COUNTY SERVICES COMMITTEE
May 15, 2018
Minutes

Members Present: Nolan, Hope, Grebner, Celentino, Naeyaert, Sebolt, and Maiville

Members Absent: None

Others Present: Clerk Barb Byrum, Ryan Buck, Rick Terrill, Steve Kwasnik, Fred Wurtzel, Cody Norkin, Shauna Dunning, Karla Hudson, Becky Bennett, Tim Dolechanty, Lindsey LaForte, and others

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

Approval of the May 1, 2018 Meeting Minutes

MOVED BY COMM. MAIVILLE, SUPPORTED BY COMM. NAeyaERT, TO APPROVE THE MINUTES OF THE MAY 1, 2018 COUNTY SERVICES COMMITTEE MEETINGS.

The minutes were amended as follows:

THE MOTION TO APPROVE THE RESOLUTION CARRIED. Yeas: Nolan, Grebner, Celentino, Maiville, and Naeyaert. Nays: Sebolt and Hope. Absent: None

Commissioner Sebolt stated that Controller’s Office should bring forward recommendations a list of Department Heads for disciplinary measures based on the finding of their search.

This was considered a friendly amendment.

THE MOTION TO APPROVE THE MINUTES, AS AMENDED, CARRIED UNANIMOUSLY.

Additions to the Agenda

8. Discussion of Employee Evaluations

Removed from the Agenda

None.

Limited Public Comment
Steve Kwasnik, Ingham County Assistant Prosecuting Attorney (APA), stated that he was before the Committee to show his support for a wage increase during the wage opener in the contract in August. He further stated that a reclassification or another fix was needed in order to increase the salaries for APA’s.

Mr. Kwasnik stated that the Prosecutor’s Office had sought to fill the position for the extra sexual assault APA, which was a position that started at Step 2 pay. He further stated that they had two qualified candidates for interviews, but they were not hired, because they did not fit the needs.

Mr. Kwasnik stated that the job had been reposted as an entry level position and they would shuffle some of their staff around to cover the sexual assault cases, and the new person hired would be able to help with other cases. He stated that the original position was difficult to fill because they were not able to offer a salary equal to the experience needed for the position and were not attracting qualified candidates.

Mr. Kwasnik stated that Jonathan Roth, APA and a senior staff member was expected to join him tonight, but Mr. Roth had been held up in court. He further stated that Mr. Roth just announced that he would be leaving to work as an Assistant United States Attorney in Grand Rapids.

Mr. Kwasnik stated that Mr. Roth was leaving partially because the pay and benefits were so much better with the Federal Government. He further stated that these were just two of many examples of what happened when APAs were not properly compensated.

Mr. Kwasnik stated that he would continue to remind this Committee of this issue.

Fred Wurtzel, National Federation of the Blind in Michigan (NFB), stated that he was before the Committee to discuss voting. He further stated that the Help Americans Vote Act helped protect voter’s rights, including being able to vote with a secret ballot.

Mr. Wurtzel stated that AutoMark machines had started being used in the 1990s to assist voters with disabilities. He stated that although clerks did not like the machines, he loved them because it gave him the chance to vote a secret ballot independently.

Mr. Wurtzel stated that there were new voting machines in the polls during the November 2017 Election and the machines were not accessible. He further stated that it was difficult to use because he was not familiar with the system, he was unsure what the buttons did, and the screen needed to be turned off.

Mr. Wurtzel stated that because of the difficulties voting he was not able to cast the ballot in secrecy because he needed assistance from a poll worker. He further stated that he contacted County Clerk Barb Byrum to explain his dissatisfaction with the new machines and she listened to his complaints.

Mr. Wurtzel stated that he worked with his Township Clerk to attempt to see if it was possible to vote independently and although they attempted mock elections for an hour, it was not possible
without eyesight. He further stated that they had a meeting with Clerk Byrum and Dominion, the manufacturer of the voting machines.

