

PERSONNEL / WAYS & MEANS COMMITTEE



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MEMBERS

*Terry Collins, Ralph Tillotson
Committee of the Whole*

MEETING LOCATION

301 N. Main Street – Adrian, MI

Minutes: Tuesday, July 25, 2023 – 10:02 a.m.

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

Absent: Commissioners Bales, Bolton, and Stimpson

Also Present: Kim Murphy, John Gillooly, Shannon Elliott, Rebecca Borton, Jennifer Ambrose, Francine Zysk, Tracy Stace, Matthew Turgeon, Bev Ahler, Rachel McAran, Allison Love, Roxann Holloway, Forrest Howard, Lisa Bussing (Wacker), Bruce Rohack, Ed Scheffler, Martina Aranda, Callie Pigg, Shelly Delong, Ben Gilsderf and Melissa Tsuji (Siena Heights University), Dave LaMontaine (POAM), Daniel Hiscock, Jacob Pifer, Undersheriff Ewald, Sheriff Bevier, Robert Wendt, Amanda Wagner, Jackie Wyse, Phebie Mier, Mark Sprague, Katie Sinclair, Ethan Garcia, Wendy Gallant, Mike McAran, Danielle Fearn-VanSteenk, Courtney Spiegel, Krista Ducat, Cari Rebottaro, Kathryn Szewczuk, Judge L. Schaedler, Tim Mehan, Craig Tanis, Carolyn Bater, Deb Comstock, and Amanda Wagner

Comm. Collins announced a commissioner may be called away, therefore, action items on the agenda will be addressed first.

I. APPROVAL OF MINUTES

Motion by Martis, seconded by Jenkins, to approve the minutes of the June 13, 2023 meeting. Motion carried.

II. PERSONNEL BUSINESS

A. Health Department - Clinic Technician: Health Officer, Monica Hunt, reviewed a request for the reclassification of a Clinic Technician position. This request is due to a change in responsibilities and qualifications, and will now provide advanced clinic support.

Motion by Van Doren, seconded by Martis, to recommend approval of the Clinic Technician reclassification from NU7510 to NU7532. Motion carried.

- B. Health Department - Program Coordinator:** Health Officer Hunt reviewed a request to approve a new Program Coordinator to oversee Kindergarten Oral Health Assessment and the Hearing and Vision programs was reviewed.

There was discussion regarding this position including duties, funding, and mandates.

Motion by Van Doren, seconded by Martis, to recommend approval of the new Health Department Program Coordinator to oversee the Kindergarten Oral Health Assessment Program (KOHA) and Hearing and Vision (H&V) programs.

Motion by Tilloston, seconded by Van Doren, to amend the motion to include participation until such time as a grant terminates. Motion carried.

The original motion as amended carried.

- C. Health Department – Solid Waste Program:** The Solid Waste Program is currently coordinated through the Administrator’s Office and is transitioning to the Health Department, Environmental Health Division. The reclassification of the Program Coordinator to reflect an updated job description that includes requirements for the State of Michigan Materials Management program, qualifications, and position grade was reviewed.

Motion by Van Doren, seconded by Martis, to recommend approval of the Solid Waste Program Coordinator’s reclassification from grade NU7526 to NU7532. Motion carried.

- D. Juvenile Court – Referee:** Deputy Administrator S. Elliott reviewed a request for the reclassification of a Juvenile Court Referee position from part-time to full-time.

Motion by Van Doren, seconded by Jenkins-Arno, to recommend approval of the Juvenile Court Referee reclassification from part-time to full-time. Motion carried.

III. WAYS AND MEANS BUSINESS

- A. MMRMA Insurance Renewal:** Administrator K. Murphy explained that the County’s property, liability, auto, and sewer backup coverage is covered through the Michigan Municipal Risk Management Authority (MMRMA). The renewal rate for this year will be \$530,879. An increase of approximately \$27,113 is due to an increase in law enforcement deputies as well as market increases in property values. The County currently has a retention fund balance of \$277,000.00 and therefore the \$75,000 loss fund contribution is waived for 23/24. Further, the County has a Net Asset Distribution refund for this year of \$209,716. Normally, the refund is transferred to the loss fund, but since the loss fund balance exceeds what is needed, the request is to have the Net Asset Distribution refunded directly to the County.

Motion by Tillotson, seconded by Martis, to recommend authorizing the Administrator to sign the renewal for property, liability, auto, and sewer back-up insurance coverage with Michigan

Municipal Risk Management Authority in the amount of \$530,879.00 and request the Net Asset Distribution of \$209,716 be refunded to the County. Motion carried.

- B. Early Elections:** Roxann Holloway, County Clerk, introduced Michele Bates, Election Clerk, and reviewed a request for approval of early in-person voting.

With the passage of Proposal 22-2, a voting plan is to be developed and will be finalized once guidance has been established by the State of Michigan. Equipment and supplies are required to be prepared for the 2024 Presidential Primary in February.

