

PERSONNEL/HUMAN SERVICES COMMITTEE

A G E N D A

TUESDAY, JANUARY 20, 2015

4:00 P.M.

COMMISSION CHAMBERS, FOURTH FLOOR, BAY COUNTY BUILDING

PAGE NO.	
	I CALL TO ORDER
	II ROLL CALL
1- 3	III MINUTES (12/16/14)
	IV PUBLIC INPUT
	V PETITIONS AND COMMUNICATIONS
4- 5	A. Bay County Sheriff - Blue Cross Blue Shield Inmate Service Contract Renewal (Seeking approval of renewal contract w/BCBS; authorization for Board Chair to sign; approval of required budget adjustments - proposed resolution attached)
6- 7	B. Bay County Fair Board - Fairgrounds Use in 2015 (Seeking approval of extension of current lease for 2015 for various events including 150th Fair & Youth Exposition; authorization for Board Chair to sign; approval of required budget adjustments - proposed resolution attached)
8-13	C. MSU Extension District Coordinator - Annual Plan of Work (Seeking approval of the 2015 Annual Plan of Work; authorization for Board Chair to sign required documents; approval of required budget adjustments - proposed resolution attached)
14-15	D. Health Director - Renewal of Mitchell and McCormick Licensure Agreement (Seeking approval of renewal agreement; authorization for Board Chair to sign; approval of required budget adjustments - proposed resolution attached)
16-18	E. Retirement Coordinator - Purchase of Other Government Service Credit by James Sommer (DWS) (Seeking approval of purchase of 2 years service credit by James Sommer from City of Essexville - proposed resolution attached)
	F. Personnel Director
19-20	1. Corporation Counsel - Second Position (Seeking authorization to fill the position of second attorney on an on-going basis, subject to annual review; approval of required budget adjustments - proposed resolution attached)
21-23 & 34	2. Vacancies (Seeking authorization to post/fill)
24	a. Sheriff Department - Marine Personnel: 5 Supervisors (\$12/hr) and 25 Marine Deputies (\$11/hr.)
25	b. 9-1-1 Central Dispatch - Dispatcher (ft, \$12.95/hr entry)
26	c. Health Department - Account Clerk IV (ft, \$15.81/hr. entry)
27-30	d. Buildings and Grounds - Two (2) Lead Painters (temporary approx. 6 months, \$15.46/hr.) and two (2) Assistant Painters (temporary approx. 6 months, \$13.09/hr.)
31	e. Information Systems Department - Network Application Specialist (ft, \$\$17.45/hr. entry)

f. Mosquito Control

- 32 1. Supervisor (ft (8 months working; 4 month layoff period), \$1,433.60/biweekly entry)
- 33 2. Thirty (30) Seasonal Field and/or Biology Technicians (Larviciding \$8.15/hr. 1st year - \$8.65/hr. 2nd year; Adulticiding \$10/hr. 1st year - \$10.50/hr 2nd year)

35-58 G. Division on Aging Abuse in Later Life Prevention Coordinator - Bay County Vulnerable Adult Protocol **(Seeking receipt and acceptance of attached Bay County Vulnerable Adult Protocol - proposed resolution attached)**

- VI REFERRALS
- VII UNFINISHED BUSINESS
- VIII NEW BUSINESS
- IX MISCELLANEOUS
- X ADJOURNMENT

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

PERSONNEL/HUMAN SERVICES COMMITTEE

MINUTES

MEETING OF THE PERSONNEL/HUMAN SERVICES COMMITTEE ON TUESDAY, DECEMBER 16, 2014, 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 Lutz.

Roll call:

MOTION NO.

COMMISSIONERS PRESENT		1	2	3	4	5	6	7	8	9	10	11
MICHAEL E. LUTZ, CHAIR	P	Y	Y	Y	Y	Y	Y					
DONALD J. TILLEY, VICE CHAIR	P	S/Y	S/Y	Y	M/Y	Y	Y					
MICHAEL J. DURANCZYK	P	Y	Y	Y	S/Y	S/Y	Y					
VAUGHN J. BEGICK	P	Y	Y	Y	Y	Y	Y					
KIM COONAN	P	Y	Y	S/Y	Y	MY	S/Y					
THOMAS C. HEREK	P	Y	Y	Y	Y	Y	Y					
ERNIE KRYGIER, EX OFFICIO												

MOTION NO.

COMMISSIONERS PRESENT		12	13	14	15	16	17	18	19	20	21	22
MICHAEL E. LUTZ, CHAIR												
DONALD J. TILLEY, VICE CHAIR												
MICHAEL J. DURANCZYK												
VAUGHN J. BEGICK												
KIM COONAN												
THOMAS C. HEREK												
ERNIE KRYGIER, EX OFFICIO												

MOTION NO.

COMMISSIONERS PRESENT		23	24	25	26	27	28	29	30	31	32	33
MICHAEL E. LUTZ, CHAIR												
DONALD J. TILLEY, VICE CHAIR												
MICHAEL J. DURANCZYK												
VAUGHN J. BEGICK												
KIM COONAN												
THOMAS C. HEREK												
ERNIE KRYGIER, EX OFFICIO												

OTHERS PRESENT: T.HICKNER, C.GIGNAC, T.QUINN, C.HEBERT, S.SWALRAVEN, D.RUSSELL, R.BRZEZINSKI, B.KRAUSE, T.ROEHR, J.STRASZ, L.OGAR, R.REDMOND, BAY 3 TV, D.BERGER

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

**PERSONNEL/HUMAN SERVICES COMMITTEE
MINUTES
TUESDAY, DECEMBER 16, 2014
PAGE 2**

MOTION
NO.

NOTE: In addition to these typed minutes, this Committee meeting was also video taped by Bay 3 TV and those tapes are available for review in the Administrative Services Department or can be viewed on Bay County's website www.baycounty-mi.gov/executive/videos.

- 1** **MOVED, SUPPORTED AND CARRIED TO APPROVE THE MINUTES OF THE OCTOBER 21, 2014 PERSONNEL/HUMAN SERVICES COMMITTEE MEETING AS PRINTED.**

Public input was called with no one expressing a desire to address the Committee.

- 2** **MOVED, SUPPORTED AND CARRIED TO RECOMMEND BOARD APPROVAL OF THE PROPOSED RESOLUTION RE INDEPENDENT CONTRACTOR AGREEMENT W/TAMMY J. HILL (HEALTH DEPT.).**

When questioned as to the monies paid to Ms. Hill in 2014, Joel Strasz, Health Director, responded that while he didn't have the figures with him, it was approximately \$19,000 to \$20,000, Ms. Hill works approx. 8-9 hrs. per week.

Vacancies were next on the agenda. It was

- 3** **MOVED, SUPPORTED AND CARRIED TO RECOMMEND BOARD APPROVAL TO POST/FILL AN ON-CALL DRIVER POSITION IN THE DIVISION ON AGING.**

- 4** **MOVED, SUPPORTED AND CARRIED TO RECOMMEND BOARD APPROVAL TO POST/FILL A TEMPORARY ACCOUNT CLERK II VACANCY IN THE TREASURER'S OFFICE.**

- 5** **MOVED, SUPPORTED AND CARRIED TO RECOMMEND BOARD APPROVAL TO POST/FILL A FULL TIME TRANSPORTATION PLANNER/GEOGRAPHIC INFORMATION SYSTEM TECHNICIAN IN ENVIRONMENTAL AFFAIRS/ COMMUNITY DEVELOPMENT.**

-2-

**PERSONNEL/HUMAN SERVICES COMMITTEE
MINUTES
TUESDAY, DECEMBER 16, 2014
PAGE 3**

MOTION
NO.

There being no further business, it was

6 MOVED, SUPPORTED AND CARRIED TO ADJOURN (4:06 P.M.)

Submitted by:

Deanne Berger

**Deanne Berger
Board Coordinator**

John E. Miller
Sheriff Of Bay County

Troy Cunningham
Undersheriff

Troy A. Stewart
Jail Administrator



TO: Michael E. Lutz, Chairperson
Personnel/Judicial Committee

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

DATE: January 13, 2015

RE: Blue Cross / Blue Shield Contract Renewal for Inmate Services

BACKGROUND: Bay County has contracted with Blue Cross/Blue Shield (BCBS) in past years for an inmate Administrative Services Contract. The BCBS contract provides for certain medical coverage to county inmates while incarcerated. The BCBS program helps to defer medical expenses that would be otherwise incurred to the county. The BCBS contract is up for renewal May 2015- April 2016 and requires the Boards' support to continue their services.

FINANCE/ECONOMINCS: Funds are available in the County's 2015 budget year to continue BCBS inmate Administrative Services Contract (ASC). The ASC administrative charge, which represents cost paid by the county is 11%, remains the same as last year.

RECOMMENDATION: I am requesting the committee's approval and authorizations to continue the agreement with BCBS/ASC for the period of May 2015 to April 2016 and conduct necessary budget adjustments when required.

CC: Deanne Berger, BOC
Kim Priessnitz, Finance Supervisor
Amber Johnson, Corp, Counsel
Undersheriff, Troy Cunningham
Jail Administrator Troy Stewart
File Copy

Enclosure-1

Ls/P&J.BCBS-15renewal

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BAY COUNTY BOARD OF COMMISSIONERS

2/10/2015

RESOLUTION

BY: PERSONNEL/HUMAN SERVICES COMMITTEE (1/20/15)

WHEREAS, Bay County has contracted with Blue Cross/Blue Shield (BCBS) in past years for an Inmate Administrative Services Contract; and

WHEREAS, BCBS provides certain medical coverage to county inmates while incarcerated and the BCBS program helps to defer medical expenses that would otherwise be incurred by Bay County; and

WHEREAS, The BCBS contract is up for renewal for the period May 2015 to April 2016; and

WHEREAS, Funds are included in the 2015 budget to continue BCBS coverage and the administrative service charge, which represents cost paid by Bay County, is 11%, the same as 2014; Therefore, Be It

RESOLVED That the Bay County Board of Commissioners approves the Inmate Administrative Services Contract between Bay County (Sheriff Department) and Blue Cross Blue Shield for the period May 2015 thru April 2016 and authorizes the Chairman of the Board to execute said Contract on behalf of Bay County following legal review/approval; Be It Finally

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

MICHAEL E. LUTZ, CHAIR
AND COMMITTEE

Sheriff - BXBS Inmate Services Contract - 2015-2016

MOVED BY COMM. _____

SUPPORTED BY COMM. _____

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
MICHAEL J. DURANCZYK				KIM J. COONAN				MICHAEL E. LUTZ			
ERNIE KRYGIER				THOMAS M. HEREK							
VAUGHN J. BEGICK				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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800 Livingston * P.O. Box 633
Bay City, MI 48707-633
(Office) 989-895-3744
baycountyfair@yahoo.com

January 12, 2015

Mr. Michael Lutz
Human Services Committee
Bay County Board of Commissioners
515 Center Ave
Bay City MI 48708

Dear Mr. Lutz:

The Bay County Fair & Youth Exposition is requesting to extend our lease for 2015. We have been busy planning our 2015 community events, along with hosting the 150th Bay County Fair & Youth Exposition. Our Board of Directors is very committed to continue showcasing the youth of Bay County, while providing family friendly events for the community to enjoy. The following is a list of proposed events and dates:

Grandstands, Race Track, Bathrooms & Grounds

April 18, May 23, June 27, July 11, September 25 & 26, October 24

Horse Riding Arenas, Horse Barn, Camping, Bathrooms & Showers

Dates are not set. Will inform Beth Trahn as soon as they are finalized.

