

PERSONNEL / WAYS & MEANS COMMITTEE

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MEMBERS

*Terry Collins, Ralph Tillotson
Committee of the Whole*

MEETING LOCATION

Chambers
301 N. Main Street
Adrian, MI 49221

Minutes: Tuesday, January 10, 2023 – 10:18 a.m.

Present: Commissioners Collins, Bales, Bolton, Jenkins-Arno, Krasny, Martis, Stimpson, Tillotson, and Van Doren

Also Present: Kim Murphy, Shannon Elliott, Jackie Wyse, Jen Ambrose, Craig Tanis, Undersheriff Ewald, Matt Turgeon, Teresa Choate, Tracy Stace, Paul Gilbert, Tammy Turner, Carolyn Bater, Jenny Escott, Tom Kendziora, Eric Rogers, Chris Miller, Don Taylor, Lynne Punnett, Gordon Gauss, Doug Spade & Mike Clement (BUZZ102.5), Heidi Cannon, Cora Gibson, Sarah Fox, Judge Anna Marie Anzalone, Roxann Holloway, Ciara McGrane, Bev Ahlers, Deborah Comstock, Micah Hassenzahl, Ben Ricker, Howard Peters, Michael Buku, and Scott Peters

I. APPROVAL OF MINUTES

Motion by Bales, seconded by Bolton, to approve the minutes of the December 13, 2022, meeting. Motion carried.

II. PERSONNEL BUSINESS

A. Employment Changes: Personnel changes were available for review.

B. Corporate Update: Bids were solicited for corporate counsel. Commissioners have previously received copies of all responses. The Commission received the recommendation of the Administrator reducing the field to three firms.

Motion by Stimpson, seconded by Van Doren, to recommend to the Board of Commissioners Garan, Lucow, Miller, PC to serve as corporate counsel for Lenawee County.

Comm. Martis nominated Foster Swift.

Motion by Van Doren, seconded by Martis, to postpone action until the February 14, 2023 meeting. Motion carried.

Comm. Martis requested that Foster Swift be added to the candidates for consideration and that a special meeting be held to interview the companies.

Comm. Van Doren prefers this be held as an evening meeting so that the public can attend.

- C. Prosecuting Attorney Request:** Lenawee County Prosecutor Jackie Wyse was appointed to the position of County Prosecutor due to the resignation of the previous County Prosecutor. Attorney Wyse expressed that she would like to solely focus on criminal proceedings in her role as Prosecutor. As such, Corporate Counsel and Board of Commissioner's Parliamentarian will be handled by an outside firm independent of the Lenawee County Prosecutor's Office. Ms. Wyse has agreed to adjust her salary downward to \$139,900 when giving up the corporate work for the county.

Motion by Bolton, seconded by Stimpson, to reclassify the Prosecutor's salary to \$139,900.00 once corporate counsel has been selected. Motion carried.

- D. Other Personnel Business:** There was no other personnel business.

III. WAYS AND MEANS BUSINESS

- A. Finance Reports:** Administrator Murphy reviewed points of interest in the General Fund Income Statement and the Fund Equity Change Report. She explained that the finance reports include the budget adjustments recommended by the Account's Payable Committee. She further stated that there will be additional expenses and revenues that will be pushed back into 2022 over the next few months of 2023.

- B. TRC Work Authorization:** Removed from the agenda.

- C. District Court Sobriety/Enhance Treatment Grant Agreements:** District Court Administrator Heidi Cannon reported that two current grants require an authorized signatory. These grants are for two of the District Court Specialty Courts, that being Sobriety Court and Enhanced Treatment Court. These are current grants that happen to have missed the signature of the authorized official and the first set of finance reports are due.

Motion by Bolton, seconded by Bales, to recommend approval of the FY23 grant agreements for Sobriety and Mental Health courts; and authorize the Chair to sign on behalf of the County. Motion carried.

- D. Committee Referrals/Recommendations:** There were no committee referrals or recommendations.

E. Other Ways & Means Business

FOIA Software: Deputy Administrator and FOIA Coordinator Shannon Elliott explained that NextRequest, powered by Civicplus, is a FOIA coordinating software. Lenawee currently uses Civicplus for other technology needs such as our webpage. NextRequest will allow the county to collate FOIA request in one portal for general needs and in another portal for Law Enforcement needs. This creates two (2) central repositories for FOIA requests as well as responses. This software also assists in managing time constraints as well as risk management.

