

# PERSONNEL/JUDICIAL COMMITTEE

## A G E N D A

TUESDAY, MARCH 15, 2011

**4:00 P.M.**

COMMISSION CHAMBERS, FOURTH FLOOR, BAY COUNTY BUILDING

PAGE NO.	
	I CALL TO ORDER
	II ROLL CALL
1 - 2	III MINUTES (2/15/11)
	IV PUBLIC INPUT
	V PETITIONS AND COMMUNICATIONS
	A. BAISD Law Enforcement Class - Anti-Bullying Bracelets <b>(Requesting a group picture of Commissioners wearing the anti-bullying bracelets)</b>
3- 4	B. Bay County Sheriff - Township Contracts <b>(Seeking approval of Road Patrol Agreement; w/participating townships - proposed resolution attached)*</b>
5- 6	C. Bay County Prosecutor - Agreement w/Department of Human Services for Legal Services to DHS for Abuse/Neglect Proceedings <b>(Seeking approval of agreement; authorization for Board chair to sign; approval of any required budget adjustments - proposed resolution attached)*</b>
	D. Bay County Clerk <b>(Seeking authorization to post/fill the following)</b>
7	1. Typist Clerk II (T06, full time)
8	2. Clerical Position (full time, temporary)
9-12	E. Personnel Director - Vacancies <b>(Seeking authorization to post/fill the following; proposed resolution attached)*</b>
	1. Register of Deeds - Typist Clerk III (pt., \$12.53/hr. entry)
	2. Treasurer - Account Clerk II (ft., \$12.71/hr. entry)
	3. Animal Control - Animal Control Officer (ft., temporary, \$18.25/hr. entry)
13	4. Sheriff Department - Correctional Facility Officer (ft., \$15.49/hr. entry, mandated)
	5. Health Department - Typist Clerk II (ft., temporary, \$11.79 entry)
14-20	F. Office of Assigned Counsel - Monthly Report Year to Date 2010 <b>(Receive)</b>
	VI REFERRALS
21-34	A. Board of Commissioners (3/8/11) - Retirement Incentive Program Affecting Certain Active Members of the Bay County Employees' Retirement System
	VII UNFINISHED BUSINESS
	VIII NEW BUSINESS
	IX MISCELLANEOUS
	X ADJOURNMENT

**\* Items that will be included on the Board agenda for the special meeting immediately following the Human Services Committee meeting.**

**PLEASE NOTE: THE COMMITTEE CHAIR HAS REQUESTED THAT ANY ELECTED OFFICIAL, DEPARTMENT/DIVISION HEAD PLACING AN ITEM ON THE PERSONNEL/JUDICIAL COMMITTEE AGENDA BE PRESENT OR HAVE A REPRESENTATIVE PRESENT TO SPEAK TO THEIR REQUEST AND/OR ANSWER ANY QUESTIONS POSED BY COMMITTEE MEMBERS.**

**PERSONNEL/JUDICIAL COMMITTEE**

**MINUTES**

**MEETING OF THE PERSONNEL/JUDICIAL COMMITTEE ON TUESDAY, FEBRUARY 15, 2011, in the Commission Chambers, Fourth Floor, Bay County Building, 515 Center Avenue, Bay City, MI 48708.**

**Call to order @ 4:01 P.M. by Chair Ryder.**

**Roll call:**

**MOTION NO.**

COMMISSIONERS PRESENT		1	2	3	4	5	6	7	8	9	10	11
TOM RYDER, CHAIR	P	Y	Y	Y	Y	Y	Y	Y				
ERNIE KRYGIER, VICE CHAIR	P	S/Y	Y	M/Y	Y	Y	Y	Y				
MICHAEL J. DURANCZYK	P	Y	Y	S/Y	S/Y	Y	S/Y	S/Y				
BRANDON KRAUSE	P	Y	S/Y	Y	Y	Y	Y	Y				
VAUGHN J. BEGICK	P	Y	Y	Y	Y	Y	Y	Y				
KIM COONAN	P	Y	M/Y	Y	Y	M/Y	M/Y	Y				
DONALD J. TILLEY, EX OFFICIO	P	M/Y	Y	Y	M/Y	S/Y	Y	M/Y				

**MOTION NO.**

COMMISSIONERS PRESENT		12	13	14	15	16	17	18	19	20	21	22
TOM RYDER, CHAIR												
ERNIE KRYGIER, VICE CHAIR												
MICHAEL J. DURANCZYK												
BRANDON KRAUSE												
VAUGHN J. BEGICK												
KIM COONAN												
DONALD J. TILLEY, EX OFFICIO												

**MOTION NO.**

COMMISSIONERS PRESENT		23	24	25	26	27	28	29	30	31	32	33
TOM RYDER, CHAIR												
ERNIE KRYGIER, VICE CHAIR												
MICHAEL J. DURANCZYK												
BRANDON KRAUSE												
VAUGHN J. BEGICK												
KIM COONAN												
DONALD J. TILLEY, EX OFFICIO												

**OTHERS PRESENT:**

**J.DAVIS, C.RUPP, M.GRAY, M.FITZHUGH, C.HEBERT, T.QUINN, S.MURPHY, B.MACGREGOR, R.REIMANN, J.LEMMON, L.LANDRIE, R.REDMOND, BAY 3 TV, D.BERGER**

**M-MOVED; S-SUPPORTED; Y-YEA; N-NAY; ABS.-ABSTAIN; E-EXCUSED; A-ABSENT**

**PERSONNEL/JUDICIAL COMMITTEE**  
**TUESDAY, FEBRUARY 15, 2011**  
**PAGE 2**

**MOTION NO.**

**NOTE:** In addition to these typed minutes, this Committee meeting was also taped by Bay 3 TV and those tapes are available for review in the Administrative Services Department.

**1**            **MOVED, SUPPORTED AND CARRIED TO APPROVE THE MINUTES OF THE JANUARY 18, 2011 PERSONNEL/JUDICIAL COMMITTEE MEETING AS PRINTED.**

Public input was called with no one wishing to address the Committee.

**2**            **MOVED, SUPPORTED AND CARRIED TO RECOMMEND BOARD APPROVAL OF THE BLUE CROSS/BLUE SHIELD CONTRACT FOR INMATE SERVICES (SHERIFF DEPARTMENT).**

**3**            **MOVED, SUPPORTED AND CARRIED TO RECOMMEND BOARD APPROVAL TO POST/FILL 2011 MARINE PATROL SEASONAL POSITIONS, I.E. 5 SUPERVISORS; 25 MARINE DEPUTIES (SHERIFF DEPARTMENT).**

**4**            **MOVED, SUPPORTED AND CARRIED TO RECOMMEND BOARD APPROVAL TO POST/FILL A DRIVER POSITION (PART TIME, \$9.88/HR. ENTRY) (DIVISION ON AGING).**

**5**            **MOVED, SUPPORTED AND CARRIED TO RECOMMEND BOARD APPROVAL TO POST/FILL A STAFF/GRANT COORDINATOR POSITION (GRANT FUNDED, TEMPORARY, PART TIME) (HEALTH DEPARTMENT).**

**6**            **MOVED, SUPPORTED AND CARRIED TO RECOMMEND BOARD APPROVAL TO POST/FILL SEASONAL POSITIONS UNDER ADMINISTRATIVE SERVICES AT THE COMMUNITY CENTER, GOLF COURSE, PINCONNING PARK AND BUILDINGS AND GROUNDS.**

Barb MacGregor, Health Director, was present and indicated that the Health Department is applying for any grant funds that are available. As to specifics of some of the grants, Joel Strasz, while not available at this meeting, could speak to the details of the grants. The Health Department is also working with Environmental Affairs on grants re septic systems. Commissioner Krygler questioned if it was clearly understood that when grant funds are terminated, the grant funded position(s) is also terminated and Mrs. MacGregor noted that it is understood that this is the policy.

