

CHAIRPERSON
SARAH ANTHONY

VICE-CHAIRPERSON
CAROL KOENIG

VICE-CHAIRPERSON PRO-TEM
RANDY MAIVILLE

LAW & COURTS COMMITTEE
KARA HOPE, CHAIR
TERI BANAS
VICTOR CELENTINO
CAROL KOENIG
BRYAN CRENSHAW
RANDY SCHAFFER
RANDY MAIVILLE

INGHAM COUNTY BOARD OF COMMISSIONERS
P.O. Box 319, Mason, Michigan 48854 Telephone (517) 676-7200 Fax (517) 676-7264

THE LAW AND COURTS COMMITTEE WILL MEET ON THURSDAY, MARCH 16, 2017
AT 6:00 P.M., IN CONFERENCE ROOM A, HUMAN SERVICES BUILDING, 5303 S. CEDAR,
LANSING.

Note Change in Location

Agenda

Call to Order
Approval of the [March 2, 2017](#) Minutes
Additions to the Agenda
Limited Public Comment

1. Presentation – Report from Goldberg Group Architects, PC - Evaluation of Renovation of Jail and Sheriff's Department
2. Prosecutor's Office
 - a. Resolution Honoring [Mary Lou Dobias](#)
 - b. Resolution Honoring [Pam Henry](#)
3. Circuit Court/Family Division – Resolution Honoring [Dee Bernardi](#)
4. Animal Control – Resolution to Change the [Hours of Operation](#) of the Ingham County Animal Control Shelter
5. Human Resources – Resolution Approving the [Letter of Understanding](#) with Capitol City Labor Program, Inc. – Corrections Unit Regarding Vacation Maximum Accumulation

Announcements
Public Comment
Adjournment

**PLEASE TURN OFF CELL PHONES OR OTHER ELECTRONIC DEVICES
OR SET TO MUTE OR VIBRATE TO AVOID
DISRUPTION DURING THE MEETING**

The County of Ingham will provide necessary reasonable auxiliary aids and services, such as interpreters for the hearing impaired and audio tapes of printed materials being considered at the meeting for the visually impaired, for individuals with disabilities at the meeting upon five (5) working days notice to the County of Ingham. Individuals with disabilities requiring auxiliary aids or services should contact the County of Ingham in writing or by calling the following: Ingham County Board of Commissioners, P.O. Box 319, Mason, MI 48854 Phone: (517) 676-7200. A quorum of the Board of Commissioners may be in attendance at this meeting. Meeting information is also available on line at www.ingham.org.

LAW & COURTS COMMITTEE
March 2, 2017
Draft Minutes

Members Present: Hope, Celentino, Crenshaw, Koenig (arrived at 6:05 p.m.), Maiville and Schafer

Members Absent: Banas

Others Present: Sheriff Scott Wriggelsworth, Lance Langdon, Teri Morton, Timothy Perrone, James Every, Scott LeRoy, Kristen Kemp, Andy Bouck, Maggie Fenger, and others

The meeting was called to order by Chairperson Hope at 6:00 p.m. in Personnel Conference Room "D & E" of the Human Services Building, 5303 S. Cedar Street, Lansing, Michigan.

Approval of the February 16, 2017 Minutes

MOVED BY COMM. CRENSHAW, SUPPORTED BY COMM. MAIVILLE, TO APPROVE THE MINUTES OF THE FEBRUARY 16, 2017 LAW AND COURTS COMMITTEE MEETING.

THE MOTION CARRIED UNANIMOUSLY. Absent: Commissioners Celentino, Koenig and Schafer

Substitute –

4. Law & Courts Committee – Resolution Making Appointments to the Ingham Indigent Defense System Committee

Limited Public Comment

Scott LeRoy, Deputy Circuit Court Administrator, Family Division, introduced new Circuit Court Employees to the Committee.

