

John F. Fuentes
County Administrator/Controller

Todd J. Campbell
Deputy Administrator



Cindy Moser
Finance Director

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**HUMAN RESOURCES COMMITTEE
THURSDAY, MARCH 23, 2023 AT 11:45 A.M.
(OR IMMEDIATELY FOLLOWING THE WAYS AND MEANS COMMITTEE MEETING)
CLINTON COUNTY COURTHOUSE
BOARD OF COMMISSIONERS ROOM
100 EAST STATE STREET, ST. JOHNS, MI 48879**

1	11:45	CALL TO ORDER, ADDITIONS TO THE AGENDA
2	11:50	LIMITED PUBLIC COMMENTS
3	11:55	COMMITTEE/COMMISSION APPOINTMENTS (ADMINISTRATION) – NO ATTACHMENT
4	12:00	EMPLOYEE APPRECIATION LUNCHEON – NO ATTACHMENT
5	12:10	DISTRICT COURT – APPOINTMENT OF NON-ATTORNEY MAGISTRATE
6	12:15	HEALTH ALLIANCE INSURANCE RENEWAL (ADMINISTRATION)
7	12:20	COLLECTIVE BARGAINING UPDATE – POAM (CORRECTION OFFICERS) REQUEST TO OPEN NEGOTIATIONS (ADMINISTRATION)
8	12:25	ALLOWABLE EXPENDITURES POLICY (ADMINISTRATION)
9	12:35	ADMINISTRATOR'S REPORT
10	12:40	COMMISSIONERS' COMMENTS
11	12:55	ANY OTHER BUSINESS
MEETING STARTS PROMPTLY AT CALL TO ORDER TIME LISTED OR IMMEDIATELY FOLLOWING THE WAYS AND MEANS COMMITTEE MEETING. AGENDA ITEM TIMES MAY VARY		

PACKET INFORMATION IS CURRENT AS OF POSTING DATE. **NOTE:** ADDITIONAL INFORMATION MAY BE PRESENTED ON SCHEDULED AGENDA ITEMS. AGENDA ITEMS MAY ALSO BE ADDED DUE TO BUSINESS NEEDS.

TO REQUEST ACCOMMODATIONS OR MATERIALS IN AN ALTERNATIVE FORMAT, PLEASE CONTACT ADMINISTRATIVE SERVICES AT 989-224-5120 OR VIA EMAIL AT ADMIN@CLINTON-COUNTY.ORG NO LATER THAN 48 HOURS PRIOR TO THE MEETING.

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TO: Human Resources Committee

FROM: 
John F. Fuentes, County Administrator/Controller

SUBJECT: Appointment of Non-Attorney Magistrate by 65A District Court (Clinton County) for the benefit of 65B District Court (Graftiot County) under Multiple Plan for Magistrates

DATE: March 13, 2023

Charles E. Perkins has been appointed as a Non-Attorney Magistrate in Graftiot County. Since he resides in Clinton County, statute requires approval from the Clinton and Graftiot Counties Board of Commissioners.

Attached please find the Administrative Order dated March 6, 2023 by Chief Judge Sullivan and both District Judges of the 65A and 65B District Courts. This order will accommodate the 65B District Court for Graftiot County and serve the interests of 65A District Court in Clinton County as needed, under the Multiple Plan for Magistrates, Joint Administrative Order 2021-06J, at no financial expense to Clinton County.

Mr. Perkins will also need a performance bond of \$50,000 filed with the Clinton County Treasurer and Chief Judge.

Suggested Action:

Recommend appointing Charles E. Perkins as a Non-Attorney Magistrate in accordance with the Local Administrative Order dated March 6, 2023 by Chief Judge and both District Judges of the 65A and 65B District Courts.

