Members Present: Grebner, Naeyaert, Sebolt, and Stivers.

Members Absent: None.

Others Present: Becky Bennett and Beth Foster.

The meeting was called to order by Chairperson Stivers, at 3:05 p.m. in Personnel Conference Room D & E of the Human Services Building, 5303 S. Cedar Street, Lansing, Michigan.

Approval of the July 25, 2019 Meeting Minutes

MOVED BY COMM. NAEYAERT, SUPPORTED BY COMM. SEBOLT, TO APPROVE THE MINUTES OF THE JULY 25, 2019 RULES & APPOINTMENTS SUBCOMMITTEE MEETING.

THE MOTION CARRIED UNANIMOUSLY.

Additions to the Agenda

A Commissioner Sebolt and Commissioner Morgan edited Ethics Policy was handed out (Sebolt/Morgan edit).

Limited Public Comment

None.

1. Ethics Policy

Chairperson Stivers thanked staff for their work on the revisions to the Ethics Policy thus far.

The members of the Subcommittee discussed the changes made on page 4 of the Sebolt/Morgan edit.

Discussion.

Chairperson Stivers stated that there were no objections to the changes on page 4.

The members of the Subcommittee discussed the changes made on page 8, Section III of the Sebolt/Morgan edit.

Discussion.
MOVED BY COMM. GREBNER, SUPPORTED BY COMM. NAEYAERT TO MAKE THE FOLLOWING AMENDMENT:

These direct employees of the Board, should never be careful about becoming associated with any particular member or group of commissioners,

Chairperson Stivers stated that perhaps they could use the language “should avoid” instead of “should never.”

Commissioner Grebner stated that this would come up in ways you have not contemplated. He further stated that sometimes the policy could be violated completely innocently or sometimes in unexpected ways.

THE MOTION DIED DUE TO LACK OF SUPPORT.

Chairperson Stivers stated that the “should never” language would stay in.

Discussion.

Commissioner Grebner stated that he did not understand striking the part about potential problem areas because it calls attention to issues that might be lurking.

Commissioner Naeyaert stated that she felt it just explained the previous section and that she did not think they needed to give examples.

Commissioner Sebolt stated that it was redundant.

Chairperson Stivers stated that in the interest of brevity she would support striking it.

Discussion.

MOVED BY COMM. STIVERS, SUPPORTED BY COMM. NAEYART TO FURTHER AMEND SECTION III OF THE SEBOLT/MORGAN EDIT AS FOLLOWS:

In order to avoid the danger that commissioners might move towards a more active role in hiring which are currently not political into political patronage, these direct employees of the Board have should never not become associated with any particular member or group of Commissioners, and that the positions have not should not become politicized. It is crucial that this tradition continue.

Discussion.
The following amendment to Section III was proposed:

SECTION III.
PERSONNEL

Because of the complex structure prescribed by Michigan law for County government, Commissioners necessarily assume a number of overlapping, and somewhat inconsistent roles in personnel matters. In Ingham County, Commissioners are directly and intimately involved in decisions to create, eliminate, reclassify, or reorganize positions. Under many of the County’s labor agreements, they hear grievances which reach a certain stage of appeal. The Commission approves compensation for non-union employees. But the Commission has no direct role in the vast majority of hiring, promotion, or discipline decisions. Finally, Commissioners should avoid moving toward a more active role in hiring County Workforce, and must guard against creating a political patronage system.

Discussion.

This was considered a friendly amendment.

Discussion.

THE MOTION TO ADOPT THE PROPOSED AMENDMENT, AS AMENDED, PASSED UNANIMOUSLY.

Commissioner Grebner stated that the third sentence of the last paragraph on page 8 should stay.

Commissioner Naeyaert stated that the sentence disallowing those types of relationships had already been made very clear.

Discussion.

Commissioner Sebolt stated that he wanted it on the record that he did not appreciate Commissioner Grebner lumping unions in with corrupt forces.

Discussion.

MOVED BY COMM. SEBOLT, SUPPORTED BY COMM. STIVERS TO LEAVE THE LAST SECTION/PARAGRAPH ON PAGE 8 OF THE SEBOLT/MORGAN EDIT STRUCK THROUGH.

