

DRAFT

**OFFICIAL PROCEEDINGS
OF THE**
Board of Commissioners
OF SAGINAW COUNTY, MICHIGAN



AUGUST SESSION 2022




First day of the August Session of the Board of Commissioners of Saginaw County, Michigan, held Tuesday, August 16, 2022. The Board met pursuant to call of the County Clerk at 5:00 p.m. at the Saginaw County Courthouse, 111 S. Michigan Ave., Saginaw, MI 48602 with the Honorable Carl E. Ruth in the Chair.

PRESENT: Christopher S. Boyd, Carol E. Ewing, Kyle R. Harris, Carl E. Ruth, Tracey L. Slodowski, Jack B. Tany, Michael A. Webster, Cynthia M. Winiecke - **8**

ABSENT: Dennis H. Krafft, Gerald D. Little, Sheldon Matthews - **3**

TOTAL: - **11**

OTHERS: Vanessa Guerra, Dave Gilbert, Norm Bamberger, Krystal Irvine, Katie Kelly, Brian Wendling, Bill Stanuszek, Denny Harris, Jessica Sargent, Jennifer Broadfoot, Koren Thurston, Kyle Bostwick, Ray Ogden, Wonzella Doyal, Patricia Johnson, Angie Miller, Lisa Coney, Marissa Sawdon, Suzy Koepplinger, and others

 Commissioner Ruth gave the invocation and led the Pledge of Allegiance to the Flag

CLERK'S CALL OF SESSION

Public Notice of Regular Board Session

The Saginaw County Board of Commissioners will convene for its Regular Session on
Tuesday, August 16, 2022 at 5:00 p.m.

111 S. Michigan Ave.

Room 200

Saginaw, MI 48602

Requests for Public Comment (Audiences) must be made to the Board of Commissioners Office at (989) 790-5267 or by email to boc@saginawcounty.com prior to 12:00 p.m. the day of the meeting. Please include your phone number.

This meeting is being held consistent with P.A. 267 of 1976 (MCL 15.263) to consider the August 16, 2022 Board Agenda.



If you are disabled and need accommodation to provide you with an opportunity to participate, please call the Board of Commissioners at 989.790.5267.

Respectfully submitted,
Vanessa Guerra, County Clerk

August 5, 2022
Posted 8-12-22 by SEK

By the Chair: That the Notice of Meeting from the County Clerk be received and filed if there are no objections. The Chair hears none; it is so ordered.

APPROVAL OF MINUTES

- ***Commissioner Tany moved, seconded by Commissioner Winiecke, to approve the Minutes of the June 21, 2022 Committee of the Whole, June 21, 2022 Board Session, and June 27, 2022 Committee of the Whole. Motion carried.***

NOTICE OF PUBLIC HEARING

*The Saginaw County Board of Commissioners will hold a Public Hearing on the proposed Saginaw County Budget for fiscal year 2022/2023 at 5:00 p.m. on Tuesday, August 16, 2022 in Room 200 of the Saginaw County Governmental Center, 111 South Michigan Avenue, Saginaw, MI 48602. A copy of the proposed budget is available for inspection in the Controller's Office at the above address and on the website at www.saginawcounty.com. Persons wishing to comment may do so at this meeting and/or may send written comments to the Board at the above address. **The property tax millage rate proposed to be levied to support the proposed budget will be a subject of this hearing.***

PUBLIC HEARING

- At 5:03 p.m., Chairman Ruth opened a public hearing on the proposed Saginaw County 2022/2023 Fiscal Year Budget and property tax millage rate proposed to be levied to support General Government Operations. Chairman Ruth asked if there was anyone wishing to speak; hearing none, he announced the hearing would remain open.

FOIA APPEAL

- ***Commissioner Boyd moved, seconded by Commissioner Ewing, for approval to send written notice to Andrew Harris upholding the disclosure denial as to his Freedom of Information Act request of July 30, 2022 (FOIA #3361) regarding information from the Friend of the Court. Motion carried unanimously.***



AUDIENCES

- Vanessa Guerra, County Clerk, spoke in opposition to the request by Elected Officials to amend County Policy #335 – “Compensation” and establish a future separation of not less than 15% between the elected position and the highest pay grade within the office.

LAUDATORY RESOLUTIONS

Certificate of Recognition to Terry L. Kluck, Probate Register,
upon her retirement after 48+ years of service

Terry L. Kluck has provided over 48 years of dedicated service to Saginaw County. Terry began her career with Saginaw County Probate Court on May 6, 1974. Terry was initially employed as a court clerk and then promoted to a deputy register in 1976. In 1999, Terry was appointed by the Honorable Fred L. Borchard as the Probate Court Register supervising four to five employees, training new employees, reviewing daily filings by the public and attorneys, collecting data and submitting quarterly reports to the State Court Administrator’s Office, holding conferences with fiduciaries who were appointed as a conservator or personal representative by the Court to oversee a protected individual’s finances or a decedent’s estate to make sure reports, inventories and accountings were up to date and in compliance with the Estate Probate Individual Code (EPIC). Her position also gave her the authority to preside over certain court hearings in the absence of the judge such as minor guardianships, conservatorships, appointment of personal representatives and determining heirs.

Terry is one of the longest serving employees of Saginaw County with 48 years and three months to her credit. She has enjoyed working for Saginaw County Probate Court and with other county employees and will miss the camaraderie she has experienced with everyone. Over the last 48 years Terry has worked with several Probate Court Judges beginning with the Honorable Glen E. Jordan, the Honorable Edmund M. Troester, the Honorable Fred L. Borchard, and for over 22 years the Honorable Patrick J. McGraw, along with multiple visiting judges from other counties in Michigan.

Terry has a fun-loving personality and is always eager to meet people and try new experiences. In 2019 Terry and some girlfriends traveled to Dubai. She enjoys shopping, decorating, traveling, spending time with friends from grade school and high school and friends she’s met along the way, and she looks forward to more golfing, pickleball, traveling and spending her retirement years seeking and participating in new activities and adventures.

The Saginaw County Board of Commissioners congratulates Terry Kluck on her retirement after 48 years and three months of service, and thanks her for her hard work and dedication to Saginaw County.

Respectfully Submitted,
Saginaw County
Board of Commissioners
Carl E. Ruth
Chairman, District #10

Presented: July 28, 2022
Adopted: August 16, 2022



PETITIONS AND COMMUNICATIONS

By the Chair: That the following communications received by the Board of Commissioners are referred as designated, if there are no objections. The Chair hears none; it is so ordered.

8-16-1 REGION VII AREA AGENCY ON AGING notifying Saginaw County that Requests for Proposals will be submitted for grant funding available for FY 2023.

-- Human Services (*Receive & File*)

8-16-2 REGION VII AREA AGENCY ON AGING submitting its proposed Multi-Year Plan for FY 2023 - 2025.

-- Human Services (*Receive & File*)

8-16-3 COMMISSION ON AGING submitting a summary of its application to the Region VII Area Agency on Aging for FY 2023 funding of its programs.

-- Human Services (**8-16-1.1**)

8-16-4 ALZHEIMERS ASSOCIATION sending notification of its application to Region VII Area Agency on Aging to provide funding for residents caring for a family member living with Alzheimer's disease or other dementia for FY 2023.

-- Human Services (*Receive & File*)

8-16-5 COMMUNITY ACTION COMMITTEE sending notification of its application to Region VII Area Agency on Aging to provide funding for its Minority Senior Outreach and Advocacy Program in Saginaw County for FY 2023.

-- Human Services (*Receive & File*)

8-16-6 ASCENSION ST. MARY'S HOSPITAL sending notification of its application to Region VII Area Agency on Aging to provide funding for its Guardian Angel for Adult Day Care in Saginaw County for FY 2023.

-- Human Services (*Receive & File*)

8-16-7 SAGINAW COUNTY 9-1-1 COMMUNICATIONS CENTER AUTHORITY submitting its FY 2023 Budget and approved Resolution that utilizes up to \$500,000 of State Wireless Funds.

-- Courts & Public Safety (**8-16-2.1**)

8-16-8 MEDICAL EXAMINER presenting a PowerPoint that outlines the Medical Examiner team, statistics to date, and looks at the needs of the Saginaw County Medical Examiner Office.

-- Courts & Public Safety (*Receive & File*)

8-16-9 MDHHS sending notice that the youth detention per diem rate for Bay Pines Center will increase beginning October 1, 2022 from \$125.00 per day to \$250.00 per day due to rising costs.

-- Courts & Public Safety (*Receive & File*)

8-16-10 MICHIGAN WORKS! requesting approval of subleases for the Alma and Midland Michigan Works! Service Centers.

-- County Services (**8-16-3.1**)

8-16-11 BAY CITY PUBLIC SCHOOLS submitting signed Form L-4029 detailing the property tax levies for Bay City Public Schools.

-- County Services (*Receive & File*)



8-16-12 CITY OF SAGINAW sending notice of an application and public hearing for an Obsolete Property Rehabilitation Act (OPRA) Certificate filed by Landmark Saginaw, LLC at 101 N. Washington Ave. and 111 E. Genesee Ave. with an estimated project expenditure of \$45,000,000.

-- County Services (*Receive & File*)

8-16-13 HON. DARNELL JACKSON, CHIEF JUDGE, SAGINAW COUNTY TRIAL COURTS requesting approval to replace outdated and malfunctioning audio-visual equipment in five (5) Circuit Court courtrooms and one (1) Probate courtroom, at an estimated cost of \$68,000 or just audio in the approximate amount of \$26,000 to be included in the FY 2023 Budget.

-- Budget/Audit (**8-16-4.2**)

8-16-14 TREASURER requesting amendment of its 692 Fund for Expense Consultant Services in the FY 2022 Budget in the amount of \$14,000 for new investment software from SYMPRO.

-- Budget/Audit (**8-16-4.3**)

8-16-15 MOSQUITO ABATEMENT requesting use of \$75,000 from its unappropriated fund balance to cover additional fuel costs experienced in FY 2022, increasing the approved budget for fuel from \$150,000 to \$225,000.

-- Budget/Audit (**8-16-4.4**)

8-16-16 MOSQUITO ABATEMENT requesting the addition of a full-time Mechanic position to its PCN roster, with estimated additional costs in wages and benefits at \$6,000 for the remainder of FY 2022 and \$35,000 for FY 2023 if needed.

-- Budget/Audit (**8-16-4.5**)

8-16-17 COUNTY CIVIL/LABOR COUNSEL submitting proposed new Saginaw County Ordinance regarding Surveillance, Invasion of Privacy or Security on County Property.

-- County Services (**8-16-3.2**)

8-16-18 PUBLIC WORKS submitting (1) Resolution authorizing the issuance of a bond sale and pledge of full faith and credit for the Oakley Sewage Disposal System Improvements Project; and (2) Approval of the USDA Rural Development Loan Resolution regarding same.

--- County Services (**8-16-3.3/Res. 2022 - 8**)

8-16-19 TREASURER/CONTROLLER sending the electronic transactions and voucher payments transmittal form for the month of February 2022.

-- Budget/Audit (**8-16-4.1**)

8-16-20 TREASURER/CONTROLLER sending the electronic transactions and voucher payments transmittal form for the month of March 2022.

-- Budget/Audit (**8-16-4.1**)

8-16-21 TREASURER/CONTROLLER sending the electronic transactions and voucher payments transmittal form for the month of April 2022.

-- Budget/Audit (**8-16-4.1**)

8-16-22 TREASURER/CONTROLLER sending the electronic transactions and voucher payments transmittal form for the month of May 2022.

-- Budget/Audit (**8-16-4.1**)

8-16-23 TREASURER/CONTROLLER sending the electronic transactions and voucher payments transmittal form for the month of June 2022.

-- Budget/Audit (**8-16-4.1**)



8-16-24 COUNTY CIVIL/LABOR COUNSEL submitting a Memorandum of Understanding regarding the employment of ten (10) contract/temporary workers in the Saginaw County Clerk's Office.