There being no further business, It was

**7**            **MOVED, SUPPORTED AND CARRIED TO ADJOURN (4:05 P.M.)**

Submitted by:

*Deanne Berger*

Deanne Berger  
Board Coordinator

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**John E. Miller**  
**Sheriff Of Bay County**

Michael T. Janiskee  
Undersheriff

Newt Jerome  
Jail Administrator



**TO:** Tom Ryder  
Chairman of Personnel/Judicial

**FROM:** Sheriff John E. Miller *JEM*

**DATE:** February 28, 2011

**REF.:** Township Contracts

I recommend the Chairman sign all contractual renewal Road Patrol Service Agreements with the Townships, and upon the Committee's approval(s), to make any necessary budget adjustments.

**CC:** Undersheriff Michael T. Janiskee  
Kim Priessnitz, Budget Supervisor  
File Copy

La/P&J.RP-ContractAgree2010

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**BAY COUNTY BOARD OF COMMISSIONERS  
3/15/11  
RESOLUTION**

BY: PERSONNEL/JUDICIAL COMMITTEE (3/15/11)

WHEREAS, Currently various townships contract with Bay County for Sheriff Department road patrol services; and

WHEREAS, The current contracts will expire 3/31/11; Therefore, Be It

RESOLVED That the Bay County Board of Commissioners approves continuation of the Township Road Patrol Contracts for the period 4/1/11 through 3/31/12 under the current agreed to terms; Be It Further

RESOLVED That the Chairman of the Board is authorized to execute said Contracts on behalf of Bay County following legal review/approval; Be It Finally

RESOLVED That budget adjustments, if required, are approved.

TOM RYDER, CHAIR  
AND COMMITTEE

Sheriff Dept - Road Patrol Contracts thru 3-31-12

MOVED BY COMM. \_\_\_\_\_

SUPPORTED BY COMM. \_\_\_\_\_

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
Michael J. Duranczyk				Joe Davis				Tom Ryder			
Brandon Krause				Ernie Krygler				Christopher Rupp			
Vaughn J. Beglick				Kim Coonan				Donald J. Tilley			

**VOTE TOTALS:**

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

VOICE: YEAS \_\_\_\_\_ NAYS \_\_\_\_\_ EXCUSED \_\_\_\_\_

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

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

# BAY COUNTY PROSECUTING ATTORNEY

## KURT C. ASBURY

### Victim's Rights Advocates

Cindy A. Howell  
Wendy D. Hoffard  
Kristin M. Monaghan

### Assistant Prosecuting Attorneys

Nancy E. Borushko  
Chief Assistant

J. Dee Brooks  
Barbara J. Hayward  
John C. Kouvelaar  
Margaret A. Leaming  
Scott A. Gordon  
Sylvia L. Linton  
Jordan Case

**TO:** Tom Ryder  
Chairperson, Personnel/Judicial Committee

**FROM:** Kurt C. Asbury *KCA*  
Bay County Prosecutor

**RE:** Agreement between Michigan Department of Human Services (DHS) and  
the Bay County Prosecutor's Office

**DATE:** March 9, 2011

**Request:** To be placed on the agenda for the next Personnel/Judicial Committee for approval of the Agreement between Michigan Department of Human Services (DHS) and the Bay County Prosecutor's Office for the fiscal period February 1, 2011, through December 31, 2013.

**Background:** This proposed agreement between DHS and the Bay County Prosecutor's Office covers a three (3) year period to provide legal services to DHS regarding abuse/neglect proceedings in Probate Court involving children. This agreement covers part of an assistant prosecutor's wages directly related to the IV-E agreement for legal services provided to DHS regarding abuse/neglect of children.

The projected three (3) year revenue under the IV-E contract is \$126,684.00.

**Recommendation:** Request Board approval, including authorization for the Board Chair to sign the Agreement and any other required documents after Corporation Counsel review.

**cc:** Martha Fitzhugh, Corporation Counsel

BAY COUNTY COURT FACILITY, 1230 WASHINGTON, STE. 768, BAY CITY, MICHIGAN 48708

TELEPHONE: (989) 895-4185 FAX: (989) 895-4167  
TDD [HEARING IMPAIRED]: (989) 895-2059

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**BAY COUNTY BOARD OF COMMISSIONERS**

**03/15/11**

**RESOLUTION**

BY: PERSONNEL/JUDICIAL COMMITTEE (3/15/11)

WHEREAS, A proposed Agreement between the Department of Human Services (DHS) and Bay County (Prosecutor's Office) has been submitted; and

WHEREAS, This three year Agreement provides legal services to DHS regarding abuse/neglect proceedings in Probate Court involving children; and

WHEREAS, This Agreement funds a portion of an Assistant Prosecutor's wages directly related to the IV-E Agreement (formerly referred to as IV-D) for legal services to DHS regarding abuse/neglect of children; and

WHEREAS, The projected three (3) year revenue under the IV-E contract is \$126,684.00 with no local match required; Therefore, Be It

RESOLVED By the Bay County Board of Commissioners that the Agreement between Michigan Department of Human Services (DHS) and Bay County (Prosecutor's Office) is approved and the Chairman of the Board authorized to execute said Agreement on behalf of Bay County following legal review/approval; Be It Finally

RESOLVED That related budget adjustments, if required, are approved.

TOM RYDER, CHAIR  
AND COMMITTEE

Prosecutor - DHS Agreement

MOVED BY COMM. \_\_\_\_\_

SUPPORTED BY COMM. \_\_\_\_\_

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
Michael J. Duranczyk				Joe Davis				Tom Ryder			
Brandon Krause				Ernie Krygler				Christopher Rupp			
Vaughn J. Beglck				Kim Coonan				Donald J. Tilley			

VOTE TOTALS:

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

VOICE: YEAS \_\_\_\_\_ NAYS \_\_\_\_\_ EXCUSED \_\_\_\_\_

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

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



Courthouse Erected A.D. 1932

*Cynthia A. Luczak*  
*Bay County Clerk*

515 Center Ave., Suite 101  
Bay City, MI 48708-5941  
Phone (989) 895-4280  
Fax (989) 895-4284  
TDD (989) 895-4049

February 14, 2011

Bay County Board of Commissioners  
Don Tilley, Chairman  
Tom Ryder, Personnel  
515 Center Avenue  
Bay City, Michigan 48708

Dear Commissioners:

Please consider the following for the upcoming Personnel and full board sessions.

**Request:** The posting/advertising/filling of a full time United Steelworker TU06 Typist Clerk position.

**Background:** Typist Clerk Joette Phelps will be transferring to the Treasurer Office effective February 16, 2011 to fill the vacancy left by the transfer of Jill McKeon to the Finance Department. This will be a step up to a TU07 rating for Ms. Phelps as she had previously been denied a reclassification in pay for Clerk office duties.

**Finance:** Funding for this full time position remains in the 2011 budget.

**Recommend:** The posting/advertising/filling of a full time United Steelworker TU06 position in the Clerk office.

Thank you for your consideration.

Sincerely,

Cynthia A. Luczak  
Bay County Clerk



Courthouse Erected A.D. 1932

*Cynthia A. Luczak*  
*Bay County Clerk*

515 Center Ave., Suite 101  
Bay City, MI 48708-5941  
Phone (989) 895-4280  
Fax (989) 895-4284  
TDD (989) 895-4049

February 14, 2011

Bay County Board of Commissioners  
Don Tilley, Chairman  
Tom Ryder, Personnel  
515 Center Avenue  
Bay City, Michigan 48708

Dear Commissioners:

Please consider the following for the upcoming Personnel and full Board Sessions.

**Request:** The posting/advertising/filling of a full-time, temporary clerical position to manage daily duties while training a replacement employee for Joette Phelps, transferring to the Treasurer office 2/16/2011. Also, to assist while Steelworker Shella Shaw is on vacation in March 2011.

**Background:** Typist Clerk Joette Phelps will be transferring to the Treasurer Office to fill the vacancy left by the transfer of Jill McKeon to the Finance Department. This will be a step up for Ms. Phelps as she was not granted a reclassification in pay for Clerk duties.

