

## LEGISLATIVE AND HUMAN RESOURCES COMMITTEE MINUTES

Tuesday, April 9, 2002 – 7:45 a.m.  
Kent County Administration Building – Room 310

MEMBERS PRESENT: Chair Elaine Buege; Commissioners Dan Koorndyk, Marvin Hiddema, Jack Horton, Paul Mayhue, Ted Vonk, Harold Mast, Michael Sak and Kenneth Kuipers

ALSO PRESENT: County Administrator Daryl Delabbio; Executive Assistant to the Board Jim Day; Assistant County Administrator Al Vanderberg; Assistant County Administrator Mary Swanson; Civil Counsel Sherry Batzer; Human Resources Director Frank Klus; Fiscal Services Director Dave Waichum; Deputy Director of Fiscal Services Steve Duarte; Purchasing Manager Jon Denhof; Supervisor of Fleet Services Doug Stoliecki; Supervisor of Central Services Robert Burch; Executive Director of Community Mental Health; Director of Program Services of Community Mental Health Bob Pattullo; Director of Administrative Services of Community Mental Health Cynthia Lowe; Human Resources Manager Gail Glocheski; Administrator for the Health Department Cathy Raevsky; Finance Director for the Health Department Bill Anstey; Member of Community Mental Health Board John Walker; Sheriff Larry Stelma; Director of Facilities Management Jim Leach; Labor Relations Attorney Tom Drenth; Captain of the Road Patrol Division Larry French; and Sr. Administrative Specialist Sandra Winchester.

Chair Buege called the meeting to order at 7:45 a.m.

I. PERFORMANCE MEASUREMENTS REVIEW - FISCAL SERVICES (CENTRAL SERVICES, PURCHASING, FLEET SERVICES, RISK MANAGEMENT)

The Committee, Fiscal Services Director Dave Waichum, Deputy Director of Fiscal Services Steve Duarte, Purchasing Manager Jon Denhof, Supervisor of Fleet Services Doug Stoliecki, and Supervisor of Central Services Robert Burch reviewed performance measurements for Fiscal Services. A copy of the respective division's performance measurements are on file in the Board of Commissioner's Office.

II. PUBLIC COMMENT

Mr. John Walker - 7391 Shadowbrook Ct. SE, Grand Rapids. Mr. Walker stated he has been a member of the Community Mental Health (CMH) Board for 11 years. He also has an adult family member who has been afflicted with a mental illness for about 20 years, and who is a client of mental health services here in Kent County.

Mr. Walker stated he was present at the meeting today to speak in favor of authority status for the Community Mental Health (CMH) system. He feels the administrative processes for the department would be simplified if it were an authority. As an agency status, several of the key functions at CMH require County approval and the timetables are not always compatible with the State and with the CMH Board. Another challenge for the CMH system is to meet the County's needs/requirements within the federal regulations. Mr. Walker said if CMH were an authority, staff time would be freed up to focus more on the needs of the clients. Also, by law, 1/3 of the CMH Board membership would be County Commissioners so the citizens would still have access to the CMH Board via the Commissioners. Again, Mr. Walker said he is in favor of authority status for CMH, and thanked the Committee for the opportunity to speak.

Ms. Mary Smith of the International UAW representing CMH employees - She stated she is concerned about the welfare of the County employees. She gave examples of a couple of other former County functions that were transferred to other organizations which on the surface looked smooth, but stated were not a good move for the employees. With four out of the six top staff retiring from CMH, she did not feel this would be a good time to change CMH to authority status. Ms. Smith thanked the Committee for their time.

III. APPROVAL OF THE MINUTES

Mr. Sak moved to approve the March 26, 2002, minutes as written.

Supported by Mr. Vonk.

Motion carried.

IV. BOARD OF COMMISSIONERS - AMENDMENTS TO THE ARTICLES OF INCORPORATION OF THE GRAND VALLEY METRO COUNCIL

Mr. Delabbio stated approval is requested to recommend to the Board of Commissioners to approve Amendment No. 30 to the Articles of Incorporation of the Grand Valley Metro Council (GVMC) to add Cascade Township as a member of the GVMC. This item is proposed to go to the Board on April 25, 2002.