Canteen Building

Saturday, March 21 – Tack Sale

Friday, July 31 through Sunday, August 9 – Bay County Fair – still exhibits

Livestock Barn, Horse Barn, Camping, Bathrooms & Showers, Grounds, Horse Arenas, Grandstands and Race Track

July 26 – August 15 for The Bay County Fair & Youth Exposition – one week prior and one week after the event.

Please feel free to contact me if you have any questions regarding the proposed dates and events.

Sincerely,

Mary Jo Brandt

Mary Jo Brandt, President

989-859-8673 - cell

Cc: Tom Hickner, Jon Morse, Amber Johnson, Beth Trahan

BAY COUNTY BOARD OF COMMISSIONERS

2/10/2015

RESOLUTION

BY: PERSONNEL/HUMAN SERVICES COMMITTEE (1/20/15)
 WHEREAS, The Bay County Fair Board is desirous of extending their current lease for 2015 for the Bay County Fairgrounds and utilizing the Fairgrounds on several dates for various events including the 150th Bay County Fair scheduled for July 26 - August 15 which includes one week prior and one week after the Fair; and
 WHEREAS, The following dates are requested:

Grandstands, Race Track, Bathrooms & Grounds

- April 8
- May 23
- June 27
- July 11
- September 25 & 26
- October 24

Horse Riding Arenas, Horse Barn, Camping, Bathrooms & Showers

Dates not set. Beth Trahan will be notified when finalized.

Canteen Building

- Saturday, March 21 - Tack Sale
- Friday, July 31 through Sunday, August 9 - Bay County Fair - still exhibits

**Livestock Barn, Horse Barn, Camping, Bathrooms & Showers Grounds
 Horse Arenas Grandstands and Race Track**

July 26 — August 15 for The Bay County Fair & Youth Exposition — one week prior and one week after the event.

- RESOLVED By the Bay County Board of Commissioners approves extension of the Lease with the Bay County Fair Board for 2015; Be It Further
- RESOLVED That the Bay County Fair Board is granted use of the Bay County Fairgrounds for the dates outlined above contingent upon compliance with all requirements outlined in the Fair Board lease including provision of required financial reports; Be It Further
- RESOLVED That related budget adjustments, if required, are approved.

MICHAEL E. LUTZ, CHAIR
 AND COMMITTEE

Fair Board - Fair Grounds Use for 2015
 MOVED BY COMM. _____

SUPPORTED BY COMM.

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
MICHAEL J. DURANCZYK				KIM J. COONAN				MICHAEL E. LUTZ			
ERNIE KRYGIER				THOMAS M. HEREK							
VAUGHN J. BEGICK				DONALD J. TILLEY							

VOTE TOTALS:
 ROLL CALL: YEAS _____ NAYS _____ EXCUSED _____
 VOICE: YEAS _____ NAYS _____ EXCUSED _____

DISPOSITION: ADOPTED _____ DEFEATED _____ WITHDRAWN _____
 AMENDED _____ CORRECTED _____ REFERRED _____

To: Ernie Krygier, Chair
Bay County Board of Commissioners

From: Deanna East, MSU Extension District Coordinator

Date: January 6, 2015

Subject: Annual Plan of Work agreement between the County of Bay and MSU Extension

Request:

Seeking approval of the Annual Plan of Work agreement between the County of Bay and MSU Extension.

Background:

MSU Extension has created an Annual Plan of Work between MSU and Michigan counties for delivery of MSU Extension Programs. The Annual Plan of Work specifies access to the full range of Extension's statewide programs offered by the four Extension programming Institutes and set each county's share of the costs of maintaining the network of Extension Educators.

The county assessment is paid to MSU Extension through quarterly payments for the following purposes:

- Operating costs (travel, communications, office expenses) for MSUE funded Educators
- Coordination of 4-H program in the county
- Operating costs for 4-H program in county

The base assessment for Bay County is \$65,864.24. Bay County will receive a \$58,350 credit towards this assessment due to the 4-H Program Coordinator being a Bay County staff member and salary/fringe and operating is paid by Bay County. The assessment and the credit are reflected in the Annual Plan of Work (\$65,864.24 county assessment - \$58,350 credit = \$7,514.24).

In addition to the county assessment of \$7,514.24, which covers Extension Educator staff outlined, the agreement also reflects 50% of the Family Consumer Science Extension Educator salary and fringe (\$45,940).

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MSU EXTENSION

515 Center Avenue
301
Bay City, MI 48709

989-895-4026
Fax: 989-895-4217
www.msue.msu.edu

Recommendation:

I am requesting approval of the Board of Commissioners for the Annual Plan of Work between County of Bay and MSU Extension.

CC: Tom Hickner, Tim Quinn, Bob Redmond

Tamara Harris, MSU Extension

**Agreement for Extension Services provided by
Michigan State University to BAY County
Annual Work Plan FY 2015 (Exhibit A)**

A. Specific Contributions by MSUE:

- At least 1.0 FTE Extension Educator whose primary office of operations will be the county Extension office is included in the assessment, unless otherwise agreed to by the county
- .5 FTE - Extension educators. Please indicate the area(s) of Expertise:
- 1.0 FTE - 4-H program coordinator(s).
- _____ FTE - Additional 4-H program coordinators/other paraprofessional.
- _____ FTE – Support Staff
- _____ FTE- Other Staff to be included Agreement for Extension Services. Please indicate title and rank
- Administrative oversight included in annual assessment.
- Access to Extension Educators with expertise in each of the MSUE Institutes included in annual assessment.
- Supervision of University provided academic and paraprofessional staff. Supervision of county clerical staff and/or county staff upon request. Supervision is included in the annual assessment.
- Annual reporting of services provided, audiences served, and impact of programs in the county.
- **Specific Contributions by the County:**
 - Office space for a County Extension office. The office will include space for at least one Extension educator, one 4-H program coordinator and one clerical staff person, access to space for delivering Extension programs, and utilities, including telephone. Office space will be available for additional MSUE and/or county staff as mutually agreed. The office must be provided high-speed internet sufficient to meet the needs of MSUE Personnel. Minimum standards for internet access can be found in Appendix A. The office space must be at least comparable to the average office space used by County employees.
 - Clerical staff for the Extension office that will perform clerical functions, including assisting county residents in accessing MSUE resources by office

visit, telephone, email, internet and media. This can be a county employee or the county can contract with MSU for their services.

- General operating expenses for the office and non-MSU Personnel.
- The Assessment Fee and costs for additional personnel, as described above in Section A. If MSUE receives at least a 2% increase in appropriations from the State of Michigan (SOM), the County will be given a 3% credit, thereby leaving the assessment at the 2014 level.

• **Assessment to County:**

MSU Cost of Services		\$	71279.60
MSUE Credit to county		minus	5415.36
2015 TOTAL Assessment		\$	65864.24
ADDITIONAL PERSONNEL			
• Educator .5			45,940
• 4-H Program Coordinators			0
• Additional 4-H program coordinators/other paraprofessional			0
• Support Staff			0
• Credit to Bay County		-58,350	-58,350
TOTAL COUNTY PAYMENT FOR 2015			\$53,454.24

For the period, January 1, 2015 to December 31, 2015, BAY County shall pay to MSUE \$53,454.24, which is the cost of the assessment (minus the credit) plus any additional personnel costs. Payment will be made the first month of each quarter of the county fiscal year. Payments should be sent to

MSUE Extension Budget Office

446 W. Circle Dr.

160 Agriculture Hall

East Lansing, MI 48824

MICHIGAN STATE UNIVERSITY

BAY COUNTY

By: _____

Daniel T. Evon, Director,
Contract & Grant Administration

By: _____

Title: _____

Date: _____

Date: _____

BAY COUNTY BOARD OF COMMISSIONERS

2/10/2015

RESOLUTION

BY: PERSONNEL/HUMAN SERVICES COMMITTEE (1/20/15)

WHEREAS, MSU Extension has created an Annual Plan of Work Agreement between MSU and Michigan counties for delivery of MSU Extension Programs which specifies access to the full range of Extension's statewide program offered by the four Extension programming Institutes and sets each county's share of the costs of maintaining the network of Extension Educators; and

WHEREAS, The county assessment is paid to MSU Extension through quarterly payments for the following purposes:

- Operating costs (travel, communications, office expenses) for MSUE funded educators
- Coordination of 4-H program in the County
- Operating costs for 4-H program in County

WHEREAS, The base assessment for Bay County is \$65,864.24 and Bay County will receive a \$58,350 credit towards this assessment due to the 4-H Program Coordinator being a Bay County staff member and salary/fringe and operating is paid by Bay County with a net assessment to Bay County of \$7,514.24; and

WHEREAS, In addition to the county assessment of \$7,514.24, which covers Extension Educator staff outlined, the Agreement also reflects 50% of the Family Consumer Science Extension Educator salary and fringe benefits (\$45,940); and

WHEREAS, Funds have been included in the 2015 Bay County budget to cover the assessment; Therefore, Be It

RESOLVED That the Bay County Board of Commissioners approves the Annual Plan of Work Agreement between the County of Bay and MSU Extension and authorizes the Chairman of the Board to execute said Agreement and related documents on behalf of Bay County following legal review/approval; Be It Further

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

MICHAEL E. LUTZ, CHAIR
AND COMMITTEE

MSUE - Annual Plan of Work 2015

MOVED BY COMM. _____

SUPPORTED BY COMM. _____

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
MICHAEL J. DURANCZYK				KIM J. COONAN				MICHAEL E. LUTZ			
ERNIE KRYGIER				THOMAS M. HEREK							
VAUGHN J. BEGICK				DONALD J. TILLEY							

VOTE TOTALS:
 ROLL CALL: YEAS _____ NAYS _____ EXCUSED _____
 VOICE: YEAS _____ NAYS _____ EXCUSED _____

DISPOSITION: ADOPTED _____ DEFEATED _____ WITHDRAWN _____
 AMENDED _____ CORRECTED _____ REFERRED _____



Thomas L. Hickner
Bay County Executive



Joel R. Strasz
Public Health Director

1200 Washington Avenue
Bay City, Michigan 48708

(989) 895-4003
FAX (989) 895-4014
TDD (989) 895-4049
www.baycounty-mi.gov/Health

TO: Michael Lutz, Chairperson, Personnel/Human Services Committee
FROM: Joel R. Strasz, Health Director
DATE: January 14, 2015
CC: Tom Hickner, Amber Johnson, Crystal Hebert, Kim Priessnitz, Shawna Walraven, Mark Pickell
RE: Renewal of Mitchell and McCormick Licensure Agreement

BACKGROUND: The Bay County Health Department currently utilizes Virtual Health Network, a practice management and electronic medical records software from Mitchell and McCormick in its daily clinical operations, and has done so since 2009. The current contract to maintain the software and have the health department as licensed user expires soon and needs to be renewed.

