

MINUTES OF January 28, 2025

A regular meeting of the Mackinac County Road Commission was called to order Tuesday, January 28, 2025, at 3:30 p.m. by Chairman Livermore. The meeting was held at the road commission office at 706 N. State Street, St. Ignace, Michigan. Roll call was taken and the following commissioners were present: Lester Livermore, Tom Doty, and Dan Litzner. Also present: Dirk Heckman.

PREVIOUS MINUTES

It was moved by Commissioner Doty and seconded by Commissioner Litzner to approve the Regular and Public Hearing Minutes of January 14, 2025.

An all aye vote was cast, motion approved.

PUBLIC COMMENTS

There were no public comments.

COUNTY ROAD ASSOCIATION OF MICHIGAN BOARD OF DIRECTORS BALLOTS

It was moved by Commissioner Doty and seconded by Commissioner Litzner to voting for Rob Laitinen and Dirk Heckman for the 2025 County Road Association of Michigan Board of Directors Ballots.

An all aye vote was cast, motion approved.

DNR MINERAL LEASE NO. 395

It was moved by Commissioner Doty and seconded by Commissioner Litzner to approve the Engineer/Manager to sign the DNR Mineral Lease No. 395.

An all aye vote was cast, motion approved.

PROGRESSIVE DISCIPLINE POLICY

It was moved by Commissioner Doty and seconded by Commissioner Litzner to approve the following Progressive Discipline Policy:

Progressive Discipline Policy

Purpose

Mackinac County Road Commission's progressive discipline policy and procedures are designed to provide a structured corrective action process to improve and prevent a recurrence of undesirable employee behavior and performance issues.

Outlined below are the steps of Mackinac County Road Commission's progressive discipline policy and procedures. Mackinac County Road Commission reserves the right to combine or skip steps depending on the facts of each situation and the nature of the offense. Some of the factors that will be considered are whether the offense is repeated despite coaching, counseling or training; the employee's work record;

and the impact the conduct and performance issues have on the organization.

Nothing in this policy provides any contractual rights regarding employee discipline or counseling, nor should anything in this policy be read or construed as modifying or altering the employment-at-will relationship between Mackinac County Road Commission and its employees.

Procedure

Step 1: Counseling and verbal warning

Step 1 creates an opportunity for the immediate supervisor to bring attention to the existing performance, conduct or attendance issue. The supervisor should discuss with the employee the nature of the problem or the violation of company policies and procedures. The supervisor is expected to clearly describe expectations and steps the employee must take to improve his or her performance or resolve the problem.

Within five business days, the supervisor will prepare written documentation of the verbal counseling. The employee will be asked to sign this document to demonstrate his or her understanding of the issues and the corrective action.

Step 2: Written warning

The Step 2 written warning involves more-formal documentation of the performance, conduct or attendance issues and consequences.

During Step 2, the immediate supervisor and a division manager or director will meet with the employee to review any additional incidents or information about the performance, conduct or attendance issues as well as any prior relevant corrective action plans. Management will outline the consequences for the employee of his or her continued failure to meet performance or conduct expectations.

A formal performance improvement plan (PIP) requiring the employee's immediate and sustained corrective action will be issued within thirty business days of a Step 2 meeting. The written warning may also include a statement indicating that the employee may be subject to additional discipline, up to and including termination, if immediate and sustained corrective action is not taken.

Step 3: Suspension and final written warning

Some performance, conduct or safety incidents are so problematic and harmful that the most effective action may be the temporary removal of the employee from the workplace. When immediate action is necessary to ensure the safety of the employee or others, the immediate supervisor may suspend the employee pending the results of an investigation.

Suspensions that are recommended as part of the normal sequence of the progressive discipline policy and procedures are subject to approval from a next-level manager and HR.

Depending on the seriousness of the infraction, the employee may be suspended without pay in full-day increments consistent with federal, state and local wage and hour employment laws. Nonexempt/hourly

employees may not substitute or use an accrued paid vacation or sick day in lieu of the unpaid suspension. In compliance with the Fair Labor Standards Act (FLSA), unpaid suspension of salaried/exempt employees is reserved for serious workplace safety or conduct issues. HR will provide guidance to ensure that the discipline is administered without jeopardizing the FLSA exemption status.

Pay may be restored to the employee if an investigation of the incident or infraction absolves the employee of wrongdoing.

Step 4: Recommendation for termination of employment

The last and most serious step in the progressive discipline process is a recommendation to terminate employment. Generally, Mackinac County Road Commission will try to exercise the progressive nature of this policy by first providing warnings, issuing a final written warning or suspending the employee from the workplace before proceeding to a recommendation to terminate employment. However, Mackinac County Road Commission reserves the right to combine and skip steps depending on the circumstances of each situation and the nature of the offense. Furthermore, employees may be terminated without prior notice or disciplinary action.