State of Michigan
65B JUDICIAL DISTRICT COURT
Gratiot County



Stewart D. McDonald
District Court Judge P30191

Telephone: (989) 875-5240
Facsimile: (989) 875-5290

245 East Newark Street • Ithaca, Michigan 48847
65bdistrictcourt@gratiotmi.com

Under authority of SCAO Administrative Order 2009-6 and Pursuant to 65A & 65B Joint Local Administrative Order(s) 2021-06J, Multiple Plan for Magistrates; the 65A & 65B District Courts enact:

65A Local Administrative Order 2023-
65B Local Administrative Order 2023-

APPOINTMENT OF NON-ATTORNEY MAGISTRATE BY 65A DISTRICT COURT, CLINTON COUNTY, MI for the benefit of 65B DISTRICT COURT, GRATIOT COUNTY, MI UNDER MULTIPLE PLAN FOR MAGISTRATES

In accordance with the State Court Administrative Order 2009-6, effective January 1, 2010, and under the authority of approved 65A and 65B Local Administrative orders 2021-06J and the statutory authority of MCL 600.8501; 600.8503; 600.8507; and 600.8320, and upon approval of the Clinton County and Gratiot County Boards of Commissioners and the State Court Administrative Office (SCAO),

IT IS ORDERED:

1. The undersigned Chief Judge and both District Judges of the 65A & 65B District Court(s) hereby appoint Charles E. Perkins as a non- attorney magistrate with the approval of Clinton & Gratiot County Board of Commissioners. Mr. Perkins is a full-time resident and registered elector of Clinton County, residing at 1477 Squirrel Run, St. Johns, MI 48879 and is a full-time employee of the 65B District Court in Gratiot County, MI. This order will accommodate the 65B District Court in allowing and authorizing Charles E. Perkins to serve as a non-attorney magistrate in the course of his full-time employment with the 65B District Court for Gratiot County and will also serve the interests of the 65A District Court in Clinton County as needed, under the Multiple Plan for Magistrates, Joint Administrative Order 2021-06J, at **no financial expense to Clinton County**. The magistrate's contact information is:

Name	Charles E. Perkins
Court Address	65B District Court
	245 East Newark Street
	Ithaca, Michigan 48847
Phone Number	989-875-5371
E-mail Address	cperkins@gratiotmi.com

It is the responsibility of the magistrate to notify the State Court Administrative Office of changes in the individual's contact information during the course of the appointment.

2. Charles E. Perkins

- a. Is a full-time resident of and a registered elector in Clinton County, MI. and is employed as the full-time District Court Administrator in the 65B District Court for Gratiot County, MI.
- b. Will serve during his full-time employment tenure with 65B District Court at the pleasure of the two judges of the 65A and 65B District Court(s) for the primary benefit of the 65B District Court in Gratiot County under both court's Multiple Plan for Magistrates, LAO 2021-06J and for the additional benefit of the 65A District Court for Clinton County, as needed.
- c. Will take the constitutional oath of office.
- d. Will file a performance bond in the amount of \$50,000 with the Clinton County treasurer and chief judge.
- e. Will complete a training course in traffic law adjudication and sanctions given by SCAO.
- f. Will **NOT** receive employment compensation of any kind from Clinton County for his service as a non-attorney magistrate under the terms hereof.
- g. Will be under the superintending control of the Chief Judge and the District Judge of the District Court that he is serving at the time.

3. Magistrate Charles E. Perkins is authorized to perform the following duties as provided in MCL 600.8511; 600.8512 (and as amended effective 03-29-2023); 600.8512a; and 600.8513:

a. Arraign and sentence upon pleas of guilty or nolo contendere for violations of the following acts or parts of acts, or local ordinances substantially corresponding to the following acts or parts of acts, if the maximum permissible punishment does not exceed 90 days in jail, a fine, or both [MCL 600.8511(a)]:

- 1) SPORT FISHING, part 487 of the natural resources and environmental protection act, MCL 324.48701 to 324.48740;

- 2) WILDLIFE CONSERVATION, part 401 of the natural resources and environmental protection act, MCL 324.40101 to 324.40120;
- 3) MARINE SAFETY, part 801 of the natural resources and environmental protection act, MCL 324.80101 to 324.80199;
- 4) MOTOR CARRIER ACT, MCL 475.1 to 479.43;
- 5) MOTOR CARRIER SAFETY ACT, MCL 480.11 to 480.25;
- 6) DOG LAW OF 1919, MCL 287.261 to 287.290;
- 7) MICHIGAN LIQUOR CONTROL CODE, MCL 436.1703 and 436.1915;
- 8) GENERAL POWERS AND DUTIES, part 5 of the natural resources and environmental protection act, MCL 324.501 to 324.513;
- 9) LITTERING, part 89 of the natural resources and environmental protection act, MCL 324.8901 to 324.8907;
- 10) HUNTING AND FISHING LICENSES, part 435 of the natural resources and environmental protection act, MCL 324.43501 to 324.43561;
- 11) RECREATIONAL TRESPASS, part 731 of the natural resources and environmental protection act, MCL 324.73101 to 324.73111; and
- 12) TRESPASS, MCL 750.546 to 750.552c.