MOVED BY COMM. MAIVILLE, SUPPORTED BY COMM. CRENSHAW, TO APPROVE A CONSENT AGENDA CONSISTING OF THE FOLLOWING ITEMS:

1. Facilities
 - a. Resolution Authorizing a Contract with Tab Products Company, LLC to Supply and Install the Rolling File System for the File Room Expansion Project which Includes both Ingham County Probate Court and Mental Health
 - b. Resolution Authorizing a Contract with LJ Trumble as the General Contractor for the Ingham County Probate Court File Room Expansion Project
2. 9-1-1 Center – Resolution to Authorize Participation in the City of Lansing/Ingham County Mass Communication Project

3. Circuit Court/Family Division
 - a. Resolution to Update the Court Officer Circuit Court/Family Division Job Description and Reclassify the Position
 - b. Resolution to Add Two Part-Time Juvenile Detention Specialist Positions
4. Law & Courts Committee – Resolution Making Appointments to the Ingham Indigent Defense System Committee
5. Controller’s Office – Resolution to Accept the 2018 – 2022 Strategic Plan

THE MOTION CARRIED UNANIMOUSLY. Absent: Commissioners Banas and Koenig

THE MOTION TO APPROVE THE ITEMS ON THE CONSENT AGENDA CARRIED UNANIMOUSLY. Absent: Commissioners Banas and Koenig

Please note that later in the meeting, the Committee suspended the rules to allow Commissioner Koenig to vote on the items on the consent agenda.

Commissioner Koenig voted in favor of the items on the consent agenda.

6. Sheriff’s Office – Conflict of Interest Situation (*Discussion*)

Commissioner Koenig arrived 6:05 p.m.

Timothy Perrone, Cohl, Stoker & Toskey Attorney, stated that the County has had a long term contractual relationship with MACNLOW Associates, but one of the co-owners was appointed as Undersheriff beginning January 1, 2017. He further stated that while there is a conflict it could be avoided through the disclosure and transparency required by the statute.

Mr. Perrone stated that the County Attorney had rendered a legal opinion outlining the law, and followed up with concrete steps to take to handle the conflict, including the information firewall. He further stated that the information firewall meant the Undersheriff cannot be involved in any aspect of the solicitation or negotiation of the contract, and the Ingham County Sheriff must make sure that the Undersheriff did not have any contact with any aspect of the solicitation or negotiation of the contract.

Mr. Perrone stated that the Ingham County Sheriff must make sure that the Undersheriff did not perform any training contracted for by MACNLOW Associates as well.

Mr. Perrone stated that the Undersheriff must disclose in writing his interest in the contract at least seven days before the Board of Commissioners is expected to vote on the contract. He further stated that the disclosure should be addressed to the Ingham County Sheriff, the Chairperson of the Board of Commissioners and the Ingham County Clerk.

Mr. Perrone stated that the disclosure must be placed on the Board of Commissioners Agenda, and the minutes should reflect the receipt of that disclosure. He further stated the vote must pass by a two-thirds supermajority at least seven days after notice is received.

Commissioner Schafer stated that he appreciated the information and that he did not have a problem with the situation as long as the disclosure procedures were followed.

Discussion.

Sheriff Scott Wriggelsworth, Sheriff's Office, stated that he had known about the situation prior to taking office, and had been working to alleviate the concerns. He further stated that the company was a statewide leader in training, and the Ingham County 9-1-1 Center used MACNLOW Associates almost exclusively, however the company is not the only vendor the County used for training.

Sheriff Wriggelsworth provided background information regarding the Ingham County Sheriff's Office's partnership with the company, and how the relationship benefited the County. He further stated that most of the money used to pay for the training is not general fund money.

Sheriff Wriggelsworth stated that MACNLOW Associates would not be affected if the County no longer used their services, however the Sheriff's Office and the public would be negatively affected because the training the Sheriff's Office received would not be as good as it could be.

Discussion.

Chairperson Hope asked when the current contract with MACNLOW Associates expired.

Sheriff Wriggelsworth stated that there was not a contract because the Sheriff's Office submitted training forms to MACNLOW Associates on an as-needed basis if employees needed training throughout the year.

Teri Morton, Budget Director, stated that the way the training sessions were handled was similar to employees attending training conferences, and there would not be a contract for every training event an employee attended.

Sheriff Wriggelsworth stated that he believed the new contract that was required could be similar to the current contract with corporate counsel. He further stated that the initial contract would meet the seven disclosure points and then include a not-to-exceed limit per year.

Chairperson Hope stated that she understood the Sheriff was proposing an annual contract.

Discussion.

Kristen Kemp, Co-Owner of MACNLOW Associates, provided information on how various agencies sign up for training through MACNLOW Associates. She further stated that the company did not have contracts with any agencies that used their services.

Ms. Morton stated that the current system worked in normal situations, but now that there was a need to be transparent about the potential conflict of interest the system needed to be changed.

Ms. Kemp stated that this situation would be the only situation where a contract was necessary.