**Finance:** Funding for this part time position to be taken from excess funds in the budget resulting from removal of full time United Steelworker Barbara Kukla effective January 1, 2011.

**Recommend:** The posting/advertising/filling of a full-time, temporary clerical position.

Thank you for your consideration.

Sincerely,

Cynthia A. Luczak  
Bay County Clerk



**BAY COUNTY  
PERSONNEL DEPARTMENT**

**Thomas L. Hickner**  
County Executive

**Tim Quinn**  
Personnel Director  
[quinn@baycounty.net](mailto:quinn@baycounty.net)

March 10, 2011

Mr. Tom Ryder, Chairperson  
Personnel/ Judicial Committee  
Bay County Board of Commissioners  
515 Center Avenue  
Bay City, MI 48708

Re: **Personnel/Judicial Committee Agenda Items**

Dear Commissioner Ryder:

Please consider the following items for the agenda of your committee for the meeting on March 15, 2011.

- 1. Request:** Vicki Roupe has submitted a request to fill a part-time Typist Clerk III vacancy in the Register of Deeds Office.

**Background:** The current employee has been promoted to Chief Deputy Register of Deeds effective March 7.

**Finance/Economics:** This is a part-time position with limited benefits as provided in the USW Part-time labor agreement. \$12.53 per hour entry, progressing to \$14.86 per hour after 6 years (TS06).

**Recommendation:** Approve the filling of the part-time Typist Clerk III position in the Register of Deeds Office.
- 2. Request:** Rick Brzezinski has submitted a request to fill a full-time Account Clerk II position in the Treasurer's Office.

**Background:** Probationary employee was reassigned.

**Finance:** Full-time position with benefits in the USW full-time unit. \$12.71 per hour entry, progressing to \$15.01 per hour after two years (TU06).

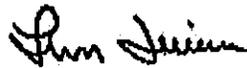
**Recommendation:** Please authorize filling this full-time position. Please also refer this item directly to the full board meeting immediately following the committee meeting.

3.     **Request:**                     I am in receipt of a request to hire a temporary full-time Animal Control Officer with Animal Control.
- Background:**                 Employee is scheduled for an extended medical leave of absence beginning in mid-April.
- Finance/Economics:**       Full-time temporary position with no benefits at \$18.25 per hour. Assignment not to exceed 4 months.
- Recommendation:**       Please approve filling this temporary position.
4.     **Request:**                     I am in receipt of a request to hire a Temporary Typist Clerk II vacancy with the Emergency Preparedness & Health Education Division of the Health Department.
- Background:**                 The 2010/2011 CPBC Agreement between Bay County and the Michigan Department of Community Health (MDCH) has been amended to provide additional pandemic Influenza funding for Public Health Emergency Response (PHER) activities. This PHER funding is temporary and is only allocated until July 30, 2011. The Bay County Health Department would like to hire a temporary full-time Clerk Typist II through the remainder of the grant.
- Finance/Economics:**       There are no financial considerations for the County, as all associated wage and fringe benefit costs to hire a temporary, full-time Typist Clerk II will be funded 100% by the PHER grant.
- Recommendation:**       Please refer this request to the full board.
5.     **Request:**                     Sheriff Miller has submitted a request to fill a vacant Correctional Facility Officer position.
- Background:**                 This is a mandated CFO position and the current employee has retired.
- Finance/Economics:**       Full-time position with benefits. \$15.49 per hour entry, progressing to \$21.70 per hour after 5 years. Funds exist within the 2011 budget.
- Recommendation:**       Please refer Sheriff Miller's request to the full board.

Mr. Tom Ryder, Chairperson  
Personnel/ Judicial Committee  
Bay County Board of Commissioners  
March 10, 2011  
Page 3

Thank you for your consideration.

Sincerely,



Tim Quinn, Director  
Personnel and Employee Relations/Finance

cc: Tom Hickner  
Mike Gray  
Marty Fitzhugh  
Vicki Roupe  
Rick Brzezinski  
Mike Halstead  
Barb MacGregor  
Melissa Mallette  
Sheriff Miller  
Matt Burley  
Lester Cousineau

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**BAY COUNTY BOARD OF COMMISSIONERS**

**3/15/11**

**RESOLUTION**

BY: PERSONNEL/JUDICIAL COMMITTEE (3/15/11)  
RESOLVED By the Bay County Board of Commissioners that concurrence is given to post/advertise/fill the following full time/part time/temporary/seasonal or co-op positions/vacancies, monies for said positions to come from the respective departmental budgets:

- A. **Register of Deeds** - Typist Clerk III (pt., \$12.53/hr. entry)
- B. **Treasurer** - Account Clerk II (ft., \$12.71/hr. entry)
- C. **Animal Control** - Animal Control Officer (ft., temporary, \$18.25/hr.)
- D. **Sheriff Department** - Correctional Facility Officer (ft, \$15.49/hr. entry)
- E. **Health Department** - Typist Clerk II (ft., temporary, \$11.79/hr.)

RESOLVED That budget adjustments, if required, are approved.

RESOLVED That it is clearly understood that any positions funded through a grant shall be terminated or hours reduced if grant funding is terminated or reduced.

TOM RYDER, CHAIR  
AND COMMITTEE

Vacancies - 3-15-11

MOVED BY COMM. \_\_\_\_\_

SUPPORTED BY COMM. \_\_\_\_\_

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
Michael J. Duranczyk				Joe Davls				Tom Ryder			
Brandon Krause				Ernie Krygler				Christopher Rupp			
Vaughn J. Beglck				Kim Coonan				Donald J. Tilley			

**VOTE TOTALS:**

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

DISPOSITION: ADOPTED \_\_\_\_\_ DEFEATED \_\_\_\_\_ WITHDRAWN \_\_\_\_\_  
AMENDED \_\_\_\_\_ CORRECTED \_\_\_\_\_ REFERRED \_\_\_\_\_

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**John E. Miller**  
**Sheriff Of Bay County**

Michael T. Janiskee  
Undersheriff

Newt Jerome  
Jail Administrator



**TO:** Tim Quinn  
Personnel Director

**FROM:** Sheriff John E. Miller *Janiskee*

**DATE:** March 10, 2011

**RE:** Mandated CFO Position

**BACKGROUND:** There will be a vacant position due to the retirement of a full time/with full benefit Correctional Facility Officer (CFO) at the Sheriff's Office. This CFO position is budgeted for in the 2011 County Budget.

**FINANCE/ECONOMICS:** Our 2011 budget has funds allocated for this mandated position of CFO. The rate of pay for a full-time/with benefits position is \$15.49 per hour and is under the contract of the POAM.

**RECOMMENDATION:** Due to an opening effective April 28, 2011 we need to fill a Correctional Facility Officer (CFO) position, this is a mandated position. Your cooperation and assistance to conduct necessary budget adjustments when required is greatly appreciated in filling this position in order to maintain minimum shift staffing and reducing cost for overtime wages.

**CC:** Jail Administrator Jerome  
Undersheriff Michael T. Janiskee  
Tom Ryder, Chairman of Personnel/Judicial  
Hebert, Crystal, Finance Director  
Kim Priessnitz, Budget Supervisor  
File Copy

Lsp&j-cfopos11

Phone: (989) 895-4050

*Public Safety Depends On You!*  
503 Third Street, Bay City, Michigan 48708

Fax: (989) 895-4058

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**OFFICE OF ASSIGNED COUNSEL  
MONTHLY REPORT  
YEAR TO DATE, 2010**

**Total Number of Referrals:** ..... **2417**

VOP	228	Misd.	1059	Appeals	46	FOC	6
Felony	764	Traffic	303	PPO's	11	Paternity	0

**Total Number of New Assignments:** ..... **1980**

VOP	171	Misd.	876	Appeals	46	FOC	6
Felony	643	Traffic	228	PPO's	10	Paternity	0

**Total Number of Defendants Currently Representing - Assigned on New Charges:** ..... **418**

VOP	57	Misd.	171	Appeals	0	FOC	0
Felony	120	Traffic	69	PPO's	1	Paternity	0

**Total Number of Defendants denied Court Appointed Counsel:** ..... **19**

VOP	0	Misd.	12	Appeals	0	FOC	0
Felony	1	Traffic	6	PPO's	0	Paternity	0

There were a total of **2335** defendants assigned on felonies, misdemeanors, traffic & vop's.