b. Arraign and sentence upon pleas of guilty or nolo contendere for violations of the Michigan vehicle code, MCL 257.1 to 257.923, or local ordinances substantially corresponding to provisions of the Michigan vehicle code, if the maximum permissible punishment does not exceed 93 days in jail, a fine, or both, except for violations of MCL 257.625 and 257.625m or local ordinances substantially corresponding to these provisions. However, the magistrate is authorized to arraign defendants and set bond with regard to violations of MCL 257.625 and 257.625m or local ordinances substantially corresponding to these provisions. [MCL 600.8511(b)]

c. Arraign and sentence upon pleas of guilty or nolo contendere for violations of the following acts, if the maximum permissible punishment does not exceed 93 days in jail, a fine, or both [MCL 600.8511(c)]:

1) OFF-ROAD RECREATION VEHICLES, part 811 of the natural resources and environmental protection act, MCL 324.81101 to 324.81150 or local ordinances substantially corresponding to these provisions, except for violations of MCL 324.81134 and 324.81135. However, the magistrate is authorized to arraign defendants and set bond with regard to violations of MCL 324.81134 and 324.81135; and

2) SNOWMOBILE, part 821 of the natural resources and environmental protection act, MCL 324.82101 to 324.82160 or local ordinances substantially corresponding to these provisions, except for violations of MCL 324.82128 and 324.82129. However, the magistrate is authorized to arraign defendants and set bond with regard to violations of MCL 324.82128 and 324.82129.

d. Accept pleas of guilty or nolo contendere and impose sentence for misdemeanor or ordinance violations punishable by fines and that are not punishable by imprisonment by the terms of the statutes or ordinances creating the offenses. [MCL 600.8512a (b)]

e. Issue search warrants under general authorization. [MCL 600.8511(g); MCL 780.651(4)].

f. Issue warrants for the arrest of persons upon written authorization of the prosecuting or municipal attorney and set pre-arraignment bonds. Written authorization is not required for vehicle law or ordinance violations within the jurisdiction of the magistrate, if a police officer issued a traffic citation in accordance with MCL 257.728 and the defendant failed to appear. [MCL 600.8511(e); MCL 764.1(5)]

g. Fix bail and accept bond in all criminal cases. [MCL 600.8511(f)] Set bond and order the defendant to appear before the circuit court in the county for a hearing when the person has been arrested for violation of a personal protection order and the circuit court judge will not be present or available within 24 hours after an arrest. [MCL 764.15b (3)]

h. Conduct first appearances of defendants before the court in all criminal and ordinance violation cases, including acceptance of any written demand or waiver of preliminary examination and acceptance of any written demand or waiver of jury trial. However, the magistrate may

only accept pleas of guilty or nolo contendere expressly authorized under MCL 600.8511 or MCL 600.8512a. [MCL 600.8513(1)]

i. Conduct arraignments for a contempt of court violation or a probation violation, if the violation arises directly out of a criminal case for which the magistrate has authority to conduct the first appearance and involves the same defendant, and if the maximum permissible penalty for the offense does not exceed one year in jail, a fine, or both. The magistrate may accept a plea and set bond, but may not conduct a contempt or probation violation hearing or sentencing. [MCL 600.8511(d)]

j. Hear and preside over civil infraction admissions, admissions with explanation, motions to set aside default or withdraw admissions, and conduct informal hearings in civil infraction actions, and impose all sanctions allowed by statute, under the authority of MCL 600.8512a (a), MCL 600.8512 (traffic and parking civil infractions), 600.8719 (municipal civil infractions), MCL 600.8819 (state civil infractions), and other applicable sections of these acts. Informal hearings involving traffic or parking violations shall not be conducted until the magistrate has successfully completed the SCAO training course in traffic law adjudication and sanctions.