Commissioner Koenig stated that she found the situation disturbing and was not comfortable with it. She further stated that it was a double edged sword to say the company did not provide that much training for the Sheriff's Office but then say the training was really important.

Commissioner Koenig stated that it could not be both ways, either the training was important or the company did not provide that much training for the Sheriff's Office.

Discussion.

Commissioner Koenig stated that this would not be a contract situation, rather the Board of Commissioners would pass a resolution that waived the conflict of interest, indicated that the situation had been considered, and that the Board of Commissioners was allowing the County to continue the relationship.

Discussion.

Sheriff Wriggelsworth stated that in this unique situation, to follow the advice of corporate counsel, he would encourage the County to enter into a contract even though MACNLOW Associates did not usually enter into a contract.

Commissioner Koenig asked why the Sheriff wanted a contract.

Sheriff Wriggelsworth stated that corporate counsel had stated that the statute said that is what they should do.

Mr. Perrone stated that the statute did talk about entry into a contract and that was how the process was resolved, specifically to enter into a contract rather than passing a resolution to waive the conflict.

Discussion.

Ms. Morton stated that she did not send the legal opinion due to attorney-client privilege and her belief that closed session would be necessary to discuss the legal opinion.

Commissioner Koenig stated that she was not willing to do anything on the matter until she could review the legal opinion.

Chairperson Hope stated that she felt an annual contract would be best, as it could be flagged every year for the Board of Commissioners to revisit and take the relevant steps to avoid conflict and reconsider the situation.

Chairperson Hope stated that this situation was on the agenda as a discussion item, and that Ms. Morton had copies of the letter from Cohl, Stoker & Toskey to distribute to all the Commissioners after the meeting.

Commissioner Koenig stated that it could never be said that a co-owner did not personally benefit, because they do as that is the nature of the business. She further stated that if a person co-owned a business, they benefited from any contract the business had.

Discussion.

Commissioner Maiville stated that he understood this was a discussion item but he thought perhaps a consensus could be reached by the Law & Courts Committee or Democratic Caucus in order to proceed.

Commissioner Celentino asked Chairperson Hope if she was considering discussing the issue at the Democratic Caucus, because he felt that the Commissioners at the meeting tonight had received more information regarding the situation. He further stated that he had no problem with a resolution coming before the Law & Courts Committee because the Committee could review and possibly amend the resolution at that time.

Discussion.

Chairperson Hope asked if there was a time sensitive aspect to this situation.

Sergeant James Every, Sheriff's Office, stated that there was a corrections supervision class scheduled with MACNLOW Associates in April 2017, as well as two more training sessions in later months.

Discussion.

Lance Langdon, 9-1-1 Center Director, stated that the Center did use MACNLOW Associates for training, and had for years. He further stated that he had four people attend an advanced dispatch class with MACNLOW Associates in January 2017, and he would be attending a class put on by the Association of Public Communications Officials that is provided on behalf of MACNLOW Associates.

Mr. Langdon stated that MACNLOW Associates was one of the few companies that did 9-1-1 training in Michigan, and by participating in their training, the Ingham County 9-1-1 Center was receiving the training required by the State for basic and advanced dispatch.

Mr. Every stated that the Sheriff's Office had used MACNLOW Associates for the supervisory courses that all promoted deputies were required to take, which was a standard that was put in place well before Andy Bouck became Undersheriff. He further stated that to date, MACNLOW Associates had been the highest level of training to get through the Sheriff's Office.

Commissioner Koenig asked for a review of the total value of contracts for all departments contracted with MACNLOW Associates for the past five years. She further stated that the Commissioners needed to be very transparent with this situation.

Sheriff Wriggelsworth and Ms. Kemp provided that information.

Discussion.

Ms. Kemp stated that she and Undersheriff Bouck had purchased MACNLOW Associates in July 2013, therefore the figures that were provided only covered the time frame during which they had owned the company, which was roughly three and a half to four years.

Commissioner Schafer stated that with the fact that the training needed to go forward he would like to have a resolution during this meeting. He further stated that the training would occur before a resolution could be brought at the next meeting.

Commissioner Koenig asked if the scheduled training had to occur, and whether or not only Ingham County was participating in the training.

Ms. Kemp stated that the corrections supervision training, scheduled for April 3-5, had to occur because other agencies had registered. She further stated that the Sheriff's Office could host the training without participating, but that would negate the advantage of hosting and having people attend for no cost.