**CRIMINAL DEFENSE OFFICE**

**New Assignments:** ..... **507**

Felonies	402
C.C. VOP	103
Misd.	2
Traffic	0

There were a total of **1918** NEW assignments on felonies, misdemeanors, traffic & violations of probation, which the Criminal Defense Office was assigned.  
**507** or **26%**

**Defendants Currently Representing - Assigned on New Charges:** ..... **143**

Felonies	56
C.C. VOP	26
Misd.	48
Traffic	13

**PUBLIC DEFENDER OFFICE**

**New Assignments:** ..... **292**

Felonies	222
C.C. VOP	68
Misd.	2
Traffic	0

There were a total of **1918** NEW assignments on felonies, misdemeanors, traffic & violations of probation, which the Public Defender's Office was assigned  
**292** or **15%**

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Defendants Currently Representing - Assigned on New Charges: .....

73

Felonies	35
C.C. VOP	13
Misd.	17
Traffic	8

**SCHISLER LAW FIRM**

New Assignments: .....

1099

Felonies	0
C.C. VOP	0
Misd.	870
Traffic	229

There were a total of 1918 NEW assignments on felonies, misdemeanors, traffic & violations of probation, which the Schisler Law Firm was assigned 1099 or 57%.

Defendants Currently Representing - Assigned on New Charges: .....

187

Felonies	21
C.C. VOP	13
Misd.	106
Traffic	47

**PRIVATE COUNSEL**

New Assignments: .....

21

Felonies	19
C.C. VOP	0
Misd.	2
Traffic	0

There were a total of 1918 NEW assignments on felonies, misdemeanors, traffic & violations of probation, which the Private Counsel was assigned 21 or 1%.

Defendants Currently Representing - Assigned on New Charges: .....

13

Felonies	8
C.C. VOP	5
Misd.	0
Traffic	0

# PROBATE COURT - YTD 2010

Total Number of Referrals:----- 190

Delinquency	140
Neglect	50

Total Number of New Assignments:----- 158

Delinquency	119
Neglect	39

Total Number of Cases Currently Representing - Assigned on New Charges/Adding New Attorney: ----- 29

Delinquency	18
Neglect	11

Total Number of Referrals denied Court Appointed Course ----- 3

Delinquency	3
Neglect	0

## DELINQUENCY

NEW ASSIGNMENTS:..... 119

Public Defender	102
Private Attorneys	17

CASE PENDING / NEW CHARGES:..... 18

Public Defender	16
Private Attorneys	2

## NEGLECT

NEW ASSIGNMENTS:..... 39

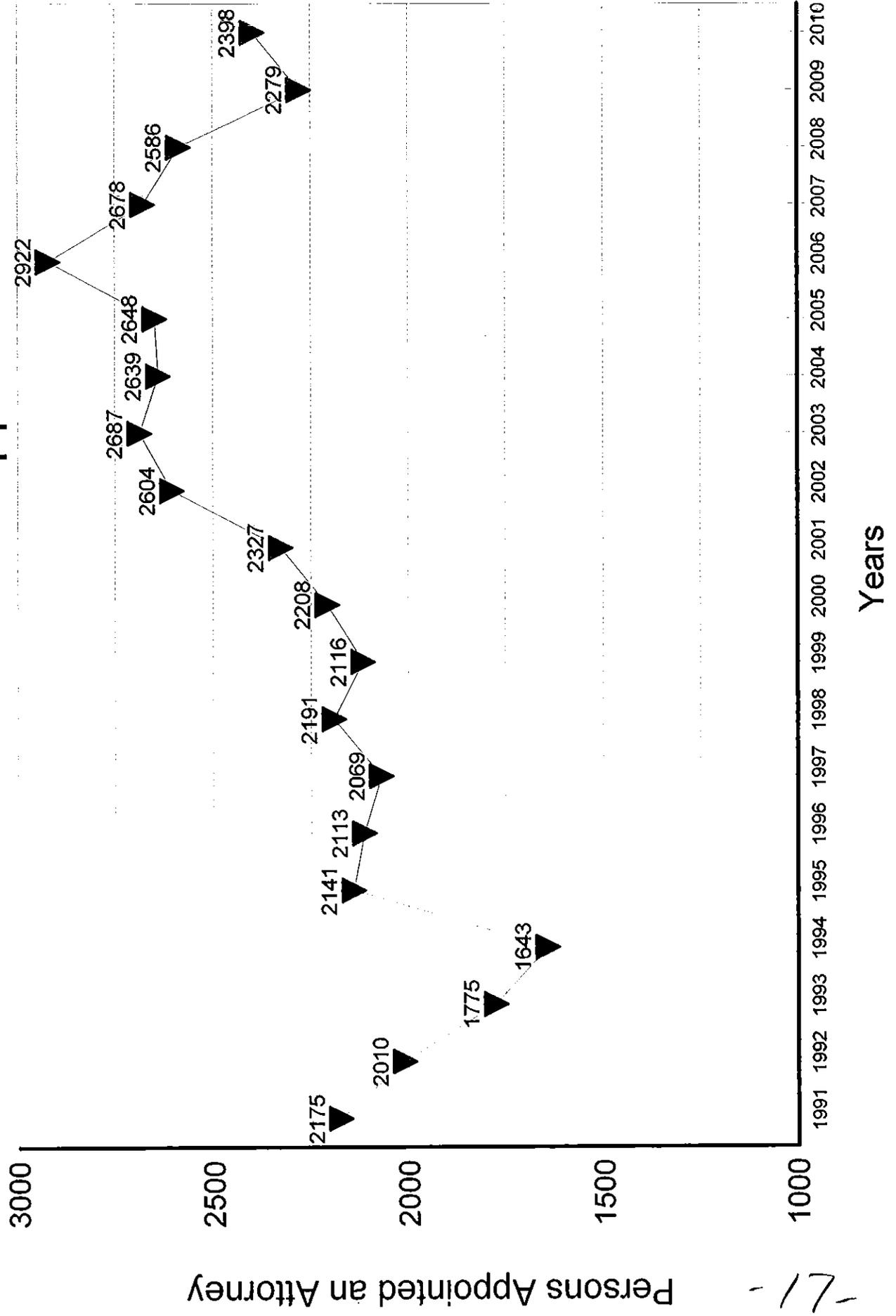
\*Numerous attorneys may be assigned to an individual case.