k. Approve and grant petitions for the appointment of attorneys to represent indigent defendants accused of misdemeanor offenses punishable by imprisonment for not more than one year or ordinance violations punishable by imprisonment. [MCL 600.8513(2) (a)]

l. Suspend payment of court fees by indigent parties in civil, small claims, or summary proceedings actions, until after judgment has been entered. [MCL 600.8513(2) (b)]

m. Upon written authorization of the prosecuting or city attorney, sign nolle prosequis, dismissing any criminal or ordinance violation cases over which the district court has jurisdiction and release any bail bonds or bail bond deposits to the persons entitled to them, unless the preliminary examination or trial has commenced or a plea of guilty or nolo contendere has been accepted by a district court judge. [MCL 600.8513(2) (c)]

n. Execute and issue process to effectuate authority expressly granted by law to district court magistrates. [MCL 600.8513(2) (d)]

o. Administer oaths and affirmations and take acknowledgments in writing. [MCL 600.8317]

p. Perform marriages and charge a fee of \$10 which shall be deposited with the court for transmission to the funding unit at the end of each month. [MCL 600.8316]

q. Issue summonses to appear and show cause why the animal should not be destroyed, issue other preliminary orders, conduct hearings, and make necessary dispositive orders, regarding animals alleged to be dangerous and to have caused serious injury or death to a person or a dog. [MCL 287.322]

r. Conduct probable cause conferences and all matters allowed at the probable cause conference, except for the taking of pleas and sentencing, under MCL 766.4. [MCL 600.8511(h)]

s. Issue a suppression order for a search warrant affidavit. [MCL 780.651(9)]

t. Issue a suppression order for a search warrant tabulation until the final disposition of the case unless otherwise ordered. [MCL 780.655(2)]

IT IS SO ORDERED


Effective Date of Appointment: _____, 2023

Dated: March 6, 2023




Lisa Sullivan, Chief Judge

Dated: March 6, 2023



Michael E. Clarizio, 65A District Judge

Dated: MARCH 6, 2023



Stewart D. McDonald, 65B District Judge

Approved:

Clinton County Board of Commissioners:

Dated: _____, 2023

By:
Its: Chairperson

Approved:

Gratiot County Board of Commissioners:

Dated: _____, 2018

By:
Its: Chairperson

John F. Fuentes
County Administrator/Controller

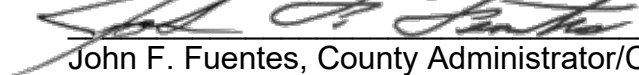
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TO: Human Resource Committee

FROM: 
John F. Fuentes, County Administrator/Controller

SUBJECT: 2023 -2024 Healthcare Benefits

DATE: March 23, 2023

The Health Alliance recommends the following changes for the 2023-2024 plan year:

Medical Benefit Provider Change

- For the health insurance benefit year 2023–2024, 44 North, the county’s health insurance broker, solicited proposals for comparable benefit coverage. After review and analysis of the proposals, the Health Alliance is recommending a change in providers to Blue Cross and Blue Shield (BCBS) Simply Blue PPO.
- The recommendation is based on a rate reduction offered by BCBS that keeps the overall budget for health benefits under 3%, resulting in no required increase to employee cost sharing.
- The proposal also included a rate cap increase guarantee for a 2024-2025 renewal.

Suggested Action:

Motion to authorize changing medical benefit coverage to Blue Cross and Blue Shield with no employee cost share increase as recommended by the Health Alliance for the 2023-2024 plan year.

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TO: Human Resources Committee

FROM: 
John F. Fuentes, County Administrator/Controller

SUBJECT: Collective Bargaining Update – POAM (Correction Officers) Request to Open Negotiations

DATE: March 14, 2023

This is to advise you that the Administration Office received a request from the Police Officers Association of Michigan dated March 8, 2023, to begin negotiations to amend the current collective bargaining agreement between Clinton County and Clinton County Correction Officers Association.

There is no action required at this time, the Administration team will develop a strategy to discuss with the Board of Commissioners at the April HR Committee Meeting.

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County Administrator/Controller

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OFFICE OF
ADMINISTRATIVE SERVICES

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TO: Human Resources Committee

FROM:

Todd J. Campbell
Deputy County Administrator

SUBJECT: Proposed Policy Amendments: Allowable Expenditures Policy

DATE: March 16, 2023

Staff received a request from the Drain Commissioner's Office to add a line item to their annual budget for uniform expenses for (\$200/employee) for three (3) employees that primarily perform outside work. **Note:** this change will not increase the Drain Commissioner's Office over-all budget. In addition to a budget amendment to add the new line item, a modification to the Allowable Expenditure Policy, Section 6.2 Health and Safety is recommended to make this change. Please see the attached redlined version of the proposed language changes to Section 6.2 for your review and consideration. **Note:** The Allowable Expenditures Policy is based upon the Michigan Department of Treasury, "Determining Lawful Expenditures" advisory.

Staff has also been working on making changes to job recruitment measures as the County works toward filling vacant positions. For example, the County has begun to use employee search services such as Indeed and also attending job/career fairs to recruit possible candidates to fill County job vacancies. As a result of these new activities, staff is recommending that Section 6.3 Recruitment/Retention of the Allowable Expenditures Policy be amended. Please see the attached redlined version of the proposed changes to Section 6.3 for your review and consideration.

Suggested Action:

Request to adopt the amended language for Sections 6.2 Health and Safety and 6.3 Recruitment/Retention of the Allowable Expenditures Policy as presented.

ALLOWABLE EXPENDITURES POLICY

1. **PURPOSE:** The general purpose of this policy is to provide guidance on certain expenditures as they relate to the “public purpose”. Further, this policy establishes guidelines for expenditures related to activities and products that promote the health and safety and welfare of county employees and residents and the general efficiency of the county. The policy shall also provide guidelines for expenditures that promote the recruitment/retention of employees.
2. **AUTHORITY:** The Clinton County Board of Commissioners.
3. **APPLICATION:** This policy/procedure applies to all employees of Clinton County Government.
4. **RESPONSIBILITY:** The County Administrator with the permission of the Chairman of Clinton County Board of Commissioners will have the responsibility for overseeing and implementing this policy.
5. **DEFINITIONS:** NONE
6. **POLICY:**
 - 6.1 Training and Meetings: Expenditures for food, plates, napkins, cutlery, cups, and non-alcoholic beverages served at meeting/training sessions, etc., shall be allowable provided a practical purpose is served. For example, said expenditure eliminates need for travel to off-site training. In this instance, prior approval of the County Administrator is required.
 - 6.2 Health and Safety: Items purchased for the health and safety of employees and the public shall include, but not be limited to: toilet paper, facial tissue, hand sanitizer, disinfecting wipes, etc. In addition, to make certain employees easily identifiable, ~~or~~ as a requirement of their position or to provide protective/safety equipment for employees that work consistently in an outdoor setting, uniform/clothing purchase/rental is allowed for County departments. The following is a non-exhaustive list of County departments that are eligible for uniform/clothing purchase/rental: # Sheriff's Office, Maintenance Facility & Fleet Services, and Central Dispatch, Parks and Drain Office. For Some examples include, - Facility & Fleet Services personnel maintenance staff shall be readily identifiable when working within the county jail, Drain Office personnel required to work outside performing construction/maintenance work, shall be required to be readily identifiable.
 - 6.3 Recruitment/Retention: Recruiting and retaining qualified employees is important to the stability of services provided by the county to the public. Expenditures for employee events, such as the annual picnic and/or holiday party are allowed provided adequate funds are budgeted with specific authorization granted by the Board of Commissioners. Additionally,

expenditures incurred during recruitment of new employees, such as, but not limited to costs associated with participating in job/career fairs and the utilization of employee search services.

6.4 Special Recognition/Employee Morale: Expenditures for modest special recognition items such as plaques, certificates, etc. are allowable provided adequate funds are budgeted. For example, plaques may be purchased for retirement/volunteer recognition ceremonies.

7. **ADMINISTRATIVE PROCEDURES:** NONE

8. **ADMINISTRATOR LEGAL COUNSEL REVIEW:** The ADMINISTRATOR 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 submitted a legal opinion that supports the intent of this policy and the activities of the Clinton County Board of Commissioners.