Commissioner Koenig asked how many people from Ingham County were attending the training.

Mr. Every answered that two people were attending.

Ms. Morton stated that the Sheriff had mentioned previously that when the Sheriff's Office hosted the training, they were able to send people to the training for free.

Chairperson Hope stated that if the April training was the closest training, then the time pressure was off, and a resolution did not need to be rushed through.

Discussion.

Sheriff Wriggelsworth stated that this issue was about training, the level of service MACNLOW Associates provided, and the fact that the Sheriff's Office could host the training. He further stated that it was about making our people better, thus serving our county better.

Chairperson Hope stated that she appreciated the Sheriff's diligence in this matter.

Discussion.

Chairperson Hope asked MACNLOW Associates to provide a scope of services, not-to-exceed figure and a contract. She further stated that she would like to see that as soon as possible.

Sheriff Wriggelsworth asked for direction on who to send that information to.

Ms. Morton stated that just like with any contract, there should be a resolution approved by the Law & Courts Committee, Finance Committee and then the Board of Commissioners.

Discussion.

Chairperson Hope thanked everyone for their diligence and their attendance.

Commissioner Schafer thanked the Sheriff for his email updates that kept the Commissioners informed.

Discussion.

MOVED BY COMM. SCHAFFER, SUPPORTED BY COMM. CELENTINO TO SUSPEND THE RULES TO ALLOW COMMISSIONER KOENIG TO VOTE ON THE CONSENT AGENDA ITEMS FOR WHICH SHE WAS ABSENT.

THE MOTION CARRIED UNANIMOUSLY. Absent: Commissioner Banas.

Commissioner Koenig voted in favor of the items on the consent agenda.

Announcements

Commissioner Celentino announced that he attended the Youth Center Open House along with Chairperson Hope and Commissioner Crenshaw. He further stated that he thought they did a nice job.

Commissioner Maiville thanked Sheriff Wriggelsworth for hosting a tour of the Muskegon County Jail. He further stated that he toured the Jail along with Chairperson Hope and Commissioner Banas.

Public Comment

None.

Adjournment

Chairperson Hope announced that Goldberg Associates would be attending the March 16, 2017 meeting of the Law & Courts Committee, which would be held in Conference Room A.

The meeting was adjourned at 6:39 p.m.

**MARCH 16, 2017 LAW & COURTS AGENDA
STAFF REVIEW SUMMARY**

RESOLUTION ACTION ITEMS:

The Deputy Controller is recommending approval of the following resolutions:

4. *Animal Control – Resolution to Change the Hours of Operation of the Ingham County Animal Control Shelter*

In November 2016 the voters of Ingham County passed an Animal Shelter Millage to fund construction of a new shelter and to enhance services provided by the Animal Control Department. The millage provides funds for positions which will allow the department to expand the days and hours that the shelter is open to the public. The Animal Control Director is recommending that the hours be changed as follows, effective June 1, 2017:

From:

Tuesday and Wednesday	Noon to 6:00 PM
Thursday through Saturday	11:00 AM to 4:00 PM
Sunday and Monday	Closed
County Holidays	Closed

To:

Tuesday	Noon to 6:00 PM
Wednesday	Noon to 7:00 PM
Thursday through Monday	11:00 AM to 4:00 PM
County Holidays	Closed

See attached memo for detail.

5. *Human Resources – Resolution Approving the Letter of Understanding with Capital City Labor Program, Inc. – Corrections Unit Regarding Vacation Maximum Accumulation*

This resolution would approve a Letter of Understanding (LOU) between Ingham County and the CCLP Corrections Unit allowing for payment of vacation hours in excess of the maximum accrual. The Sheriff's Office continues to experience difficulties associated with operating at minimum staffing level and employees are unable to schedule enough vacation time to avoid reaching the maximum accumulation provided under the collective bargaining agreement. This LOU will establish a temporary procedure to pay employees for hours in excess of the maximum accumulation so they do not lose earned vacation time.

PRESENTATION:

1. Presentation – Report from Goldberg Group Architects, PC - Evaluation of Renovation of Jail and Sheriff's Department

Goldberg Group Architects will present their report comparing and contrasting the costs and efficiencies of performing renovations in phases versus construction of a new jail.