FINANCE AND ECONOMICS: Funds for software maintenance and training are already budgeted to the Health Department.

RECOMMENDATION: Upon favorable review by Corporation Counsel, the Health Department recommends approval for signature of the Board Chair to this agreement.

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BAY COUNTY BOARD OF COMMISSIONERS

2/10/2015

RESOLUTION

BY: PERSONNEL/HUMAN SERVICES COMMITTEE (1/20/15)
 WHEREAS, Since 2009, the Bay County Health Department has utilized Virtual Health Network, a practice management and electronic medical records software from Mitchell and McCormick in its daily clinical operations and the current contract to maintain the software and to have the Health Department as licensed user requires renewal; and
 WHEREAS, Funds for software maintenance and training are included in the 2015 Health Department budget; Therefore, Be It
 RESOLVED That the Bay County Board of Commissioners approves renewal of the Mitchell and McCormick Licensure Agreement and authorizes the Chairman of the Board to execute said document on behalf of Bay County (Health Department); Be It Further
 RESOLVED That related, required budget adjustments are approved.

MICHAEL E. LUTZ, CHAIR
 AND COMMITTEE

Health Dept - Mitchell & McCormick Licensure Agreement Renewal - 2015

MOVED BY COMM. _____

SUPPORTED BY COMM. _____

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
MICHAEL J. DURANCZYK				KIM J. COONAN				MICHAEL E. LUTZ			
ERNIE KRYGIER				THOMAS M. HEREK							
VAUGHN J. BEGICK				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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BAY COUNTY EMPLOYEES' RETIREMENT SYSTEM
BAY COUNTY VOLUNTARY EMPLOYEES' BENEFICIARY ASSOCIATION

BAY COUNTY BUILDING
515 CENTER AVENUE
BAY CITY, MICHIGAN 48708-5128

Thomas L. Hickner
Bay County Executive

Crystal Hebert
Finance Officer/Secretary

BOARD OF TRUSTEES
Steven Gray, Chairperson
Richard Brzezinski
Kim Coonan
Richard Gromaski
Tom Herek
Jon Morse
Matthew Pell
Thomas Starkweather
Kristal Goetz

ADMINISTRATIVE STAFF
Tiffany Jerry
Rebecca Marsters
(989) 895-4043
TDD (989) 895-4049
FAX (989) 895-4039

DATE: January 7, 2015

TO: Deanne Berger

FROM: Rebecca Marsters

RE: Other Governmental Service Time - James Sommer, Dept. of Water and Sewer

Enclosed you will find the request from James Sommer to purchase other governmental service time of two (2) years and zero (0) months. *CITY OF ESSEXVILLE.*

I have all of the required documents needed to process this request.

If you have any questions please feel free to contact me.

January 3rd, 2015

Personnel Committee:

I, James Sommer, an employee of, Bay County Department of Water and Sewer, would like to request to purchase other governmental service 7/1999 through 6/2001.

I have submitted all of the required documents to Rebecca Marsters, Retirement Administrator.

Thank you for your consideration of this request to purchase other governmental service credit.

James C. Sommer



BAY COUNTY BOARD OF COMMISSIONERS

2/10/2015

RESOLUTION

BY: PERSONNEL/JUDICIAL COMMITTEE (1/20/15)

RESOLVED By the Bay County Board of Commissioners that pursuant to its resolution no. 96-331- OTHER GOVERNMENTAL SERVICE CREDIT FOR RETIREMENT - adopted December 17, 1996, authorization is granted for James Sommer (Department of Water and Sewer) to purchase up to two (2) years and zero (0) months from the City of Essexville, for retirement purposes in accordance with all terms and conditions contained in resolution no. 96-331, contingent upon confirmation of governmental service credit from Social Security Administration.

MICHAEL E. LUTZ, CHAIR AND COMMITTEE

Retirement - GovtServCredit-James Sommer

MOVED BY COMM. _____

SUPPORTED BY COMM. _____

Table with 12 columns: COMMISSIONER, Y, N, E, COMMISSIONER, Y, N, E, COMMISSIONER, Y, N, E. Rows include names like MICHAEL J. DURANCZYK, ERNIE KRYGIER, VAUGHN J. BEGICK, KIM J. COONAN, THOMAS M. HEREK, DONALD J. TILLEY, and MICHAEL E. LUTZ.

VOTE TOTALS: ROLL CALL: YEAS _____ NAYS _____ EXCUSED _____ VOICE: YEAS _____ NAYS _____ EXCUSED _____ DISPOSITION: ADOPTED _____ DEFEATED _____ WITHDRAWN _____ AMENDED _____ CORRECTED _____ REFERRED _____

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**BAY COUNTY
PERSONNEL DEPARTMENT**

Tim Quinn, Director
quinnt@baycounty.net
(989) 895-4098 (T)
(989) 895-2076 (F)

Thomas L. Hickner
County Executive

Tiffany Jerry, Payroll/Benefits Supervisor
jerryt@baycounty.net
(989) 895-4032 (T)
(989) 895-2076 (F)

Rebecca Marsters, Retirement Administrator/Accountant
marstersr@baycounty.net
(989) 895-4043 (T)
(989) 895-2076 (F)

To: Michael Lutz, Chair, Personnel/Human Services

From: Tim Quinn, Director of Personnel and Employee Relations

Jeanie Deckert, Wellness Coordinator
deckertj@baycounty.net
(989) 895-4087 (T)
(989) 895-2076 (F)

Date: December 10, 2014

Re: Corporation Counsel 2nd position

Becky Smutek, Payroll Clerk
smutekb@baycounty.net
(989) 895-4044 (T)
(989) 895-2076 (F)

Request

The Board of Commissioners, in the adoption of Resolution 2014-62, approved the filling of a second position for Corporation Counsel, with the position to be evaluated at the end of one year. I submit that such evaluation is complete and sufficient to request that the Board fill the position of the second attorney on an ongoing basis, subject to the annual budgetary review of all positions.

Background

In a separate letter to the Ways and Means Committee on November 24, 2014, I detailed the progress and achievement of Corporation Counsel since May 1, 2014, when the second attorney was added. Additionally, we have prepared additional financial information to be provided to the Personnel/Human Services Committee and the Financial Analyst at the December Personnel meeting. It is apparent that this was a good business decision: cost reduction, cost recovery, cost avoidance, increased customer service with better throughput and transparency, all indicate that this is an effective method of delivering legal services for the County.

Finances

Although this would require a budget adjustment in 2015, it is not an increase from the 2014 current staffing.

Recommendation

Send to the Board of Commissioners for approval and necessary budget adjustments.

Thank you for your consideration.

cc: Tom Hickner, Amber Johnson, Crystal Hebert, Kim Priessnitz

BAY COUNTY BOARD OF COMMISSIONERS

2/10/2015

RESOLUTION

BY: PERSONNEL/HUMAN SERVICES COMMITTEE (1/20/15)

WHEREAS, On April 8, 2014, the Bay County Board of Commissioners, via Resolution No. 2014-62, authorized filling a second position for Corporation Counsel, said position to be evaluated at the end of one year; and

WHEREAS, The Director of Personnel and Employee Relations has completed the evaluation and is recommending that the Board of Commissioners fill the position of the second attorney on an ongoing basis, subject to the annual budgetary review of all positions; and

WHEREAS, Based on the progress and achievement of Corporation Counsel since May 1, 2014 when the second attorney was added and the progress reports provided, it is apparent the addition of the second attorney was a good business decision based on cost reduction, cost recovery, cost avoidance, and increased customer service with better throughput and transparency, all indicating that this is an effective method of delivery legal services for the County; and

WHEREAS, Additional funding will be required for the 2015 budget, however, this is not an increase from the 2014 staffing; Therefore, Be It

RESOLVED That the Bay County Board of Commissioners approves the second position for Corporation Counsel on an ongoing basis, subject to the annual budgetary review of all positions, and appropriates the funding necessary for the position in the 2015 budget; Be It Further

RESOLVED That related required budget adjustments are approved.

MICHAEL E. LUTZ, CHAIR AND COMMITTEE

Corporation Counsel - Second Attorney Position

MOVED BY COMM. _____

SUPPORTED BY COMM. _____

Table with 12 columns: COMMISSIONER, Y, N, E, COMMISSIONER, Y, N, E, COMMISSIONER, Y, N, E. Rows include names like MICHAEL J. DURANCZYK, KIM J. COONAN, ERNIE KRYGIER, THOMAS M. HEREK, VAUGHN J. BEGICK, DONALD J. TILLEY, and MICHAEL E. LUTZ.

VOTE TOTALS: ROLL CALL: YEAS _____ NAYS _____ EXCUSED _____ VOICE: YEAS _____ NAYS _____ EXCUSED _____

DISPOSITION: ADOPTED _____ DEFEATED _____ WITHDRAWN _____ AMENDED _____ CORRECTED _____ REFERRED _____



**BAY COUNTY
PERSONNEL DEPARTMENT**

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quinn@baycounty.net
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(989) 895-2076 (F)

Thomas L. Hickner
County Executive

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(989) 895-2076 (F)

Jeanie Deckert, Wellness Coordinator
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(989) 895-2076 (F)

Becky Smutek, Payroll Clerk
smutekb@baycounty.net
(989) 895-4044 (T)
(989) 895-2076 (F)

To: Michael Lutz, Chair, Personnel/Human Services Committee

From: Tim Quinn, Director of Personnel and Employee Relations *sq*

Date: January 14, 2015

Re: Personnel/Human Services Committee Agenda

Thank you for considering the following items for the agenda of your committee meeting scheduled for January 20, 2015.

1. Request: Sheriff Miller has submitted a request to hire Marine Personnel-DNR Grant positions for 2015: Five Supervisors and twenty-five (25) Marine Deputies.

Background: Each year the Bay County Sheriff's Office participates in the Marine Safety Grant Program offered through the Michigan Department of Natural Resources & Environment. This grant provides funding for equipment as well as other expenditures used for boater safety education and enforcement in Bay County. The Marine Safety Grant provides for Marine patrols during each boating season in Bay County.

Finance/Economics: Supervisors are paid \$12 per hour and the Deputies are paid \$11 per hour. The DNRE agrees to reimburse Bay County a sum of money equal to 75% of total eligible costs for operation of the Marine Safety Program, but not to exceed the grant allocation of \$22,000. A total match of at least 25% of total eligible costs is required for the reimbursement. The Marine Safety Grant has been approved in the 2015 budget.

Recommendation: Refer to the full Board for approval as well as authorize the Finance Department to make any required budget adjustments and expenditures.

2. Request: Chris Izworski has submitted a request to hire a 9-1-1 Dispatcher.

Background: Effective January 24, 2015, there will be a vacancy due to the separation of a 9-1-1 Dispatcher.

