

**SPECIAL MEETING**

**BAY COUNTY BOARD OF COMMISSIONERS**

**A G E N D A**

**TUESDAY, JANUARY 21, 2020**

**4:30 P.M.**

**(Or immediately following the Personnel/Human Services Committee meeting)**

**COMMISSION CHAMBERS, FOURTH FLOOR, BAY COUNTY BUILDING**

**PAGE NO.**

**I CALL TO ORDER (CHAIRMAN DURANCZYK)**

**II ROLL CALL**

**III INVOCATION**

**IV PLEDGE OF ALLEGIANCE**

**V CITIZEN INPUT**

**VI ITEMS FOR CONSIDERATION**

**A. Personnel/Human Services Committee (1/21/2020)**

**1 1. No. 2020-12 - Reclassification of Account Clerk II Position (Treasurer)**

**2 2. No. 2020-13 - Mileage Reimbursement for Commissioners' Travel During Course of County Business (Commissioners)**

**3 - 5 3. No. 2020-14 - Paid Parental Leave Policy (Personnel)**

**VII UNFINISHED BUSINESS**

**VIII NEW BUSINESS**

**IX MISCELLANEOUS**

**X ANNOUNCEMENTS**

**XI CLOSED SESSION**

**XII RECESS/ADJOURNMENT**



BAY COUNTY BOARD OF COMMISSIONERS

JANUARY 21, 2020

RESOLUTION

**BY:** PERSONNEL/HUMAN SERVICES COMMITTEE (1/21/20)

**WHEREAS,** The Treasurer's Office staff is comprised of the Treasurer, Deputy Treasurer, two Staff Accountants, two Account Clerk Ills and one Account Clerk II and, historically, each of these Account Clerk positions have performed separate and distinct work with minimal cross-training to be able to assist one another; and

**WHEREAS,** There is an upcoming vacancy in the Account Clerk II position and this vacancy is creating an opportunity to rearrange the positions to a more efficient and effective use of staff; and

**WHEREAS,** The Account Clerk II job description and both Account Clerk III job descriptions would be updated to include all of the duties performed by Account Clerks in the Treasurer's Office and the work would then be divided and performed on a rotating basis by all Account Clerks in the Treasurer's Office allowing for better internal controls since no one person would be completely performing all of the functions; and

**WHEREAS,** This would also allow each Account Clerk to fill-in during a time that another Account Clerk was sick or on vacation; and

**WHEREAS,** Routinely performing all of the duties would also create layers of training and build organizational knowledge in the Office; and

**WHEREAS,** The Deputy Treasurer is currently the "back-up" for any Account Clerk and this change would allow her to focus on her own duties and special projects; and

**WHEREAS,** The Account Clerk II position is currently a TUO6 classification and the Account Clerk III positions are TUO7 classifications; the TUO7 top rate is \$18.27 and the TUO6 is \$16.55 equating to a difference of \$3,577.60 per year (\$1.72 x 2080= \$3,577.60); in addition the % based fringe rate is 13.59% which adds an additional \$486.20 bringing the approximate annual total of reclassifying one TUO6 position to a TUO7 position to \$4,063.80 annually; and

**WHEREAS,** Additional general funds are required; Therefore, Be It

**RESOLVED** That the Bay County Board of Commissioners approves reclassification of the vacant position in the Treasurer's Office from an Account Clerk II to an Account Clerk III for the most efficient use of personnel; Be It Further

**RESOLVED** That an appropriation of approximately \$4,100 from Fund Balance is approved and related budget adjustments, if required, are approved.