HONORARY RESOLUTIONS:

- 2a. Prosecutor's Office – Resolution Honoring Mary Lou Dobias
- 2b. Prosecutor's Office – Resolution Honoring Pam Henry
3. Circuit Court/Family Division – Resolution Honoring Dee Bernardi

Introduced by the Law & Courts Committee of the:

INGHAM COUNTY BOARD OF COMMISSIONERS

RESOLUTION HONORING MARY LOU DOBIAS

WHEREAS, Mary Lou Dobias began her employment with Ingham County in April 1990 as a Clerk with the Prosecutor's Office Family Division; and

WHEREAS, Mary Lou Dobias was promoted in January 1991 to Support Clerk in the Prosecutor's Family Support Division, eventually becoming its Lead Clerk; and

WHEREAS, Mary Lou Dobias has served Ingham County for 27 years, in particular its children and families; and

WHEREAS, Mary Lou Dobias has been instrumental in seeing that children from birth to age 18 receive adequate financial support from their parents; and

WHEREAS, Mary Lou Dobias is an exemplary public servant whose courtesy and professionalism are acknowledged by all, and whose personal skills are of great value to our clients as they undergo the difficult and often emotionally trying process of establishing paternity and support; and

WHEREAS, Mary Lou Dobias has served under four Prosecutors and is one of only a small handful of persons to serve the Prosecutor's Office during this tenure; and

WHEREAS, Mary Lou Dobias has now earned a well-deserved retirement from the County, the Prosecutor's Office, and its Family Support Unit.

THEREFORE BE IT RESOLVED, that the Ingham County Board of Commissioners hereby honors Mary Lou Dobias for her many years of dedicated service to the County of Ingham and for the contributions she has made to the Office of the Prosecuting Attorney.

BE IT FURTHER RESOLVED, that the Board wishes her continued success in all of her future endeavors.

Introduced by the Law & Courts Committee of the:

INGHAM COUNTY BOARD OF COMMISSIONERS

RESOLUTION HONORING PAM HENRY

WHEREAS, Pam Henry began her service to the County in January 2003, as a Clerk with the Community Corrections Advisory Board's Project Sentry, working to provide substance abuse services and treatment in lieu of incarceration; and

WHEREAS, Pam Henry moved to the County Prosecutor's Office in September of 2003, where she became a Clerk in the Family Division; and

WHEREAS, Pam Henry has served the Prosecutor's Office for the past 13 years, and has worked on juvenile delinquency matters, ensuring that youthful offenders receive appropriate, quality services that address their behaviors, while protecting the safety of the public; and

WHEREAS, Pam Henry has served the County and its Prosecutor's Office with distinction, earning a reputation for professionalism, courtesy and excellence in service to our residents; and

WHEREAS, Pam Henry has worked to develop files on juvenile cases that accurately reflect each young person's circumstances, and that she has excelled in this as our office has moved into shared paperless files through the On Base system; and

WHEREAS, Pam Henry has now earned a well-deserved retirement from the County, the Prosecutor's Office, and its Family Division.

THEREFORE BE IT RESOLVED, that the Ingham County Board of Commissioners hereby honors Pam Henry for her many years of dedicated service to the County of Ingham and for the contributions she has made to the Office of the Prosecuting Attorney.

BE IT FURTHER RESOLVED, that the Board wishes her continued success in all of her future endeavors.

Introduced by the Law & Courts Committee of the:

INGHAM COUNTY BOARD OF COMMISSIONERS

RESOLUTION HONORING DEE BERNARDI

WHEREAS, Dee Bernardi began her employment as a Clerk Typist I in July 1974 at the Ingham County Probate Court, currently known as Circuit Court, Family Division; and

WHEREAS, Dee Bernardi was promoted to Clerk Typist II in November 1974 and again promoted in September 1979 to Assistant Juvenile Register; and

WHEREAS, in April 2003 her title changed to Unit Secretary; and

WHEREAS, Dee Bernardi has dedicated over 42 years of her life to the Ingham County Circuit Court, Family Division and the residents of Ingham County; and

WHEREAS, Dee Bernardi exemplifies the best in public service through her dedication and commitment to her job responsibilities and duties; and

WHEREAS, Dee Bernardi's strong work ethic, wealth of knowledge, energy, and helpful attitude will be greatly missed; and

WHEREAS, Dee Bernardi enthusiastically volunteered to organize the vast majority of office potlucks, baby showers, wedding showers and retirement celebrations and successfully served as the Chairperson coordinating the Bring A Child to Work Day event for many years; and

WHEREAS, Dee Bernardi can now spend more time with her daughter, explore the world, and enjoy many adventures together.