Mr. Wurtzel stated that the people at the meeting were all very computer-literate folks, but they all had difficulty using the machines. He further stated that the representative from Dominion and the County Clerk would not admit that there was a problem with the equipment, although they had tried to use the machine and it would not work without sight.

Mr. Wurtzel stated that there were three choices between the machines manufacturers approved by the State of Michigan, including Hart, Dominion and ES&S. He further stated that only the ES&S system was accessible for visually impaired people based on a test election they had held a couple years ago.

Mr. Wurtzel stated that the Board of Commissioners was there to protect the voter’s right to vote. He further stated that the Secretary of State was not protecting their right to vote.

Mr. Wurtzel stated that they had a teleconference with the Secretary of State’s Office yesterday about this issue and the voting machine manufacturers still would not admit that there was a problem for visually impaired voters. He further stated that the worst part of that meeting was that the manufacturers stated that there would not be a fix of these issues prior to the November 2018 General Election, let alone the August 2018 Primary Election.

Mr. Wurtzel stated that it was wrong that the machines could not be changed to be more accessible. He further stated that he would like the Board of Commissioners to find a solution to this, even if it meant using the old machines.

Mr. Wurtzel stated that they would be using any means necessary to make this change and be able to vote in August by a secret ballot, including litigation, if necessary.

Chairperson Nolan asked for Mr. Wurtzel’s contact information.

Mr. Wurtzel provided his email address: f.wurtzel@att.net

Karla Hudson, East Lansing resident, stated that she was not able to vote the past November because the new voting machines made it impossible to vote with a secret ballot. She further stated that her husband was also blind and had gone to the polls before her and reported that he was not able to vote with a secret ballot.

Ms. Hudson stated that her husband was the Director of Disability Services at Michigan State University. She further stated that her husband was a highly trained technician and if he had difficulty with the machines, it meant there was a problem.

Ms. Hudson stated that they met with Clerk Byrum about their concerns with the Dominion voting machines. She further stated that it was apparent that the problems with these machines would not be solved any time soon.
Ms. Hudson stated that they had met with Senator Curtis Hertel about these issues also. She further stated that Senator Hertel used both a Dominion machine and an ES&S machine to attempt to vote without using eyesight and it was much more difficult on the Dominion machine. She further stated the difficulties with the machines had been put on the poll workers, clerks, and even the voters by people saying that they all needed more training.

Ms. Hudson stated that the AutoMark system was very intuitive, but the Dominion system was not intuitive at all, and no special training should be required to vote. She further stated that the Secretary of State had said that the users just need to adjust to change which was impossible because the system did not work.

Ms. Hudson stated that the speech system on the Dominion machines was antiquated. She further stated that the Dominion system would not be changed for years and the ES&S was useable at the current time.

Ms. Hudson stated that she would like the County to return their election system and exchange it for a system that works. She further stated that she would like her right to vote independently and secretly protected.

Ms. Hudson stated that she brought a handout for the Committee with a letter that she had written to Senator Hertel after their meeting and an article from the National Federation of the Blind (NFB). She further stated that these issues had been going on for a number of years and would not change any time soon.

Ms. Hudson stated that she wanted to vote in the November 2018 General Election, but even though she had a chance to try the system, she did not feel comfortable with it.

Ms. Hudson stated that the Secretary of State, Clerk Byrum, and Senator Hertel had been made aware of the problem but it felt like they had been pushed aside. She further stated that this was a civil rights issue and she hoped the Committee took this seriously.

Chairperson Nolan asked for Ms. Hudson’s contact information.

Ms. Hudson stated that her contact information was on the handout she had provided.

Cody Norkin, NFB member, stated that he was a member of the NFB even though he was fully sighted. He further stated that he observed the issue to be that the problem with the voting machines was not being acknowledged and the problem could not be remedied until it was acknowledged.

