

AGENDA SPECIAL SESSION SAGINAW COUNTY BOARD OF COMMISSIONERS

Thursday, December 2, 2021 - 4:00 p.m.

**Saginaw County Governmental Center
111 S. Michigan Ave., Rm. 200, Saginaw, MI 48602**

I. OPENING PROCEDURE

- a. Call to order
- b. Roll call
- c. Invocation (*Gerald Little*)
- d. Pledge of Allegiance (*Chairman Ruth*)

II. PUBLIC PARTICIPATION

- a. Public Hearings - None
- b. Audiences - (*To be updated Thursday, December 2, 2021 at 12:00 p.m.*)

- Dr. David Stockman, MIFSM

- c. Laudatory Resolutions - None

III. COMMISSIONERS' INITIATORY MOTIONS - None

IV. PETITIONS AND COMMUNICATIONS -

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

V. 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

VI. RESOLUTIONS – None

VII. CLOSING PROCEDURE

- a. 1) Unfinished Business - None
- 2) Proclamations - None
- 3) Appointments and Elections - None
- b. Announcements by the Chair
- c. Commissioners' Audiences
- d. Adjournment

Saginaw County
Governmental Center
111 S. Michigan Avenue
Saginaw, MI 48602

County of Saginaw Board of Commissioners



Carl E. Ruth, Chairman

PHONE (989) 790-5267

BOC@SAGINAWCOUNTY.COM

FAX (989) 790-5569

November 22, 2021

**December 2, 2021
Special Session**

COMMISSIONERS

DISTRICT #1
CYNTHIA M. WINIECKE

DISTRICT #2
JACK B. TANY

DISTRICT #3
CHRISTOPHER S. BOYD

DISTRICT #4
SHELDON MATTHEWS

DISTRICT #5
JAMES G. THEISEN

DISTRICT #6
KYLE R. HARRIS

DISTRICT #7
CAROL E. EWING

DISTRICT #8
DENNIS H. KRAFFT

DISTRICT #9
GERALD D. LITTLE

DISTRICT #10
CARL E. RUTH

DISTRICT #11
MICHAEL A. WEBSTER

BOARD STAFF

SUZY KOEPLINGER
BOARD COORDINATOR

CINDY L. LOUCHART
ASSISTANT BOARD COORDINATOR

HANNAH M. OLSEN
BOARD ASSISTANT

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

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

Dennis H. Krafft, Commissioner

Sheldon Matthews, Vice-Chair

Michael A. Webster, Commissioner

Carl E. Ruth, Chairman



111 S. MICHIGAN AVE.
SAGINAW, MI 48602

VANESSA GUERRA
COUNTY CLERK

DEPUTY COUNTY CLERK
KYLE A. BOSTWICK

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

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

s/_____
Carl E. Ruth, Chairman

s/_____
James G. Theisen

s/_____
Sheldon Matthews

s/_____
Michael A. Webster

s/_____
Dennis H. Krafft

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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 attached)*

Respectfully Submitted,
EXECUTIVE COMMITTEE

s/_____
Carl E. Ruth, Chairman

s/_____
James G. Theisen

s/_____
Sheldon Matthews

s/_____
Michael A. Webster

s/_____
Dennis H. Krafft



COUNTY OF SAGINAW

OFFICE OF COUNTY CONTROLLER

111 SOUTH MICHIGAN AVENUE
SAGINAW, MICHIGAN 48602

ROBERT V. BELLEMAN
Controller/Chief Administrative Officer
rbelleman@saginawcounty.com

Via: email, U.S. Mail

November 26, 2021

Michigan Institute of Forensic Science & Medicine
4707 McLeod Drive East
Saginaw, Michigan 88604

Attn: Mr. Brian Hart, President
Dr. Russell Bush, M.D

Re: Contract Termination Notice

Dear Mr. Hart:

Please accept this letter as notice by Saginaw County of the County's intent to terminate that certain agreement (Agreement) between the County of Saginaw and the Michigan Institute of Forensic Science & Medicine (MIFSM), which commenced November 1, 2019 (attached).

The County has been informed by both Dr. Bush (on Friday, November 19, 2021), and by MIFSM (*via email*, received on November 22, 2021) that Dr. Bush had been removed from employment as of November 19, 2021.

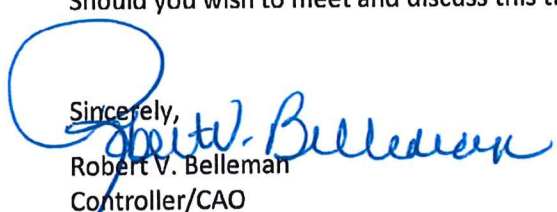
Dr. Bush, the County's duly appointed Medical Examiner is an individual considered as "Key Personnel" under Section 1.4 of the Agreement, and is specifically named as such therein. MIFSM's obligation with regard to removal of a person considered Key Personnel requires the prior written consent of the County. There has been no such consent requested by MIFSM, or given by the County. The County considers said action terminating the employment of Dr. Bush without compliance with the contractual notice to and consent of the County, to be non-compliance by MIFSM of its obligations under the Agreement, and grounds for termination pursuant to Section 4.2 (Termination for Cause), and this correspondence is notice to MIFSM of the County's intent to terminate under Section 4.2.

Moreover, this correspondence constitutes the County's notice of Termination pursuant to Section 4.1 of the Agreement, as well.

This Notice, pursuant to Sections 4.1 & 4.2 of the Agreement, is effective November 26, 2021.

Should you wish to meet and discuss this transition, please feel free to contact me at (989) 790-5578.

Sincerely,


Robert V. Belleman
Controller/CAO