Motion by Martis, seconded by Tillotson, to recommend approval of the purchase of NextRequest Software in the amount of \$10,776.00 to from the IT Division of the Capital Fund for the 2023 year. Motion carried.

IV. CONSENT AGENDA

Administrator Contract (Not on or added to the agenda)

Motion by Van Doren, seconded by Martis, to invalidate the employment contract between the County Administrator and the Board of Commissioners due to a lack of conformity under PA156 and to send it back to PWM to negotiate a new contract.

There was general discussion regarding the current employment contract of the County Administrator, included but not limited to: 1) validity, 2) the number of votes required to breach the contract; 3) existing or future legal opinions; 4) open meetings act violations; and 5) potential litigation matters. Prosecutor Wyse advised that the board has a motion on the floor, however based on a quick review the motion has the potential to cause civil action against the Board of Commissioners if approved.

Motion by Van Doren, seconded by Martis, to call to move the previous question.

Commissioner Stimpson expressed concerns over items not on or added to the agenda and being voted on as a possible Open Meetings Act Violation.

Commissioner Stimpson then called for a point of order.

It was clarified that the intent of the motion to move the previous question is to limit debate and ask for a vote. *Roll call vote. Yeas (4) Krasny, Jenkins-Arno, Martis, and Van Doren; Nays (5) Stimpson, Tillotson, Bales, Bolton, Collins. Motion failed.*

Motion by Jenkins-Arno, seconded by Krasny, to amend the motion to postpone the invalidation of the administrator's contract until new corporate counsel has an opportunity to review the contract. Roll call. Yeas (5): Jenkins-Arno, Martis, Van Doren, Collins, Krasny; Nays (4): Stimpson, Tillotson, Bales, Bolton. Motion carried.

This matter shall come back to the Personnel Ways and Means Committee at the March 14th meeting.

The motion, as amended, is to vote on rescinding the administrator's contract at the March 14th Personnel Ways and Means meeting after selecting corporate counsel and corporate counsel having the opportunity to review said contract. Roll call vote Yeas (5) Jenkins-Arno, Martis, Van Doren, Collins, Krasny; Nays (4) Stimpson, Tillotson, Bales, Bolton. Motion carried.

Chamber Sound System: (Not on or added to the agenda)

Motion by Martis, seconded by Van Doren, to authorize the Administrator up to \$2,000 to rent sufficient equipment for temporary sound system to improve audio.

Commissioner Stimpson expressed concerns over items not on or added to the agenda and being voted on as a possible Open Meetings Act Violation.

General discussion regarding audio / video issues in the chambers.

Motion by Martis, seconded by Van Doren, to amend the motion to authorize the Administrator up to \$5,000 to rent sufficient equipment. Motion carried.

The original motion as amended carried.

County Administrator Positions: (Not on or added to the agenda)

Motion by Van Doren, seconded by Martis, to place a hiring freeze on the positions contained in the Administrator's budget other than the Human Resources position.

Commissioner Stimpson reverberated his concerns of this committee bringing items up that have not been placed on the agenda as a possible violation of the Open Meetings Act.

Comm. Van Doren would like clarification from the Administrator because she's been working on hiring new people within her office and there has been a question as to whether she should or shouldn't. He is requesting, with the exception of the human resources person in the Administrator's budget, that the rest of the positions be put in a hiring freeze until such time that commissioners can determine whether the County will be moving forward with Lenawee Now in the future and how that melts into the process of what the Administrator does when hiring people. Clarification of the positions was requested.

Administrator Murphy stated that the positions being proposed were included in the recently adopted 2023 budget and included in the first quarterly allocation.

For clarification, she stated that the positions that are proposed in the Administrator's budget have been vetted by an administrative team and discussed with some department heads and various members of the community. The budget is balanced including the positions without use of fund reserve. Administrator Murphy indicated that she had previously reviewed each position with each Commissioner and has provided additional materials as requested.

Communications and Marketing Coordinator

The communications and marketing responsibilities are handled through a contract with a third-party vendor. The county has spent on average \$212,744.42 over the last three years for communication and marketing related services. The proposed Communications and Marketing Coordinator will have an annual salary \$54,578.16 and when adding full family benefits, this position impacts the budget by approximately \$91,758.17. This saves our residents over \$100,000 annually and brings the service in-house to serve all county departments and agencies.