Public Defender	35
Private Attorneys	71

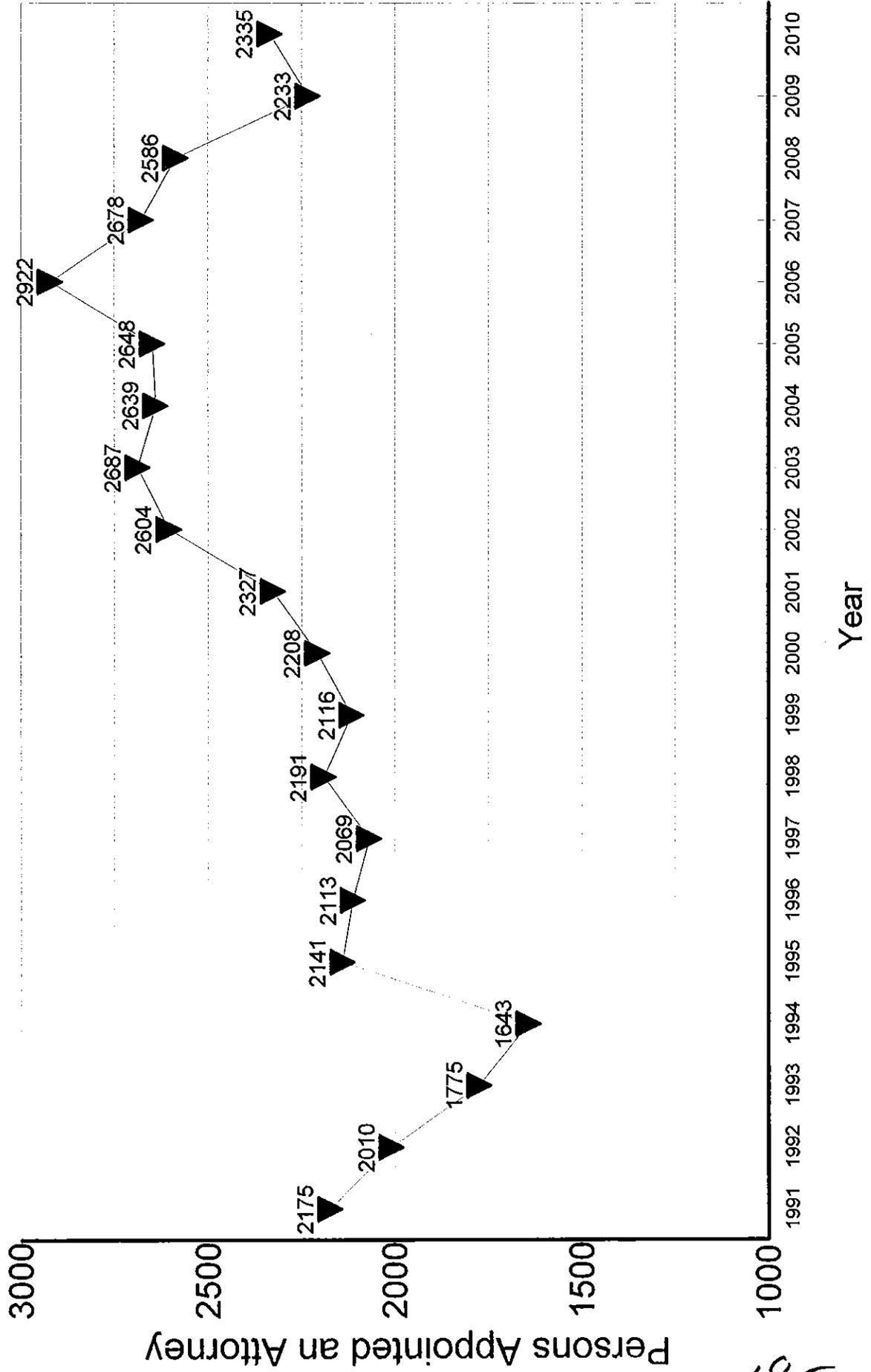
CASE PENDING / ADDING NEW ATTORNEY:..... 11