- Finance/Economics: Funds exist within the current existing budget. This is a full-time position with benefits in the Dispatchers' union (GELC). Rate of pay is \$12.95 per hour progressing to \$17.57 per hour after four years.
- Recommendation: Refer to the full Board for approval to fill.
3. Request: Please refer to the attached request to hire seasonal staff submitted by Tom Putt, Bay County Mosquito Control.
4. Request: Joel Strasz has submitted a request to post and fill a full-time Account Clerk IV vacancy in the Fiscal Division of the Health Department.
- Background: Employee was promoted to a different position at the Health Department in December, 2014.
- Finance/Economics: Full-time USW position with benefits. Rate of pay is \$15.81 per hour entry, progressing to \$18.80 per hour after two years (TU08). Funds exist within the current existing budget.
- Recommendation: Refer to the full Board for approval to fill.
5. Request: I am in receipt of a request to post and fill two temporary Lead Painter and two temporary Assistant Painter positions with the Building and Grounds division.
- Background: The County lost the full-time Painter position in December of 2010. The requests and need for painting still continues. Building and grounds supervisors have assembled a list of painting projects for many of the county facilities and have attached it to this letter.
- Finance/Economics: These are temporary, part-time positions with no benefits for approximately 6 months. Lead Painters will be paid at \$15.46 per hour and the Assistant Painters will be paid \$13.09 per hour. Funds exist within the current existing budget.
- Recommendation: Refer to the full Board for approval to fill.
6. Request: Julie Coppens has submitted a request to post and fill a full-time position with the Information Systems Division.
- Background: Public safety is a 24x7 mobile operation. Technology is expanding communications and additional support is necessary to ensure these operations are online all hours of the day and night. In order to effectively provide this service, additional technical support is required. This position will assist with the NG911 phone system, mobile data computers and various other public safety/ISD projects.

Finance/Economics: Funds were approved for this position in the 2015 budget. This is a full-time position with benefits as provided for within the USW full-time labor agreement. Rate of pay is \$17.45 per hour entry, progressing to \$20.79 per hour after two years (TU09).

Recommendation: Refer to the full Board for approval to fill.

If you have any questions concerning these items, please feel free to contact me.

TQ/mr

Encl.

cc: Tom Hickner
Deb Russell
Crystal Hebert
John Miller
Chris Izworski
Laura Ogar
Tom Putt
Joel Strasz
Wanda Behmlander
Cristen Gignac
Jon Morse
Julie Coppens

John E. Miller
Sheriff Of Bay County

Troy Cunningham
Undersheriff

Troy A. Stewart
Jail Administrator



TO: Tim Quinn, Personnel Director
FROM: Sheriff John E. Miller *John E. Miller*
DATE: January 8, 2015
SUBJECT: 2015 Marine Personnel – DNR Grant Positions

BACKGROUND:

Each year the Bay County Sheriff's Office participates in the Marine Safety Grant Program offered through the Michigan Department of Natural Resources & Environment. This grant provides funding for equipment as well as other expenditures used for boater safety education and enforcement in Bay County. The Marine Safety Grant provides for Marine patrols during each boating season in Bay County. I am requesting five Supervisors at the rate of \$12.00 per hour and twenty-five (25) marine deputies at the rate of \$11.00 per hour.

FINANCE/ECONOMICS:

The DNRE agrees to reimburse Bay County a sum of money equal to 75% of total eligible costs for operation of the Marine Safety Program, but not to exceed our grant allocation of \$22,000.00. A total match of at least 25% of total eligible costs is required for this reimbursement. The Marine Safety Grant has been approved in the 2015 Budget Year.

RECOMMENDATION:

I am requesting approval of the Board of Commissioners to participate in this program as well as authorize the Finance Department to make any required budget adjustments and expenditures.

CC: Undersheriff Troy R. Cunningham
Personnel/Human Services, Michael E. Lutz, Chairman
Deanne Berger, B.O.C.
Crystal Hebert, Finance Director
Kim Priessnitz, Assistant Finance Officer
Personnel Department, Michele Reilly (10133100-70500)

Is/Personnel.MarinePTpositions2015

Phone: (989) 895-4050

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

Fax: (989) 895-4058



-24-



BAY COUNTY

911 Central Dispatch

(989) 895-4051 • FAX (989) 892-3744

1228 Washington Ave., Bay City MI 48708

Chris Izworski
Director

Thomas L. Hickner
Bay County Executive

To: Michael *Lutz*, Chairman of the Personnel/Human Services Committee

From: Christopher Izworski, 9-1-1 Director

Date: January 8, 2015

Subject: 9-1-1 Dispatcher Vacancy

Request: That the Committee and Board authorize 9-1-1 to hire one 9-1-1 dispatcher.

Background: Effective January 24th, there is a vacancy due to the separation of a 9-1-1 Dispatcher.

Finance/Economics: 9-1-1 Central Dispatch is budgeted to fill the 9-1-1 dispatcher position.

Recommendation: 9-1-1 recommends approval of hiring one new 9-1-1 dispatcher.

-25-



Thomas L. Hickner
Bay County Executive



Joel R. Strasz
Public Health Director

1200 Washington Avenue
Bay City, Michigan 48708

(989) 895-4003
FAX (989) 895-4014
TDD (989) 895-4049
www.baycounty-mi.gov/Health

TO: Tim Quinn, Personnel Director & Corporation Counsel
FROM: Joel R. Strasz, Health Director
DATE: January 14, 2015
CC: Michele Reilly, Mark Pickell, Kathleen Janer, Melissa Maillette
RE: Position Request

Request: I would like to request permission to post a full-time Account Clerk IV in the Fiscal Division of the Health Department.

Finance/Economics: The position is currently budgeted. No additional general funds are necessary.

Recommendation: Please refer to the full board for approval, so that the position may be filled expediently.



THOMAS L. HICKNER
Bay County Executive

JON M. MORSE
Supervisor, Buildings & Grounds

RICHARD C. PABALIS
Project Manager, Buildings &
Grounds

TO: MICHAEL LUTZ
CHAIRMAN, PERSONNEL/HUMAN SERVICES

FROM: JON MORSE *JM*
SUPERVISOR OF BUILDINGS & GROUNDS

RICHARD PABALIS *RP*
PROJECT MANAGER, BUILDINGS & GROUNDS

BAY COUNTY BUILDING
515 Center Avenue, G-101.
Bay City, MI 48708

Phone: 989.895.4097
Fax: 989.895.4222
TDD: 989.895.4049
(Hearing Impaired Line)

DATE: JANUARY 14, 2015

RE: TEMPORARY PAINTERS

REQUEST:

Approve hiring two (2) temporary Lead Painters and two (2) temporary Assistant Painters to complete painting projects identified in numerous County facilities. We estimate they will be needed for approximately 6 months.

BACKGROUND:

The County lost the full time Painter position in December of 2010. The requests and need for painting still continues. We have assembled a list of painting projects for many of our facilities and have attached it for your review. We feel that two, 2-person crews can complete all or most of the requests within approximately 6 months. Two painting crews can also split up and paint in different buildings. They can work as a team on bigger projects such as painting the rental Hall at the Fairgrounds, stairwells at County building and at the Civic Arena.

ECONOMICS:

Funds were approved for these positions in the 2015 budget. We will not exceed budgeted funds. We anticipate having crews on for approximately 6 months at no more than 29 hours per week per person.

2 - Lead Painters @ \$15.46
2 - Asst. Painters @ \$13.09

RECOMMENDATION:

Approve hiring two (2) Lead Painters and two (2) Assistant Painters to help catch up on all of the painting projects throughout all County facilities.

Cc: Cristen Gignac
Crystal Hebert
Tim Quinn
Tom Hickner

REQUIRED PAINTING PROJECTS

updated 1/14/15

IN ORDER OF PRIORITY BY BUILDING

#1 - COUNTY BUILDING-DEPARTMENTS:

DAYS to Complete

- Ground floor Great Room –entire offices; 3- completed
- Ground floor 3 Public Restrooms; 2 completed
- Ground floor Mallroom (2 rooms); 2
- Basement floor-Boiler/Generator rooms; 4
- 1st floor Treasurer’s back vault area; 2
- 2nd floor South lobby; 3
- 2nd floor Veteran’s offices; 3
- 3rd floor North lobby/North offices 7
- 4th floor North lobby; 3
- Restrooms by Executive’s office; 2
- 4th floor copy/break room; 1 completed
- 4th floor ceiling in small conference room; 1
- 5th floor lobby ceiling and all windows; 2
- 5th floor break room; 1
- 5th floor Environmental all offices; 5
- 5th floor East window areas; 2
- 6th floor lobby & window wells; 2
- 6th floor Drain Commissioner’s office & window wells; 5
- 6th floor North file room ceiling; 2
- 6th floor Equalization office & several offices; 6
- 7th floor entire North & South floor; 15 completed
- 8th floor ISD Director’s office; 4
- 8th floor Conference Room & Offices; 6
- 8th floor War Room; 2
- Entire stair-wells in County Building. 40

TOTAL -104

#2 - JUVENILE HOME:

- North end of building, including all classrooms, gymnasium, & North Pod areas; 5
- Employee break room and adjoining 2 restrooms; 10
- Entrance way and stairwell to 2nd floor; 2
- Entrance way and stairwell to 2nd floor; 3
- Entire 2nd floor offices and hallway and Directors office; 5
- East & West wings-residents rooms and restrooms; 20
- Library, including activity rooms; 4
- Entire kitchen. 2

TOTAL - 51

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#3 - HEALTH DEPARTMENT:

- W.I.C. offices; 1.5
- Emergency Prep & Health Education rooms (2 offices); 1.5
- Immunization Clinic (all rooms); 3
- RISO room. 1

TOTAL - 7

#4 - COMMUNITY CENTER:

- All hallways, at least half way up to give definition;
- Rooms #128, #124, work-out room & elliptical room;
- Hall of Fame's office and Recreation's office;
- Entrance doors inside & outside;
- All Locker rooms-including lockers;
- Pool entrance doors from pool deck;
- Guard Shack-Pool area;
- Light poles located on pool deck.

TOTAL - 20

#5 - COURTS FACILITIES:

- Probate/Juvenile Hearing rooms; 2
- Main hallway of Court facility; 5
- Rear hallways; 3
- District Court Clerk's office; 3
- District Court Probation offices; 5
- Circuit Court main floor-Administrative office; 5
- Doors of all Courts; 2
- Roof of Court facility -gas piping; 2
- Court parking lot curbs; 2
- District Court break rooms; 1
- Circuit Court Probate-Sign in rooms and Break rooms; 1
- (7) Judges Chambers 20

TOTAL - 51

#6 - FAIRGROUNDS:

- 2 Outside bathrooms 4
- Canteen bldg. inside & outside 10

ANIMAL CONTROL:

- Lobby & entrance wall 2

TOTAL - 16

#7 - CIVIC ARENA:

- Entrance & Exit doors to rinks and locker rooms;
- Inside all 9 locker rooms;
- Shower areas and floors (non-skid paint);
- Entire Community room;
- Wall behind both Scorekeeper benches;
- Concession stand inside & out in front;
- Entire Pro Shop;
- All the offices;
- Walls behind bleachers on both rinks.