-- Labor Relations **(8-16-5.3)**

8-16-25 HON. PATRICK J. MCGRAW, SAGINAW COUNTY PROBATE COURT requesting to reclassify three (3) Deputy Registers from their position as a T08 to a Legal Clerk II/Deputy Register at T11 within Probate Court.

-- Labor Relations

8-16-26 HON. DARNELL JACKSON, ET AL., SAGINAW COUNTY TRIAL COURTS, requesting to reclassify five (5) District Court Clerks/Judicial Assistants from their current classification as a T07 – Legal Clerk I (as compensated pursuant to MOU and CBA) to a T13 – Judicial Assistant.

-- Labor Relations

8-16-27 FINANCE DIRECTOR submitting budget adjustments approved by the Controller and grants accepted on behalf of the County for January 1 – June 30, 2022 as well as budget adjustments approved by the Controller for the purposes of carrying forward budget from FY 2021 to FY 2022 as outlined in Budget Resolution A.

-- Budget/Audit *(Receive & File)*

8-16-28 PERSONNEL DIRECTOR submitting the August 2022 Employment Status Report covering labor statistics for the months of June/July 2022.

-- Labor Relations *(Receive & File)*

8-16-29 PERSONNEL DIRECTOR submitting proposed changes to Personnel Policy #322 – Discrimination and Sexual Harassment Policy to reflect the latest Equal Employment Opportunity Commission (EEOC) and Michigan Department of Civil Rights (MDCR) guidance on sexual harassment and unlawful discrimination and recent legal cases.

-- Labor Relations **(8-16-5.2)**

8-16-30 COUNTY CIVIL/LABOR COUNSEL submitting a Memorandum of Understanding regarding a voluntary four (4) day work week for employees of the County Clerk's Office.

-- Labor Relations **(8-16-5.4)**

8-16-31 RETIREMENT ADMINISTRATOR requesting certification of the Employee and Officer Delegates attending the 2022 Municipal Employees' Retirement System (MERS) Annual Meeting to be held at the Grand Traverse Resort in Acme Township, MI this year from September 26 - 27, 2022.

-- Labor Relations **(8-16-5.6)** *On Addendum – Laid on the table after special meeting*

~~**COUNTY CIVIL/LABOR COUNSEL** submitting changes to County Policy #361 – Disability Leave that would provide benefit eligible employees with protection against income loss as a result of a covered injury, sickness, or pregnancy.~~

-- Labor Relations *(Pulled prior to committee)*

8-16-32 CONTROLLER/CAO requesting appointment of a Deputy Medical Examiner pursuant to State Statute to act in the place of the Chief Medical Examiner if on leave or vacation.

-- Labor Relations **(8-16-5.5)**

INITIATORY MOTIONS

None



PUBLIC HEARING

2nd Call

- At 5:07 p.m., Chairman Ruth announced the second call of a public hearing on the proposed Saginaw County 2022/2023 Fiscal Year Budget and property tax millage rate proposed to be levied to support General Government Operations. He asked if there was anyone wishing to speak; hearing none, he announced the hearing would remain open.

REPORTS OF COMMITTEES

1. **Human Services Committee – G. Little, Chair; M. Webster, Vice-Chair**

1.1) **COMMISSION ON AGING**, re: Approval of application to the Region VII Area Agency on Aging for FY 2023 funding of its programs

- Webster moved, seconded by Winiecke, to approve 1.1. Motion carried.***

FROM: COMMITTEE ON HUMAN SERVICES – 1.1

AUGUST 16, 2022

Your committee considered Communication No. 8-16-3 from Jessica Sargent, Director, Commission on Aging, submitting a FY 2023 Application Summary for Federal/State Funding through Region VII Area Agency on Aging.

The committee met with Ms. Sargent who provided details on the application. State and Federal funds awarded by Region VII require a 10% local match, which may be either a cash match with millage funds, in-kind goods or services, or a combination thereof. This is a Request for Proposal (RFP) and at the time of review, these grants have not been awarded. Funds are awarded through a competitive RFP process. The service categories and allocations for which funding is sought are as follows:

SERVICE CATEGORY	FY 2022 ALLOCATION	FY 2023 ALLOCATION
Case Coordination & Support	\$ 100,092	\$100,770
Senior Center Staffing	19,000	19,400
Senior Center Operations	13,000	13,000
Caregiver Support Program	50,173	50,273
Congregate Nutrition Program	123,537	136,246
Home Delivered Meals	417,660	418,410
Minority Outreach / Senior Center Staffing / Transportation	40,685	40,685
In Home Support Services	292,208	292,908
Total	\$1,056,355	\$1,071,692

The FY 2023 requested funds reflect an increase of \$678 for Case Coordination and Support, \$400 increase for Senior Center Staffing, \$100 increase for Caregiver Support Program, \$12,709 increase for Congregate Nutrition, \$750 increase for Home Delivered Meals, and a \$700 increase for In Home Support Services. For all programs the total increase is \$15,337.



We recommend approval of the 2023 Application for Federal/State Funding through Region VII Area Agency on Aging in the amount of \$1,071,692, in accordance with Saginaw County Policy; further, that the proper County officials be authorized and directed to make the necessary budget adjustments.

Respectfully submitted,

COMMITTEE ON HUMAN SERVICES

Gerald D. Little, Chair Michael Webster, Vice-Chair
Tracey L. Slodowski Cynthia Winiecke
Carl E. Ruth

2. **Courts and Public Safety Committee – S. Matthews, Chair; C. Boyd, Vice-Chair**

2.1) **9-1-1 COMMUNICATIONS AUTHORITY**, re: Approval of its FY 2023 Budget that utilizes up to \$500,000 of State Wireless Funds

- **Boyd moved, seconded by Slodowski, to approve 2.1. Motion carried.**

FROM: COMMITTEE ON COURTS & PUBLIC SAFETY – 2.1

AUGUST 16, 2022

Your committee considered Communication No. 8-16-7 from Chris Izworski, Executive Director, Saginaw County 9-1-1 Communications Authority, submitting the FY 2023 9-1-1 Communications Authority Budget of \$7,273,864 and approved Budget Resolution of the Authority.

We met with Mr. Izworski who explained that the 9-1-1 Communications Center Authority Board passed a resolution that the Authority be authorized to move up to \$500,000 from the State of Michigan Wireless Funds (Acct. #260-32601) to be used as revenue for Saginaw County 9-1-1.

We recommend approval of the FY 2023 9-1-1 Communications Center Authority budget and the County budget to reflect correct budget figures for the transfer of surcharge monies by September 30, 2023 in addition to utilizing up to \$500,000 from the State of Michigan Wireless Funds account; further, that the proper county officials are authorized to amend the budgets accordingly.

Respectfully Submitted,

COMMITTEE ON COURTS & PUBLIC SAFETY

Sheldon Matthews, Chair Christopher S. Boyd, Vice-Chair
Kyle R. Harris Cynthia M. Winiecke
Carl E. Ruth

3. **County Services Committee – M. Webster, Chair; D. Krafft, Vice-Chair**

- 3.1) **MICHIGAN WORKS!**, re: Approval of subleases for the Alma and Midland Michigan Works! Service Centers
- 3.2) **CIVIL/LABOR COUNSEL**, re: Approval of new Saginaw County Ordinance regarding Surveillance, Invasion of Privacy or Security on County Property
- 3.3) **PUBLIC WORKS**, re: Approval of a USDA Rural Development Loan Resolution (Bond Resolution 2022 – 8 submitted under Resolutions)



- *Webster moved, seconded by Winiecke, to approve 3.1 - 3.3 leaving room for exceptions. 3.2 was excepted by Boyd and the motion as to 3.1 & 3.3 carried unanimously.*
- *After discussion, Boyd moved, seconded by Ewing, to table 3.2 for further review by legal counsel. Motion carried unanimously.*

FROM: COMMITTEE ON COUNTY SERVICES – 3.1

AUGUST 16, 2022

Your committee considered Communication No. 8-16-10 from Ray Ogden and Wonzella Doyal, MI Works!, requesting approval of subleases for the Alma and Midland Michigan Works! Service Centers.

The committee met with Ms. Doyal who explained that the contract has only changed in terms of the structure of monthly pricing. The properties included in this agreement are 327 East Center Street, Alma, MI 48801 and 1409 Washington, Midland, MI 48640.

We recommend approval of the subleases for the Alma and Midland Michigan Works! Service Centers.

Respectfully Submitted,

COMMITTEE ON COUNTY SERVICES

Michael A. Webster, Chairman

Dennis H. Krafft, Vice-Chair

Carol E. Ewing

Jack B. Tany

Carl E. Ruth

REFERRED BACK TO COUNTY SERVICES COMMITTEE

FROM: COMMITTEE ON COUNTY SERVICES – 3.2 TABLED AT MEETING AUGUST 16, 2022

~~Your committee considered Communication No. 8-16-17 from Dave Gilbert, County Civil/Labor Counsel, submitting proposed new Saginaw County Ordinance regarding Surveillance, Invasion of Privacy or Security on County Property.~~

~~We met with Mr. Gilbert who reviewed the language in the ordinance. There was discussion of scenarios and how this policy would affect operations, as well as who and where this ordinance would apply. The committee approved the proposed ordinance but directed Civil Counsel to add “and other county buildings” for clarification.~~

~~We recommend approval of proposed new Saginaw County Ordinance regarding Surveillance, Invasion of Privacy or Security on County Property, as amended, and authorizing the proper county officials to facilitate its enactment.~~

~~Respectfully Submitted,~~

COMMITTEE ON COUNTY SERVICES

~~Michael A. Webster, Chairman~~

~~Dennis H. Krafft, Vice Chair~~

~~Carol E. Ewing~~

~~Jack B. Tany~~

~~Carl E. Ruth~~



~~SAGINAW COUNTY ORDINANCE~~

~~Surveillance, Invasion of Privacy or Security on County Property~~

~~Section 1. Purpose and Findings:~~ The Saginaw County Board of Commissioners (“Board”) is authorized to enact ordinances protecting County interests in owned, leased or controlled properties (“County Property”). MCL 46.11(j). The Board determines that there is a privacy and security interest in all County Property and the lobbies and hallways of County buildings and the offices, when there is a person present who has not provided written consent to be photographed, surveilled or eavesdropped. Except within the Board’s Chambers during an open meeting when consent to be surveilled is presumed, the Board finds that photography or surveillance without consent is an invasion of privacy of County funded personnel, officers and the public present on County Property.

The Board finds that the behaviors prohibited in this Ordinance are necessary to avoid the impediment and interference in the proper functioning of the business of County government and the Courts that it finances. Specifically, unauthorized video taking and audio recording and harassment of County and Court personnel has been determined to interfere in Saginaw County with employee performance of critical duties and if unchecked could threaten the recruitment and retention of County and Court funded personnel, thereby further impeding performance of duties necessary to the courts and community.