Mr. Norkin stated that the County Clerk and Michigan Bureau of Elections were not admitting there was a problem. He further stated that they were heading toward a collision course toward litigation and he did not see how Ingham County would be held harmless.
Mr. Norkin stated that Ingham County was his County and required to provide the election site and equipment so that all citizens could vote. He further stated that it was wrong and the County should at least acknowledge that there was a problem.

Mr. Norkin stated that the State of Michigan claimed that there was thorough testing of this equipment, but they had not included people with disabilities in their testing. He further stated that a report had been provided to the State telling them of the issues but the report was ignored.

Mr. Norkin stated that the State had certified those systems as prequalified for the Counties to purchase the systems, but they did not seem qualified for voters with disabilities. He further stated the solution now was to put into place a system that worked for all voters.

Mr. Norkin stated that the Bureau of Elections needed to pay the cost to remedy this problem and the County should demand that from them.

Chairperson Nolan thanked Mr. Norkin for his statements.

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

1. **Facilities Department**
   a. Resolution to Authorize a Service Warranty Renewal for the Maintenance of the X-Ray Screening Machine at the Ingham County Family Center
   b. Resolution to Authorize a Renewal for Fire Prevention Services at Several County Facilities

2. **Road Department**
   a. Resolution to Authorize an Agreement with Delhi Township for Cedar Street Resurfacing Aurelius to Willoughby Roads, Delhi Township
   b. Resolution to Approve a Second Party Agreement between the Michigan Department of Transportation and Ingham County and a Third Party Agreement between the Village of Dansville and the Road Department in Relation to Road Reconstruction Projects of Haslett Road from M-52 Easterly to Morrice Road, Fitchburg Road from Nims Road Easterly to Freiermuth Road, and Williamston Road from North Street Northerly to Howell Road
   d. Resolution to Approve Special and Routine Permits for the Road Department

3. **Fair Office** – Resolution to Authorize Construction of a Cement Floor for the South End Horse Complex Pavilion at the Ingham County Fairgrounds

4. **Animal Control**
   a. Resolution Approving Contract of Lease
   b. Resolution Approving Ground Lease

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5. **Health Department**
   a. Resolution to Convert the Vacant Lead Social Worker Position to Medical Social Worker
   b. Resolution to Establish 340B Pharmacy Coordinator Position
   c. Resolution to Install a Mural at Forest Community Health Center

6. **Controller’s Office**
   a. Resolution Updating Various Fees for County Services
   b. Authorization to Start a Managerial Employee above Step 2

7. **Board of Commissioners**
   a. Resolution Recognizing Emily West as the Third Place Winner of the 2018 Ingham County Women’s Commission Dorice Carlice Essay Contest
   b. Resolution Recognizing Makela Rodgers as the Second Place Winner of the 2018 Ingham County Women’s Commission Dorice Carlice Essay Contest
   c. Resolution Recognizing Morgan Witham as the First Place Winner of the 2018 Ingham County Women’s Commission Dorice Carlice Essay Contest

THE MOTION CARRIED UNANIMOUSLY.

THE MOTION TO APPROVE THE ITEMS ON THE CONSENT AGENDA CARRIED UNANIMOUSLY.

1. **Facilities Department**
   c. Resolution to Authorize the Replacement of the Rolling File Storage System in the Hilliard Building and the Veterans Memorial Courthouse

MOVED BY COMM. GREBNER, SUPPORTED BY COMM. CELENTINO, TO APPROVE THE RESOLUTION.

Commissioner Maiville asked why this issue was a surprise when the County had insurance evaluations of facilities.

Rick Terrill, Facilities Department Director, stated that the Facilities Manager had been working with the Clerk’s Office to make repairs to the rolling files in the Hilliard Building. He further stated that there were no longer parts being made for the system.

Mr. Terrill stated that there were many failures of the system because of the weight of the load and the age of the system. He further stated that the Clerk’s Office had removed the files in order to look at the system more closely and it appeared that it was beyond repair.

Mr. Terrill stated that there was a safety issue and the system may collapse. He further stated that the Clerk’s Office, the Circuit Court, and the Controller’s Office had determined it must be replaced.
Commissioner Maiville stated that he could appreciate this being a safety issue, but he would like to know if there were ways to improve storage long-term since there had been many issues with storage.