THEREFORE BE IT RESOLVED, that the Ingham County Board of Commissioners hereby honors Dee Bernardi for her many years of dedicated service to the County of Ingham and for the contributions she has made to the Circuit Court, Family Division.

BE IT FURTHER RESOLVED, that the Board wishes her continued success in all of her future endeavors.

TO: Board of Commissioners, Law & Courts Committee
FROM: John Dinon, Animal Control Director
DATE: 3 March 2017
SUBJECT: Change in Animal Control Shelter hours of operation
For the meeting agendas of March 16 and 28, 2017

BACKGROUND

The voters of Ingham County passed an Animal Control Millage in November 2016 to fund construction of a new shelter for Ingham County Animal Control and to enhance services provided by the Department. The millage provides funds for positions which will allow the department to expand the days and hours that the shelter is open to the public. The ICAC shelter is currently open Tuesday and Wednesdays, noon-6:00 PM, Thursday through Saturday, 11:00 AM to 4:00 PM and closed Sunday and Monday. During discussions leading up to the approval of the millage by the BOC and during the millage campaign, ICAC proposed adding Sunday hours. After further study, ICAC staff concluded that the additional Animal Shelter Clerk and Animal Care Specialist positions funded by the millage will allow the shelter to be open every day (7 days/week) except for County holidays. ICAC is proposing being open to the public noon to 6:00 PM on Tuesday, noon to 7:00 PM on Wednesday, and 11:00 AM to 4:00 PM on Thursday through Monday (adding Sunday and Monday hours and staying open an hour later on Wednesdays) beginning June 1, 2017 to improve citizen access to our services.

ALTERNATIVES

Ingham County Animal Control could maintain its current five day per week schedule, however voters were promised expanded services as part of the millage. The department could go to a six day per week schedule, or seven days with more limited hours (i.e. not staying open later on Wednesday); however, millage funded staffing levels allow for the schedule detailed above and in the resolution.

FINANCIAL IMPACT

Since the new staff positions that allow ICAC to expand to a seven day per week schedule are funded by the Animal Control Millage, there will be no impact on the general fund expenses of the ICAC budget. There will be a very minimal expense to print new hours signage. Being open more days and hours – that is, being more available to citizens - may increase the department’s adoption, license sale and other revenue.

OTHER CONSIDERATIONS

There are no statutory requirements related to this reorganization. However, the voters of Ingham County did approve the Animal Control millage with the understanding it would fund enhanced services including expanded hours.

RECOMMENDATION

Based on the information presented, I respectfully recommend approval of the attached resolution to support this schedule change.

Introduced by the Law & Courts Committee of the:

INGHAM COUNTY BOARD OF COMMISSIONERS

**RESOLUTION TO CHANGE THE HOURS OF OPERATION
OF THE INGHAM COUNTY ANIMAL CONTROL SHELTER**

WHEREAS, the citizens of Ingham County approved an Animal Control millage to construct and operate a new facility and enhance department operations; and

WHEREAS, the Ingham County Animal Control Department began receiving funds generated by the millage beginning in 2017; and

WHEREAS, millage funds were designated for animal care and customer service positions that will allow the ICAC shelter to expand days and hours of operation.

THEREFORE BE IT RESOLVED, that the Ingham County Board of Commissioners hereby approves a change in ICAC shelter hours as follows effective 1 June 2017:

From:

Tuesday and Wednesday	Noon to 6:00 PM
Thursday through Saturday	11:00 AM to 4:00 PM
Sunday and Monday	Closed
County Holidays	Closed

To:

Tuesday	Noon to 6:00 PM
Wednesday	Noon to 7:00 PM
Thursday through Monday	11:00 AM to 4:00 PM
County Holidays	Closed

Agenda Item 5

TO: Board of Commissioners - Law and Courts Committee, County Services Committee and Finance Committee

FROM: Travis Parsons, Human Resources Director

DATE: March 7, 2017

SUBJECT: LOU – CCLP Corrections Unit
Law and Courts March 16th Agenda, County Services March 21st Agenda
Finance Committee March 22nd Agenda

BACKGROUND

The Ingham County Sheriff's Office continues to experience difficulties associated with operating at minimum staffing level and employees are unable to schedule enough vacation time to avoid encroaching on the maximum accumulation provided under the collective bargaining agreement. It is the desire of the parties to establish a temporary procedure to pay employees for hours in excess of the maximum accumulation so employees do not lose the earned vacation time.