Public Defender	0
Private Attorneys	11

# OFFICE OF ASSIGNED COUNSEL 1991-2010 Total Case Appointments

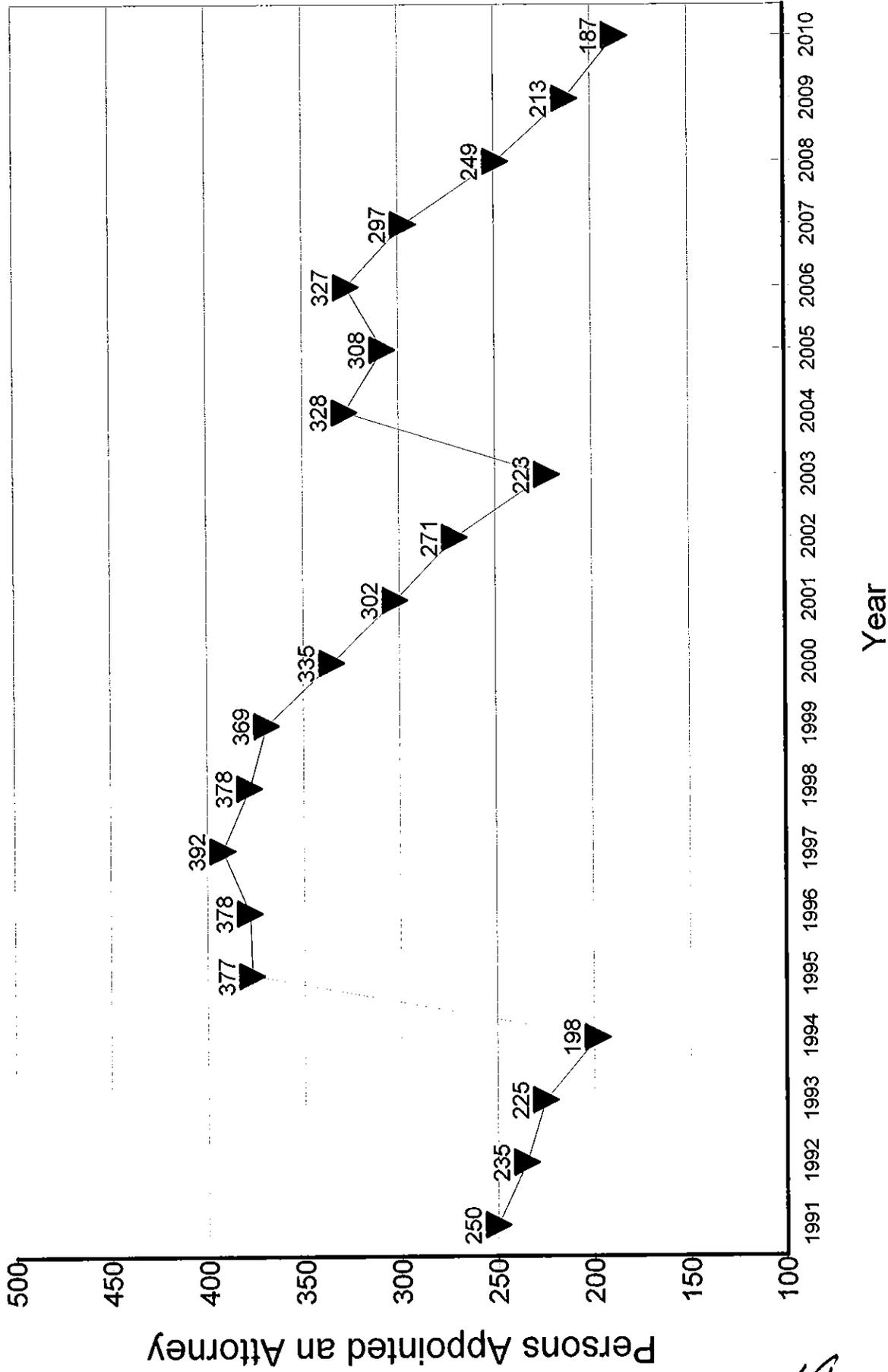


# OFFICE OF ASSIGNED COUNSEL 1991-2010 Total Criminal Appointments



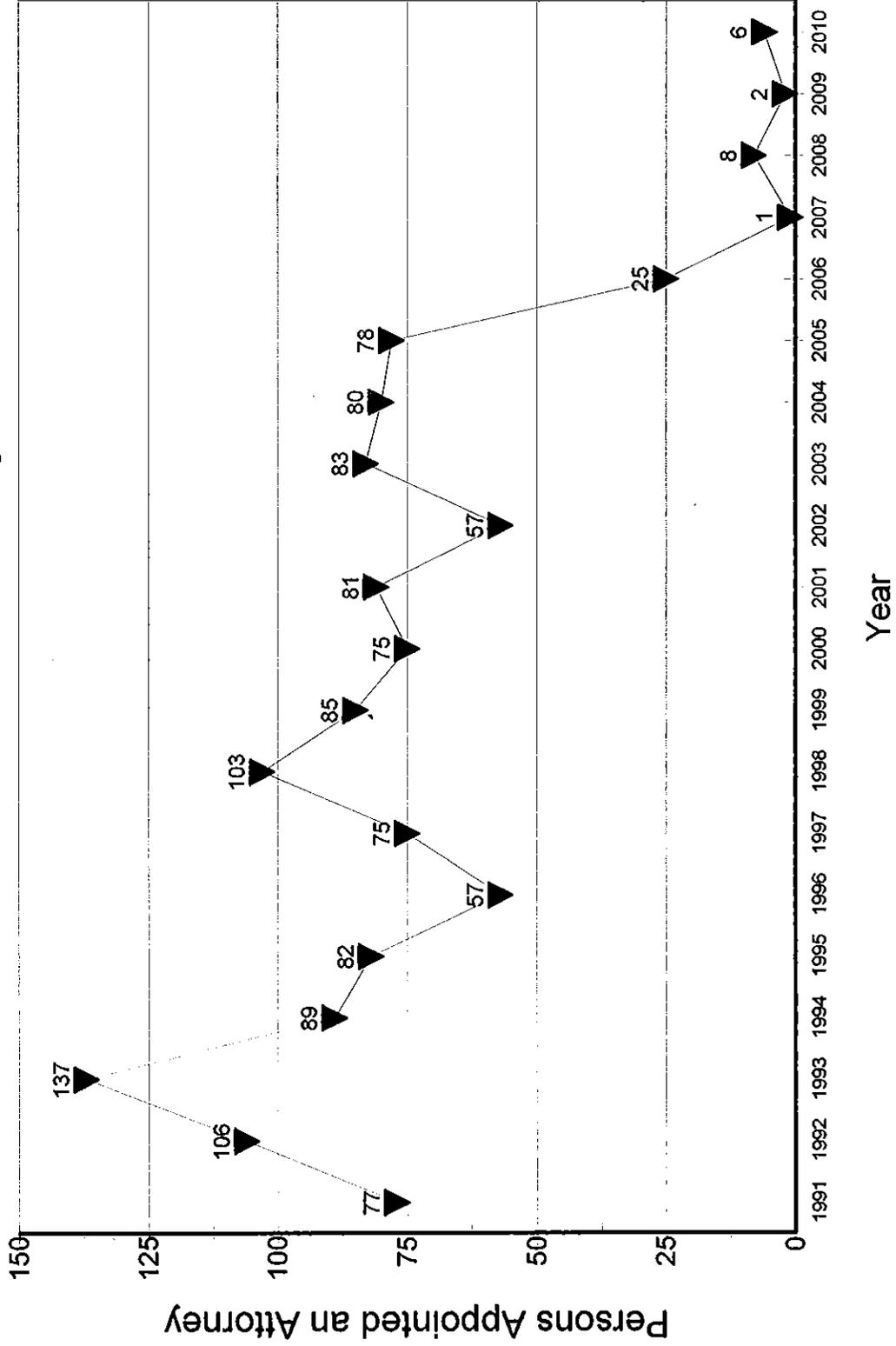
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# OFFICE OF ASSIGNED COUNSEL 1991-2010 Probate Court Appointments



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# OFFICE OF ASSIGNED COUNSEL 1991-2010 FOC/Paternity Cases



**PERSONAL & CONFIDENTIAL**

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**TO:** Ms. Danean Wright  
Retirement Accountant

**FROM:** Cathy Nagy, EA, FSA, MAAA & W. James Koss, EA, ASA, MAAA, Actuaries  
Gabriel, Roeder, Smith & Company

**SUBJECT:** Retirement Incentive Program Affecting Certain Active Members of the  
Bay County Employees' Retirement System

**DATE:** February 28, 2011

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**A. Background**

Submitted in this report are the results of actuarial valuations to determine the cost impact on the Bay County Employees' Retirement System of possible retirement benefit changes for certain Bay County employees. The date of the valuations was July 31, 2011.

The signing actuaries are Members of the American Academy of Actuaries (MAAA) as indicated, and meet the Qualification Standards of the American Academy of Actuaries to render the actuarial opinion contained herein.

The valuations were based upon the data provided by the County including data submitted on behalf of the Retirement Board (as of December 31, 2009). The multiplier for each division was the same multiplier that we disclosed in the December 31, 2009 annual valuation of the Retirement System. Except as noted, the actuarial assumptions and methods were the same as those used in that valuation. This data is summarized on the following page.

This report shows the potential increase in the present value of future Retirement System benefits as a result of the proposed program and the potential reduction in active member payroll if 100 percent of the affected employees elect the proposed Retirement Incentive Program and retire on July 31, 2011.

## B. Data

We used the list of eligible members and associated data provided by the County for each of the Groups that are included in the study. These groups are summarized below.

<u>Employment Group</u>	<u>Number of Eligible Employees</u>
B.C.A.M.P.S.	25
USW General Group – Full Time	34
Elected Officials & Department Heads Group	6
Attorney AFSCME Group	1
General County Group	13
District Court AFSCME	<u>3</u>
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## C. Valuation Results

The following schedules show the present value of future benefits under both the current and proposed benefits for the potential program participants enumerated above. The change in the present value of future benefits represents the potential increase in ultimate cost to the Retirement System as of the valuation date assuming all eligible members elect the window and retire as of July 31, 2011. In addition, we have assumed that none of these individuals would be replaced by new hires.

**Bay County Employees' Retirement System  
Supplemental Actuarial Valuation  
as of July 31, 2011  
B.C.A.M.P.S.  
- - - Retirement Incentive Program - - -**

**Present Provision:** Members may retire with unreduced pensions upon normal retirement eligibility at age 55 with 30 years of service or at age 60 with 8 years of service. Members may retire with reduced pensions at age 55 with 8 years of service.

**Proposed Provisions:**

- Members must have eight or more years of credited service as of their date of retirement or no later than the end of the window period.
- Members must be at least 52 years of age as of their date of retirement or no later than the end of the window period.
- To provide an additional three (3) years of age or service or any combination of additional age or service up to three (3) years which will result in a normal retirement with an unreduced pension. All program participants will receive this benefit even if the employee is eligible to retire without the enhanced age/service.
- Members will retire with a Normal (unreduced) retirement benefit.
- Employees who participate in the retirement incentive program must retire by July 31, 2011.

**RESULTS OF ACTUARIAL VALUATION**

	<u>Before Retirement Incentive Program</u>	<u>After Retirement Incentive Program</u>	<u>Change</u>
Eligible Member Projected Payroll as of July 31, 2011	\$ 1,356,721	\$ 0	\$(1,356,721)
Present Value of Future Benefits	6,681,513	7,614,769	933,256

The results above show the change in the Present Value of Future Benefits as a result of the Retirement Incentive Program. This represents the increase in the total liability of the System as a result of the Incentive Program, regardless of how that increase is financed. Financing the change will occur over a number of years as an amortization of the increase in the Unfunded Accrued Liability offset, in part, by a reduction in Normal Cost. The annual financing cost will depend on the length of the amortization period. Attached, for your convenience, is the GFOA policy opinion on Early Retirement Incentives.

**Bay County Employees' Retirement System  
 Supplemental Actuarial Valuation  
 as of July 31, 2011  
 USW General – FULL TIME  
 - - - Retirement Incentive Program - - -**

**Present Provision:** Members may retire with unreduced pensions upon normal retirement eligibility at age 55 with 30 years of service or at age 60 with 8 years of service. Members may retire with reduced pensions at age 55 with 8 years of service.

**Proposed Provisions:**

- Members must have eight or more years of credited service as of their date of retirement or no later than the end of the window period.
- Members must be at least 52 years of age as of their date of retirement or no later than the end of the window period.
- To provide an additional three (3) years of age or service or any combination of additional age or service up to three (3) years which will result in a normal retirement with an unreduced pension. All program participants will receive this benefit even if the employee is eligible to retire without the enhanced age/service.
- Members will retire with a Normal (unreduced) retirement benefit.
- Employees who participate in the retirement incentive program must retire by July 31, 2011.