Mr. Terrill stated that at this time, there was only a plan for the replacement of the system which addressed an immediate need, so this did not play into the long-term needs of the County for file storage.

Commissioner Grebner asked how many linear feet this file system was.

Barb Byrum, Ingham County Clerk, stated that they did not have the exact number. She further stated that over 500 linear feet of files had already been purged.

Clerk Byrum stated that file storage issues were not new and that she had been bringing attention to this issue for the past six years. She further stated when she first took office, she had found that some of the files were being kept near lawn equipment and rodents had been living in them, which was immediately remedied.

Commissioner Grebner stated that he was looking for an answer that included the number of feet.

Mr. Terrill stated that the Hilliard Building alone had over 7,000 linear feet and the Veteran’s Memorial Courthouse (VMC) had even more by about 2,000 feet.

Commission Grebner stated that about 11,000 linear feet of file storage was needed.

Mr. Terrill stated that the rolling file system in the Hilliard Building was moved from another building when the Hilliard Building was built and was inadequate for the storage needed. He stated that the load was just too great for the file system.

Clerk Byrum stated that someone was injured resulting in a broken collar bone at the VMC due to the rolling file system not working properly. She further stated that a shelf had collapsed this morning at the Hilliard Building.

Clerk Byrum stated that there were a lot of records that were in the process of being purged, as it was something that the Clerk’s Office had to catch up on because it was not done properly in the past. She stated that this was an ongoing priority.

Clerk Byrum stated that the Hilliard Building was not safe and secure. She further stated that anyone had access to the files and the sprinkler system was above the files.

Clerk Byrum stated that records were requested that morning and they could not access them because of the broken shelf. She further stated that she had a statutory responsibility to provide records and was unable to do that because of the current condition.

Shauna Dunnings, Circuit Court Administrator, stated that Facilities staff needed to be present any time records needed to be accessed in the Hilliard Building, because of the danger of the
system. She further stated that the system in the VMC ghost rolled, which meant when it was locked in place there were times it may still move without warning.

Mr. Terrill stated that he had recently received an email stating that the files needed to be moved as soon as possible from the Hilliard Building. He further stated that there was some space at the Road Department to temporarily house the files.

Mr. Terrill stated that even though the Facilities Department was short-staffed, they would be prioritizing this issue and making the Road Department space available within days by using a file system from the old annex.

Chairperson Nolan asked what the big picture was for storage. She further stated that there had been a discussion of changes.

Mr. Terrill stated that they had done an evaluation of the County buildings and there was nothing available at this time which would work for file storage. He further stated that they need about 10,000 square feet to house all the records of the County.

Chairperson Nolan stated that she saw the scope of the problem.

Clerk Byrum stated that she had been discussing the need for storage for many years. She stated that if she had been included in the discussion about the Justice Millage, she would have provided feedback for the need then.

Clerk Byrum stated that not only was safety of staff and records an issue, but security was a big issue too. She further stated that many of the vital records and election records included confidential information such as Social Security Numbers and that information needed to be protected.

Clerk Byrum stated that there was a need for a secure facility with proper climate control.

Chairperson Nolan stated that the County did not have a solution.

Mr. Terrill stated that there was not a permanent solution at this time. He further stated that there had not been the time to find solutions as they were extremely busy.

Commissioner Celentino stated that he remembered an email from Clerk Byrum about the millage possibly including storage. He further stated that either Mr. Terrill or Mr. Dolehantry had suggested that a standalone building may be built.

Mr. Terrill stated that the annex building needed to be demolished and it sat on a large, County-owned site which may be a location available for a new, stand-alone building.

Commissioner Naeyaert stated that she drove past that building often and wondered what the plan was for it.
Mr. Terrill stated that it was beyond repair and he had requested Capital Improvement Plan (CIP) funds to demolish it in years past.