~~Section 2. Prohibitions:~~ It shall be unlawful and a violation of this Ordinance for any person to violate any of the following prohibitions:

- ~~A. In the courtroom, no one may use a portable electronic device to take photographs or for audio or video recording, broadcasting or live streaming, unless that use is specifically allowed by the judge presiding over that courtroom.~~
- ~~B. In areas of the County Administration Building and other County buildings, other than courtrooms, no one may photograph, record, broadcast or live stream an individual, work area or proceeding without the individuals’ prior consent. The following exceptions shall apply:~~
 - ~~1. Public reception areas in the offices of the County Administration Building, other County buildings during normal business hours.~~
 - ~~2. Public proceedings of the Board or its Committees in its Chambers or a conference room in the County Building.~~
 - ~~3. Any proceeding in the County Administration Building or other County buildings, where the photography, videography or audio recording is expressly authorized by the County Controller/Chief Administrator Officer.~~
 - ~~4. Any law enforcement or security activities on County property.~~
- ~~C. The photographing, video recording or audio recording of any work area, person, clinical service, HIV testing or family planning services inside the Health Department is prohibited to protect the identity of the people patronizing the Health Department and to protect confidential health information and records.~~
- ~~D. No one may photograph, record, broadcast or live stream any juror or anyone called to court for jury service.~~
- ~~E. The photographing, video recording or audio recording of the vital records department of the County Clerk’s office is prohibited. This is to protect the privacy of the contents of those records.~~
- ~~F. The photographing, video recording or audio recording of any work area, person or proceeding inside the Sheriff’s Administrative building, including the jail, is prohibited due to security reasons, as well as the protection of the identity of undercover officers and witnesses.~~



~~Section 3. Notice and Posting:~~ The prohibitions of this Ordinance shall be posted by the Saginaw County Clerk at public entrances to all County Property and on grounds and parking areas of County Property. The absence of a posting, however, shall not bar enforcement of this Ordinance.

~~Section 4. Severability:~~ The phrases, sentences, sections and provisions of this Ordinance are severable and the finding that any portion hereof is unconstitutional or otherwise unenforceable shall not detract from or affect the enforceability of the remainder of this Ordinance.

~~Section 5. Repeal of Conflicting Ordinances:~~ All other ordinances, parts of ordinances, or amendments thereto, any of which are in conflict with the provisions of this Ordinance, are hereby repealed in their entirety to the extent of such conflict.

~~Section 6. Enforcement:~~ The Saginaw County Sheriff and his deputies shall enforce the provisions of this Ordinance, and may request assistance from local police departments and the Prosecutor.

~~Section 6.1. Appearance Ticket.~~ If a Sheriff's deputy determines that there is probable cause that this Ordinance has been violated, he or she is authorized to issue and serve an Appearance Ticket upon a person or entity violating this Ordinance. The Appearance Ticket shall direct the recipient to appear in the appropriate District Court within Saginaw County on a specified date to respond to the alleged violation. Nothing herein shall prevent a Sheriff's deputy or Prosecutor from also pursuing enforcement for the same offenses as are prohibited under this Ordinance.

~~Section 6.2. Criminal Penalties.~~ Enforcement may be accomplished by criminal prosecution, along with any other remedies provided by law. Any responsible party shall be guilty of a misdemeanor if proven to have violated the provisions of this Ordinance and may, upon conviction, be punished by imprisonment in the County jail for not more than ninety (90) days, or by fine of not more than five hundred (\$500) dollars and the cost of prosecution, or by a fine and imprisonment at the discretion of the Court. The imposition of any sentence shall not exempt the Responsible Party from compliance with the requirements of this Ordinance.

~~Section 7. Approval:~~ This Ordinance was approved and adopted by the Saginaw County Board of Commissioners on _____ and shall be effective on _____.

~~Section 8.:~~ This Ordinance shall take effect sixty (60) days from the date of adoption by the Saginaw County Board of Commissioners, providing a copy has been published in the Saginaw News, Saginaw, Michigan.

FROM: COMMITTEE ON COUNTY SERVICES – 3.3

AUGUST 16, 2022

Your committee considered Communication No. 8-16-18 from Brian Wendling, Public Works Commissioner, (1) Submitting a Resolution authorizing the issuance of a bond sale and pledge of full faith and credit for the Oakley Sewage Disposal System Improvements Project and (2) Approval of a USDA Rural Development Loan Resolution regarding same.

The committee met with Mr. Wendling who explained that the bond sale is between Saginaw County and the United States Department of Agriculture, Rural Development in furtherance of the USDA's program to provide low-interest rate, long-term loans for eligible projects. He further explained that there is a separate Loan Resolution to be executed by the Board Chair and County Clerk. The principal bond amount is for \$159,000 not to exceed \$171,000.

It is the recommendation of your committee to approve the USDA Rural Development Loan Resolution that was submitted. The Resolution authorizing the issuance of a bond sale and pledge of full faith and credit for the Oakley Sewage Disposal System Improvements Project is submitted under the regular order of business.



Respectfully Submitted,

COMMITTEE ON COUNTY SERVICES

Michael A. Webster, Chairman

Dennis H. Krafft, Vice-Chair

Carol E. Ewing

Jack B. Tany

Carl E. Ruth

Budget Audit Committee – D. Krafft, Chair; C. Boyd, Vice-Chair

- 4.1) **FINANCE DIRECTOR/TREASURER**, re: Approval of vendor transactions for February, March, April, May and June 2022
- 4.2) **TRIAL COURTS**, re: Approval to allocate \$156,000 and adjust the capital improvement and general fund budgets for the purchase of audio equipment in six (6) courtrooms in FY 2022
- 4.3) **TREASURER**, re: Approval to amend its FY 2022 692 fund by \$14,000 for new investment software from SYMPRO
- 4.4) **MOSQUITO ABATEMENT**, re: Approval to use \$75,000 from unappropriated fund balance to cover additional fuel costs
- 4.5) **MOSQUITO ABATEMENT**, re: Approval to add a full-time Mechanic position to its PCN roster and adjust its budget accordingly
- 4.6) **MDHHS**, re: Approval to increase the Department of Health & Human Services Board by \$125 for board member travel
- 4.7) **CONTROLLER/CAO**, re: Submission of the FY 2023 County Budget to be placed on the table for adoption at the September 27, 2022 Board Session

- ***Boyd moved, seconded by Slodowski, to approve 4.1 – 4.7 leaving room for exceptions. There were no exceptions and the motion carried unanimously.***

FROM: COMMITTEE ON BUDGET/AUDIT -- 4.1

AUGUST 16, 2022

In accordance with State Statute and County Policy, your Budget/Audit Committee reviewed the claims for presentation to the Board of Commissioners, as listed below:

<u>Comm. No.</u>	<u>Payment Type</u>	<u>Period</u>	<u>Amount</u>
8-16-19	Electronic/Voucher Transactions	Feb. 1 – 28, 2022	\$ 8,531,161.87
8-16-20	Electronic/Voucher Transactions	Mar. 1 – 31, 2022	\$11,689,189.06
8-16-21	Electronic/Voucher Transactions	Apr. 1 – 30, 2022	\$10,466,266.62
8-16-22	Electronic/Voucher Transactions	May 1 – 31, 2022	\$10,181,503.44
8-16-23	Electronic/Voucher Transactions	Jun. 1 – 30, 2022	\$19,691,702.60

We recommend the payments be approved as compiled and submitted by the Treasurer's Office and Accounting Division of the Controller's Office.

Respectfully Submitted,

COMMITTEE ON BUDGET/AUDIT

Dennis H. Krafft, Chair

Christopher S. Boyd, Vice-Chair

Jack B. Tany

Tracey L. Slodowski

Carl E. Ruth



FROM: COMMITTEE ON BUDGET/AUDIT -- 4.2

AUGUST 16, 2022

Your Budget/Audit Committee received Communication No. 8-16-13 from the Hon. Darnell Jackson, Chief Judge, Saginaw County Trial Courts, requesting approval to replace outdated and malfunctioning audio-visual equipment in five (5) Circuit Court courtrooms and one (1) Probate courtroom, at an estimated cost of \$68,000 or just audio in the approximate amount of \$26,000 to be included in the FY 2023 Budget.

We discussed this request with Judge Jackson and the committee was advised that the amounts requested were per courtroom. The committee determined that funds would be made available to update the audio in the six (6) courtrooms at a total cost of \$156,000 and that the video equipment would be discussed next year for future budget planning.

We recommend approval to adjust the capital improvement fund and general fund budgets to allocate \$156,000 for the purchase of audio equipment in the five (5) Circuit Court courtrooms and one (1) Probate Court courtroom in the FY 2022 Budget and authorize the proper county officials to perform the necessary budget adjustments.

Respectfully Submitted,

COMMITTEE ON BUDGET/AUDIT

Dennis H. Krafft, Chair

Christopher S. Boyd, Vice-Chair

Jack B. Tany

Tracey L. Slodowski

Carl E. Ruth

FROM: COMMITTEE ON BUDGET/AUDIT -- 4.3

AUGUST 16, 2022

Your Budget/Audit Committee considered Communication No. 8-16-14 from Timothy M. Novak, County Treasurer, requesting amendment of its 692 Fund for Expense Consultant Services in the FY 2022 Budget in the amount of \$14,000 for new investment software from SYMPRO.

We discussed this request with Mr. Novak and he informed the committee that the total cost of the software is \$34,000 and his office had budgeted \$20,000, leaving a balance needed of \$14,000. The additional cost is due to training and start-up costs.

We recommend approval of the additional funding of \$14,000 for new investment software in the FY 2022 Budget, with an increase in the 692 fund for Expense Consultant Services to be offset by an increase in Revenue Reimbursement Management Services, and authorize the proper county officials to perform the necessary budget adjustments.

Respectfully Submitted,

COMMITTEE ON BUDGET/AUDIT

Dennis H. Krafft, Chair

Christopher S. Boyd, Vice-Chair

Jack B. Tany

Tracey L. Slodowski

Carl E. Ruth

FROM: COMMITTEE ON BUDGET/AUDIT -- 4.4

AUGUST 16, 2022

Your Budget/Audit Committee considered Communication No. 8-16-15 from William Stanuszek, Mosquito Abatement Director, requesting approval to utilize \$75,000 in Mosquito Abatement unappropriated fund balanced to cover additional fuel costs experienced in FY 2022, increasing the approved budget for fuel from \$150,000 to \$225,000.



We met with Mr. Stanuszek who explained that Mosquito Abatement uses a sizeable fleet of vehicles and gas-powered equipment to provide services across Saginaw County. In addition to its own fuel use, Mosquito Abatement offers fuel services to other county departments, such as the Sheriff's fleet that resulted in an immediate increase of fuel use by 30%.

We recommend approval for Mosquito Abatement to utilize \$75,000 in Mosquito Abatement unappropriated fund balanced to cover additional fuel costs experienced in FY 2022, increasing the approved budget for fuel from \$150,000 to \$225,000, and authorize the proper county officials to perform the necessary budget adjustments.

Respectfully Submitted,

COMMITTEE ON BUDGET/AUDIT

Dennis H. Krafft, Chair

Christopher S. Boyd, Vice-Chair

Jack B. Tany

Tracey L. Slodowski

Carl E. Ruth

FROM: COMMITTEE ON BUDGET/AUDIT -- 4.5

AUGUST 16, 2022

Your Budget/Audit Committee considered Communication No. 8-16-16 from William Stanuszek, Mosquito Abatement Director, requesting the addition of a full-time Mechanic position to its PCN roster, with estimated additional costs in wages and benefits at \$6,000 for the remainder of FY 2022 and \$35,000 for FY 2023 if needed.

We met with Mr. Stanuszek who explained that, due to an ongoing personnel matter, there is only one part-time mechanic upholding the fleet. The current part-time mechanic continues to do an exceptional job during this challenging time, yet this is not ideal nor sustainable. It is critical that Mosquito Abatement has a full-time mechanic placed in the garage to ensure department functionality.

We recommend approval for Mosquito Abatement to add a full-time Mechanic position to its PCN roster, with estimated additional costs in wages and benefits at \$6,000 for the remainder of FY 2022 and \$35,000 for FY 2023 if needed and authorize the proper county officials to perform the necessary budget adjustments.

Respectfully Submitted,

COMMITTEE ON BUDGET/AUDIT

Dennis H. Krafft, Chair

Christopher S. Boyd, Vice-Chair

Jack B. Tany

Tracey L. Slodowski

Carl E. Ruth

FROM: COMMITTEE ON BUDGET/AUDIT -- 4.6

AUGUST 16, 2022

Your Budget/Audit Committee considered a request from Kitty Packard, Chair of the Michigan Department of Health and Human Services (MDHHS) Board, to increase its travel expense budget by \$125 to allow for attendance of two (2) board members to its annual education conference.