TOTAL - 40

#8 - CENTRAL DISPATCH -911:

- Entire kitchen; 1
- Administrator's Assistant's office; 1
- Emergency Manager's office; 1
- Director's office; 1
- All Restrooms; 1
- Center hallway. 1

TOTAL - 6

#9 - PINCONNING PARK:

- Bath house; 2
- Cabins. 3

TOTAL - 5

GRAND TOTAL - 300 DAYS

Days to complete painting in all of the facilities listed using four (4) painters @ 29 hours per week.



BAY COUNTY
FINANCE/INFORMATION SYSTEMS

Thomas L. Hickner
Bay County Executive

Crystal A. Hebert
Finance Officer
hebertc@baycounty.net

Kimberly A. Priessnitz
Assistant Finance Officer
priessnitzk@baycounty.net

Frances A. Moore
Purchasing/Housing Rehab
mooref@baycounty.net

Julie A. Coppens
Information Systems Manager
coppensj@baycounty.net

RECEIVED

JAN 14 2015

PERSONNEL DEPARTMENT

DATE: January 14, 2015
TO: Michael Lutz, Chairman, Personnel/Human Services
FROM: Julie Coppens, Information Systems Manager *JC*
RE: ISD Position approved in 2015 budget

REQUEST:

Approve hiring a full-time computer tech in the ISD Department. This position will be a second shift position funded partially by Central Dispatch.

BACKGROUND:

Public safety is a 24X7 mobile operation. Technology is expanding communications and additional support is necessary to ensure these operations are online all hours of the day and night. In order to effectively provide this service, additional technical support is required. This position will assist with the NG911 phone system, mobile data computers and various other public safety/ISD projects.

ECONOMICS:

Funds were approved for this position in the 2015 budget as a TU09 @ \$36,734 before fringes.

RECOMMENDATION

Approve hiring this full-time PC Tech.

cc: Tom Hickner
Tim Quinn
Crystal Hebert



**BAY COUNTY
PERSONNEL DEPARTMENT**

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quinn@baycounty.net
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County Executive

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Rebecca Marsters, Retirement Administrator/Accountant
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Jeanie Deckert, Wellness Coordinator
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(989) 895-2076 (F)

Becky Smutek, Payroll Clerk
smutekb@baycounty.net
(989) 895-4044 (T)
(989) 895-2076 (F)

To: Michael Lutz, Chair, Personnel/Human Service Committee
From: Tim Quinn, Director of Personnel and Employee Relations
Date: January 14, 2015
Re: Fill supervisory vacancy at Mosquito Control

Request

Fill the vacancy which will be created by the February 7, 2015 retirement of Tom Van Paris. This position is included in the BCAMPS bargaining agreement.

Background

This is a full time position for a supervisor. However, the Department has recommended an eight-month assignment and a four-month layoff period each year. (April 1 through November 30).

As a point of information, the employee would be entitled to health care benefits while working. During layoff, the employee would be eligible for unemployment compensation, if otherwise qualified, but in accordance with County policy, not for health care coverage, which ceases at the end of the month in which the employee is laid off.

Finance

The Department states that there are funds available within the current budget. Full-time BCAMPS position at \$1,433.60 biweekly (PBO5 entry level).

Recommendation

Refer to the Board of Commissioners to approve the hiring of the supervisor, as outlined above.

cc: Tom Hickner
Bob Redmond
Laura Ogar
Tom Putt
Richelle Jimenez

BAY COUNTY MOSQUITO CONTROL
810 Livingston
Bay City, Michigan 48708



LAURA OGAR, DIRECTOR
ogarl@baycounty.net

TOM PUTT, MANAGER
puttt@baycounty.net

Community Initiatives
Geographic Information Systems
Gypsy Moth Suppression Program
Mosquito Control
Transportation Planning

Phone (989) 894-4555
Fax (989) 894-0526
TDD (989) 895-4049
<http://www.baycounty-mi.gov>

TOM HICKNER
County Executive

To: Tim Quinn, Director
Bay County Personnel

Through: Laura Ogar, Director
Environmental Affairs & Community Development

From: Thomas J. Putt, Manager
Bay County Mosquito Control

Date: January 5, 2015

Re: Placement on Personnel/Judicial Agenda

BACKGROUND:

With the upcoming 2015 mosquito season in mind, seasonal staffing preparations must soon begin. I would like to request the hire of thirty (30) people to be trained as seasonal field and/or biology technicians.

FINANCE:

We recommend the following pay grade structure for Bay County seasonal technicians and have included data from our neighboring mosquito control districts for comparison. There are currently monies available in the line item 705.00. This will only affect 2nd year seasonal technicians normally 16 technicians. Approximately, that would be a \$4500 increase with recent staffing adjustments this should have little or no impact on our 2015 budget.

	Larvaciding		Adulticiding	
	1 st year	2 nd year	1 st year	2 nd year
Bay County	\$8.15	\$8.65	\$10.00	\$10.50
Midland County	\$8.25	\$9.00	\$8.25	\$9.00
Saginaw County	\$8.25	\$9.25	\$8.25	\$9.25
Tuscola County	\$9.25	\$10.50	\$9.25	\$10.50

RECOMMENDATION:

I would recommend hiring 30 seasonal technicians for the 2015 mosquito control season. Thank you for your consideration.

cc: Tom Hickner

BAY COUNTY BOARD OF COMMISSIONERS

2/10/15

RESOLUTION

BY: PERSONNEL/HUMAN SERVICES COMMITTEE (1/20/15)

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/new positions, monies for said positions to come from the respective departmental budgets:

1. Sheriff Department - Marine Personnel: 5 Supervisors (\$12/hr) and 25 Marine Deputies (\$11/hr.)
2. 9-1-1 Central Dispatch - Dispatcher (ft, \$12.95/hr entry)
3. Health Department - Account Clerk IV (ft, \$15.81/hr. entry)
4. Buildings and Grounds - Two (2) Lead Painters (temporary approx. 6 months, \$15.46/hr.) and two (2) Assistant Painters (temporary approx. 6 months, \$13.09/hr.)
5. Information Systems Department - Network Application Specialist (ft, \$17.45/hr. entry)
6. Mosquito Control
 - A. Supervisor (ft (8 months working; 4 month layoff period), \$1,433.60/biweekly entry)
 - B. Thirty (30) Seasonal Field and/or Biology Technicians (Larviciding \$8.15/hr. 1st year - \$8.65/hr. 2nd year; Adulticiding \$10/hr. 1st year - \$10.50/hr 2nd year)

RESOLVED That budget adjustments, if required, are approved; Be It Further

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.

MICHAEL E. LUTZ, CHAIR
AND COMMITTEE

Vacancies - February

MOVED BY COMM. _____

SUPPORTED BY COMM. _____

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
MICHAEL J. DURANCZYK				KIM J. COONAN				MICHAEL E. LUTZ			
ERNIE KRYGIER				THOMAS M. HEREK							
VAUGHN J. BEGICK				DONALD J. TILLEY							

VOTE TOTALS:
ROLL CALL: YEAS _____ NAYS _____ EXCUSED _____
VOICE: YEAS _____ NAYS _____ EXCUSED _____

DISPOSITION: ADOPTED _____ DEFEATED _____ WITHDRAWN _____
AMENDED _____ CORRECTED _____ REFERRED _____

-34-

Thomas L. Hickner
Bay County Executive

Tammy Roehrs
Director



Bay County Building 2nd Floor, Suite 202
515 Center Avenue
Bay City, MI 48708-5123
(989) 895-4100
Toll Free (877) 229-9960

FAX (989) 895-4094
TDD (989) 895-4049
Web Site: www.baycounty-mi.gov/aging
E-mail: divonaging@baycounty.net

TO: Michael Lutz, Chairman
Personnel and Human Services Committee

FROM: Tammy Roehrs, Division on Aging Director
Julie Chamberlain, Abuse in Later Life Prevention Coordinator

CC: Tom Hickner, Amber Johnson, Joel Straz

RE: Bay County's Vulnerable Adult Protocol

DATE: January 12, 2015

BACKGROUND:

Abuse of vulnerable adults is one of the fastest growing crimes in Bay County. Due to this dramatic rise in reported abuse, a coordinated team approach between respective government agencies is necessary to ensure that these crimes are timely and comprehensively reviewed, investigated and prosecuted and that victims are referred for needed services and to appropriate agencies.

In response to these needs, the Bay County Elder Abuse Coordinated Community Response Team has worked cooperatively with a number of agency partners to create and adopt the Bay County Vulnerable Adult Protocol. This Protocol provides a framework of "best practices" for the investigation of vulnerable adult abuse cases. The best practices also strengthen relationships between the cooperating partners, who include the Bay City Department of Public Safety, The Bay County Prosecutor's Office, the Bay County Sheriff's Office and the Department of Human Services – Bay County. Input in drafting and adopting this Protocol was also provided by Adult Protective Services of Bay County, Bay County Division on Aging, and the Bay Area Women's Shelter.

FINANCIAL IMPACT:

There will be no cost to Bay County to accept and receive this Protocol.

RECOMMENDATION:

The Division on Aging recommends that the Bay County Board of Commissioners receive and accept the attached Vulnerable Adult Protocol as the next step toward addressing and preventing Bay County Vulnerable Adult Abuse.

2014

The Bay County
Elder Abuse
Coordinated
Community
Response Team

A Protocol of the:
Bay City Department of Public Safety
Bay County Prosecutor's Office
Bay County Sheriff's Office
Department of Human Services-Bay County

BAY COUNTY, MICHIGAN VULNERABLE ADULT PROTOCOL

The Bay County Vulnerable Adult Protocol provides a framework of "best practices" for investigating cases of suspected vulnerable adult abuse that are used to strengthen relationships between law enforcement, adult protective services, prosecutors, aging and human services organizations, emergency service providers, medical professionals and others involved in serving vulnerable adults in Bay County.

Bay County, Michigan Vulnerable Adult Protocol

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I. Introduction

Abuse of vulnerable adults is one of the fastest growing crimes in Bay County. A 2013 Bay County Division on Aging Abuse in Later Life survey of Bay County residents aged 50 and older found that 25 percent reported they knew someone who had experienced emotional abuse or had been abused themselves. Almost 19 percent reported financial abuse, other types of abuse were; 15.5 percent physical, 8.9 percent neglect and 6 percent sexual. A National Institute of Justice study found that 11 percent of older adults reported they had been abused, neglected or exploited.¹ A research brief prepared for the National Center on Elder Abuse shows that adults with a disability have a disproportionate risk of abuse compared to adults without a disability.² Considering this information, it is estimated as many as 90,000 vulnerable Michiganders may be victimized yearly. Regrettably, only a small percentage of these incidents are brought to the attention of protective services, law enforcement or victim services professionals. Many reasons contribute to underreporting, including fear, shame, lack of awareness, an inability to report, and not wanting the abuser to be jailed. Vulnerable adult abuse often results in declines in physical and emotional health, loss of income or life savings and diminished quality of life.

The purpose of the Bay County Vulnerable Adult Protocol (VAP) is to implement a coordinated team approach to prevent the victimization of vulnerable adults in situations described in Section 400.11(a-f) of the Social Welfare Act, as amended.