Commissioner Naeyaert stated that it was a prime location but questioned why they should fix the current file storage if new storage would be provided soon. She further stated that this was a lot of money to spend.

Mr. Terrill stated that this system could be used even if a new storage facility was built as some other departments would still utilize the rolling storage in the Hilliard Building.

Clerk Byrum stated that she was not interested in continuing to use the Hilliard Building for file storage long-term, as everyone had file space and access to the file room. She further stated that this was a lot of money, but she had been warning of issues with storage for some six years.

Commissioner Naeyaert stated that this fix would not address security.

Clerk Byrum stated that perhaps a cage could be installed to create security which could help with security.

Mr. Terrill stated that today Tracy Smith, Clerical Services Supervisor, suggested an accordion gate could be added to the Hilliard Building storage space in order to make the storage area more secure and also meet the fire code requirements for egress.

Commissioner Naeyaert asked about the cost for that additional feature.

Mr. Terrill stated that there was no estimate at the time.

Chairperson Nolan stated that the Committee would like a report in two months, at the July Committee meeting, about a permanent storage solution.

Commissioner Grebner stated that there was an efficiency issue in addition to the safety issue. He further stated that at some point this would all be moot as digital storage was the future.

Ryan Buck, Chief Deputy County Clerk, stated that digital records were more likely to happen 15 years down the road, especially considering the cost involved in moving to digital records.

Commissioner Grebner stated that the need for files would disappear. He further stated that they had not discussed where the funding for this project would come from.

Commissioner Grebner stated that this reminded him of the water issue at the Courthouse because it had been fine, until it was not. He further stated that the County Facilities were antiquated and more would need to be replaced, it was only a matter of time.

Commissioner Grebner stated that the context to this issue was that the Board of Commissioners and the Controller needed to handle unexpected failures.
Commissioner Sebolt stated that these were not unexpected failures, because there were lots of little problems that had been ignored when they were minor orange flags until they became red flags.

Commissioner Grebner stated that one of the jobs of the Controller during the CIP budget was to address things that could not be ignored any longer. He further stated that occasionally things jumped ahead in line.

Commissioner Grebner stated that if the jail was examined, many problems would possibly be found.

Clerk Byrum stated that she would like to ask the Committee to support the resolution.

THE MOTION CARRIED UNANIMOUSLY.

8. Discussion of Employee Evaluations.

Chairperson Nolan stated that there were five employees that reported directly to the Board of Commissioners by statute: Bill Conklin, Road Department Director; Becky Bennett, Board of Commissioners Director; Doug Stover, Equalization Director; Tim Dolehan, Controller; and Linda Vail, Health Officer. She further stated that she had been an advocate for evaluations of all employees, but would like to start with the five Board of Commissioner employees.

Chairperson Nolan stated that she would like to suggest that the County Services Committee establish a small subcommittee to examine personnel.

Commissioner Grebner stated that he thought employee evaluations would be good, but he did not think that it would be a good idea for the Board of Commissioners to evaluate their own employees. He further stated that the Board of Commissioners had the power to fire their employees at any time.

Commissioner Grebner stated that he thought of other people who had been fired in the past, that right up until the moment they were fired, had good reviews and then the employee walked out with a large severance because of that.

Commissioner Grebner stated that elected bodies did not look at evaluations critically enough. He further stated that employees evaluating other employees worked better.

Commissioner Grebner stated that in theory, evaluations worked well but case studies did not show the same. He further stated that if it was legal do complete the evaluations anonymously it they may be more useful.

Chairperson Nolan stated that that former employee’s severance had been built into their contract.
Commissioner Hope stated that she agreed with Commissioner Grebner. He further stated that they had spent a lot of time a couple years ago on this and the question remained what the point was of the evaluations.

Chairperson Nolan stated that she thought it was a good practice to give employees feedback and it was a good employment practice. She further stated that she had never been a part of an organization that did not do any evaluations.

Chairperson Nolan stated that it was shocking that evaluations were not done for County employees.