Discussion was held regarding the request made by the DHHS Chair to allow two (2) members of the board to attend the MSCCA Conference in Bay City, Michigan from September 12 – 14, 2022. The committee agreed to provide funding for this purpose.



We recommend approval to fund the travel expense budget of the MDHHS Board the amount of \$125 from the General Fund and to authorize the proper County officials to perform the necessary budget adjustments.

Respectfully Submitted,

COMMITTEE ON BUDGET/AUDIT

Dennis H. Krafft, Chair

Christopher S. Boyd, Vice-Chair

Jack B. Tany

Tracey L. Slodowski

Carl E. Ruth

FROM: COMMITTEE ON BUDGET/AUDIT -- 4.7 LAID ON TABLE AUGUST 16, 2022

~~Your Budget Audit Committee received Communication No. 6-21-11 dated June 1, 2022 from Robert V. Belleman, Controller/CAO, submitting Draft #1 of the 2023 Budget, including the FY 2023 Budget Transmittal Letter & Debt Service Schedules, Draft Budget Resolutions A, B, C & D, Budget Summaries, Draft Capital Improvement Plan, and Draft Fee Schedule. This Draft #1 of the Budget was submitted with all funds in balance. Each committee reviewed the proposed budgets and a Committee of the Whole meeting was held. The Budget was previously distributed to each commissioner and is available for review in the Office of the Board of Commissioners. The Budget Audit Committee reviewed the budget as submitted, considered information presented at the Committee of the Whole meeting and any amendments to Draft #1 of the 2023 Budget will be summarized and additional amendments may be made at the September 27, 2022 Board Session. Resolution A contains the amended total budget for the County including the General Fund. The total County Budget for Fiscal 2023 is \$204,833,287 which is a 7.26% percent increase from the current amended Fiscal 2022 Budget. The General Fund Budget for Fiscal 2023 is \$56,236,012 which represents a 5.40% percent increase from the current amended Fiscal 2022 Budget. The General Fund will be subject to further expense control to ensure expenditures do not exceed revenues. Resolution A also contains the proposed County millage rates to be levied December 1, 2022 and July 1, 2023, as well as the authorization of the 9-1-1 surcharge to fund operations as set forth in the 2023 Budget. Millage rates have been adjusted to reflect voter approved levies in the August 2, 2022 Primary Election, if any.~~

~~Resolution B lists salaries for elected/appointed officials including judges and non-union employees. The salaries of elected/appointed officials have been set by the Saginaw County Board of Commissioners and the salaries of judges have been set by the State Officers Compensation Commission.~~

~~Resolution C sets forth the prioritized Capital Improvement Budget for Fiscal Year 2023, which totals \$6,932,212, a decrease of \$8,879,602 over the current FY 2022 budget.~~

~~Resolution D sets fees for all departments controlled by the Saginaw County Board of Commissioners, as amended from year to year.~~

~~A public hearing will be held at this day's session to allow comment on the proposed FY 2023 Budget and on the proposed millages to be levied in December 2022 and July 2023. Notice was previously published in *The Saginaw News* and copies of the budget material may be made available to the public at the meeting.~~



~~It is the recommendation of your committee that Draft #1 of the Controller's recommended Fiscal Year 2023 Budget containing Budget Resolutions A, B, C and D **be laid on the table and scheduled for formal adoption at the September 27, 2022 Board Session.**~~

Respectfully Submitted,

COMMITTEE ON BUDGET/AUDIT

Dennis H. Krafft, Chair

Christopher S. Boyd, Vice-Chair

Jack B. Tany

Tracey L. Slodowski

Carl E. Ruth

Labor Relations Committee – M. Webster, Chair; K. Harris, Vice-Chair

- 5.1) **ELECTED OFFICIALS**, re: Approval to change County Policy #335 - Compensation to establish a future separation of not less than fifteen (15%) percent between the elected position and the highest pay grade within the office
 - 5.2) **PERSONNEL DIRECTOR**, re: Approval of changes to County Policy #322 – Discrimination and Sexual Harassment to reflect latest EEOC and MDCR guidance
 - 5.3) **CIVIL/LABOR COUNSEL**, re: Approval of a MOU regarding the employment of ten (10) contract/temporary workers in the County Clerk's Office
 - 5.4) **CIVIL/LABOR COUNSEL**, re: Approval of a MOU regarding a voluntary four (4) day work week for employees of the County Clerk's Office
 - 5.5) **CONTROLLER/CAO**, re: Approval to appoint a Deputy Medical Examiner pursuant to State Statute to act in place of the Chief Medical Examiner
 - 5.6) **RETIREMENT/BENEFITS ADMINISTRATOR**, re: Approval of certification of the Employee and Officer Delegates attending the 2022 Municipal Employees' Retirement System (MERS) Annual Meeting
- ***Webster moved, seconded by Ewing, to approve 5.1 through 5.5, leaving room for exceptions. 5.1 was excepted by Harris. The motion as to 5.2 - 5.5 carried unanimously.***
 - ***After discussion regarding the Baker Tilly Compensation Study and the structure of the policy, Tany moved, seconded by Boyd, to refer 5.1 to a Committee of the Whole to compile all necessary data and allow for potential discussion of a different formula. The motion carried by the following roll-call vote:***
Yes: Webster, Winiecke, Tany, Boyd, Ruth - 5
No: Ewing, Harris, Slodowski - 3
Absent: Krafft, Little, Matthews - 3
Total: - 11
 - ***Discussion was held regarding the timeframe in 5.3 and the motion was amended to include the correction of the date range which will now end two (2) years from date being August 16, 2024. Motion carried unanimously.***
 - ***Webster moved, seconded by Winiecke, to approve 5.6 from the Addendum that was added after a special Labor Relations meeting held prior to the board session. Motion carried unanimously.***



REFERRED TO COMMITTEE OF THE WHOLE

FROM: COMMITTEE ON LABOR RELATIONS – 5.1 – AUGUST 16, 2022

Your Labor Relations Committee considered Communication No. 6-21-17 from Saginaw County Elected Officials, requesting a change to County Policy #335 – “Compensation” regarding setting compensation of the county wide elected officials (Clerk, Prosecutor, Public Works Commissioner, Register of Deeds, Sheriff and Treasurer) by establishing a future separation of not less than 15% between the elected position and the highest pay grade within that office. We spoke with Robert Belleman – County Controller, Brian Wending – Public Works Commissioner and Tim Novak – Treasurer. Mr. Belleman reviewed the findings from the previous Baker Tilly Compensation Study which compared salaries with surrounding counties. Vanessa Guerra, County Clerk, expressed her concerns as to the education and experience requirements of the employees compared to that of the officials. Discussion was held and the Controller advised the policy is consistent with other counties and a majority of the countywide elected officials desire to ensure their compensation retains the spread to their Chief Deputy or deputies that existed prior to the Baker Tilly the Job Classification & Total Compensation Study. We recommend approval of revised Policy #335 titled “Compensation” as attached.

Respectfully Submitted,

COMMITTEE ON LABOR RELATIONS

Michael A. Webster, Chairman – Kyle R. Harris, Vice Chair

Gerald D. Little – Sheldon Matthews

Carl E. Ruth

Category: 300

Number 335

Subject: **COMPENSATION**

1. PURPOSE: It is the purpose of this policy to establish uniform guidelines and appropriate rules regarding employee compensation to improve the quality of personnel management in the County.
2. AUTHORITY: The Saginaw County Board of Commissioners.
3. APPLICATION: The rules and regulations herein set forth apply to all employees paid by Saginaw County, pursuant to Policy # 301.
4. RESPONSIBILITY: The Controller/CAO of Saginaw County shall be responsible for the implementation and administration of this policy.
5. DEFINITIONS:
 - 5.1 Pyramiding of overtime is defined as paying for the same hours more than once, which is prohibited.



~~5.2 Workweek is defined as seven consecutive 24-hour periods from Sunday, 12:00 a.m. through Saturday, 11:59 p.m.~~

~~6. POLICY:~~

~~6.1 Saginaw County Compensation Philosophy. Saginaw County is committed to:~~

- ~~6.1.1 Providing fair and equitable compensation to employees in a competitive and changing labor market.~~
- ~~6.1.2 Developing a system of paygrades that establishes the minimum and maximum rates that the County will pay individuals within a job class and identify the midpoint of the range as the “market” rate.~~
- ~~6.1.3 Defining the County’s market area based on the nature of the job class requirements and the availability of potential candidates locally or state-wide.~~
- ~~6.1.2 Maintaining a competitive pay structure that allows the County to compete successfully for new employees within its market area and takes into consideration the County’s fiscal condition and responsible use of public resources.~~
- ~~6.1.3 Ensuring that employee compensation reflects changing economic conditions and technical skills and/or responsibilities.~~
- ~~6.1.4 Providing consistent administration of pay policies and procedures among all County departments.~~
- ~~6.1.5 Establishing a compensation structure that allow the County to attract and retain qualified employees.~~
- ~~6.1.6 Developing a salary structure that provides for internal equity and ensures external competitiveness.~~
- ~~6.1.7 Ensuring that the compensation program is understandable to employees, managers, the Board of Commissioners and the public.~~

~~6.2 Pay Plan. The Pay Plan shall include a schedule of pay ranges consisting of minimum, intermediate, and maximum rates of pay for all classes of positions.~~

~~6.3 Development of the Pay Plan. The development of the Pay Plan shall be directly linked to the Classification Plan and shall be based on the principle of equal pay for equal work. Pay ranges shall be determined with due regard to such factors as:~~

- ~~6.3.1 Uniformity of pay for each class.~~
- ~~6.3.2 The relative difficulty and responsibility of work.~~
- ~~6.3.3 The recruiting experience of the County.~~



~~6.3.4 The market rates of pay in both public service and private sector.~~

~~6.3.5 The financial condition and policies of the County.~~

~~6.3.6 Other pertinent economic considerations.~~

~~6.3.7 The SAFE rating system factors which include Training and Ability; Level of Work; Physical Demands; Independence of Actions; Supervision Exercised; Experience Required; Human Relations Skills; Working Conditions/ Hazards; and Impact on End Results.~~

~~6.4 Adoption. All salaries must be set by the Saginaw County Board of Commissioners.~~

~~7. ADMINISTRATIVE PROCEDURES:~~

~~7.1 Administration and Amendment. The County Controller/CAO shall be responsible for administering the Pay Plan. He/she shall be responsible for conducting periodic reviews and comparative studies of pertinent factors affecting levels of pay. When appropriate, the Controller/CAO may recommend to the designated committee of the Board of Commissioners necessary amendments to the Pay Plan. In any case, amendments to the Pay Plan may only be made upon the approval of the Board of Commissioners.~~

~~7.2 Entrance Salary Rate. The entrance salary rate for a newly hired employee shall be Step 1 of the appropriate pay grade as indicated in the current Pay Plan. If the results of a compensation study are being phased in, an entrance salary rate below Step 1 of the appropriate wage schedule may be established to facilitate the phase in process. In addition, if there are multiple positions with the same job title, an entrance salary rate below the lowest phase in step, may be established to ensure recognition of County employees with greater years of service in that position who are currently at a step lower than Step one in the new pay grade and consistent with the recommendations of the compensation study.~~

~~7.2.1 A part time or temporary employee shall be paid on an hourly basis at not more than Step 1 of the classified position to which assigned. A Department Head may pay below Step 1 to facilitate step increases. Any exception to part time or temporary employee pay can be approved by Board of Commissioners and must be based on a compelling reason for the adjustment.~~

~~7.2.2 If an individual being hired for a position does not meet the minimum qualifications established by the job description for the position, the position will be re-evaluated in Baker Tilly's SAFE scoring system, utilizing~~



~~the prospective employee's qualifications. This shall only apply to statutorily appointed positions.~~