Commissioner Grebner stated that he opposed removing the third sentence.

THE MOTION CARRIED.  

Yeas: Sebolt, Stivers, Naeyaert  
Nays: Grebner
The members of the Subcommittee discussed the changes made on page 9 of the Sebolt/Morgan edit.

Discussion.

MOVED BY COMM. NAeyaERT, SUPPORTED BY COMM. SEBOLT TO MAKE ALL OF THE CHANGES ON PAGE 9 OF THE SEBOLT/MORGAN EDIT.

Commissioner Grebner stated that he was opposed to striking the sentence regarding fairness.

THE MOTION CARRIED. YeaS: Sebolt, Stivers, Naeyaert Nays: Grebner

The following change to page 10 was discussed:

Commissioners Direct Hire

Roughly nine positions are hired with direct Commission involvement. To date, none of those positions have been treated as political, and none of the employees are associated with any particular Commissioner. To safeguard this achievement, the Board has generally created neutral panels to screen and recommend applicants to fill these positions as they turn over.

MOVED BY COMM. NAeyaERT, SUPPORTED BY COMM. STIVERS TO STRIKE THE DIRECT HIRE SECTION/PARAGRAPH FROM PAGE 10 OF THE SEBOLT/MORGAN EDIT.

Discussion.

THE MOTION CARRIED UNANIMOUSLY.

The changes to the section titled, “Other Dealings Between Commissioners and Employees,” appearing on pages 10 and 11 of the Sebolt/Morgan edit, were discussed.

Commissioner Grebner stated that it was his suggestion to keep d. and merge that with the last sentence to create a new paragraph. He further stated that with that change he had zero issues with the rest because it would keep the essence of the ethics policy.

Discussion.

Commissioner Sebolt stated that d. could become the first sentence of the last stand-alone paragraph, instead of two separate paragraphs.

MOVED BY COMM. NAeyaERT, SUPPORTED BY COMM. SEBOLT TO MAKE THE FOLLOWING CHANGES TO PAGE 11:
There is greater risk of improper involvement when the County employee is one whose job is directly controlled by the Board, without an intermediate buffer of an elected official or other department head. It should be kept in mind that the object of these guidelines is not to isolate Commissioners from staff, but to ensure that a Commissioner resists any temptation to use their public position to obtain personal benefit of a material nature.

THE MOTION CARRIED UNANIMOUSLY.

Chairperson Stivers stated that, without objection, all of the other changes to the section, “Other Dealings Between Commissioners and Employees,” as they appeared in the Sebolt/Morgan edit, were accepted.

The members of the Subcommittee reviewed the changes to Section IV of the Sebolt/Morgan edit.

MOVED BY COMM. GREBNER, SUPPORTED BY COMM. NAEYAERT TO APPROVE ALL OF THE CHANGES TO SECTION IV, AS THEY APPEARED IN THE SEBOLT/MORGAN EDIT.

THE MOTION CARRIED UNANIMOUSLY.

The members of the Subcommittee reviewed the changes to Section V of the Sebolt/Morgan edit.

MOVED BY COMM. NAHEYAERT, SUPPORTED BY COMM. SEBOLT TO APPROVE ALL OF THE CHANGES TO SECTION V, AS THEY APPEARED IN THE SEBOLT/MORGAN EDIT.

Commissioner Grebner proposed the following amendment:

SECTION V.
POLITICAL CONTRIBUTIONS FROM INDIVIDUALS OR PACS WITH BUSINESS FINANCIAL INTERESTS IN COUNTY DECISIONS

This was considered a friendly amendment.

THE MOTION CARRIED UNANIMOUSLY.

The members of the Subcommittee reviewed the changes to Section VI of the Sebolt/Morgan edit.

Discussion.

The following amendment was proposed:
4. Impropriety is suggested by resort to procedurally or financially irregular actions by a business or corporate body. Any significant gift which appears to have a direct tie to the date, amount, or other detail of a County action is almost certainly improper.

With the addition of a new 4., subsequent renumbering was also required.

This was considered a friendly amendment.

Discussion.

Commissioner Naeyaert stated that she was in favor of all of the changes to Section VI, including the amendment.

Commissioner Naeyaert left the room at 4:28 p.m.

Discussion.