ALTERNATIVES

Not addressing this problem would allow employees to lose accrued vacation time.

FINANCIAL IMPACT

The LOU outlines the process for payment at the employee's regular hourly rate.

OTHER CONSIDERATIONS

There are not many employees in the unit that will approach the maximum and those that may approach the maximum accumulation are long term employees that have a higher vacation accrual rate. Similar LOU's have been executed historically, with limited duration, for this unit and with the 911 Non-Supervisory Unit in response to employees' difficulty with scheduling time off.

RECOMMENDATION

Based on the information presented, I respectfully recommend approval of the attached resolution authorizing the Letter of Understanding between the Employer and CCLP regarding payment of vacation time excess of the maximum accumulation.

Introduced by the Law & Courts, County Services and Finance Committees of the:

INGHAM COUNTY BOARD OF COMMISSIONERS

**RESOLUTION APPROVING THE LETTER OF UNDERSTANDING WITH
CAPITOL CITY LABOR PROGRAM, INC. – CORRECTIONS UNIT
REGARDING VACATION MAXIMUM ACCUMULATION**

WHEREAS, a collective bargaining agreement had been reached between representatives of Ingham County, the Ingham County Sheriff, and Capitol City Labor Program, Inc. (CCLP) – Corrections Unit for the period January 1, 2015 through December 31, 2017; and

WHEREAS, the parties wish to amend the Agreement; and

WHEREAS, the Ingham County Sheriff and Human Resources have discussed with the CCLP Corrections Unit the need for payment of hours in excess of the maximum vacation accumulation due to current minimum staffing levels and have prepared the attached Letter of Understanding between the parties; and

WHEREAS, the provisions of the Letter of Understanding have been approved by the Law and Courts, County Services and Finance Committees.

THEREFORE BE IT RESOLVED, that the Ingham County Board of Commissioners hereby approves the attached Letter of Understanding with respect to payment of vacation hours in excess of the maximum accrual between Ingham County and the CCLP Corrections Unit.

BE IT FURTHER RESOLVED, that the Chairperson of the Board of Commissioners is authorized to sign the Letter of Understanding on behalf of the County, subject to the approval as to form by the County Attorney.

LETTER OF UNDERSTANDING
BETWEEN
COUNTY OF INGHAM
INGHAM COUNTY SHERIFF
AND
CAPITOL CITY LABOR PROGRAM, INC.-
CORRECTIONS UNIT

INCREASE IN MAXIMUM VACATION ACCUMULATION

WHEREAS, the current collective bargaining agreement between the parties provides in Article 33, VACATION, Section 5a that annual leave days not used may only be accumulated to a maximum of 300 hours or 320 hours with the written approval of the Undersheriff; and

WHEREAS, due to the minimum staffing currently existing in the Sheriff's Office, the parties established a temporary expanded maximum vacation (annual leave) accumulation of 380 hours through December 31, 2015; and

WHEREAS, the parties determined a need to extend the expanded maximum accumulation through December 31, 2017; and

WHEREAS, Corrections Officers will continue to accrue vacation (annual leave) above the 380 hour maximum; and

WHEREAS, the parties have come to agreement on the expanded maximum accumulation and the payment of hours accrued after the 380 hour maximum accumulation.

NOW, THEREFORE, IT IS HEREBY AGREED between the parties as follows:

1. The annual maximum vacation shall be increased to 380 hours without the requirement for the written approval of the Undersheriff through December 31, 2017.
2. Corrections Officers will continue to receive the cash out of vacation accrued after or at 380 hours.
3. This Letter of Understanding will be effective through December 31, 2017, at which time the temporary increase in maximum leave accumulation and the cash out of hours accrued after the maximum shall expire. However, accumulations which exceed 320 hours as of December 31, 2017, shall be grandfathered until such time as the usage of such excess accumulation brings the employee's accumulations into compliance.

COUNTY OF INGHAM

CAPITOL CITY LODGE #141

Sarah Anthony, Chairperson Date

Tom Krug, Executive Director Date

SHERIFF OF INGHAM COUNTY

Sheriff Scott Wriggelsworth Date

Jack Bonner Date

APPROVED AS TO FORM FOR INGHAM COUNTY
COHL, STOKER & TOSKEY, PC.

By _____
Bonnie G. Toskey Date