**RESULTS OF ACTUARIAL VALUATION**

	<u>Before Retirement Incentive Program</u>	<u>After Retirement Incentive Program</u>	<u>Change</u>
Eligible Member Projected Payroll as of July 31, 2011	\$ 1,258,745	\$ 0	\$(1,258,745)
Present Value of Future Benefits	5,762,317	6,564,817	802,500

The results above show the change in the Present Value of Future Benefits as a result of the Retirement Incentive Program. This represents the increase in the total liability of the System as a result of the Incentive Program, regardless of how that increase is financed. Financing the change will occur over a number of years as an amortization of the increase in the Unfunded Accrued Liability offset, in part, by a reduction in Normal Cost. The annual financing cost will depend on the length of the amortization period. Attached, for your convenience, is the GFOA policy opinion on Early Retirement Incentives.

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**Bay County Employees' Retirement System  
Supplemental Actuarial Valuation  
as of July 31, 2011  
Elected Officials and Department Heads  
- - - Retirement Incentive Program - - -**

**Present Provision:** Members may retire with unreduced pensions upon normal retirement eligibility at age 55 with 30 years of service or at age 60 with 8 years of service. Members may retire with reduced pensions at age 55 with 8 years of service.

**Proposed Provisions:**

- Members must have eight or more years of credited service as of their date of retirement or no later than the end of the window period.
- Members must be at least 52 years of age as of their date of retirement or no later than the end of the window period.
- To provide an additional three (3) years of age or service or any combination of additional age or service up to three (3) years which will result in a normal retirement with an unreduced pension. All program participants will receive this benefit even if the employee is eligible to retire without the enhanced age/service.
- Members will retire with a Normal (unreduced) retirement benefit.
- Employees who participate in the retirement incentive program must retire by July 31, 2011.

**RESULTS OF ACTUARIAL VALUATION**

	<u>Before Retirement Incentive Program</u>	<u>After Retirement Incentive Program</u>	<u>Change</u>
Eligible Member Projected Payroll as of July 31, 2011	\$ 472,502	\$ 0	\$(472,502)
Present Value of Future Benefits	2,564,783	3,017,666	452,883

The results above show the change in the Present Value of Future Benefits as a result of the Retirement Incentive Program. This represents the increase in the total liability of the System as a result of the Incentive Program, regardless of how that increase is financed. Financing the change will occur over a number of years as an amortization of the increase in the Unfunded Accrued Liability offset, in part, by a reduction in Normal Cost. The annual financing cost will depend on the length of the amortization period. Attached, for your convenience, is the GFOA policy opinion on Early Retirement Incentives.

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**Bay County Employees' Retirement System  
 Supplemental Actuarial Valuation  
 as of July 31, 2011  
 Attorney AFSCME  
 - - - Retirement Incentive Program - - -**

**Present Provision:** Members may retire with unreduced pensions upon normal retirement eligibility at age 55 with 30 years of service or at age 60 with 8 years of service. Members may retire with reduced pensions at age 55 with 8 years of service.

**Proposed Provisions:**

- Members must have eight or more years of credited service as of their date of retirement or no later than the end of the window period.
- Members must be at least 52 years of age as of their date of retirement or no later than the end of the window period.
- To provide an additional three (3) years of age or service or any combination of additional age or service up to three (3) years which will result in a normal retirement with an unreduced pension. All program participants will receive this benefit even if the employee is eligible to retire without the enhanced age/service.
- Members will retire with a Normal (unreduced) retirement benefit.
- Employees who participate in the retirement incentive program must retire by July 31, 2011.

**RESULTS OF ACTUARIAL VALUATION**

	Before Retirement Incentive Program	After Retirement Incentive Program	Change
Eligible Member Projected Payroll as of July 31, 2011	\$ 76,119	\$ 0	\$(76,119)
Present Value of Future Benefits	398,563	465,787	67,224

The results above show the change in the Present Value of Future Benefits as a result of the Retirement Incentive Program. This represents the increase in the total liability of the System as a result of the Incentive Program, regardless of how that increase is financed. Financing the change will occur over a number of years as an amortization of the increase in the Unfunded Accrued Liability offset, in part, by a reduction in Normal Cost. The annual financing cost will depend on the length of the amortization period. Attached, for your convenience, is the GFOA policy opinion on Early Retirement Incentives.

**Bay County Employees' Retirement System  
 Supplemental Actuarial Valuation  
 as of July 31, 2011  
 General County  
 - - - Retirement Incentive Program - - -**

**Present Provision:** Members may retire with unreduced pensions upon normal retirement eligibility at age 55 with 30 years of service or at age 60 with 8 years of service. Members may retire with reduced pensions at age 55 with 8 years of service.

**Proposed Provisions:**

- Members must have eight or more years of credited service as of their date of retirement or no later than the end of the window period.
- Members must be at least 52 years of age as of their date of retirement or no later than the end of the window period.
- To provide an additional three (3) years of age or service or any combination of additional age or service up to three (3) years which will result in a normal retirement with an unreduced pension. All program participants will receive this benefit even if the employee is eligible to retire without the enhanced age/service.
- Members will retire with a Normal (unreduced) retirement benefit.
- Employees who participate in the retirement incentive program must retire by July 31, 2011.

**RESULTS OF ACTUARIAL VALUATION**

	Before Retirement Incentive Program	After Retirement Incentive Program	Change
Eligible Member Projected Payroll as of July 31, 2011	\$ 731,929	\$ 0	\$(731,929)
Present Value of Future Benefits	3,311,805	3,798,843	487,038

The results above show the change in the Present Value of Future Benefits as a result of the Retirement Incentive Program. This represents the increase in the total liability of the System as a result of the Incentive Program, regardless of how that increase is financed. Financing the change will occur over a number of years as an amortization of the increase in the Unfunded Accrued Liability offset, in part, by a reduction in Normal Cost. The annual financing cost will depend on the length of the amortization period. Attached, for your convenience, is the GFOA policy opinion on Early Retirement Incentives.

**Bay County Employees' Retirement System  
 Supplemental Actuarial Valuation  
 as of July 31, 2011  
 District Court AFSCME  
 - - - Retirement Incentive Program - - -**

**Present Provision:** Members may retire with unreduced pensions upon normal retirement eligibility at age 55 with 30 years of service or at age 60 with 8 years of service. Members may retire with reduced pensions at age 55 with 8 years of service.

**Proposed Provisions:**

- Members must have eight or more years of credited service as of their date of retirement or no later than the end of the window period.
- Members must be at least 52 years of age as of their date of retirement or no later than the end of the window period.
- To provide an additional three (3) years of age or service or any combination of additional age or service up to three (3) years which will result in a normal retirement with an unreduced pension. All program participants will receive this benefit even if the employee is eligible to retire without the enhanced age/service.
- Members will retire with a Normal (unreduced) retirement benefit.
- Employees who participate in the retirement incentive program must retire by July 31, 2011.

**RESULTS OF ACTUARIAL VALUATION**

	Before Retirement Before Program	After Retirement Incentive Program	Change
Eligible Member Projected Payroll as of July 31, 2011	\$ 113,134	\$ 0	\$(113,134)
Present Value of Future Benefits	657,682	782,545	124,863

The results above show the change in the Present Value of Future Benefits as a result of the Retirement Incentive Program. This represents the increase in the total liability of the System as a result of the Incentive Program, regardless of how that increase is financed. Financing the change will occur over a number of years as an amortization of the increase in the Unfunded Accrued Liability offset, in part, by a reduction in Normal Cost. The annual financing cost will depend on the length of the amortization period. Attached, for your convenience, is the GFOA policy opinion on Early Retirement Incentives.

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## D. Comments

**Comment 1** — The calculations are based upon assumptions regarding future events, which may or may not materialize. They are also based upon present and proposed plan provisions that are outlined in the report. If you have reason to believe that the assumptions that were used are unreasonable, that the plan provisions are incorrectly described, that important plan provisions relevant to this proposal are not described, or that conditions have changed since the calculations were made, you should contact the authors of this report prior to relying on information in the report.