~~7.3 Step Increases. Each pay grade on the salary schedules shall consist of Steps and employees shall progress through the steps based on length of service in their jobs (with the exception of placement following a compensation study. The employee would progress on the new pay plan upon their new anniversary date, which is the date they are placed at their new step associated with the Board of Commissioner approved implementation.) If a compensation study is being phased in, additional steps below Step 1 may be established to facilitate the phase in process. Step increases are a means of recognizing satisfactory performance and a Department Head is permitted to withhold a salary increase for a period not to exceed six months during which time the employee will be on probation. The employee will be advised in writing of this action and the reasons for withholding the increase. If the employee does not show the required improvement to warrant removal from probationary status within the six month period, he/she shall be separated from employment.~~

~~7.3.1 Progress through the steps shall be based on the time periods indicated on the salary schedule (except in the case of regular part time employees who must serve twice the time period indicated), unless such time period is adjusted because of the probationary period resulting from a withheld step increase or an approved leave of absence.~~

~~7.3.2 Part-time and temporary employees shall not be eligible for step increases except as provided in Section 7.2.1 of this policy.~~

~~7.4 Compensation for the County Wide Elected positions, (Clerk, Prosecutor, Public Works Commissioner, Register of Deeds, Sheriff, and Treasurer) shall be set by the County Board of Commissioners. The set compensation shall establish a future separation of not less than 15% between the elected position and the highest pay grade within that office. To establish the 15% separation, it shall start at 10% and increase by 1% annually beginning January 1, 2023 through January 1, 2027 at which time a minimum 15% separation shall be maintained.~~

~~7.5 Severance Pay. Severance pay is not authorized, unless it has been negotiated in a collective bargaining agreement or employment contract.~~

~~7.6 Overtime. Upon pre-approval, in writing, and only when budgeted in a department's current year budget, non-exempt Employees of Saginaw County may be scheduled for overtime work and be paid overtime compensation at the rate of time and one-half of regular rates of pay for all hours actually worked in excess of forty hours provided, however, there shall be no pyramiding of overtime. Furthermore, employees who are on authorized PTO, vacation, or personal leave and actually work within the same 24~~



~~hour period, shall be credited no more time than a normal scheduled work day or the amount of time actually worked, if more than a normal work day. Elected officials, persons appointed to serve on a policy making level, and FLSA exempt personnel are generally exempt from overtime pay. Exempt personnel are salaried employees who are expected to meet the demands of the position without overtime compensation.~~

~~7.6.1 Overtime shall not be authorized by Department Heads unless provided for as a separate line item in the departmental budget. Special projects or other extraordinary circumstances, not foreseen during the budget process, may justify special consideration for overtime authorization, which may be requested from the Controller.~~

~~7.6.2 Regular full-time employees or part-time and temporary employees working or scheduled to work 40 or more hours a week in one department shall not be permitted to work any additional hours in another department unless approved by the Controller.~~

~~7.7 Pay Adjustments. The following personnel actions shall affect the pay status of the affected employee in the following manner:~~

~~7.7.1 Transfers. If an employee is transferred into a classification with the same pay rate, the employee's pay rate shall remain unchanged. An employee must actually have worked (1) one full year in his/her current position to be eligible to apply for transfers (meaning those positions of the same classification and hours designated to work), unless waived in special circumstances by the Personnel Division or applicable Elected official.~~

~~7.7.2 Promotions. If an employee is promoted to a higher paying position, the employee shall be paid at the lowest step in the new pay grade which is at least five percent (5%) above the salary he was receiving immediately before the promotion. For purposes of this policy, promotion means movement to a different position which has a higher final step in the pay grade than the final step in the pay grade for the position being vacated.~~

~~7.7.2.1 Personnel may be employed in a lower grade than authorized on the Personnel Control Number (PCN) Staffing Report. If such an individual is later promoted to the authorized grade, the promotion shall be treated as a reclassification and he shall retain his/her step.~~

~~7.7.3 Demotions for Cause or at employee request. If an employee is demoted to a classification with a lower pay grade, for cause, or at the employee's request, the employee shall be paid in accordance with the pay range for~~



the new classification but will retain his/her previous step, including time accrued in previous step.

7.7.4 ~~Transfer to a Lower Paying Position. If an employee is transferred to a lower paying position because of budgetary requirements, reorganization, or to avoid layoff, the employee will be paid at the highest step of the new classification, if the highest step is lower than the employee's salary before the transfer. If the highest step is not lower than the employee's salary before transfer, then the employee will be placed at the step which is nearest to, but not less than, his/her salary before the transfer.~~

7.7.5 ~~Recall or Return from Layoff. When an employee following layoff is recalled in the same classification and pay rate from which he/she was laid off, he/she shall be placed in the same step that he/she occupied at the time of layoff. However, the employee shall be credited any time accrued prior to layoff for purposes of determining the employee's next merit step increase. If the employee returns to a position in a different classification and pay rate (moves from one pay schedule to a different pay schedule), the employee will be placed at the step in the new pay schedule which is closest to but not less than his/her former compensation rate.~~

7.7.6 ~~Reclassification of Position. If an employee's position is reclassified the following shall apply (unless part of a group Compensation Study):~~

7.7.6.1 ~~If an employee's position is reclassified to a higher pay grade he/she shall be paid at the higher pay range retaining the same step.~~

7.7.6.2 ~~If an employee's position is reclassified to a lower pay grade, the employee's salary shall remain frozen at the current pay rate until such time as the salary rate for the new classification equals or exceeds the employee's current salary pay rate.~~

~~7.7.7 Working out of Classification~~

7.7.7.1 ~~Employees may be directed by the Department Head or Supervisor to perform duties above their classification.~~

7.7.7.2 ~~Employees who are temporarily requested to perform duties above their classification shall be paid at the lowest~~



~~_____ merit step in the new pay grade, which is at least 5% above
_____ the salary the employee is currently receiving.~~

~~7.7.7.3 Employees shall be required to keep a log of their time
_____ worked above their classification and submit same to
_____ their Department Head or Supervisor. Logs should contain
_____ actual time worked, specific tasks performed and
_____ employees will be paid at the higher rate of pay
_____ accordingly.~~

~~7.8 Computation of Step Time. Although time spent on an approved leave of absence or
layoff is credited towards continuous length of service, such periods of thirty (30) or
more continuous days are not credited towards step increases.~~

~~7.8.1 Full-time temporary service, when the employee was hired through
competitive selection, that immediately precedes the transfer of an
employee to a regular position in the same class, shall be credited in
determining the employee's position on the salary schedule.~~

~~7.8.2 Regular part-time service which immediately precedes the transfer of an
employee to regular full-time service in the same class will be credited at
one-half (1/2) time regardless of the number of hours actually worked.~~

~~7.8.3 Part-time service is not credited.~~

~~7.9 Former Employee. A former employee who is rehired shall be paid at Step 1 of the
pertinent grade unless the employee is granted previous service in accordance with
the Continuous Length of Service Policy (Policy #334).~~

~~7.10 Pay Periods. Employees shall be paid on a bi-weekly basis.~~

~~7.11 Longevity Pay. Regular Full-Time Employees hired before March 1, 2005 who have
completed five or more years of continuous service as of December 1st of each year
shall be entitled to longevity pay. Longevity pay shall be based on length of continuous
service as of December 1st of each year and employment status (regular full-time or
regular part-time) as of December 1st of each year.~~

~~Length of continuous service shall be determined as stated in the Continuous
Length of Service Policy. Employment status is defined in the Recruitment,
Selection and Appointment Policy. Regular full-time employees shall receive \$70
for each full year of continuous service. Regular Full-Time Employees hired on or
after March 1, 2005 are not eligible for nor shall they receive longevity pay. Regular
part-time employees, who received longevity pay in 2001, shall receive \$35 for
each full year of continuous service, until their employment terminates. Regular~~



~~part-time employees who did not qualify for longevity pay in 2001 (those that had less than five full years continuous service as of 12/01/01), are not eligible for longevity pay.~~

~~7.11.1 A Full Time employee who retires or dies during the year prior to December 1st shall be entitled to a pro rata longevity pay for the number of months since the previous December 1st to the date of retirement or death.~~

~~8 — CONTROLLER/CAO LEGAL COUNSEL REVIEW: The Controller/CAO has determined that this policy as submitted to the Board of Commissioners contains the necessary substance in order to carry out the purpose of the policy. County Civil Counsel has determined that this policy as submitted contains content that appears to be legal activities of the Saginaw County Board of Commissioners.~~

~~Approved as to Substance: _____ Approved as to Legal Content: _____
Saginaw County Controller/CAO _____ Saginaw County Civil Counsel _____~~

~~ADOPTED: November 23, 1999~~

~~AMENDED: April 23, 2002; October 12, 2004; February 22, 2005; August 12, 2008;
December 18, 2018; December 17, 2019; December 15, 2020; August 16, 2022~~

FROM: COMMITTEE ON LABOR RELATIONS -- 5.2

AUGUST 16, 2022

Your Labor Relations Committee considered Communication No. 8-16-29 from Jennifer Broadfoot, Personnel Director, requesting approval of proposed changes to Personnel Policy #322 – “Discrimination and Sexual Harassment” to reflect the latest Equal Employment Opportunity Commission (EEOC) and Michigan Department of Civil Rights (MDCR) guidance on sexual harassment and unlawful discrimination and recent legal cases.

Your committee met with Ms. Broadfoot, who explained to the committee that the policy has been revised to include separate sections addressing sexual harassment and discriminatory harassment based on other protected class statuses. The Administrative Procedures section was revised to more clearly establish reporting and investigatory procedures. The revised policy also includes a provision relating to conduct that occurs off duty and details how retaliatory behavior against someone who brings forward a harassment complaint in good faith will be handled.

We recommend approval of revised Policy #322 titled “Discrimination and Sexual Harassment” as attached.

Respectfully Submitted,

COMMITTEE ON LABOR RELATIONS

Michael A. Webster, Chairman

Gerald D. Little

Carl E. Ruth

Kyle R. Harris, Vice-Chair

Sheldon Matthews



Category: 300
Number: 322

Subject: **SEXUAL AND OTHER UNLAWFUL DISCRIMINATORY HARASSMENT POLICY**

1. **PURPOSE:** The purpose of this policy is to:
 - 1.1 Formulate a formal written County policy with respect to unlawful discrimination and sexual harassment; and
 - 1.2 Define and clarify proper procedure to be followed in the event of an incident of unlawful discrimination and/or sexual harassment and to communicate this to County employees and officials.
2. **AUTHORITY:** The Saginaw County Board of Commissioners.
3. **APPLICATION:** The rules and regulations herein set forth apply to all employees paid by Saginaw County, pursuant to Policy #301. It also applies to County vendors, suppliers, contractors, consultants, people doing business in County offices and visitors.
4. **RESPONSIBILITY:** The County Controller/CAO shall be responsible for the implementation and administration of this policy.
- ~~5.~~ **DEFINITIONS:** NONE
6. **POLICY:** Saginaw County is committed to providing a working environment where all employees are treated with dignity and respect. Sexual harassment and other forms of unlawful discriminatory harassment will not be tolerated by Saginaw County, regardless of whether committed by or directed towards co-workers supervisors, vendors, suppliers, contractors, consultants, people doing business in County offices and visitors. The following details what type of conduct is prohibited and the actions that should be taken when harassment is encountered.
 - 6.1 **SEXUAL HARASSMENT:** Harassment on the basis of sex is a form of discrimination which is illegal and expressly prohibited by Saginaw County.

Unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature constitutes harassment when:

 - 6.1.1 Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment, or
 - 6.1.2 Submission to or rejection of the conduct by an individual is used as the basis for an employment decision affecting such individual, or



6.1.3 Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive work environment.