M. Bates reviewed the estimated costs associated with elections.

Admin. Murphy explained that costs will come out of contingency as needed.

Commissioners expressed their appreciation of the County Clerk's efforts; noting that this may help retain local clerks.

Motion by Van Doren, seconded by Martis, to recommend approval of early in-person voting at the county level and to allocate up to \$150,000 in 2023 for the equipment and supplies. Motion carried.

- C. National Intern Day:** Ben Gilsdorf and Melissa Tsuji (Siena Heights University) and Lisa Bussing (Wacker) shared information on National Intern Day and the importance of encouraging interns to live, work, stay, and play in Lenawee County. Ms. Tsuji indicated that they were requesting the County assist in recognizing over 40 college interns from all over the United States that will be participating in the July 27th event. The request is for \$560 to support the event.

Admin. Murphy added that the Interim Finance Coordinator has confirmed that this would be an allowable expenditure.

Motion by Van Doren, seconded by Martis, to recommend approval supporting National Intern Day in the amount of \$560 with funding to come from 101.101-955 BOC Miscellaneous.

Comm. Krasny noted that although he is fundamentally opposed to this type of support, he will be voting in favor. However, he further indicated this should be a one-time approval.

Motion by Van Doren, supported by Martis, to amend the motion to include that this is a one-time payment. Motion carried.

The original motion as amended carried.

IV. PERSONNEL BUSINESS (Continued)

- A. Wage & Compensation Study:** MGT Consulting Group was contracted to prepare a Wage and Compensation study. The overall objective of the study was to strengthen the County's compensation system to ensure that the updated system is accurate, equitable,

and market-competitive thereby enabling the County to attract and retain highly qualified employees.

Jan Brannen and Rick Labib-Wood of MGT Consulting Group presented a summary of the study and what comparisons were used to establish the benchmarks. They also provided a summary of the total adjustments being recommended over a three-year period.

MGT provided an option for implementation, however, their implementation numbers are based on 2022 salaries. As the County looks at personnel projections, position changes will be identified and the 2023/2024 actual payroll numbers applied to determine an actual implementation plan.

Admin. Murphy further explained the importance of having this information on hand to use as the County moves through the budget process. Departments have been notified of the delay in obtaining personnel projections and non-personnel budget targets. Admin. Murphy reminded the Committee that a draft balanced budget needs to be completed and available to review with Commissioners by mid-September in order to meet budget adoption deadlines. Admin. Murphy will also be using this information while working through labor negotiations.

Motion by Martis, seconded by Van Doren, to recommend approval of the Wage and Compensation Study prepared by MGT Consulting and authorize the Administrator to propose an implementation strategy through the budgetary process. Motion carried.

- B. ECU/Diversions Program Recognition:** More than one million dollars has been recuperated through the Economic Crimes and Diversion Program. Robert Wendt, Economic Crimes Unit Investigator was called upon to receive the following recognition.

Motion by Van Doren, seconded by Martis, to adopt the following recognition

Whereas, The Economic Crimes and Diversion Unit (ECDU) was initiated in 2014 to give merchants another option in recovering economic losses; bringing a business approach to business crimes. The ECDU provides efficient and effective programs that provide a means for offenders to avoid formal charges and recoups loss funds for local businesses in cases such as bad checks, unreturned rental property, and retail fraud.

In 2016, the Economic Crimes and Diversion Unit adopted the Jail Reimbursement Program to enhance efforts of capturing County funds spent on room and board, medical, and dental services of those incarcerated within our County Jail.

Whereas, these are serious frauds that inflict hardships on our residents, businesses, and the community as a whole.

Whereas, Bob Wendt has been the Economic Crimes Unit Investigator since 2017 and has made extraordinary efforts to extend services and programs on behalf of our community. More than \$950,000 has been successfully recovered and returned to victims and merchants, and more than \$1 million in jail reimbursements and diversion fees have been paid to the County!

Whereas, this significant milestone represents a great accomplishment for both the program and Bob Wendt's commitment.

Now Therefore Be It Resolved, as we celebrate this milestone with the Economic Crimes and Diversion Unit, we recognize and applaud Robert Wendt on a job well done.

Motion carried.

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

D. Other Personnel Business: No other personnel business was presented.

V. WAYS AND MEANS BUSINESS (Continued)

A. Finance Reports: Admin. Murphy reviewed points of interest in the General Fund Income Statement noting revenue is trending higher while expenses are lower than last year at this time. She then went on to identify and review the Fund Equity Report.

B. Managed Assigned Counsel: Commissioner Collins requested to abstain from both the Managed Assigned Counsel and the Conflict Attorney Contract matters due to a potential conflict of interest.

Motion by Martis, seconded by Van Doren, to approve Commissioner Collins' request for abstention in this matter. Motion carried.

Admin. Murphy reported that the County has a mandated responsibility to pay for indigent defense services and does so through the Public Defender's Office. However, there are occasions when a conflict arises and the services of conflict defense counsel are obtained. As such, someone needs to be responsible for conflict defense assignment services for indigent defendants in these misdemeanor and felony proceedings. The Michigan Indigent Defense Commission provides a grant to the County to support these services.