TOM RYDER, CHAIR  
AND COMMITTEE

Treasurer - Account Clerk II Reclass  
 MOVED BY COMM. RYDER  
 SUPPORTED BY COMM. KRYGIER

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
MICHAEL J. DURANCZYK	X			KIM J. COONAN	X			MICHAEL E. LUTZ	X		
ERNIE KRYGIER	X			THOMAS M. HEREK	X						
VAUGHN J. BEGICK	X			TOM RYDER	X						

VOTE TOTALS:

ROLL CALL: YEAS 7 NAYS 0 EXCUSED 0  
 VOICE: XX YEAS 7 NAYS 0 EXCUSED 0

DISPOSITION: ADOPTED XX DEFEATED \_\_\_\_\_ WITHDRAWN \_\_\_\_\_

AMENDED \_\_\_\_\_ CORRECTED \_\_\_\_\_ REFERRED \_\_\_\_\_ NO ACTION TAKEN \_\_\_\_\_

BAY COUNTY BOARD OF COMMISSIONERS

JANUARY 21, 2020

RESOLUTION

**BY:** PERSONNEL/HUMAN SERVICES COMMITTEE (1/21/20)

**WHEREAS,** On December 17, 2020, the Board of Commissioners approved the 2020 General Appropriation Budget Act Resolution, which included a provision for mileage reimbursement for Commissioners for all travel made in the course of County business, including travel miles incurred to and from a Commissioner’s place of residence, at the annual IRS approved mileage rate; and

**WHEREAS,** Inclusion of this mileage reimbursement provision was an attempt to update a resolution passed by the Board in February, 1969 (the “1969 Resolution”) which, due to clerical oversight, had not been included in each subsequent year’s General Appropriation Budget Act Resolution as needed to update the changing nature of the Board member’s travel responsibilities, as well as the mileage reimbursement rate (the 1969 Resolution currently only provides mileage reimbursement at the rate of .10 per mile, which directly contradicts the County’s own travel policy applicable to employees); and

**WHEREAS,** As this conflict was discovered in fiscal year 2019, the 2020 General Appropriation Budget Act Resolution included language to address this conflict and update the reimbursable travel allowances in 2020 and moving forward, however an additional resolution is needed to apply this travel reimbursement provision retroactively for fiscal year 2019; and

**WHEREAS,** This will enable the County to comply with past practice as well as to avoid a conflict in the mileage reimbursement rate provided by the 1969 Resolution and the County’s travel policy; and

**WHEREAS,** The financial impact of this retroactive change should amount to no more than \$2,821.61 dollars, as it is limited to one fiscal year; Therefore, Be It

**RESOLVED** That the Bay County Board of Commissioners approves mileage reimbursement for Commissioners who have submitted mileage reimbursement requests for travel in the year 2019 for travel made in the course of County business, including travel miles incurred to and from a Commissioner’s place of residence, at the IRS approved mileage reimbursement rate for the year 2019, and approve any necessary budget adjustments; Be It Further

**RESOLVED** That any Commissioner who wishes to receive mileage reimbursement for the year 2019 must submit mileage reimbursement requests and supporting documentation no later than January 30, 2020.

TOM RYDER, CHAIR  
AND COMMITTEE

Commissioners - 2019 Mileage Reimbursement

MOVED BY COMM. RYDER

SUPPORTED BY COMM. LUTZ

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
MICHAEL J. DURANCZYK	X			KIM J. COONAN		X		MICHAEL E. LUTZ	X		
ERNIE KRYGIER	X			THOMAS M. HEREK	X						
VAUGHN J. BEGICK		X		TOM RYDER	X						

VOTE TOTALS:

ROLL CALL: YEAS \_\_\_\_\_ NAYS \_\_\_\_\_ EXCUSED \_\_\_\_\_

DISPOSITION: ADOPTED XX DEFEATED \_\_\_\_\_ WITHDRAWN \_\_\_\_\_

VOICE: XX YEAS 5 NAYS 2 EXCUSED 0

AMENDED \_\_\_\_\_ CORRECTED \_\_\_\_\_ REFERRED \_\_\_\_\_ NO ACTION TAKEN \_\_\_\_\_

BAY COUNTY BOARD OF COMMISSIONERS

JANUARY 21, 2020

RESOLUTION

BY: PERSONNEL/HUMAN SERVICES COMMITTEE (1/21/2020)