The VAP will aid in systemic changes and ensure reports are appropriately reviewed, investigated and prosecuted and will ensure victims are effectively referred to necessary social and health services.

Bay County is comprised of 4 cities, 14 townships, 7 law enforcement agencies, and one prosecutor's office. Each has its own unique set of resources and sociocultural, economic, ethnic and educational composition - as well as differing priorities and needs. The VAP is intended to provide a framework of "best practices" for investigating cases of suspected vulnerable adult abuse that are used to strengthen relationships between local law enforcement, adult protective services, prosecutors, aging and human services organizations, emergency service providers, medical professionals and others involved in serving vulnerable adults.

The Vulnerable Adult Protocol (VAP) is designed to meet the needs of Bay County. Partners should anticipate changes to the protocol as teams grow and change.

The investigation of vulnerable adult abuse is complex, involving civil, social welfare, criminal and administrative systems, as well as medical and service provider networks and programs. The Bay County Vulnerable Adult Protocol follows the proven formula of the Michigan Department of Human Services (DHS) Child Abuse Investigative Model Protocol in describing the roles and functions of the primary investigative entities that are critical to effective investigations and provision of victim services.

1 Aclerno R, Hernandez MA, Amstadler AB, Resnick HS, Steve K, Muzzy W, et al. (2010). Prevalence and correlates of emotional, physical, sexual, and financial abuse and potential neglect in the United States: The national elder mistreatment study. *American Journal of Public Health*, 100(2), 292-297.

2 Center of Excellence on Elder Abuse and Neglect, University of California, Irvine Research Brief, Abuse and Adults with a Disability. N.p.: National Center on Elder Abuse, 2012. Web. 15 May 2013.

II. Purpose

Public Act 175 of 2012 [Social Welfare Act, MCL 400.11(b)] requires DHS, Michigan State Police (MSP), the Michigan Attorney General (AG), Michigan Office of Services to the Aging (OSA) and a long-term care (LTC) representative to develop a model protocol for investigating vulnerable adult abuse, neglect and exploitation. The Bay County Vulnerable Adult Protocol has been developed based upon the Michigan Model Vulnerable Adult Protocol and is intended to simplify and standardize the identification, investigation and prosecution of vulnerable adult abuse in Bay County through improved coordination between adult protective services, law enforcement, prosecutors and other professionals engaged in vulnerable adult abuse cases and investigations.

Key points when using the VAP:

- The purpose of the VAP is to assist Bay County in protecting and serving older and vulnerable persons by investigating victimization of these individuals through increased collaboration.
- Michigan law defines a vulnerable adult as an individual age 18 and older who is unable to protect himself or herself from abuse, neglect or exploitation because of a mental or physical impairment or because of advanced age.
- Research demonstrates that vulnerable adult abuse is frequently part of the larger dynamic of family violence where the perpetrator is most often someone close to, related to, or in a close relationship with the victim.
- Vulnerable adults, even those with cognitive limitations, retain the right to make their own choices and decisions unless and until they have been determined mentally incapacitated by a court of law.

III. Goals

The overriding philosophy of the VAP is to consider, first and foremost, what is best for older vulnerable adults while respecting their capacity for self-determination. The following goals are the basis for this protocol:

- A. To ensure vulnerable adult abuse, neglect and exploitation cases are effectively investigated and prosecuted.
- B. To reduce trauma and provide protection and continued support for abuse victims and their families.
- C. To improve cooperation among professionals and agencies and to develop a common goal and methodology of improved management of adult abuse cases, including limiting the number of times a vulnerable adult is interviewed.
- D. To encourage open communication between all parties to resolve difficulties that may arise in the investigation of vulnerable adult abuse.
- E. To increase awareness and reporting of vulnerable adult abuse cases.
- F. To promote training for all professionals covered by the VAP.
- G. To encourage early and continued coordination and inclusion between Adult Protective Services (APS), law enforcement and prosecutors to promote efficient and thorough investigations.
- H. To urge consideration of the opinions and advice of all agencies involved in protecting and serving the vulnerable adult before any final decisions are made.

IV. The Social Welfare Act and Its Requirements

The Social Welfare Act, MCL 400.11, provides the following definitions:

- (a) "Abuse" means harm or threatened harm to an adult's health or welfare caused by another person. Abuse includes, but is not limited to, non-accidental physical or mental injury, sexual abuse, or maltreatment.
- (b) "Adult in need of protective services" or "adult" means a vulnerable adult not less than 18 years of age who is suspected of being or believed to be abused, neglected or exploited.
- (c) "Exploitation" means an action that involves the misuse of an adult's funds, property, or personal dignity by another person.
- (d) "Neglect" means harm to an adult's health or welfare caused by the inability of the adult to respond to a harmful situation or by the conduct of a person who assumes

responsibility for a significant aspect of the adult's health or welfare. Neglect includes the failure to provide adequate food, clothing, shelter, or medical care. A person shall not be considered to be abused, neglected or in need of emergency or protective services for the sole reason that the person is receiving or relying upon treatment by spiritual means through prayer alone in accordance with the tenets and practices of a recognized church or religious denomination, and this act shall not require any medical care or treatment in contravention of the stated or implied objection of that person.

- (e) "Protective Services" includes, but is not limited to, remedial, social, legal, health, mental health, and referral services provided in response to a report of alleged harm or threatened harm because of abuse, neglect or exploitation.
- (f) "Vulnerable" means a condition in which the adult is unable to protect himself or herself from abuse, neglect or exploitation because of a mental or physical impairment or because of advanced age.

Mandatory Reporters

Although any individual may report to APS, the Social Welfare Act requires certain professionals to make an oral report of vulnerable adult abuse, neglect or exploitation to the Department of Human Services when they suspect or have reasonable cause to believe that an adult has been abused, neglected or exploited. Mandatory reporters must contact the state-wide Centralized Intake for Abuse and Neglect hotline at 1-855-444-3911.

Section 11a(1) of the Social Welfare Act provides a list of specific professionals who are mandated to report to APS. (See, MCL 400.11a):

A. All persons who are employed, licensed, registered or certified to provide and employees of persons employed, licensed, registered or certified to provide:

1. Health care services including physicians, nurses, aides, hospital staff, etc.
2. Educational services including teachers, administrators, counselors, etc.
3. Social Welfare providers, including social work administrators, supervisors, caseworkers, etc.
4. Mental health services including psychologists, counselors, agency administrators, supervisors, caseworkers, etc.
5. Other human services including those providing information and referral, services to the aging, adult day care, etc.

B. Law enforcement officers.

C. County medical examiner and employees of the county medical examiner.

Note: See Appendix A for Information on Release/Disclosure of Protected Health Information.

The identity of any person filing an APS report with DHS is confidential and subject to disclosure only with consent from the source or by judicial process per MCL 400.11c(1).

V. Coordinated Investigative Team Approach

A. Bay County has formed a coordinated investigative team approach to respond to allegations of vulnerable adult abuse, neglect or exploitation. Its objective is to implement the VAP.

B. The Bay County prosecuting attorney (PA) or designee and the director of the Bay County DHS or designee will lead the local coordinated investigative team. The following activities should be completed by the leader(s) of the local team:

1. Develop written protocols with team members outlining each member's roles. This should include a signature page signed by all members indicating their agreement with the written protocols.
2. Conduct periodic reviews of the protocol with all members, making changes as needed. New signatures should be obtained whenever changes to the protocol are made.
3. Provide training on the protocol, as necessary (for example: new team members, changes to the protocol, etc.).

C. The primary purpose of an investigative team is to ensure the coordination of procedures and practices of the partner agencies.

D. The duties and responsibilities of each team should include:

1. Regular meetings to increase team member communication.
2. Facilitation and support of each team member's role.
3. Coordination of information sharing.
4. Ensuring team members respect and comply with their respective agency and/or statutory rules regarding confidentiality.
5. Oversight to increase awareness of and compliance with the law and best practices outlined in the VAP.

E. The Bay County investigative team should include the following core members:

1. DHS/APS.
2. Law enforcement.

3. Prosecuting attorney.
- F. The Investigative team should include, but not be limited to the following professionals:
1. Medical professionals.
 2. Aging services providers.
 3. Community mental health providers.
 4. Emergency services providers.
 5. Educational providers.
 6. Long Term Care providers.
 7. Probate Court.
 8. Financial Institutions.
 9. Bureau of Children and Adult Licensing (BCAL).
- G. The role of team members should be determined by the local Investigative team. Not every case will require the participation of all team members.
- H. All designated team members will be provided with a contact phone number list that includes after-hours emergency contacts. This list will be maintained and distributed by the team coordinator.
- I. The local Investigative team will strive to:
1. Coordinate investigations.
 2. Conduct thorough and objective investigations.
 3. Minimize trauma to the victim.
4. Respect the rights of the alleged perpetrator.
- J. Team investigation objectives:
1. Interview the vulnerable adult, conducting joint interviews whenever possible.
 2. Interview all witnesses, conducting joint interviews whenever possible.
 3. Offer assistance in obtaining any necessary emergency services.
 4. Collect and preserve evidence.
 5. Interview the alleged perpetrator.
 6. Obtain current and historical medical information.
 7. Coordinate efforts with APS, law enforcement, the prosecutor, courts and service providers in offering available services to benefit the vulnerable adult.
 8. Assess the vulnerable adult's capacity to make informed decisions whenever the vulnerable adult refuses necessary services or chooses to remain in an unsafe or unstable situation.

VI. General Legal Principles

- A. No interview should be conducted in the presence of the perpetrator, whenever possible.
- B. Confidentiality is imposed by law upon DHS and is requested of all investigative partners.
- C. If admission to an adult's dwelling is denied, the county DHS may seek the assistance of law enforcement to secure a search warrant as provided in 1966 PA 189, MCL 780.651 to 780.658.
- D. DHS must report to law enforcement any criminal activity it believes to be occurring upon receipt of an oral report as provided in MCL 400.11a(5).
- E. Upon request by the county DHS, local law enforcement shall cooperate with the county department in an investigation of suspected abuse, neglect or exploitation as provided in MCL 400.11b(2).
- F. This protocol recognizes that DHS is prohibited from conducting APS investigations in certain settings as provided in MCL 400.11f. See Section XIV.

VII. Adult Protective Services

The Social Welfare Act mandates DHS to provide APS investigation and intervention to vulnerable adults who are at risk of harm from abuse, neglect and exploitation.

- A. DHS Centralized Intake (CI) for Abuse and Neglect receives initial complaint/referral and enters the information on the Adult Services Comprehensive Assessment Program (ASCAP) system.
 - 1. Central Intake manager reviews the referral information and routes to the local office APS supervisor or after-hours, on-call staff for determination.
- B. The local DHS supervisor reviews the referral information and:
 - 1. Determines there is reasonable belief that an adult is vulnerable and is being harmed or is at risk of harm due to the presence or threat of abuse, neglect or exploitation and:
 - a. Assigns an APS investigator.
 - b. If referral involves an individual in a setting where another agency also has investigative authority, forwards the referral to the appropriate entity.
 - c. Sends acknowledgement letter to referral source indicating the referral was

assigned.

Note: A joint investigation may be required.

