism Policy (2018-03) and the proposed "very tough" Personal Relationships Policy requested by several Commissioners which prohibits the hiring of an individual if a "personal relationship" exists or if a "personal relationship" is created after being employed by the Van Buren County Road Commission. Motion by Moffat, seconded by Askew to repeal Anti-Nepotism Policy 2018-03 in its entirety.

Roll call vote:

Askew: AYE
Boze: AYE
Burleson: AYE
Moffat: AYE
Kinney: AYE
MOTION CARRIED.

Discussion held regarding the proposed Personal Relationships Policy. Several revisions were suggested by the Board. Motion by Moffat, seconded by Burleson to adopt Personal Relationships Policy (2020-08) with the adjustments, as discussed. Boze requested that the Board consider that this is a small area, and this policy, if adopted, could prohibit a good candidate from being hired.

PERSONAL RELATIONSHIPS POLICY

Policy No. 2020-08

PURPOSE.

The employment of individuals who have a personal relationship can cause various problems including but not limited to charges of favoritism, conflicts of interest, discord in the workplace, and scheduling conflicts that may work to the disadvantage of both the Road Commission and its employees. This policy is intended to remove those potential conflicts from the workplace.

POLICY.

For the purposes of this policy, a “personal relationship” includes relations by blood or marriage, domestic partners, individuals living in the same household or individuals having a romantic, intimate or sexual relationship.

It is the goal of the Van Buren County Road Commission to avoid creating any circumstance in which the appearance or possibility of favoritism and/or conflicts of management disruptions exist. The Van Buren County Road Commission will allow employees to maintain existing personal relationships as of the effective date of this policy only under the following circumstances:

- Employees in a personal relationship may not be in a supervisor/subordinate relationship with one another.
- The relationship will not create an adverse impact on work productivity or performance.
- The relationship will not create a conflict of interest.
- They may not be employed if a member of the employee’s immediate family (spouse, son, children, parents, grandparents, brothers, sisters, stepfamily members, in-law family members) is the Managing Director or someone who serves on the Road Commission Board.

AFTER THE EFFECTIVE DATE OF THIS POLICY NO PERSON SHALL BE HIRED BY THE ROAD COMMISSION WHO IS IN A PERSONAL RELATIONSHIP, AS DEFINED ABOVE, WITH ANOTHER ROAD COMMISSION EMPLOYEE OR BOARD MEMBER.

The Van Buren County Road Commission reserves the right to exercise appropriate managerial judgement to take such actions as may be necessary to achieve the intent of this policy.

An employee who has a personal relationship with another individual who is currently employed by the Van Buren County Road Commission must disclose the relationship to the Managing Director or Human Resource Director in a timely manner to assess the implications for the working environment and to make arrangements to ensure that decisions are made in an appropriate and unbiased manner. Each employee who is involved in a personal relationship with another employee is individually responsible for disclosing the relationship described in this policy. Employees who fail to disclose personal relationships covered by this policy will be subject to disciplinary action up to and including termination of employment.

If two employees become involved in a personal relationship while working at the Van Buren County Road Commission, and the relationship fits one of the above mention conflicts, then one of them must request a transfer to another assignment or leave Road Commission employment. The Van Buren County Road Commission will try to be as flexible as is reasonable to manage the work flow of the Road Commission but has no obligation to schedule vacations, working hours or leaves of absence simultaneously for employees who are in a personal relationship, or otherwise give them greater consideration than that given to other employees.

Roll call vote:

Askew: AYE
Boze: NAY
Burlison: AYE
Moffat: AYE
Kinney: AYE
POLICY ADOPTED.

Commissioner Kinney discussed the final step position employment for department heads proposed Policy. No additional discussion being heard it was moved by Kinney, seconded by Burlison to approve the Final Step Position Employment for Van Buren County Road Commission Select Non-Union Organizational Structure.

**FINAL STEP POSITION EMPLOYMENT FOR VAN BUREN COUNTY
ROAD COMMISSION SELECT NON-UNION ORGANIZATIONAL STRUCTURE**

Policy 2020-09

Effective December 3, 2020, it is the policy of the Board of County Road Commissioners of Van Buren County that:

1. Except in cases of critical need, the final steps in the candidate selection process for the following select non-union positions: Finance and HR Director; Fleet & Facilities Superintendent; Operations Director; and Highway Engineer, shall be as set forth herein.
2. All proposed candidates for a noted position as identified by the Managing Director, or authorized designee, shall be noticed to the Board, along with their Road Commission Application form, Resume, and corresponding written offer of employment for majority vote approval or denial by the Board.
3. Copies of all Board approved offers of employment shall be submitted to the Board, or Board Secretary for forwarding to the Board by the Managing Director.
4. The Managing Director shall be given written notice of the candidate(s) rejection(s), or acceptance(s) of the offer, with the agreed upon employment starting date for the position.
5. The Managing Director shall notify the Board and Board Secretary of name of the new employee, position/title of employment, annual starting salary and employment starting date.

Roll call vote:

Askew: AYE
Boze: NAY
Burlison: AYE
Moffat: AYE
Kinney: AYE
POLICY ADOPTED.

The Regular Meeting of the Board of County Road Commissioners was recessed at 5:38 PM on Motion by Boze, seconded by Askew to open a Regular Meeting of the Board of Public Works.

Roll call vote:

Askew: AYE
Boze: AYE
Burlison: AYE
Moffat: AYE
Kinney: AYE
MOTION CARRIED.

The Regular Meeting of the Board of County Road Commissioners was reconvened at 5:44 PM on motion by Boze, seconded by Burlison.

Roll call vote:

Askew: AYE
Boze: AYE
Burleson: AYE
Moffat: AYE
Kinney: AYE
MOTION CARRIED.

Commissioner Updates and Reports:

Askew: No report

Boze: Went to Keeler Township's board meeting on Tuesday.

Burleson: No report.

Kinney: No report.

Moffat: Spoke with Almena Township's Supervisor and the 30th Street project which the Board of County Road Commissioners approved subject to Township approval. Also congratulated Chairman Kinney for his recent reappointment to the Board for an additional six years.

Second Public Comment was opened by the Chairman. None was heard.

Motion by Burleson, seconded by Askew to adjourn the Call of the Chair at 5:47 PM.

AYES: 5
NAYS: 0
MOTION CARRIED.

Jill Brien

Board Secretary

Gregory H. Kinney

Board Chairman