WHEREAS, In recent years, paid parental leave has become an increasing topic of concern in America and, in mid- December, 2019 the Senate passed legislation that would provide federal workers with paid time off for parents following the birth, adoption or fostering of a child; and

WHEREAS, At the January 7, 2020 Ways and Means Committee meeting, a motion was made requesting Administration draft a Paid Parental Leave Policy; and

WHEREAS, Full time employees receive benefits provided by various collective bargaining agreements and the Personnel Policy including vacation, sick and personal time; and

WHEREAS, The County does not currently offer paid parental leave however eligible employees are permitted to utilize paid leave balances and may qualify for various levels of sickness and accident benefits following the birth or adoption of a child; and

WHEREAS, In an effort to continue growing the family friendly culture for employees, the attached Paid Parental Leave Policy has been drafted considering both the needs of employees while balancing the cost to the County; and

WHEREAS, Personnel surveyed several Michigan counties to inquire whether they offer paid parental leave and one out of eight counties that responded offers the benefit; and

WHEREAS, With consideration given to the financial condition of Bay County, the Policy does not offer the same level of benefits the proposed paid parental leave may offer to federal employees; however it is a step in the right direction for families; and

WHEREAS, Based on recent years, the cost to the County is approximately \$20,000 annually; this cost will vary depending on births/adoptions each year the funding will be provided through the Self Insurance Fund; Therefore, Be It

RESOLVED That the Bay County Board of Commissioners approves the attached Paid Parental Leave Policy, subject to review of Corporation Counsel; Be It Further

RESOLVED That budget adjustments related to this Policy, if required, are approved.

TOM RYDER, CHAIR  
AND COMMITTEE

Personnel - Paid Parental Leave Policy

MOVED BY COMM. RYDER  
SUPPORTED BY COMM. HEREK

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
MICHAEL J. DURANCZYK	X			KIM J. COONAN	X			MICHAEL E. LUTZ	X		
ERNIE KRYGIER	X			THOMAS M. HEREK	X						
VAUGHN J. BEGICK	X			TOM RYDER	X						

VOTE TOTALS:

ROLL CALL: YEAS \_\_\_\_\_ NAYS \_\_\_\_\_ EXCUSED \_\_\_\_\_  
VOICE: XX YEAS 7 NAYS 0 EXCUSED 0

DISPOSITION: ADOPTED XX DEFEATED \_\_\_\_\_ WITHDRAWN \_\_\_\_\_  
AMENDED \_\_\_\_\_ CORRECTED \_\_\_\_\_ REFERRED \_\_\_\_\_ NO ACTION TAKEN \_\_\_\_\_

## **Paid Parental Leave Policy**

### **Purpose/Objective**

Bay County will provide up to four weeks of paid parental leave to employees following the birth of an employee's child or the placement of a child with an employee in connection with adoption. The purpose of paid parental leave is to enable the employee to care for and bond with a newborn or a newly adopted child. This policy will run concurrently with Family and Medical Leave Act (FMLA) leave, as applicable. This policy will be in effect for births or adoptions occurring on or after February 1, 2020

### **Eligibility**

Eligible employees must meet the following criteria:

- Have been employed with the County as a full time, permanent employee for at least one calendar year.
- An eligible parent is a mother or father with parental rights to the child.
- The adoption of a spouse or significant others child is excluded from this policy.
- Employee is required to work for the County for 12 weeks following the parental leave. An exception may be made if employee has a medical reason for not returning.