2. Determines there is not a reasonable belief that an adult is vulnerable and being harmed or is at risk of harm due to the presence or threat of abuse, neglect or exploitation.
 - a. Sends acknowledgement letter to referral source indicating the referral was denied and why:
 - i. Allegations already investigated.
 - ii. Complaint does not meet the criteria required for an APS investigation.
 - iii. The complaint is the responsibility of another investigative authority and APS has no investigative jurisdiction.
 - b. If the referral involves an individual of whom another agency has investigative authority, forwards the referral to the appropriate entity.
3. As provided in MCL 400.11a (5), DHS shall make a report to law enforcement any criminal activity it believes to be occurring.

Note: This may occur at any point during APS involvement.

C. Local DHS APS investigator receives assigned referral.

1. Initiates the investigation within the required priority response time.
 - a. Immediate face-to-face interview with vulnerable adult if risk of imminent danger.
 - b. Contact by phone or in person with either the vulnerable adult or a collateral person (who is not the referral source) within 24 hours.
 - c. Face-to-face interview with the vulnerable adult within 72 hours (no risk of imminent danger).
2. Initiates emergency court action, if necessary.
 - a. MCL 400.11b (6): "...The county department may petition for a finding of incapacity and appointment of a guardian or temporary guardian as provided in section 5303 or 5312 of the estates and protected individuals code, 1988 PA 386, MCL 700.5303 and 700.5312, and may petition for the appointment of a conservator as provided in section 5401 of the estates and protected individuals code, 1988 PA 386, MCL 700.5401, for a vulnerable adult."
3. Begins initial assessment of the vulnerable adult's capabilities and needs upon initial face-to-face contact. APS also determines other information and individuals

needed to support its case findings (relatives, neighbors, support system, physicians, service providers, and others).

4. Begins development, in conjunction with the vulnerable adult or responsible party, of a service plan to address identified short-term and/or long-term needs.
 - a. APS will offer or refer for available services based on identified needs.

Note: Persons who are capable of making informed decisions may refuse any or all offered services.

5. Determine whether or not the referral allegations are substantiated or unsubstantiated based upon the information available.
6. DHS will provide a copy of any written report to law enforcement and to the prosecuting attorney.

VIII. Law Enforcement

Bay County law enforcement agencies are dedicated to quality law enforcement and public safety services and are an essential partner in the prevention and investigation of vulnerable adult abuse, neglect and exploitation.

A. Law enforcement receives information on vulnerable adult abuse crimes in several different ways:

1. Emergency: Law enforcement centralized intake for emergencies is 9-1-1. The 9-1-1 center takes the necessary information and dispatches law enforcement and emergency services accordingly.
2. Non-emergency: Citizens may report crimes that are not emergencies to the police agency where the crime was committed.
3. APS will report to law enforcement by contacting central dispatch or by an agreed upon manner by the local DHS and law enforcement.

B. Law enforcement's first concern is safety. Once the safety of the vulnerable adult is established, law enforcement will conduct an investigation.

C. When law enforcement encounters abuse, neglect or exploitation of a vulnerable adult, it will contact APS.

1. Law enforcement will make an oral/verbal report as soon as practical to Central Intake (1-855-444-3911), indicating if APS involvement is needed immediately.
2. If law enforcement determines that emergency placement is necessary, law enforcement will call Central Intake (1-855-444-3911).

D. In cases of abuse, neglect, and exploitation, law enforcement will coordinate with

APS during the investigation.

- E. Law enforcement will provide APS and the prosecuting attorney with relevant information and police reports necessary for APS to comply with the State of Michigan reporting requirements.
- F. Law enforcement will inform APS and the prosecuting attorney when any case involving a vulnerable adult is referred to the Michigan attorney general or the United States attorney.
- G. The Mozelle Senior or Vulnerable Adult Medical Alert Act, MCL 28.711 et seq., also known as the Silver Alert, took immediate effect June 19, 2012. This act provides an official response to reports of certain missing persons, allows for the broadcast of information related to those missing individuals, and provides civil immunity to broadcasters and newspapers that notify the public of such incidents.
 - 1. When law enforcement receives a report that a vulnerable adult is missing, it shall prepare a report as soon as possible, including any and all identifying information that would help locate the individual.
 - 2. Law enforcement may enter the "missing vulnerable adult" information in the Law Enforcement Information Network (LEIN).
 - 3. Law enforcement will forward a "Be on the Lookout" (BOL) to all area law enforcement agencies. This report should be sent to local news media, social media and standard law enforcement channels.
 - 4. Law enforcement will forward the "missing vulnerable adult" information to one or more media broadcaster(s) in the area.

IX. Prosecuting Attorney

Prosecuting attorneys are responsible for prosecuting crimes that occur within their jurisdiction as well as acting as advocates for victims of crimes. Because of their position, prosecuting attorneys have a critical role in preventing and prosecuting crimes against vulnerable adults.

- A. The prosecuting attorney will take a leadership role with the local investigative team and:
 - 1. Implement a local protocol in coordination with other investigative agencies and partners and recommend changes as needed.
 - 2. Review investigations for best practices, as well as identify roadblocks that hinder investigations and prosecutions of vulnerable adult abuse/neglect and

exploitation. Present appropriate recommendations when identified.

3. Meet the standard policy recommended by the National District Attorneys Association, which states:

"...whenever practical, the creation of a special elder abuse unit within the prosecutor's office or the designation of a specially trained prosecutor to handle elder abuse cases." When the establishment of a designated elder abuse unit is not feasible, prosecutors should still receive training on an individual basis in the identification, investigation and prosecution of these cases.

4. Assign a person for team members to contact with questions regarding criminal or legal issues relating to vulnerable adults.
5. Promote awareness of the local investigative protocol.
6. Meet with financial institutions, hospitals and other medical care/treatment entities to discuss methods for requesting, receiving and sharing information in compliance with privacy laws.

B. Determine if special accommodations are required based on the victim's needs throughout the criminal process.

C. Provide the victim or his/her responsible party with a copy of the crime victim's rights.

Note: If the legal guardian is the suspect, contact APS to discuss appropriate legal remedies.

D. Make efforts to reduce the number of court appearances for the vulnerable adult as allowed by law.

X. Attorney General

Attorney general special agents are certified Michigan law enforcement officers with full police powers in the State of Michigan.

A. Health Care Fraud Division (HCFD)

1. Referrals to the Health Care Fraud Division are received either online at www.michigan.gov/ag or "HOTLINE" at 1-800-24-ABUSE (22873).
2. Agents are charged, in part, with the following:
 - a. Investigating patient abuse, neglect and death events that occur in licensed LTC facilities, which are nursing homes, adult foster care and homes for the aged.
 - i. Review Licensing and Regulatory Affairs (LARA)-Bureau of Health Care

Services (BHCS) regulation and licensing federal and state violations to determine validity and merit for criminal investigation.

- ii. Partner efforts with BHCS to identify focus facilities.
- iii. Partner with other law enforcement and emergency services providers in the identification and prosecution of complaints to augment the scope of local jurisdictions.

b. Investigating financial exploitation and misappropriation of resident funds in LTC facilities.

- i. Identify the person(s) charged with the responsibility to manage the funds of a relative, friend or assigned guardianship of a long-term care resident.
- ii. Prosecution of person(s) found to have misappropriated/embezzled funds and property for personal gain.

c. The HCFD lacks jurisdiction in cases in which the victim resides in a private residence.

B. Criminal Division

1. Agents are charged with investigating criminal acts committed by persons, entities, corporations and State of Michigan departments and agencies. This is inclusive of crimes outside the jurisdictional limits of the HCFD.

C. Consumer Protection Division

1. This division provides a resource website for seniors (www.seniorbrigade.com/) that has information on multiple areas of interest to older adults:
 - a. Health care.
 - b. Financial matters.
 - c. Consumer protection.
 - d. Veteran affairs.

XI. Bureau of Children and Adult Licensing/DHS

The DHS Bureau of Children and Adult Licensing (BCAL) is responsible for the licensing and regulation of all adult foster care homes (AFC) and homes for the aged (HA). This includes specialized programs for developmentally disabled and/or mentally ill persons residing in adult foster care homes. BCAL also investigates complaints alleging violations of AFC or HA administrative rules and statutes.

A. BCAL's Complaint Intake Unit receives complaints via:

1. Online form.
2. Mail.
3. Phone/Intake: 1-866-856-0126.

Note: Information regarding the referral source is confidential and will not be released unless court-ordered.

B. Inter-Agency Agreement for the Provision of Adult Protective Services:

Mandatory agreements between BCAL, APS and local community mental health services programs (CMHSP) have been established to coordinate investigative efforts of abuse/neglect/exploitation of adults in licensed AFC and HA facilities.

These are signed agreements between the BCAL director, the local DHS director and the local CMHSP director which outline the roles and responsibilities of each agency when investigating allegations of abuse, neglect and exploitation of CMHSP recipients in BCAL-licensed settings.

XII. Office of Recipient Rights

The Michigan Department of Community Health Office of Recipient Rights (ORR) was established under the Michigan Mental Health Code, P.A. 258 of 1974. The functions and responsibilities of ORR are outlined in MCL 330.1754.

- A. Under the Mental Health Code, ORR has full access to programs and services operated by or under contract with the Department of Community Health, unless other recipient rights systems are authorized under the Mental Health Code.
- B. ORR is charged with protecting the rights of and providing advocacy services to recipients of public mental health services. This includes residents of AFC and HA facilities contracted to provide care and supervision for mental health recipients.
- C. ORR may conduct coordinated investigations with APS, law enforcement and BCAL in licensed AFC and HA facilities when the alleged rights violations are of a criminal nature or are regarding abuse, neglect or exploitation. Sharing of information between APS, BCAL and ORR is permissible under the specific terms of the Inter-Agency Agreement for the Provision of Adult Protective Services.

XIII. Emergency Medical Services

Emergency medical services (EMS) providers respond to falls, lift assists, medical

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episodes or injuries, alarms, transfers and calls by others relating to self-neglect, abuse and welfare. EMS providers may be municipal, county or privately incorporated and are frequently the initial contact with vulnerable adults suspected of being abused, neglected or exploited. EMS providers may find a resource card to be a valuable tool. EMS providers should:

- A. Contact law enforcement if the scene indicates criminal activity.
- B. Contact law enforcement or the public health department if the residence appears uninhabitable or there are safety/environmental concerns.
- C. Contact fire department personnel should the vulnerable adult or premises present indications of fire danger or entrapment.
- D. When there are numerous calls for service to one location for the same vulnerable adult that appear unwarranted or the adult's health or home conditions are deteriorating, contact the following:
 1. APS if single family dwelling or unlicensed assisted living.
 2. Law enforcement or attorney general if nursing home.
 3. BCAL if AFC or HA facility.
- E. Before leaving a scene or encounter, document measures needed to ensure the safety and protection of an abused, neglected or threatened vulnerable adult and follow up with appropriate referrals.
- F. Contact APS when safety concerns outweigh the vulnerable adult's insistence upon living without apparently needed supervision or refusal of needed services.
- G. Contact law enforcement if the vulnerable adult appears abused, neglected or intimidated by a roommate(s), relative(s), caregiver(s), friend(s) or guardian.
- H. Document if an alleged perpetrator/caregiver does not leave or refuses to allow the vulnerable adult to disclose information without the presence or intervention of the alleged perpetrator/caregiver.
- I. Other considerations for EMS providers:
 1. Document the condition and capacity of the vulnerable adult and his/her surroundings:
 - a. Is the vulnerable adult confined or restricted to bed (not medically needed) or is he/she without restraint and ambulatory?
 - b. Are the vulnerable adult's senses (sight, feel, taste and hearing) impaired?
 - c. Are the vulnerable adult's basic needs such as food, water, medications (prescribed or over the counter), and medical care available or are they being

denied?