Commissioner Celentino stated that it was a couple years ago that they had investigated this and the legal council had not thought that evaluations were a good idea. He further asked if the evaluations would be linked to anything such as merit pay.

Commissioner Celentino stated that there were a lot of different models of how to accomplish this. He further stated that he could see how it would be helpful for employees to be given a warning about what they were not doing well, but also how it might hurt the County if they had to terminate an employee with good evaluations.

Commissioner Celentino stated that Commissioner Grebner made a good point that many evaluations would be positive. He further stated that in the past, nothing had happened with this discussion.

Commissioner Naeyaert stated that the five positions under the Board of Commissioners were at-will, so there did not need to be any reason to terminate their employment. She further stated that when she sat on the Mason City Council, they had done an annual evaluation for an employee and the evaluations did serve a purpose.

Commissioner Naeyaert stated that this was not an easy process and it was uncomfortable but she thought that it was valuable. She further stated that it made sense to do something.

Discussion.

Commission Grebner stated that perhaps they could hire an outside person to evaluate the employee and present a report. He further stated that when he sat on the Capital Area Transportation Authority (CATA) Board, they had given him evaluations to fill out for the Director, but he had never turned one in.

Commissioner Grebner stated that when the CATA Director was fired, he was glad that he had never given an evaluation. He further stated that it would be a good idea for other County employees to be evaluated.

Commissioner Grebner stated that it may be difficult to implement evaluations for all County employees because of collective bargaining and 312 arbitration, and this may be a mine field. He further stated that this may be a fun mine field to pick through.
Commissioner Sebolt stated that he would support an annual third-party evaluation, as long as it was done on an annual basis. He further stated that he had no problem telling people what he thought when there were problems.

Commissioner Sebolt stated that as a constituent of the Board of Water and Light, he had taken the Board Members to task for their evaluations of an employee that were not accurate. He further stated that he thought evaluations were an accountability measure.

Commissioner Sebolt stated that if something went wrong and constituents asked why it was not caught, if the answer was because they had not chosen to do evaluations, he would expect to be thrown out of office. He further stated that evaluations were a way to ensure that what he had control over, was being run well.

Commissioner Sebolt stated that the Board of Commissioners had an obligation ensure what was under their purview was being run well. He further stated that it was owed to the people under their purview to let them know when things were not being run well and to be given the opportunity to change it.

Commissioner Sebolt stated that he thought this would need to be documented in order to say what was going wrong and how to improve it. He further stated that this would be an accountability measure.

Commissioner Celentino asked if Chairperson Nolan wanted a subcommittee.

Chairperson Nolan stated that the subcommittee was one idea, but she would entertain more ideas. She further stated that it would be made of Committee members who would volunteer their time.

Discussion.

Chairperson Nolan asked if anyone would like to be on the subcommittee. She further stated that Commissioner Sebolt, Naeyaert, and Nolan would be on the subcommittee.

Announcements

Commissioner Hope asked Mr. Dolehanity if any action had been taken on the parking ordinance for senior citizens at the Human Services Building.

Mr. Dolehanity stated that they were still looking at this issue. He further stated that an ordinance needed to be developed, and the policy would be reviewed by the County Attorney.

Commissioner Hope asked if there could be anything done at this time.

Mr. Dolehanity stated that the County could ask employees to not park there, but that County Employees had been told not to park in those spaces.
Commissioner Naeyaert stated that some people who parked in those spaces were County Employees.

Mr. Dolehantry stated that if he was provided their names, he would talk with them.

Commissioner Hope stated that it seemed more of an issue during tax season.

Commissioner Sebolt stated that the Equal Opportunity Commission had not been able to meet because of lack of quorum recently. He further stated that there were openings to the Equal Opportunity Commission and it would be helpful if the Committee members could encourage others to apply.

Public Comment

None.

Adjournment

The meeting was adjourned at 7:17 p.m.

BARB BYRUM, CLERK OF THE BOARD