A proposed contract between Lenawee County and Managed Assigned Counsel Coordinator to handle these responsibilities was submitted for consideration. This contract has been reviewed and approved by corporation counsel.

Motion by Van Doren, seconded by Martis, to recommend approval of the contract for Managed Assigned Counsel Coordinator for providing conflict defense assignment services and authorize the Board Chairman to sign such contracts. Motion carried (Collins abstained).

C. Conflict Attorney Contract: A proposed contract between Lenawee County and Conflict Attorneys to handle the conflict cases was reviewed. This contract has been reviewed and approved by corporation counsel.

Motion by Van Doren, seconded by Martis, to recommend approval of the Contract for Conflict Attorneys to provide defense counsel to misdemeanor and felony defendants and authorize the Board Chairman to sign such contracts. Motion carried (Collins abstained).

- D. Interim Medical Examiner:** Admin. Murphy reviewed a request to appoint Dr. John C. Maino, II as Interim Medical Examiner. Dr. Maino is currently the Medical Examiner for Jackson County and has worked very closely with Dr. Cassin and the medical examiner's office. He has agreed to take on the Medical Examiner responsibilities for both Lenawee and Hillsdale counties until we are able to finalize the ultimate goal of creating a regional Medical Examiner's office with Lenawee, Hillsdale, and Jackson counties.

The Memorandum of Agreement for services has been updated.

Motion by Martis, seconded by Van Doren, to recommend approval of the resolution appointing Dr. John C. Maino II as Lenawee County's Interim Medical Examiner and authorize Board Chairman James Van Doren to sign the agreement with Dr. Maino. Motion carried.

- E. Maurice Spear Campus:** A Construction Manager at Risk is a project delivery method that entails a commitment by the Construction Manager to deliver the project within a guaranteed maximum price which is based on the construction documents and specifications plus any reasonably inferred items or tasks. This person provides professional services and acts as a consultant to the owner in the design, development, and construction phases. In addition to acting in the owner's interest, the Construction Manager must manage and control construction costs to not exceed the guaranteed maximum price because contractually any costs exceeding that amount that are not change orders are the financial liability of the Construction Manager. This method allows for a more accurate cost estimation and less liability in both the financial, and construction aspects.

Motion by Tillotson, seconded by Van Doren, to recommend authorizing the Administrator to request proposals for a Construction Manager – At Risk for the Maurice Spear Campus renovation and expansion project. Motion carried.

F. Committee Referrals/Recommendations

Hazard Mitigation Plan: The Lenawee County Hazard Mitigation Plan submitted to the Board of Commissioners in January 2023 has been reviewed and approved by FEMA. The plan is now ready for the Board of Commissioners' approval.

Motion by Van Doren, seconded by Martis, to recommend the adoption of the Lenawee County Hazard Mitigation Plan by way of resolution. Motion carried.

Land Bank Authority: Francine Zysk reported that the Land Bank has reviewed and is recommending an amendment to the Interlocal Agreement between the State Land Bank Authority and the Treasurer. Proposed changes include the Authority Board Composition and Terms of Office. The State Land Bank has advised this amendment will provide the Land Bank Authority the authorization to revisit and make necessary amendments to their bylaws and keeps them eligible for funding.

Motion by Van Doren, seconded by Martis, to recommend approval of the First Amendment to the Intergovernmental Agreement and designate the County Treasurer, Erin Van Dyke, as signatory. Motion carried.

G. Other Ways & Means Business

Wellwise Services: Wellwise Services Area Agency on Aging submitted its draft Annual Implementation Plan for the Commissioners' review.

Motion by Van Doren, seconded by Tillotson, to receive the draft FY 2024 Annual Implementation Plan. Motion carried.

VI. CLOSED SESSION

Pursuant to 15.268 of the Open Meetings Act, Section 8 (e) the Commissioners need to consult with its attorney regarding trial or settlement strategy in connection with specific pending litigation.

Motion by Martis, seconded by Van Doren, to go into closed session pursuant to Section 8 (e) of the Open Meetings Act to consult with legal counsel regarding trial or settlement strategy regarding a litigation matter at 11:57 a.m. Motion carried by a unanimous roll call vote.

Motion by Van Doren, seconded by Martis, to return to regular session at 12:49 p.m. Motion carried by a unanimous roll call vote.

Motion by Tillotson, seconded by Van Doren, to authorize Corporate Counsel and the County Administrator to negotiate a settlement/separation agreement and full and final release as to Kirk June. Motion carried.

VII. CONSENT AGENDA

Action items approved at this meeting will be placed on the Board of Commissioners Consent Agenda unless requested to be removed.

VIII. PUBLIC COMMENT

There was no public comment.

IX. COMMISSIONER COMMENTS

There were no Commissioner comments.

X. ADJOURNMENT

Motion by Martis, seconded by Van Doren, to adjourn the meeting at 12:52 p.m. Motion carried.