Management's recommendation to terminate employment must be approved by Engineer/Manger.

Appeals Process

Employees will have the opportunity to present information to dispute information management has used to issue disciplinary action. The purpose of this process is to provide insight into extenuating circumstances that may have contributed to the employee's performance or conduct issues while allowing for an equitable solution. All appeals will be handled as prescribed in the Union Contract for Union.

Performance and Conduct Issues Not Subject to Progressive Discipline

Behavior that is illegal is not subject to progressive discipline and may result in immediate termination. Such behavior may be reported to local law enforcement authorities.

Similarly, theft, substance abuse, intoxication, fighting and other acts of violence at work are also not subject to progressive discipline and may be grounds for immediate termination.

Documentation

The employee will be provided copies of all progressive discipline documentation, including all PIPs. The employee will be asked to sign copies of this documentation attesting to his or her receipt and understanding of the corrective action outlined in these documents.

Copies of these documents will be placed in the employee's official personnel file.

An all aye vote was cast, motion approved.

ANTI-HARASSMENT POLICY

It was moved by Commissioner Litzner and seconded by Commissioner Doty to approve the following Anti-Harassment Policy:

The Mackinac County Road Commission is committed to providing a work environment that maintains employee equality, dignity and respect. In keeping with this policy, the Mackinac County Road Commission strictly prohibits discriminatory practices, including harassment, sexual or otherwise. Any unlawful harassment, whether verbal, physical, or environmental, is unacceptable and will not be tolerated. It is the responsibility of all employees of the Road Commission to nurture and maintain work environments in which employees, citizens, labor representatives, and vendors are valued, welcomed, and treated with respect.

Harassment of or discrimination against Road Commission employees based on race, color, religion, national origin, age, sex (including gender identity, sexual orientation, and pregnancy), height, weight, marital status, genetic information, or disability is prohibited. The Mackinac County Road Commission resolves to provide:

- A workplace free from discrimination based on an individual's race, color, religion, national origin, age, sex (including gender identity, sexual orientation, and pregnancy), height, weight, marital status, genetic information, or disability, and the provision of public services on the same basis.
- A workplace free from harassment and hostility due to race, color, religion, national origin, age, sex (including gender identity, sexual orientation, and pregnancy), height, weight, marital status, genetic information, or disability.
- Equal employment opportunities in all phases of employment through recruitment, retention, and advancement of diverse qualified people, and utilization of job-related criteria in making employment decisions.

Sexual harassment is illegal under federal and state laws. It is defined by the Equal Employment Opportunity Commission as any unwelcome sexual advance, request for sexual favors, or other verbal or physical conduct of a sexual nature when:

- a. Submission to the conduct is made either explicitly or implicitly a term or condition of an individual's employment;
- b. Submission or rejection of such conduct by an individual is used as the basis for employment decisions affecting the individual; or,
- c. The conduct has the purpose or effect of substantially interfering with the individual's performance or of creating an intimidating, hostile or offensive working environment.

Harassment on the basis of religion, race, color, national origin, age, sex (including gender identity, sexual orientation, and pregnancy), height, weight, marital status, genetic information, or disability is illegal under federal and/or state laws. Such harassment is defined as unwelcome conduct or communication on the basis of a protected category

when the conduct or communication has the purpose or effect of substantially interfering with an employee's work performance or of creating an intimidating, hostile or offensive working environment.

Violations of this policy shall subject the offending employee to disciplinary measures, up to and including discharge.

Mackinac County Road Commission management is responsible for addressing all reports of discrimination, including racial and gender harassment. Any employee who has a complaint must bring the problem to the attention of responsible Road Commission officials. Employees may bring their complaint to the Managing Director. If the complaint is about the Managing Director, the employee shall register his/her complaint with the Road Commission Board Chair. The Road Commission shall designate appropriate personnel to investigate the complaint.

The success of this policy will be dependent upon communications between an employee, his or her co-employees and those charged with enforcing the policy. The Road Commission cannot respond or react to harassment conditions that are unknown to it and/or cannot be documented. Therefore, a significant responsibility will be incumbent upon the employee who believes he or she has been harassed by another employee(s) to advise the offending employee and put him/her on notice of the offending behavior and that such activity must stop. Further, any employee who believes he or she has been harassed in violation of this policy should promptly report such harassment to Road Commission management for investigation.

Management is responsible to objectively investigate reports of any harassment by or between employees of the Road Commission. All harassment complaints should be reduced to writing and include all appropriate information in order to facilitate investigation of the complaint. Specifically, the complaint should contain:

- ✓ The name and address of the person filing;
- ✓ The full name and address (if known) of the person against whom the complaint is being made; and,
- ✓ A short summary of the allegedly harassing action or conduct.