Grants Coordinator

The county has approximately 135 federal and state grants and reimbursement programs. As a county government, we rely heavily on various types of grants to bring in the revenue to perform a variety of services for our residents. In 2023 we are anticipating \$3,667,615 in State grants and \$1,100,200 in Federal grants impacting the General Fund. We also

budgeted \$18,939,221 in grant funds for the Non-General Funds. Without this funding we would not be able to provide the services we current provide. As an example, we are mandated to have a Public Defenders office. The Deputy Public Defender applies for grants that bring in approximately \$2 million to support this department. Without the grant funding, we would have to pull that from the General Fund. The grants throughout the county are not being applied for by grant writers or grant administrators. They are being handled by individuals that have been hired to perform other needed functions within a department and then the grant responsibilities have been added on. Because of these other job responsibilities, they often realize a deadline is upon them at the last minute. This means they are calling the Administrator's office for assistance. This impacts finance, budget, and sometimes payroll. In addition, often times a department may be having a difficult time navigating the various on-line grant portals. In these cases Ms. Borton, and at times Ms. Elliott, are dropping what they have going on to assist the department. In many cases, if it wasn't for the current administrative staff assisting the departments with their grant obligations, we would lose out on grant opportunities. The Grant Coordinator position being requested is proposed at the same rate as the Communications and Marketing Coordinator.

Community Development Coordinator

The idea of this position came up through various discussions this past spring and summer regarding unmet needs in our county. At the same time Lenawee Now returned all files regarding the Landbank indicating they were no longer going to perform any further administrative services for the county. The work associated with the Landbank and other administrative tasks were taken on by the Treasurer's office and the Administrator's office.

This person could work in all commission districts to promote the Land Bank Authority and find funding to assist in blight elimination, acquisition, or other allowable and desirable tasks permitted for Land Bank Authorities. We recognized the need for improved and new housing, of all sorts. Having a person to work with the various housing agencies, homeless shelters, and other agencies to come up with a county plan is very much needed. In fact, we have heard from several organizations on the need of such a person at the county level. Finally, there are all of the other community needs that have yet to be identified. As an example, we know that mental health is a true issue. Lenawee County will be the recipient of funding from various opioid settlements in the very near future, and for years to come. This could be a great opportunity to have a Community Development Coordinator working with the various mental health authorities, courts, and counseling agencies throughout the county to develop strategies that create the greatest impact countywide in addressing mental health and treatment.

Community Development Coordinator Assistant

This is a part-time position that **will not be hired** until later in 2023. It is a position that will support the Community Development Coordinator and assist in some of the administrative task resulting from activities performed.

There was discussion amongst the Commissioners about needing more information, concern over duplication of efforts, wanting to talk to other agencies, questioning whether outside agencies such as Lenawee Now could perform any of these services, and long-term personnel cost obligations.

Administrator Murphy indicated that she has been working with Tim Robinson of Lenawee Now and has a proposed contract. The proposal does not include performing any of the services they previously performed on behalf of county government.

The previously stated motion by Van Doren, seconded by Martis, to place a hiring freeze on the positions contained in the Administrator's budget other than the Human Resources position was called by Roll call. Yeas (5): Martis, Van Doren, Collins, Krasny, Jenkins-Arno; Nays (4): Stimpson, Tillotson, Bales, Bolton. Motion carried.

There were no additional consent agenda items submitted for consideration.

Items listed under Consent Agenda, as well as, action items approved unanimously at this meeting will be placed on the Board of Commissioners Consent Agenda unless requested to be removed.

V. PUBLIC COMMENT

Commissioner Collins would like "Commissioner Comment" to be added as a regular agenda item to the Personnel/Ways & Means Committee. He also suggested it be added to the Board of Commissioners agenda.

Commissioner Collins requested that "Project Phoenix" be added to the Board of Commissioners agenda for tomorrow.

Scott Peters, resident of District 2, stated that he appreciated the debate and lively conversation of the meeting.

Gordon Gauss, resident of the City of Adrian, commented on the sound dampening system in the City Chambers.

Chris Miller, One Lenawee, spoke in support of a Community Development Coordinator.

Howard Peters, resident of Rome Twp, spoke in support of evening meetings.

VI. ADJOURNMENT

Motion by Tillotson, seconded by Bolton, to adjourn the meeting at 12:34 p.m. Motion carried.