**Comment 2** — The results in this report were based on information provided to the actuary by the County. The actuary is unaware of any additional information that would impact these results. If you have reason to believe that the information provided in this report is inaccurate, or is in any way incomplete, or if you need further information in order to make an informed decision on the subject matter of this report, please contact the author of the report prior to making such decision.

**Comment 3** — No statement in this report is intended to be interpreted as a recommendation in favor of the changes, or in opposition to them.

**Comment 4** — In the event that more than one plan change is being considered, it is very important to remember that the results of separate actuarial valuations cannot generally be added together to produce a correct estimate of the combined effect of all of the changes. The total can be considerably greater than the sum of the parts due to the interaction of various plan provisions with each other, and with the assumptions that must be used.

**Comment 5** — The reader of this report should keep in mind that actuarial calculations are mathematical estimates based on current data and assumptions about future events (which may or may not materialize). Please note that actuarial calculations can and do vary from one valuation year to the next, sometimes significantly if the group valued is very small (less than 30 lives). As a result, the cost impact of a benefit change may fluctuate over time, as the demographics of the group changes.

**Comment 6** — As indicated throughout the report, payroll shown for each employment group was valuation payroll provided for the December 31, 2009 annual valuation projected to July 31, 2011 using the payroll growth assumption of 4.0% per year. In addition, each individual included in the study was assumed to work full time through July 31, 2011. On this basis, service was projected from December 31, 2009 through July 31, 2011.

## **D. Comments (Concluded)**

**Comment 7** — The costs of the proposed retirement incentive program have been developed assuming that everyone who is eligible for the program will participate and retire on July 31, 2011. If fewer people choose to retire the cost impact will be somewhat smaller than shown in this report. Please be aware that the cost of the incentive program will vary for each individual member of the given employment groups. For example, if half of the eligible employees elected the program and retired, and these employees were the ones who would benefit most from the incentive, the cost would be significantly more than 50% of the cost shown in this report.

We have provided the potential increase in the present value of future retirement system benefits as a result of one hundred percent utilization of the incentive program. This increase represents the potential cost as of July 31, 2011 of the program if all eligible members retire on July 31, 2011 and if they are not replaced. In addition, we have shown the potential decrease in projected valuation payroll (as of July 31, 2011) if all eligible members retire.

**Comment 8** — The results of this report only show the potential impact of the proposed benefits on the Bay County Employees' Retirement System. The County should consider other related issues before implementing the proposed incentive program such as:

- Potential payroll and active employee health care cost savings if the retiring members (Incentive Program users) are not replaced, or if they are (fully or partially) replaced with lower paid and/or younger employees.
- Potential additional costs as a result of providing retiree health care benefits for the retiring members at earlier ages.
- The potential cost impact of any other employee benefit programs or fringe benefits.
- Members with very long service would potentially receive no or minimal financial benefit from the proposed program due to the 75% of FAC maximum.
- The legal implications of such a program including compliance with Michigan Public Act 728 and the implementation of Plan amendments or employment contract language that includes the provisions of the proposed program.

**APPENDIX**



## **GFOA Recommended Practice**

### **Evaluating Use of Early Retirement Incentives - 2004**

**Background.** Governments occasionally offer early retirement incentives (ERIs)<sup>1</sup> to employees as a strategy to reduce payroll costs or stimulate short-term turnover among staff. ERIs are temporary, offered during a window that usually covers a period of months. They increase the economic value of the standard retirement benefit. Historically, ERIs rarely have succeeded, since costs are often greater than initially anticipated by the government offering the incentive, and savings are lower than projected.

**Recommendation.** GFOA recommends that governments exercise extreme caution if considering ERIs. Governments should take several actions prior to the decision to offer an ERI in terms of (1) goal-setting, (2) cost/benefit analysis, and (3) budgetary analysis. Governments should also develop an implementation plan.

#### **1. Goal-Setting for ERIs**

Governments should be explicit in setting documented goals for the ERI. Goals can be financial in nature, such as realizing permanent efficiencies in staffing or achieving budgetary objectives. ERIs can also be designed to achieve human resource goals, such as creating vacancies that allow for additional promotion opportunities and allowing management to bring in new staff. Any ERI goals should not conflict with other retirement plan goals (e.g., features to reduce turnover or increase retention).

An explicit statement of goals is needed to judge the ultimate success of the initiative and to develop performance measures. Further, having a statement of goals promotes transparency. Inappropriate goals such as rewarding a select group of staff should be explicitly rejected. Potential conflicts of interest among decision-makers who design an ERI should be monitored closely, since any self-dealing is costly and could harm the long-term credibility of the government entity.

#### **2. Cost/benefit analysis**

In judging whether an ERI should be offered, governments should assess the potential costs and benefits of ERI proposals, and the cost/benefit analysis should be linked to the goals of the ERI. For example, if a government sets a financial goal of obtaining long-term staffing efficiencies, then an independent cost/benefit analysis should determine whether the ERI will actually bring about such staffing efficiencies.

A cost/benefit analysis should be comprehensive. It should take into account direct and indirect impacts, such as the impact on the government for providing retirees health care and additional

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<sup>1</sup> The scope of this recommended practice does not cover deferred retirement option plans (DROP) or partial lump-sum option plans (PLOP), which often promote employee retention. The CORBA Committee may address this issue separately.  
02/28/2011 Gabriel, Roeder, Smith & Company -11-

contractor costs. In addition, it should take into account the effect upon both the plan sponsor and the pension fund (if the pension fund is a separate organization). Governments should retain an actuary to assist in conducting a cost/benefit analysis.

Material changes to the ERI proposal during the legislative process should trigger adjustments to the cost/benefit and budgetary analyses.

Regarding financially-driven ERIs, a cost/benefit analysis should compare long-term benefits and costs against the "default" scenario of a hiring freeze. Most financially-driven ERIs project financial benefits based on payroll savings related to staff departures. However, any such savings should be discounted, because a hiring freeze also creates payroll savings (owing to the normal rate of staff departures). Thus, the ERI benefit is limited to the marginal increase in staff departures attributable to the ERI. Governments that attribute all staff departures to an ERI would over-state the ERI benefit, thus distorting the cost/benefit analysis.

Financially-driven ERIs may also obtain savings by replacing highly compensated staff with lower-paid staff. Analysis of such ERIs must take into account the fact that newly hired staff tend to experience faster salary increases than other employees.

If early retirement incentives are offered, they should be offered very infrequently and without a predictable schedule to avoid the expectation that another ERI will be offered. Such an expectation would distort normal employee retirement patterns.

The incremental costs of an ERI should be amortized over a short-term payback period, such as three to five years. This payback period should match the period in which the savings are realized. To calculate the incremental costs of an ERI, governments should conduct an actuarial analysis that discloses the present value of the liabilities associated with an ERI. Governments that have over-funded pension plans should avoid allocating any actuarial surplus to finance the incremental costs of the ERI.

### 3. Budgetary considerations

In order to develop accurate budgetary estimates for the ERI, it is necessary to estimate the incremental cost of the ERI, which will vary according to the level of employee participation. Any budgetary analysis should project multiple scenarios for employee participation levels.

A budgetary analysis should be comprehensive. It should take into account direct and indirect impacts, such as the impact on the government for providing retiree health care and additional contractor costs.

Because a collective bargaining agreement may affect potential ERI costs and benefits, it should be reviewed prior to developing budgetary estimates.

#### 4. Implementation considerations

If implementing an ERI, at a minimum, governments should take into account the following points:

- A communication plan is desirable to help employees understand the ERI in the context of overall retirement planning;
- It may be necessary to gain input from collective bargaining units;
- Governments should consider the impact upon service delivery after employees retire, with identification of critical personnel whose services must be maintained;
- The duration of the window should take into account the ability of retirement staff to manage retirement application workloads, among other factors; and
- Performance measures should be used to ensure ERI goals are met. For financially-driven ERIs, governments should track and report direct and indirect costs and benefits to determine if goals are met, such as for vacancies and contract costs.

#### References:

*A Primer on Early Retirement Incentives*, GFOA, 2004.

Approved by the GFOA Executive Board, October 15, 2004.