### **Amount, Time Frame and Duration of Paid Parental Leave**

- Eligible employees will receive a maximum of four weeks of paid parental leave per birth or adoption of child/children. The fact that a multiple birth or adoption occurs (e.g., the birth of twins or adoption of siblings) does not increase the four week total amount of paid parental leave granted for that event. In addition, in no case will an employee receive more than four weeks of paid parental leave in a rolling 12-month period, regardless of whether more than one birth or adoption occurs within that 12-month time frame.
- Each week of paid parental leave is compensated at 50 percent of the employee's regular, straight-time weekly pay. Paid parental leave will be paid on a biweekly basis on regularly scheduled pay dates.
- Approved paid parental leave may be taken at any time during the 12 week period immediately following the birth or adoption of a child with the employee. Paid parental leave may not be used or extended beyond this 12 week time frame.
- Employees must take paid parental leave in one continuous period of leave and must use all paid parental leave during the 12 week time frame indicated above. Any unused paid parental leave will be forfeited at the end of the 12 week time frame.
- Upon termination of the individual's employment with the County, he or she will not be paid for any unused paid parental leave for which he or she was eligible.
- Employees are permitted to augment the 50% paid parental leave amount to 100% by utilizing their paid leave banks (sick, personal, vacation).
- If both parents are employed by the County, a total of four weeks can be utilized and cannot run concurrently (meaning if they want to split the four weeks, they can't both be off the same two weeks by utilizing parental leave)

## Coordination with Other Policies

- Paid parental leave taken under this policy will run concurrently with leave under the FMLA; thus, any leave taken under this policy that falls under the definition of circumstances qualifying for leave due to the birth or adoption of a child, the leave will be counted toward the 12 weeks of available FMLA leave per a 12-month period. All other requirements and provisions under the FMLA will apply. In no case will the total amount of leave—whether paid or unpaid—granted to the employee under the FMLA exceed 12 weeks during the 12-month FMLA period. Please refer to the Family and Medical Leave Policy for further guidance on the FMLA.
- The County will maintain health and life insurance benefits for employees during the paid parental leave period just as if they were taking any other County paid leave such as paid vacation leave or paid sick leave. During paid parental leave, employee will not accrue retirement credit or additional paid time off benefits.
- If a County holiday occurs while the employee is on paid parental leave, such day will be charged to holiday pay; however, such holiday pay will not extend the total paid parental leave entitlement.
- An employee who takes paid parental leave that does not qualify for FMLA leave will be afforded the same level of job protection for the period of time that the employee is on paid parental leave as if the employee was on FMLA-qualifying leave.

## Requests for Paid Parental Leave

- The employee will provide his or her supervisor and the personnel department with notice of the request for leave at least 30 days prior to the proposed date of the leave (or if the leave was not foreseeable, as soon as possible). The employee must complete the necessary personnel forms and provide all documentation as required by the personnel department to substantiate the request.
- As is the case with all County policies, the County has the exclusive right to interpret this policy.
- This policy does not supersede any provision of a collective bargaining agreement. Whichever policy gives employees the greater benefit will prevail.

**BAY COUNTY BOARD OF COMMISSIONERS**

MEETING DATE: JANUARY 21, 2020

MOTION SPONSORED BY: COMM. KRYGIER

MOTION SUPPORTED BY: COMM. BEGICK

MOTION NO.: 13

MOVED TO ADJOURN THE SPECIAL SESSION OF THE BAY COUNTY BOARD OF COMMISSIONERS OF JANUARY 21, 2020. THE MEETING CONCLUDED AT 4:35 P.M.

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
Michael Duranczyk	X			Kim Coonan	X			Michael Lutz	X		
Ernie Krygier	X			Thomas Herek	X						
Vaughn J. Begick	X			Tom Ryder	X						

**VOTE TOTALS:**

**ROLL CALL:** YEAS \_\_\_\_\_ NAYS \_\_\_\_\_ EXCUSED \_\_\_\_\_

**VOICE:** XX YEAS 7 NAYS 0 EXCUSED 0

**DISPOSITION:** ADOPTED XX DEFEATED \_\_\_\_\_ WITHDRAWN \_\_\_\_\_

AMENDED \_\_\_\_\_ CORRECTED \_\_\_\_\_ REFERRED \_\_\_\_\_