6.1.4 Examples of possible sexual harassment include, but are not limited to:

- Verbal sexual comments, including comments about gender specific traits, innuendos, insults, slurs, negative stereotyping or jokes, unwanted requests for dates or other advances and questions about an individual's personal life.
- Non-verbal sexual gestures, leering or staring.
- Visual displaying of sexual pictures, writings or objects including the use of technology or social media.
- Physically inappropriate touching or blocking someone's movement.
- Threats, threatening or insinuating reprisal for refusing sexual demands or conduct.

6.1.5 Sexual harassment can occur in a variety of circumstances, including but not limited to the following:

- 6.1.5.1 The harasser can be the victim's supervisor, an agent of the employer, a supervisor in another area, a co-worker, or a non-employee (i.e. vendor, temporary employee).
- 6.1.5.2 The victim does not have to be the person harassed but could be anyone impacted by the offensive conduct.
- 6.1.5.3 Unlawful sexual harassment may occur without economic injury to or discharge of the victim.

6.2 OTHER DISCRIMINATORY HARASSMENT: Other forms of unlawful discriminatory harassment are also prohibited. Conduct that exhibits hostility or lack of respect towards an individual or group because of race, religion, color, national origin, age, disability, sex (including pregnancy), sexual orientation and gender identity, height, weight, marital status, military status, arrest record, citizenship or immigration status or genetic information or any other protected class status as designated by Federal or State law will not be tolerated.

As with sexual harassment, this behavior may take a number of forms including but not limited to the display or printed or graphic material, slurs, gestures, joke and physical acts.

7. ADMINISTRATIVE PROCEDURES:

7.1 REPORTING: An employee who believes that he/she has been subject to sexual or other unlawful discriminatory harassment (based on any other protected



class/classification as designated by Federal or State law) shall notify the Personnel Division immediately, and in any event within thirty (30) calendar days of the incident(s) in order for accurate facts, conclusions, and disciplinary actions to be made regarding the report. The Personnel Division will provide the employee with a Discrimination/Harassment complaint form, a copy of which is attached to this Policy. If the individual has reason to not report the matter to Personnel, they may also report it to the Controller or to their Department Head. An employee who was witness to but not the target of the harassment may also file a complaint.

All management and supervisory personnel will be responsible for the immediate reporting of any occurrence they may witness or of which they are informed. Management and supervisory personnel are required to speak to the alleged victim regarding the incident(s), provide them with a copy of the Policy and complaint form and should themselves report the matter to Personnel. Likewise, if a manager or supervisor has reason to not report the matter to Personnel, they may also report it to the Controller.

The Discrimination/Harassment complaint form must be completed in detail as soon as possible so that the County will have adequate notice of and be able to investigate any claim of sexual or other discriminatory harassment. This form must be completed in order to trigger an official investigation of any claim.

Failure to complete the form constitutes a waiver by the employee of any right to an investigation of said claim by Saginaw County. However, when an employee does not complete the form or otherwise requests that no formal action be taken, administrative discretion may still be used to determine if further action and an investigation is necessary.

7.2 INVESTIGATION Upon receipt of a complete and signed complaint form, the County will complete a thorough investigation of the matter detailed in the complaint. The Controller at his/her discretion, will designate individual(s) to investigate complaints; this could include County employees or third party investigators who are not County employees. To the extent possible, the investigation will be conducted in a manner to protect the privacy of the individuals involved and the confidentiality of the complainant. However, no employee is promised strict or absolute confidentiality. It may be necessary to disclose information contained in the written complaint or that is learned during the investigation to others participating in the investigation or the alleged harasser to allow for a complete investigation and to allow the alleged harasser the opportunity to defend himself or herself. All employees are expected to cooperate in any such investigation. Failure to fully cooperate may result in disciplinary actions, up to and including termination.



The County takes all reports of harassment seriously. All employees are expected to bring violations to the County's attention in good faith. If an investigation into the complaint reveals it was frivolous or not made in good faith or that an employee has provided false information regarding the complaint, disciplinary action may be taken against the individual who filed the complaint or who gave the false information.

At the conclusion of the investigation, a determination will be made as to the appropriate resolution of the matter. The determination will be reported to the complainant. If the investigation establishes that harassment or other inappropriate conduct has occurred, appropriate corrective action will be taken. Responsive action would be taken at the County's discretion and could include (but not be limited to) the following: counseling, verbal or written warning, demotion, suspension, reassignment, transfer, or termination of employment.

7.3 OFF DUTY CONDUCT. The Sexual and Other Unlawful Harassment Policy generally applies to conduct between employees which has an adverse impact on the workplace or work environment. Conduct between employees that occurs outside of the workplace may also have workplace impact or contribute to a hostile work environment and may be considered when enforcing this policy.

7.4 RETALIATION. Any act of retaliation against an employee who in good faith filed a complaint, cooperated in an investigation or testified to fact regardless of the outcome is strictly prohibited. Any employee guilty of retaliation of any kind shall be subject to disciplinary action up to and including discharge. Allegations of retaliation will be processed in accordance with section 7.1 and 7.2, above.

7.5 IMPLEMENTATION OF POLICY. The Saginaw County Sexual and Other Discriminatory Harassment Policy will be communicated to all County employees.

7.5.1 Scope. Nothing contained within this policy shall be construed to limit in any way the remedies, legal or equitable, which are available to the County or any other person for the prevention or correction of sexual and other discriminatory harassment.

8. CONTROLLER/CAO LEGAL COUNSEL REVIEW: The Controller/CAO has determined that this policy as submitted to the Board of Commissioners contains the necessary substance in order to carry out the purpose of the policy. County Civil Counsel has determined that this policy as submitted contains content that appears to be legal activities of the Saginaw County Board of Commissioners.

Approved as to Substance:
Saginaw County Controller/CAO

Approved as to Legal Content:
Saginaw County Civil Counsel



ADOPTED: April 23, 2002
AMENDED: February 16, 2010; **August 16, 2022**

DISCRIMINATION/HARASSMENT COMPLAINT FORM

NAME: _____

DEPT. HEAD _____

Describe the alleged incident in detail, including the date upon which the incident occurred; the identity of the individual who committed the act of harassment and/or unlawful discrimination; the approximate time when the incident occurred; the acts which you believe constituted unlawful discrimination and/or sexual harassment, including any verbal acts; your response or reaction; and any other details which will assist the Personnel Division in its investigation:

Have you reported this incident to anyone else? ☐ Yes ☐ No

Have you been subjected to similar acts of harassment and/or discrimination by the same employee(s) in the past? ☐ Yes ☐ No

If Yes, did you report the prior incident(s)? ☐ Yes ☐ No

Signature _____

Date _____



FROM: COMMITTEE ON LABOR RELATIONS -- 5.3 *AMENDED AUGUST 16, 2022

Your Labor Relations Committee considered Communication No. 8-16-24 from Dave Gilbert, County Civil/Labor Counsel, submitting a Memorandum of Understanding regarding the employment of ten (10) contract/temporary workers in the Saginaw County Clerk's Office.

Your committee met with Mr. Gilbert, who explained to the committee that this is an agreement with the Technical, Professional and Office Workers Association of Michigan Union. The agreement will cover the time period December 14, 2021 through ~~September 20~~ ***August 16, 2024**. The purpose of the employment is to assist in scanning historical files. The pay range will be \$15.00-\$20.00 per hour with no additional benefits.

We recommend approval of a Memorandum of Understanding regarding the employment of ten (10) contract/temporary workers in the Saginaw County Clerk's Office.

Respectfully Submitted,

COMMITTEE ON LABOR RELATIONS

Michael A. Webster, Chairman

Gerald D. Little

Carl E. Ruth

Kyle R. Harris, Vice-Chair

Sheldon Matthews

FROM: COMMITTEE ON LABOR RELATIONS -- 5.4 AUGUST 16, 2022

Your Labor Relations Committee considered Communication No. 8-16-30 from Dave Gilbert, County Civil/Labor Counsel, Submitting a Memorandum of Understanding regarding a voluntary four (4) day work week for employees of the County Clerk's Office.

Your committee met with Mr. Gilbert, who explained to the committee that this is an agreement with the Technical, Professional and Office Workers Association of Michigan Union. This agreement consists of implementing a voluntary four (4) day work week, consisting of ten (10) hour days. One-half of the volunteering employees will be off on Mondays and the other half will be off on Fridays.

We recommend approval of a Memorandum of Understanding a voluntary four (4) day work week for employees of the County Clerk's Office.

Respectfully Submitted,

COMMITTEE ON LABOR RELATIONS

Michael A. Webster, Chairman

Gerald D. Little

Carl E. Ruth

Kyle R. Harris, Vice-Chair

Sheldon Matthews

FROM: COMMITTEE ON LABOR RELATIONS -- 5.5 AUGUST 16, 2022

Your Labor Relations Committee considered Communication No. 8-16-32 from Robert Belleman, Controller/CAO, requesting appointment of a Deputy Medical Examiner pursuant to State Statute to act in the place of the Chief Medical Examiner if on leave or vacation.

Your committee met with Mr. Belleman, who explained to the committee that Daniel Spitz, MD has agreed to fill the position when Dr. Russell Bush is out of office August 30, 2022 through September 7, 2022. However, the need to find a permanent Deputy Medical Examiner remains.



We recommend approval of the request to appoint a Deputy Medical Examiner through the end of 2022 pursuant to State Statute to act in the place of the Chief Medical Examiner if on leave or vacation.

Respectfully Submitted,

COMMITTEE ON LABOR RELATIONS

Michael A. Webster, Chairman
Gerald D. Little
Carl E. Ruth

Kyle R. Harris, Vice-Chair
Sheldon Matthews

FROM: COMMITTEE ON LABOR RELATIONS -- 5.6

AUGUST 16, 2022

Your Labor Relations Committee considered Communication No. 8-16-31 from Patricia Johnson, Retirement Administrator, requesting appointment of an Officer and Employee Delegate to attend the MERS 2022 Annual Retirement Conference.

The Municipal Employees' Retirement System (MERS) of Michigan 2022 Annual Meeting of participating municipalities will be held at the Grand Traverse Resort, Acme Township, MI from September 26, 2022 to September 27, 2022. In accordance with the provisions of Act 427, P.A. 1984, the Michigan Employees Retirement Act, the governing body of each participating municipality must certify to the MERS Board an officer and employee delegate to represent them at the conference.

The officer delegate and alternate are selected by the governing body of the participating municipality and the employee delegate and alternate are elected by employee members of the retirement system. This year, Lori Canole, Personnel/Purchasing Department, will serve as Employee Delegate to represent employees of Saginaw County and Patricia Johnson, Retirement Administrator, will serve as the Officer Delegate.

It is the recommendation of your Labor Relations Committee that Patricia Johnson be appointed as the Officer Delegate and Lori Canole as the Employee Delegate; further, that the proper County officials certify the delegates to represent Saginaw County at the MERS Annual Retirement Conference with expenses paid by the Retirement Fund.

Respectfully Submitted,

COMMITTEE ON LABOR RELATIONS

Michael A. Webster, Chairman
Gerald D. Little
Carl E. Ruth

Kyle R. Harris, Vice-Chair
Sheldon Matthews

7. **Legislative Committee – G. Little, Chair; C. Winiecke, Vice-Chair**

None

8. **Intergovernmental Cooperation Committee – J. Tany, Chair; C. Ewing, Vice-Chair**

None



9. **Committee Compensation**

- 8-16-22.1) June 12, 2021 – June 25, 2021
- 8-16-22.2) June 26, 2021 – July 9, 2021
- 8-16-22.3) July 10, 2021 – July 23, 2021
- 8-16-22.4) July 24, 2021 – August 6, 2021

- ***Tany moved, seconded by Boyd, to approve 8-16-22.1, 8-16-22.2, 8-16-22.3 and 8-16-22.4. The motion carried unanimously.***

COMMITTEE COMPENSATION - 8.16.22.1

August 16, 2022

I herewith submit for your approval the per diem to which members of this Board are entitled for attendance at Committee Meetings held June 12 - June 25, 2022

<u>Meeting</u>	<u>Date</u>	<u>Committee</u>	<u>Commissioner</u>	<u>Amount</u>	<u>Total Present</u>
1	06/13/22	Labor Relations Committee	Webster	\$50.00	1
			Little	\$50.00	1
			Matthews	\$50.00	1
			Ruth	\$50.00	1
2	06/14/22	Executive Committee	Ruth	\$50.00	1
			Matthews	\$50.00	1
			Webster	\$50.00	1
			Krafft	\$50.00	1
			Little	\$50.00	1
3	06/15/22	Castle Museum Board	Tany	\$50.00	1
4	06/15/22	Union/Management Committee	Matthews	\$50.00	1
5	06/15/22	Saginaw Valley Zoological Society	Little	\$50.00	1
			Matthews	\$25.00	1
6	06/15/22	Animal Control Advisory Council	Ewing	\$50.00	1
7	06/16/22	Frankenmuth CVB	Krafft	\$50.00	1
8	06/16/22	Commission on Aging	Ewing	\$50.00	1
9	06/16/22	Community Action Committee	Little	\$50.00	1
		County Services Committee-			
10	06/21/22	Special	Webster	\$25.00	1
			Krafft	\$25.00	1
			Ewing	\$25.00	1
			Tany	\$25.00	1
			Ruth	\$25.00	1



Committee of the Whole re:					
11	06/21/22	Mainframe Conversion	10 Present	\$250.00	10
		Boyd, Ewing, Krafft, Little, Matthews, Tany, Slodowski, Webster, Winiecke, Ruth			
12	06/21/22	Board Session	10 Present	\$500.00	10
		Matthews, Boyd, Ewing, Krafft, Little, Tany, Slodowski, Webster, Winiecke, Ruth			
13	06/22/22	9-1-1 Authority Board	Boyd	\$50.00	1
			Matthews	\$50.00	1
14	06/22/22	GLBR CVB via Zoom	Ruth	\$50.00	1
TOTAL				\$1,850.00	45

Respectfully Submitted, Suzy Koeplinger, Board Coordinator (6-24-2022)

COMMITTEE COMPENSATION - 8.16.22.2

August 16, 2022

I herewith submit for your approval the per diem to which members of this Board are entitled for attendance at Committee Meetings held June 26, 2022 - July 9, 2022

<u>Meeting</u>	<u>Date</u>	<u>Committee</u>	<u>Commissioner</u>	<u>Amount</u>	<u>Total Present</u>
Committee of the Whole Re: FY '23					
1	06/27/22	Budget	10 Present	\$500.00	10
		Matthews, Ewing, Harris, Krafft, Little, Tany, Slodowski, Webster, Winiecke, Ruth			
TOTAL				\$500.00	10

Respectfully Submitted, Suzy Koeplinger, Board Coordinator (7-8-2022)



COMMITTEE COMPENSATION - 8.16.22.3

August 16, 2022

I herewith submit for your approval the per diem to which members of this Board are entitled for attendance at Committee Meetings held July 10, 2022 - July 23, 2022

<u>Meeting</u>	<u>Date</u>	<u>Committee</u>	<u>Commissioner</u>	<u>Amount</u>	<u>Total Present</u>
1	07/12/22	Community Corrections	Winiecke	\$50.00	1
2	07/18/22	Northern Michigan Counties Association	Slodowski	\$50.00	1
TOTAL				\$100.00	2

Respectfully Submitted, Suzy Koeplinger, Board Coordinator (7-22-2022)

COMMITTEE COMPENSATION - 8.16.22.4

August 16, 2022

I herewith submit for your approval the per diem to which members of this Board are entitled for attendance at Committee Meetings held June 24 - August 6, 2022

<u>Meeting</u>	<u>Date</u>	<u>Committee</u>	<u>Commissioner</u>	<u>Amount</u>	<u>Total Present</u>
2	08/01/22	Human Services Committee	Little	\$50.00	1
			Webster	\$50.00	1
			Slodowski	\$50.00	1
			Winiecke	\$50.00	1
			Ruth	\$50.00	1
3	08/02/22	Courts & Public Safety Committee	Matthews	\$50.00	1
			Winiecke	\$50.00	1
			Ruth	\$50.00	1
4	08/03/22	County Services Committee	Webster	\$50.00	1
			Krafft	\$50.00	1
			Tany	\$50.00	1
			Ruth	\$50.00	1
			Krafft	\$50.00	1
5	08/04/22	Budget Audit Committee	Slodowski	\$50.00	1
			Ruth	\$50.00	1
				\$50.00	1
TOTAL				\$750.00	15

Respectfully Submitted, Suzy Koeplinger, Board Coordinator (8-5-2022)



PUBLIC HEARING

3rd Call – Closing

At 5:30 p.m., Chairman Ruth announced the third and final call of a public hearing on the proposed Saginaw County 2022/2023 Fiscal Year Budget and property tax millage rate proposed to be levied to support General Government Operations. He asked if there was anyone wishing to speak; hearing none, he announced the public hearing closed at 5:30 p.m.

RESOLUTIONS

RESOLUTION 2022 – 8

RESOLUTION AUTHORIZING ISSUANCE OF SEWAGE DISPOSAL BONDS

(OAKLEY SEWAGE DISPOSAL SYSTEM IMPROVEMENTS), SERIES 2022

At a regular meeting of the Board of Commissioners of the County of Saginaw held on August 16, 2022 at 5:00 p.m.

*Christopher S. Boyd, Carol E. Ewing, Kyle R. Harris, Dennis H. Krafft,
Gerald D. Little, Sheldon Matthews, Carl E. Ruth, Tracey L. Slodowski,
Jack B. Tany, Michael A. Webster, Cynthia M. Winiecke*

Commissioner Webster offered the following resolution and moved for adoption.

The motion was seconded by Commissioner Harris.

WHEREAS, pursuant to the provisions of Act No. 185, Public Acts of Michigan, 1957, as amended (“Act 185”), the Board of Commissioners of the County of Saginaw (the “County”) has established a Department of Public Works for the administration of the powers conferred upon the County by Act 185, which department is under the immediate control of the Public Works Commissioner, acting as the Board of Public Works, and under the general control of the Board of Commissioners of the County; and

WHEREAS, pursuant to Act 185, the County and the Village of Oakley (the “Village”) have previously entered into the Amended and Restated Oakley Sewage Disposal System Improvements Contract, dated as of June 1, 2022 (the “Contract”), which provides for the acquisition, construction and financing of sewage disposal system improvements previously designated by this Board of Commissioners as the Oakley Sewage Disposal System Improvements and consisting of sewage disposal system improvements to serve the Village (the “Project”); and



WHEREAS, the Contract provides for the issuance of bonds by the County to defray part of the cost of the Project, such bonds to be secured by the contractual obligation of the Village to pay to the County amounts sufficient to pay the principal of and interest on the hereinafter authorized bonds and to pay such paying agent fees and other expenses as may be incurred on account of the bonds; and

WHEREAS, there has been submitted for approval and adoption by this Board, plans, specifications, an estimate of the cost of the Project and an estimate of the period of usefulness of the Project.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE COUNTY OF SAGINAW, MICHIGAN, as follows:

1. PLANS AND SPECIFICATIONS; ESTIMATES OF PERIOD OF USEFULNESS AND COST. The plans and specifications for the Project and the estimate of \$347,000 the cost thereof and of 40 years and upwards as the period of usefulness thereof, as submitted to this Board of Commissioners, are approved and adopted.

2. AUTHORIZATION OF BONDS - PURPOSE. Bonds of the County aggregating the principal sum of not to exceed One Hundred Fifty-Nine Thousand Dollars (\$159,000) (the “Bonds”), as shall be determined by the Public Works Commissioner, shall be issued and sold pursuant to the provisions of Act 185, and other applicable statutory provisions, for the purpose of defraying part of the cost of acquiring and constructing the Project.

3. BOND DETAILS. The Bonds shall be designated “Sewage Disposal Bonds (Oakley Sewage Disposal System Improvements), Series 2022”; *provided that*, if the Bonds are not issued in calendar year 2022, the Public Works Commissioner may re-designate the Bonds to reflect the year in which the Bonds are issued. The Bonds shall be dated as of the date of their delivery to the United States of America; shall be issued in the form of a single fully-registered bond, designated No. 1, in the principal amount of \$159,000; shall bear interest from the date a principal payment is received from the purchaser thereof as shown on the registration grid at the rate of not to exceed 1.750% per annum, as determined by the Public Works Commissioner at the time of sale, payable semiannually on such dates at determined by the Public Works Commissioner at the time of sale; and shall be serial bonds or term bonds and mature in such principal amounts and on such dates as shall be determined by the Public Works Commissioner at the time of sale; provided, however, that the final maturity of the Bonds shall be no later than November 1, 2062.

4. PAYMENT OF PRINCIPAL AND INTEREST. The principal of and interest on the Bonds shall be payable in lawful money of the United States. Principal and interest shall be paid when due by check or draft mailed by the bond registrar and paying agent to the registered owner at the address shown on the registration books.

5. PREPAYMENT OF PRINCIPAL. Principal installments may be prepaid prior to maturity without premium and in such order as shall be determined by the County on any date other than a Saturday, Sunday or holiday. Principal installments that have been prepaid shall be noted on the Bonds and such installments no longer shall be considered outstanding for any



purpose. Thirty days' notice of the prepayment of any principal installment shall be given to the registered owner of the Bonds at the address shown on the registration grid.

6. BOND REGISTRAR AND PAYING AGENT. The County Treasurer shall be the bond registrar and paying agent for the Bonds. In the absence of the Treasurer or if the Treasurer is unable to act, the Public Works Commissioner may perform the duties of the bond registrar and paying agent.

7. EXECUTION, AUTHENTICATION AND DELIVERY OF BONDS. The Bonds shall be executed in the name of the County by the manual signatures of the Chairperson of the Board of Commissioners and the County Clerk. After the Bonds have been executed, they shall be delivered by the County Treasurer to the purchaser upon receipt of the first principal payment from the purchaser. The first and each subsequent principal payment received by the County from the purchaser shall be noted on the registration grid of the Bonds.

8. EXCHANGE AND TRANSFER OF BONDS. The Bonds, upon surrender thereof to the bond registrar and paying agent with a written instrument of transfer satisfactory to the bond registrar and paying agent duly executed by the registered owner or his duly authorized attorney, at the option of the registered owner thereof, may be transferred to another party. The Bonds shall be transferable only upon the books of the County, which shall be kept for that purpose by the bond registrar and paying agent. Upon the exchange or transfer of the Bonds, the bond registrar and paying agent shall register the Bonds in the name of the transferee on the registration books of the County and shall note such transfer on the registration grid.

The County and the bond registrar and paying agent may deem and treat the person in whose name any Bond shall be registered upon the books of the County as the absolute owner of such Bond, whether the such Bond shall be overdue or not, for the purpose of receiving payment of the principal of and interest on such Bond and for all other purposes, and all payments made to any such registered owner, or upon his order, in accordance with the provisions of Section 4 of this resolution shall be valid and effectual to satisfy and discharge the liability upon such Bond to the extent of the sum or sums so paid, and neither the County nor the bond registrar and paying agent shall be affected by any notice to the contrary. The County agrees to indemnify and save the bond registrar and paying agent harmless from and against any and all loss, cost, charge, expense, judgment or liability incurred by it, acting in good faith and without negligence hereunder, in so treating such registered owner. Registration of the Bonds shall not be transferred less than five (5) days prior to an interest payment date.

For every exchange or transfer of the Bonds, the County may make a charge sufficient to reimburse it for any tax, fee or other governmental charge required to be paid with respect to such exchange or transfer, which sum or sums shall be paid by the person requesting such exchange or transfer as a condition precedent to the exercise of the privilege of making such exchange or transfer.



9. FORM OF BONDS. The Bonds shall be in substantially the following form:

UNITED STATES OF AMERICA

STATE OF MICHIGAN

COUNTY OF SAGINAW

SEWAGE DISPOSAL BOND

(OAKLEY SEWAGE DISPOSAL SYSTEM IMPROVEMENTS), SERIES 2022

No. 1

\$159,000

The County of Saginaw (the “County”), State of Michigan, acknowledges itself indebted to, and for value received, promises to pay to the Registered Owner, or registered assigns, the sum of _____ Dollars (\$_____) on the dates and in the amounts set forth on Exhibit A attached hereto and made a part hereof, unless redeemed prior thereto as hereinafter provided, with interest on such principal sum from the date each principal payment is received by the County as set forth on the Registration Grid of this bond at the rate of one and three fourths percent (1.750%) per annum, payable on the first days of [May and November] of each year commencing on _____ 1, 20___. Principal and interest are payable in lawful money of the United States of America and shall be paid by check or draft mailed to the Registered Owner at the address shown on the Registration Grid.

This bond is one of a series of bonds aggregating the principal sum of _____ Dollars (\$_____) issued by the County under and pursuant to and in full conformity with the Constitution and Statutes of Michigan (especially Act No. 185, Public Acts of 1957, as amended) and a bond authorizing resolution adopted by the Board of Commissioners of the County (the “Resolution”) for the purpose of defraying part of the cost of acquiring and constructing sewage disposal system improvements to serve the Village of Oakley (the “Village”). The bonds of this series are issued in anticipation of payments to be made by the Village in the aggregate principal amount of _____ Dollars (\$_____) pursuant to a contract between the County and the Village. The full faith and credit of the Village have been pledged to the prompt payment of the foregoing amount and the interest thereon as the same become due. As additional security the full faith and credit of the County have been pledged for the prompt payment of the principal of and interest on the bonds of this series. Taxes levied by the Village and the County to pay the principal of and interest on the bonds of this series are subject to applicable constitutional, statutory and charter tax limitations.

This bond shall be registered as to principal and interest, as provided in the Resolution, in the name of the Registered Owner upon the books of the County kept for that purpose by the County Treasurer as bond registrar and paying agent, and such registration shall be noted on the Registration Grid. This bond may be transferred only by submitting the same, together with a written instrument of transfer satisfactory to the bond registrar and paying agent duly executed by the Registered Owner or his attorney duly authorized in writing, to the bond registrar and paying agent for registration in the name of the transferee on the registration books and for notation on the Registration Grid. This bond may not be transferred less than five (5) days prior to an interest payment date.



Principal installments of this bond may be prepaid prior to maturity at the option of the County without premium and in such order as shall be determined by the County, on any one or more dates other than a Saturday, Sunday or holiday. Principal installments that have been prepaid shall be noted on Exhibit A and such installments shall no longer be considered outstanding for any purpose. Thirty days' notice of redemption shall be given to the Registered Owner by mail to the address shown on the Registration Grid.

It is hereby certified, recited and declared that all acts, conditions and things required to exist, happen and be performed precedent to and in the issuance of the bonds of this series, existed, have happened and have been performed in due time, form and manner as required by law, and that the total indebtedness of the County, including the series of bonds of which this bond is one, does not exceed any constitutional or statutory limitation.

IN WITNESS WHEREOF, the County of Saginaw, Michigan, by its Board of Commissioners, has caused this bond to be executed in its name by the manual signatures of the Chairperson of the Board of Commissioners and the County Clerk, all as of the date set forth below.

COUNTY OF SAGINAW

By:

County Clerk

Chairperson,

Board of Commissioners

Dated:



EXHIBIT A

COUNTY OF SAGINAW
SEWAGE DISPOSAL BOND
(OAKLEY SEWAGE DISPOSAL SYSTEM IMPROVEMENTS), SERIES 2022

Due [November] 1

<u>YEAR</u>	<u>PRINCIPAL AMOUNT</u>	<u>YEAR</u>	<u>PRINCIPAL AMOUNT</u>
2023	\$,000	2043	\$,000
2024	,000	2044	,000
2025	,000	2045	,000
2026	,000	2046	,000
2027	,000	2047	,000
2028	,000	2048	,000
2029	,000	2049	,000
2030	,000	2050	,000
2031	,000	2051	,000
2032	,000	2052	,000
2033	,000	2053	,000
2034	,000	2054	,000
2035	,000	2055	,000
2036	,000	2056	,000
2037	,000	2057	,000
2038	,000	2058	,000
2039	,000	2059	,000
2040	,000	2060	,000
2041	,000	2061	,000
2042	,000	2062	



REGISTRATION GRID
COUNTY OF SAGINAW
SEWAGE DISPOSAL BOND
(OAKLEY SEWAGE DISPOSAL SYSTEM IMPROVEMENTS), SERIES 2022

NOTHING TO BE WRITTEN HEREON
EXCEPT BY BOND REGISTRAR AND PAYING AGENT

<u>Date</u>	<u>Principal Amount Received</u>	<u>Name and Address of Registered Owner</u>	<u>Signature</u>
_____	\$ _____	<u>United States of America</u>	_____
_____	_____	_____	_____
_____	_____	_____	_____
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_____	_____	_____	_____
_____	_____	_____	_____

END OF BOND FORM

10. SECURITY. The Bonds shall be issued in anticipation of payments to be made by the Village pursuant to the Contract. The Bonds shall be secured primarily by the full faith and credit pledge made by the Village in the Contract pursuant to the authorization contained in Act 185. As additional and secondary security the full faith and credit of the County are pledged for the prompt payment of the principal of and interest on the bonds as the same shall become due. If the Village shall fail to make payments to the County pursuant to the Contract which are sufficient to pay the principal of and interest on the Bonds as the same shall become due, then an amount sufficient to pay the deficiency shall be advanced from the general fund of the County. Taxes imposed by the County shall be subject to constitutional limitations.

11. PRINCIPAL AND INTEREST FUND; CAPITALIZED INTEREST. There shall be established for the Bonds a Principal and Interest Fund which shall be kept in a separate bank account. All payments received from the Village pursuant to the Contract are pledged for payment of the principal of and interest on the Bonds and expenses incidental thereto and as received shall be placed in the Principal and Interest Fund.

12. CONSTRUCTION FUND. The remainder of the proceeds of the sale of the bonds shall be set aside in a construction fund for the Project and used to acquire and construct the Project in accordance with the provisions of the Contract.



13. REPAIR, REPLACEMENT AND IMPROVEMENT FUND. There shall be established for the Project a Repair, Replacement and Improvement Fund. Annually, the County shall cause the Village to deposit in the Repair, Replacement and Improvement Fund the sum of \$3,500. Moneys deposited in the Repair, Replacement and Improvement Fund may be withdrawn to pay the cost of emergency maintenance of the Project, extensions to Project facilities and replacement of Project assets having useful lives ending prior to the final maturity of the Bonds.

14. SALE, ISSUANCE, DELIVERY, TRANSFER AND EXCHANGE OF BONDS. The Bonds shall be sold to and registered in the name of the United States of America acting through the United States Department of Agriculture, Rural Development ("Rural Development") in furtherance of Rural Development's program to provide low-interest rate, long-term loans for eligible projects (the "Program"). This Board of Commissioners hereby determines that the Program and the delivery of the Bonds directly to the United States of America as provided in this resolution will provide the County and the Village with the lowest cost of borrowing money for the Project. At the time of the sale of the Bonds, the Public Works Commissioner is authorized to adopt an order setting forth the principal amount of the Bonds as well as such other terms and conditions as the Public Works Commissioner determines to be necessary or appropriate in connection with the sale of the Bonds. The Public Works Commissioner, the County Clerk, the County Treasurer and other officers and employees of the County are each authorized to execute and deliver such certificates or documents as bond counsel shall require and to do all other things necessary to effectuate the sale, issuance, delivery, transfer and exchange of the Bonds in accordance with the provisions of this Resolution.

15. TAX COVENANT. The County covenants to comply with all requirements of the Internal Revenue Code of 1986, as amended, necessary to assure that the interest on the bonds will be and will remain excludable from gross income for federal income tax purposes. The Public Works Commissioner and other appropriate County officials are authorized to do all things necessary to assure that the interest on the bonds will be and will remain excludable from gross income for federal income tax purposes.

16. COVENANT AS TO DEFEASANCE. The County covenants that it will not defease this resolution with respect to the Bonds so long as registered owner of the Bonds is the United States of America or an agency or department thereof.

17. CONFLICTING RESOLUTIONS. All resolutions and parts of resolutions insofar as they may be in conflict herewith are hereby rescinded.

YEAS: Christopher S. Boyd, Carol E. Ewing, Kyle R. Harris, Carl E. Ruth,
Tracey L. Slodowski, Jack B. Tany, Michael A. Webster, Cynthia M. Winiecke - 8
NAYS: - 0
ABSENT: Dennis H. Krafft, Gerald D. Little, Sheldon Matthews - 3

RESOLUTION DECLARED ADOPTED.



STATE OF MICHIGAN)
) SS:
COUNTY OF SAGINAW)

I hereby certify that the foregoing is a true and complete copy of a resolution duly adopted by the Board of Commissioners of the County of Saginaw at a regular meeting held on August 16, 2022, the original of which resolution is on file in my office. I further certify that notice of said meeting was given in accordance with the provisions of the open meetings act.

Vanessa Guerra, County Clerk
County of Saginaw

UNFINISHED BUSINESS

Commissioner Privileged at the June 21, 2022 Board Session

Executive Committee – C. Ruth, Chair

- 6.2) **CONTROLLER/CAO**, re: Approval to engage Guidehouse for up to \$250,000 to review ARPA funding requests and perform required reporting

June 21, 2022 BOARD SESSION

- *Ruth moved, seconded by Matthews, to approve 6.2 leaving room for exceptions. Boyd excepted 6.2 and, after discussion, Boyd exerted Commissioner Privilege.*

August 16, 2022 BOARD SESSION

- *Clerk Guerra introduced the item as Unfinished Business, having been previously moved for approval at the June 21, 2022 Board Session. Chairman Ruth asked if there was further discussion. Hearing none, he directed the Clerk to take a roll-call vote and the motion failed as follows:*
Yes: Webster, Winiecke, Tany, and Ruth - 4
No: Ewing, Boyd, Slodowski, Harris - 4
Abs: Krafft, Little, and Matthews - 3
Total: - 11

PROCLAMATIONS

None

APPOINTMENTS

- ✓ Chairman Ruth reappointed Ann Marie Batkoski and Timothy M. Novak to the **Building Authority** with terms to expire August 1, 2028
- ✓ Chairman Ruth appointed Commissioner Tracey Slodowski to the **HealthSource Saginaw Advisory Board** with a term to expire December 31, 2022



ELECTIONS

None

CHAIR ANNOUNCEMENTS

- ❖ Chairman Ruth reminded everyone of the Book-bag / Back-pack and School Supplies Give-Away at the Sheriff's Department on Sunday, August 21, 2022 from 2:00 p.m. to 4:00 p.m. He also reminded commissioners of the Tri-County Gathering in Bay County this Thursday, August 18, 2022 at 5:00 p.m.

COMMISSIONER AUDIENCES

- Commissioner Tany attended the Sobriety Court Graduation at Wickes Park, along with Commissioner Winiecke, and commended Judge Trice for doing an outstanding job with the program. He also lauded Saginaw Future and the succession plan of Wright-K Technology to Koops Automation Systems. The new owners are keeping all existing employees, hiring additional people, and expanding its manufacturing capacity.

By Commissioner Harris, seconded by Commissioner Boyd: That the Board adjourn. Carried.
Thereupon, the Board adjourned at 5:37 p.m.

Respectfully Submitted,

SAGINAW COUNTY BOARD OF COMMISSIONERS

CARL E. RUTH, CHAIRMAN

VANESSA GUERRA, COUNTY CLERK

Prepared by: Suzy Koeplinger, Deputy County Clerk