- d. Does the vulnerable adult express that his/her basic needs are withheld unless he/she complies with threats or promises?

2. Medical Records

With every medical call, obtain a medical history and a Medical Records Release from the vulnerable adult, guardian or designated medical power of attorney. The medical history is critical to any investigation and should include:

- a. How and who provided the medical information (adult, guardian, POA, etc.).
- b. Indicators of authenticity, i.e. do records appear to have been altered.
- c. Corroborating documents.
- d. The medical provider(s) and hospital(s) of record.

Note: Medicare and Medicaid recipient verification can be obtained through DHS, HHS-OIG and the HCFD of the Michigan attorney general.

3. In the setting of a nursing home, HA, or AFC obtain:

- a. A resident "face sheet" (includes admission date, emergency contact and medical history information).
- b. Resident care plan, resident and/or guardian file with the transfer sheet, physician order and nurse's notes.
- c. Transfer or physician order/certification sheet.

4. In the setting of a private residence, assisted living or senior apartment, obtain:

- a. Indicators of authenticity of the records, i.e. do they appear to have been altered to benefit the keeper of records.
- b. Medical history, including written documentation and who provided the history (adult, caregiver, relative, power of attorney, guardian, etc.).

Do Not Rely on Someone Else to Report: In addition to reporting to APS, you are to comply with your company's reporting policies and procedures. Relaying information to an employer or a medical receiving entity does not guarantee protection efforts to a vulnerable adult.

XIV. Investigative Responsibility Based on Client Setting

Suspected abuse in licensed settings, including AFC, HA and LTC facilities, may not fall under the jurisdiction of APS. MCL 400.11f (1), (2) and (3) outlines the investigative entity based on the location, alleged perpetrator and allegations. Mandatory reporters

should be aware that reporting to any of the agencies listed below may not relieve you of your responsibility to report to APS.

Note: Suspicion of criminal activity in any setting must be reported to law enforcement (Section 1150B of the Social Security Act, as established by section 6703(b) (3) of the Patient Protection and Affordable Care Act of 2010; P.A. 368 of 1978, MCL 333.21771).

The following describes the reporting and investigative authority in licensed settings:

A. Nursing Home

1. Alleged perpetrator is facility staff/personnel:
 - a. LARA, BHCS.
 - b. Attorney General HCFD.
2. Alleged perpetrator is not facility staff/personnel:
 - a. APS.
 - b. Attorney General HCFD.
 - c. LARA, BHCS.

B. AFC/HA

1. AFC/HA with no specialized funding:
 - a. BCAL.
 - b. APS.
2. Contracted Community Mental Health AFC/HA:
 - a. BCAL.
 - b. APS.
 - c. ORR.

C. Unlicensed Congregate Setting (Assisted Living, Room & Board home, etc.)

1. APS.
2. BCAL may investigate to determine if the setting requires a license.

D. County medical care facilities, freestanding surgical outpatient facilities, hospitals

1. LARA, BHCS.

Note: The Long-Term Care Ombudsman Program (LTC Ombudsman) addresses quality of care and quality of life issues for residents of nursing homes, AFC facilities and HA facilities. Any concerns in these settings may also be reported to the LTC ombudsman by calling: 1-866-485-9393. See Section XV.

XV. Investigative Partners

The following sections address specific investigative partners, some of whom are mandatory reporters to APS, and are meant to be guidelines for circumstances where involvement of APS/law enforcement/attorney general/prosecuting attorney may be necessary and useful.

A. Aging Services

Bay County has a network of services for vulnerable and older adults. This network includes, the Bay County Division on Aging, the Region VII Area Agency on Aging, and the Long Term Care Ombudsman. The support of providers in the aging network is valuable for investigators who are encouraged to contact aging services case managers when working vulnerable adult abuse cases.

1. Division on Aging services include, but are not limited to: home and chore services, personal care, socialization, meals, case management, transportation, disease prevention and health promotion services, and other services designed to ensure vulnerable adults live free from abuse and harm in the setting of their choice whenever possible. Phone number: 989-895-4100.
2. Region VII Area Agency on Aging services include, but are not limited to: LTC Ombudsman, home and community-based Medicaid waiver services, benefit assistance, case managers, housing guidance, and other services designed to ensure vulnerable adults live free from abuse and harm in the setting of their choice whenever possible. Phone Number: 989-893-4506
3. Aging and victim service providers offer support and guidance to investigators by providing available services to the vulnerable adult, guiding the victim through health and benefit systems, supporting community coordination activities, and are a resource for elder abuse information and prevention services.

B. Long Term Care Ombudsman Program

The federal government established the LTC ombudsman to help residents of LTC facilities who have concerns and complaints about their care or services they receive. The Bay County Ombudsman program is administered through Lakeshore Legal Aid, Phone: 1-888-783-8190.

Ombudsmen work with residents of licensed long-term care facilities to resolve problems and complaints, including allegations of abuse, neglect and exploitation. Ombudsmen also work to promote high quality care for residents. LTC facilities include licensed nursing homes, HA's, hospital LTC units, and AFC's. Ombudsmen may also provide assistance in unlicensed assisted living facilities.

1. Access Authority of Long Term Care Ombudsmen [42 USC 3058g(b)] [MCL 400.586i]. Ombudsmen have the authority to:
 - a. Enter any facility.
 - b. Communicate privately, and without restriction, with any resident who consents.
2. Access to Records [42 USC 3058g (b) (1) B)(C)(D)]. Ombudsmen have access the following resident records:
 - a. Medical records.
 - b. Social records.

Note: Ombudsmen must be given permission from the resident or legal representative to access resident records. If the legal representative of a resident refuses to give permission, the ombudsman may receive authority from the state LTC ombudsman to access resident records.

3. Other records accessible to ombudsmen include:
 - a. LTC facility administrative records, policies and documents.
 - b. LTC licensing and certification records maintained by the state.

Note: To reach an ombudsman, call 1-866-485-9393.

C. Long-Term Care Providers

LTC providers are integral members of a coordinated community response to vulnerable adult abuse, neglect and exploitation. LTC settings may be licensed or unlicensed. Most fall under the category of mandatory reporters under the Social Welfare Act.

Suspicion of criminal activity in any setting must be reported to law enforcement [Section 1150B of the Social Security Act, as established by section 6703(b) (3) of the Patient Protection and Affordable Care Act of 2010].

The Public Health Code (P.A. 368 of 1978, as amended), in MCL 333.21771, provides reporting protocol and protections for staff of licensed nursing homes when there is suspected abuse, mistreatment or neglect of nursing home patients. See Appendix C.

D. Fire Services

Fire services conduct fire code inspections and respond to reports of fires or smoke detector alarms. As first responders, they may engage with and identify vulnerable adults who appear to be victims of abuse, neglect and exploitation. Fire services should:

1. Contact law enforcement if the scene indicates criminal activity.
2. Contact law enforcement or public health department if the residence appears uninhabitable or there are safety/environmental concerns.
3. When there are repeated calls for service to one location and the adult's health or home conditions are deteriorating, fire/EMS contacts the following:
 - a. APS if single family dwelling or unlicensed assisted living.
 - b. Law enforcement or attorney general or HCFD if nursing home.
 - c. BCAL if AFC or HA.
4. Before leaving a scene or encounter, document measures needed to ensure the safety and protection of an abused, neglected or threatened vulnerable adult and follow up with appropriate referrals.
5. Contact APS when safety concerns outweigh the vulnerable adult's insistence upon living without apparently needed supervision or refusal of needed services.
6. Contact law enforcement if the vulnerable adult appears abused, neglected or intimidated by a roommate(s), relative(s), caregiver(s), friend(s) or guardian.

E. Medical Providers

Medical providers are key partners in the identification and protection of vulnerable adults who may be victims of abuse, neglect and exploitation. They have access to valuable information regarding the individual's health and abilities, and often the individual's trusted relationships/caregivers. It is essential for an investigative team to invite and include members of the medical community to the team to access their insight and expertise.

- F. Bay Arenac Behavioral Health Programs (BABHA) provide individuals with a mental health and/or developmental disability diagnosis with an array of services including case management, assessment, advocacy and crisis intervention. BABHA may be integral partners when investigating allegations of abuse, neglect and exploitation of vulnerable adults with a mental illness or developmental disability. BABHA will often have medical and mental health information regarding individuals who come to the attention of team members or may have the ability to provide needed intervention and/or services.

G. Probate Court

The county probate courts handle mental health, guardianship, conservatorship and protection order petitions along with other duties. The probate judge determines the competencies and abilities of a vulnerable adult to make important life decisions

(for example: medical care, mental health services, living arrangements, financial matters, etc.). The probate judge, or his/her designee, is a valuable member of any investigative team as he/she provides expertise on the abilities of the court to intervene when an individual's competency to make informed decisions is compromised.

H. Financial Institutions

Financial institutions provide assistance to virtually all members of our society through checking accounts, loans, certificates of deposit, etc. Financial institution staff may be the first to note unusual activity in a vulnerable adult's accounts or financial transaction habits. While they are not mandatory reporters, they are valuable partners in preserving the assets of vulnerable adults in the prosecution of financial exploitation.

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Bay County Vulnerable Adult Protocol Partner Signatures

This protocol is hereby agreed to and approved by the following agencies. This protocol may be amended as deemed necessary with the approval of the signing agencies:

Name: Michael J. Cecchini Date: 9/8/14
Michael Cecchini, Director, Bay City Department of Public Safety

Name: Kim Bejcek Date: 9/10/14
Kim Bejcek, Director, Bay County Department of Human Services

Name: Kurt Asbury Date: 9/2/14
Kurt Asbury, Prosecutor, Bay County Prosecutor's Office

Name: John E. Miller Date: 8-26-14
John Miller, Sheriff, Bay County Sheriff's Office

The Bay County Vulnerable Adult Protocol was amended by: Dan Anderson and, Leslie Darrow, Bay City Police, Ron Lemmon, Adult Protective Services Bay County, Matt Pell, Bay County Sheriff's Office, Chris Shores, Adult Protective Services, Jeff Stroud, Bay County Prosecuting Attorney's Office, Jeanne Yonke, Bay Area Women's Center and Julie Chamberlain, Bay County Division on Aging. It is based upon the Michigan Model Vulnerable Adult Protocol prepared by: Maura D. Corrigan, Director Bill Schuelte, Attorney General, Col. Kriste Kibbey Etue, Director, Karl Sederburg, Director.

Contributing Partners to Model Protocol

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