MOVED BY COMM. GREBNER, SUPPORTED BY COMM. SEBOLT, TO APPROVE ALL OF THE CHANGES TO SECTION VI, AS THEY APPEARED IN THE SEBOLT/MORGAN EDIT, INCLUDING THE AMENDMENT ABOVE.

THE MOTION CARRIED UNANIMOUSLY. Absent: Commissioner Naeyaert.

The members of the Subcommittee reviewed the changes to Section VII of the Sebolt/Morgan edit.

Commissioner Grebner handed out his proposed replacement language for the email policy.

Commissioner Naeyaert returned at 4:30 p.m.

Discussion.

MOVED BY COMM. SEBOLT, SUPPORTED BY COMM. NAeyaert TO ADOPT SECTION VII, PRINCIPLE 2 AS IT APPEARED IN THE SEBOLT/MORGAN EDIT.

THE MOTION CARRIED. Yeas: Sebolt, Stivers, Naeyaert Nays: Grebner

The members of the Subcommittee reviewed Section VII, Principle 3, of the Sebolt/Morgan edit.

Discussion.

The following amendment was proposed:
3. Commissioners must never use their county email account for any activities related to electoral politics, especially for Ingham County elections. This is a serious misuse of public resources and a violation of the public trust.

MOVED BY COMM. NAeyaERT, SUPPORTED BY COMM. SEBOLT TO ADOPT SECTION VII, PRINCIPLE 3, AS AMENDED.

THE MOTION CARRIED. Yeas: Sebolt, Stivers, Naeyaert Nays: Grebner

The members of the Subcommittee reviewed Section VII, Principle 5, of the Sebolt/Morgan edit.

Discussion.

The following amendment was proposed:

5. In discussions among Commissioners conducted outside formal meetings, the requirements of the Open Meetings Act must be honored scrupulously and generously. A communication addressed to a majority of the Board, or to a standing Committee, may violate the OMA, if it amounts to “deliberation toward a decision.” Even if it does not meet that standard, any such communication addressed to a majority should be made using a recorded medium subject to the FOIA. Communications among groups of Commissioners which are smaller than a majority should not be used as may be undertaken using either County or non-County email addresses, but the sender should not employ a subterfuge of for addressing a majority by dividing the recipients into smaller groups.

MOVED BY COMM. NAeyaERT, SUPPORTED BY COMM. GREBNER TO ADOPT SECTION VII, PRINCIPLE 5, AS AMENDED.

THE MOTION CARRIED UNANIMOUSLY.

The members of the Subcommittee reviewed Section VII, Principle 7, of the Sebolt/Morgan edit.

Discussion.

The following amendments to Section VII were proposed:

3. Commissioners must never use their county email account or other county media for any activities related to electoral politics, especially for Ingham County elections.

6. County email, letterhead, or other media must not be used in ways which are likely to lead recipients to believe that the communication is an official statement of the County, or reflects established County policy when it does not, or where the sender does not actually have such authority. This applies also to misrepresentation of non-governmental media as being official.

These were considered friendly amendments.
Discussion.

MOVED BY COMM. GREBNER TO ADD A PARAGRAPH AT THE END OF SECTION VII.

Discussion.

THE MOTION DIED DUE TO LACK OF SUPPORT.

Commissioner Naeyaert proposed the following amendment:

Ingham County government should be open, transparent, and accountable to County residents. The use of private email or other county media to conduct County business is inconsistent with these objectives. Moreover, Ingham County email accounts and servers are the property of Ingham County—not the personal property of individual Commissioners. As such:

This was considered a friendly amendment.

MOVED BY COMM. SEBOLT, SUPPORTED BY COMM. NAEYAERT, TO ADOPT THE SEBOLT/MORGAN EDIT OF THE ETHICS POLICY WITH THE AMENDMENTS APPROVED BY THE RULES/APPOINTMENTS SUBCOMMITTEE AND PASS IT TO THE COUNTY SERVICES COMMITTEE.

Commissioner Grebner stated that he would probably have more changes at the County Services Committee meeting.

THE MOTION CARRIED UNANIMOUSLY.

Announcements

None.

Public Comment

None.

Adjournment

The meeting was adjourned at 4:59 p.m.