The recipient of the complaint and/or appropriate designee shall conduct an independent investigation and evaluation of the validity of the complaint. Investigations and evaluations shall be completed in a timely fashion. Anonymous complaints will not be pursued. Complaints will be resolved in the best interests of both the complainant and the Road Commission.

The Mackinac County Road Commission will take appropriate corrective action, including disciplinary measures, to remedy all violations of this policy. There will be no discrimination or retaliation against any employee because the employee has filed a complaint, testified, assisted, or participated in an investigation under this policy. If both a harassment complaint and a union grievance are filed by an employee concerning the same alleged discriminatory conduct, the grievance procedure contained in the Collective Bargaining Agreement will

be utilized to resolve that complaint. This policy does not preclude any employee from filing a complaint with an appropriate outside agency.

An all aye vote was cast, motion approved.

2025 CONSTRUCTION UNIT PRICES

It was moved by Commissioner Doty and seconded by Commissioner Litzner to approve the 2025 Construction Unit Prices:

Clearing	\$12,000.00	acre
Subbase, LM	\$ 25.00	cyd
Aggregate Base, LM	\$ 40.00	cyd
Shld, Cl II, CIP	\$ 50.00	cyd
Culv, Cl A, 15 inch	\$ 70.00	ft
Culv, Cl A, 18 inch	\$ 90.00	ft
Culv, Cl A, 24 inch	\$ 120.00	ft
Ovrband Crackseal, Hvy	\$ 3,500.00	mi
Ovrband Crackseal, Lgt	\$ 2,500.00	mi
Slope Restore, Type C	\$ 6.00	syd

An all aye vote was cast, motion approved.

GARFIELD TOWNSHIP ROAD AGREEMENTS FOR THE PARMOOR, ELM, MAPLE AND LAKE STREETS PROJECT

It was moved by Commissioner Doty and seconded by Commissioner Litzner to approve signing the Garfield Township Road Agreements for the Paramoor, Elm, Maple, and Lake Streets Project.

An all aye vote was cast, motion approved.

WEST DISTRICT RETIREMENT

It was moved by Commissioner Litzner and seconded by Commissioner Doty to approve advertising for Seasonal HEO for the West District.

An all aye vote was cast, motion approved.

MATCH PROGRAM SURVEY REVIEW

The Match Program Survey results were reviewed.

CHANGE TO THE REGULARLY SCHEDULED MEETING OF MARCH 24, 2025

No change was made to the meeting schedule.

DISTRICT MEETINGS

The following District Meetings were scheduled:

West District Garage, Monday, February 17, 2025, at 9:00 a.m.
East District Garage, Monday, February 17, 2025, at 1:00 p.m.

MANAGER'S COMMENTS

The Engineer/Manager reported the U.P. Road Builders is next week, February 6 and 7th in Marquette, Michigan.

The Straits Area Council Meeting is next week, February 4, 2025, in Mackinaw City.

A Union employee has approached the Foreman regarding changes to the crew's break times. They were advised to write a Memo of Understanding for the Board to consider. No additional communication has been forthcoming.

Reminder the next regularly scheduled meeting is Monday, February 10, 2025, at 1:00 p.m.

The wings have been delivered; the new pickup trucks are expected to be delivered soon.

A Summer Maintenance Program is being developed with the Foremen.

The Mechanics have recommended new Diagnostic Software and possibly laptops to the run the software for the new trucks.

The Assistant Foremen have been scheduled for Reasonable Suspicion Training next month.

The Brevort Lake Road Project is scheduled for the MDOT March letting.

The DNR Good Neighbor brushing/mowing contract will be forthcoming at the next Board Meeting for approval.

OTHER BUSINESS

DIAGNOSTIC SOFTWARE

It was moved by Commissioner Doty and seconded by Commissioner Litzner to approve the purchase of Diagnostic Software and possibly laptops for up to \$2,500.00 each garage.

An all aye vote was cast, motion approved.

COMMISSIONER COMMENTS

Commissioner Livermore discussed the two match policies and the development of a summer maintenance plan for budget purposes. The topic will be placed on the next meeting agenda.

Commissioner Livermore inquired on Foremen trainings.

Commissioner Livermore discussed recent weather events and the overtime of the crew.

Commissioner Doty commented the crew's have been performing well in consideration of the recent weather events timing.

COMMITTEE REPORTS

There were no reports.

APPROVAL OF PAYROLL AND BILLS

It was moved by Commissioner Litzner and seconded by Commissioner Doty to approve payroll of 1/30/25 for \$71,351.54 and Accounts Payable on 1/28/25 for \$127,588.12.

An all aye vote was cast, motion approved.

ADJOURNMENT

It was moved by Commissioner Doty and seconded by Commissioner Litzner to adjourn the meeting at 4:52 p.m. An all aye vote was cast, motion approved.

MINUTES APPROVED: