

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



SPECIAL SESSION
DECEMBER 2, 2021

A Special Session of the Board of Commissioners of Saginaw County, Michigan, held Thursday, December 2, 2021 at 4:00 p.m. with the Honorable Carl E. Ruth in the Chair. This meeting was held at the Saginaw County Governmental Center, 111 S. Michigan Ave., Saginaw, Michigan to consider the December 2, 2021 Special Session Agenda. Deputy County Clerk Suzy Koepplinger took roll, quorum present as follows:

PRESENT: *Cynthia M. Winiecke, Jack B. Tany, Christopher S. Boyd, Sheldon Matthews, Carol E. Ewing, Dennis H. Krafft, Gerald D. Little, and Carl E. Ruth - 8*

ABSENT: *Kyle R. Harris, James G. Theisen, and Michael A. Webster - 3*

TOTAL: - 11

Others Present: Robert Belleman, Dave Gilbert, Bill Smith, Dr. Russell Bush, Donald A. Gilbert, Deb Tubb, BriAnn Summersett, Dr. David Stockman, Jennifer Stockman, Brian Hart, Magdalena Perez, Randy Pfau, Marcus Atkins, Stacey Turner, Blair Stevenson, Trent Boyd, Nate Moeller, Suzy Koepplinger, Hannah Olsen, Cindy Louchart

Commissioner Little gave the invocation and led the Pledge of Allegiance to the Flag. Chairman Ruth asked for a Moment of Silence for Angela Boysen, a Saginaw County employee who recently passed away, and for the victims of the Oxford High School shooting.

PETITION



November 22, 2021

Vanessa Guerra
Saginaw County Clerk
111 S. Michigan Avenue
Saginaw, MI 48602

December 2, 2021
Special Session

Dear Clerk Guerra:



Pursuant to Article II, Section 2.9 of the 2021 Rules of the Saginaw County Board of Commissioners (MCL 46.10), the undersigned members of the Board respectfully petition that a Special Meeting of the Board of Commissioners be held **Thursday, December 2, 2021 at 4:00 p.m.** to review matters related to Michigan Institute of Forensic Science & Medicine and any other matters brought before the Board. The undersigned affirm the intent of the Board of Commissioners to hold a Special Meeting on this matter. This meeting is being held consistent with PA 267 of 1976 (MCL 15.263) to consider the agenda, and for any other matters brought before the committee.

Respectfully submitted,

James G. Theisen, Commissioner
Sheldon Matthews, Vice-Chair
Carl E. Ruth, Chairman

Dennis H. Krafft, Commissioner
Michael A. Webster, Commissioner

CLERK'S CALL OF SESSION

Public Notice of Special Board Session

The Saginaw County Board of Commissioners will convene for a Special Session on
Thursday, December 2, 2021 at 4:00 p.m.
in the Board Chambers, Second Floor - Room 200
Saginaw County Governmental Center, Saginaw, MI per PA 267 of 1976
to review matters related to Michigan Institute of Forensic Science & Medicine
and any other matters brought before the Board.

This Special Meeting is being held consistent with Article II, Section 2.9 (MCLA 46.10) of the 2021 Rules of the Saginaw County Board of Commissioners as authorized by petition of at least one third (1/3rd) of the members of the Board.

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.

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

Vanessa Guerra, County Clerk

November 22, 2021
Posted 11-22-21 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.



AUDIENCES

- **Matthews moved, supported by Little, to suspend the 2021 Rules of the Board to allow those appearing under Audiences more than three (3) minutes. Motion carried unanimously.**
- Dr. David Stockman, President and CEO, MI Health Clinic, asked for an appeal of the Executive Committee recommendations to retain Dr. Russell Bush as Medical Examiner and terminate the contract with MIFSM. He also requested Roshan Mahabir, M.D., M.P.H. be designated as Medical Examiner.
- Brian Hart, CEO of MIFSM, addressed the board and talked about areas where MIFSM has improved and the direction it is going.
- Magdalena Perez stated she is the HR representative of MIFSM and is usually present for any personnel matters with the company.
- Marcus Atkins stated he acts alone since his first FOIA when employed in May of 2020 and troubleshooting problems with Saginaw County.

LAUDATORY RESOLUTIONS

None

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.

- **PETITION** for Special Board Session on Thursday, December 2, 2021 at 4:00 p.m.
- **PUBLIC NOTICE** of Special Board Session on Thursday, December 2, 2021 at 4:00 p.m.

INITIATORY MOTIONS

None

REPORTS OF COMMITTEES

Executive Committee – C. Ruth, Chair

- 6.1) EXECUTIVE COMMITTEE**, re: Approval to continue the relationship with Dr. Russell Bush as Chief Medical Examiner of Saginaw County
- 6.2) EXECUTIVE COMMITTEE**, re: Ratification of the notice of termination of the contract between Saginaw County and Michigan Institute of Forensic Science & Medicine (MIFSM) pursuant to Sec. 4.2 of the contract



Ruth moved, seconded by Matthews, to approve 6.1 and 6.2 leaving room for exceptions. There were no exceptions and the motion carried by the following roll-call vote:
Yes: Little, Winiecke, Tany, Boyd, Matthews, Ewing, Krafft, and Ruth - 8
No: - 0
Absent: Webster, Theisen, and Harris - 3

FROM: EXECUTIVE COMMITTEE -- 6.1

DECEMBER 2, 2021

Your Executive Committee met and considered correspondence from Brian Hart, President/CEO of Michigan Institute of Forensic Science & Medicine (MIFSM), dated November 19, 2021, wherein the following was written in part: *“The Medical Examiner Office for Saginaw County covered by the Michigan Institute of Forensic Science & Medicine (MIFSM) is writing to inform you of our recent change in leadership. Both Dr. David Stockman and Dr. Russell Bush have stepped down as Chief Executive Officer (CEO) and Chief Medical Examiner (CME), respectively, in order to facilitate the transition to a death investigation service geared towards higher quality metrics, accountability, and timeliness of reports as we seek accreditation by the National Association of Medical Examiners (NAME).”*

We met with Robert Belleman, Controller/CAO, and County Civil Counsel and discussion was held regarding a communication received November 20, 2021 by Dr. Russell Bush detailing his termination and in which he stated *“...I remain able and willing to continue my duties as Saginaw County’s Chief Medical Examiner...”*. Section 1.4 of the contract between the County and MIFSM states *“...Contractor shall not remove, replace, substitute, or otherwise change any Key Personnel without the prior written consent of County...”*

We recommend approval to continue the relationship with Dr. Russell M. Bush as Chief Medical Examiner for Saginaw County, pursuant to his appointment by the Board of Commissioners for the term ending May 31, 2022.

Respectfully Submitted,
EXECUTIVE COMMITTEE

Carl E. Ruth, Chairman
Sheldon Matthews
Dennis H. Krafft

James G. Theisen
Michael A. Webster

FROM: EXECUTIVE COMMITTEE -- 6.2

DECEMBER 2, 2021

Your Executive Committee met and considered correspondence from Brian Hart, President/CEO of Michigan Institute of Forensic Science & Medicine (MIFSM), dated November 19, 2021, wherein the following was written in part: *“The Medical Examiner Office for Saginaw County covered by the Michigan Institute of Forensic Science & Medicine (MIFSM) is writing to inform you of our recent change in leadership. Both Dr. David Stockman and Dr. Russell Bush have stepped down as Chief Executive Officer (CEO) and Chief Medical Examiner (CME), respectively, in order to facilitate the transition to a death investigation service geared towards higher quality metrics, accountability, and timeliness of reports as we seek accreditation by the National Association of Medical Examiners (NAME).”*



We met with Robert Belleman, Controller/CAO, and County Civil Counsel and discussion was held regarding a communication received November 20, 2021 by Dr. Russell Bush detailing his termination and in which he stated “...I remain able and willing to continue my duties as Saginaw County’s Chief Medical Examiner...”. Section 1.4 of the contract between the County and MIFSM states “...Contractor shall not remove, replace, substitute, or otherwise change any Key Personnel without the prior written consent of County...” Further discussion was held regarding the actions of MIFSM being in violation of §1.4b and the county invoking the termination provisions of §4.2 of the contract, which provides for termination of the contract ‘for cause’ with an effective date of 180 days after notice.

We recommend ratification of the notice of termination of the contract between Saginaw County and MIFSM pursuant to §4.2 of the contract, ‘for cause’, with an effective date of 180 days after notice. (*Notice of Termination from Saginaw County to MIFSM dated November 26, 2021 is on file*)

Respectfully Submitted,
EXECUTIVE COMMITTEE
Carl E. Ruth, Chairman
Sheldon Matthews
Dennis H. Krafft

James G. Theisen
Michael A. Webster

RESOLUTIONS

None

UNFINISHED BUSINESS

None

PROCLAMATIONS

None

APPOINTMENTS

None

ELECTIONS

None

ANNOUNCEMENTS BY THE CHAIR

None

COMMISSIONERS’ AUDIENCES

None

By Commissioner Krafft, seconded by Commissioner Little: That the Board adjourn. Motion Carried.
Thereupon, the Special Board Session adjourned at 4:43 p.m.



Respectfully Submitted,

SAGINAW COUNTY BOARD OF COMMISSIONERS

CARL E. RUTH, CHAIRMAN

VANESSA GUERRA, COUNTY CLERK

Prepared by: Suzy Koeplinger, Board Coordinator/Deputy Clerk