- The GVMC, on March 7, 2002, adopted Amendment No. 30 to its Articles of Incorporation. This amendment will add Cascade Township as a member of the GVMC.
- All local units that have representatives on the council must approve amendments to the Articles of Incorporation.

There is no funding required.

Mr. Mast moved to recommend to the Board of Commissioners approval of Amendment No. 30 to the Articles of Incorporation of the Grand Valley Metro Council (GVMC) to add Cascade Township as a member of the GVMC.

Supported by Mr. Horton.

Motion carried.

V. COMMUNITY MENTAL HEALTH - ACCEPT RECOMMENDATION TO ESTABLISH KENT CMH AS A MENTAL HEALTH AUTHORITY

Mr. Delabbio stated approval is requested to recommend to the Board of Commissioners to accept the Kent CMH Board's recommendation to take the necessary steps to pursue establishing Kent CMH as a mental health authority as provided by the Mental Health Code; and to investigate changes to the State law that would allow investment of mental health authority funds as part of the County's investment pool. This request is proposed to go to the Board on May 23, 2002. A summary of the request follows:

- On December 17, 2001, the Kent CMH Board voted to recommend to the Board of Commissioners to establish Kent CMH as an authority as provided by the Mental Health Code. As a mental health authority, Kent CMH would no longer operate as a County department but would be an independent unit, separate from governance and oversight of the Board of Commissioners.
- The Legislative and Human Resources Committee has held two work sessions on the issue. Benefits to authority status discussed at the sessions included the elimination of administrative duplication which could allow more focus and emphasis on client and service issues; consistency with the direction of the State, as the primary funding source, and the structure of the Mental Health Code; the establishment of a "fixed" County match amount requirement for mental health services; and the ability of the authorities to use financial management tools not available to CMH agencies.
- Among the concerns raised at the sessions was the loss of interest income due to the inability of mental health authorities to participate in County investment pools. In response, the Legislative and Human Resources Committee recommends that the County seeks legislative change to allow investment of mental health authority funds as part of the investment pool.
- Prior to establishing Kent CMH as an authority, the Board of Commissioners must hold three public hearings and adopt an enabling resolution which addresses the following issues as prescribed by the Mental Health Code: the purpose of the authority; the duration of the authority and the method by which it may be dissolved or terminated; the distribution of assets in event of termination; and certain employment matters, subject to the provisions of the mental health code.

There is no funding required.

Mr. Mast moved to recommended to the Board of Commissioners to accept the Kent CMH Board's recommendation to take the necessary steps to pursue establishing Kent CMH as a mental health authority as provided by the Mental Health Code; and to investigate changes to the State law that would allow investment of mental health authority funds as part of the County's investment pool.

Supported by Mr. Koorndyk.

Mr. Vonk stated his concern about the increased costs that would result with the change to authority status. CMH would lose the \$200,000 in interest income by not being able to participate in the County's investment pool, and there is also the \$180,000 for additional rent. He used the Kent District Library as an example of costs skyrocketing after they left the County.

Mr. Vonk continued by saying that if there are problems between the County and CMH, those problems should be addressed and steps taken to correct the problems. In 1997, the County looked at the issue of CMH becoming an authority, but the Board at that time was not in favor of it because the borrowing legislation was not in place. Mr. Vonk feels it would be a waste of taxpayers dollars if the authority were approved for CMH.

Mrs. Buege pointed out that the action request addresses the investment pool issue by having the County investigate changes to the State law that would allow investment of mental health authority funds as part of the County's investment pool.

Mrs. Buege explained that the proposal to make CMH an authority is to streamline the administrative process and to make it more efficient.

Ms. Swanson pointed out that in 1997, the legislation at that time would have prevented CMH from doing the functions they are assigned to do, and that is why the Board decided to wait on the issue.

Mr. Mayhue stated that in 1997, the Board appointed a CMH Subcommittee, which began investigating the CMH issue and whether or not it should become an authority. When this subcommittee first met, State representatives were invited to attend for their input. One of the State representatives indicated that CMH was top heavy, and they urged the County to streamline that area. Mr. Mayhue did not feel the County is addressing that issue.

Mr. Mayhue also stated that he has not heard anything that would help the clients if CMH were an authority. He did not feel it is reasonable at this juncture to approve an authority because of the dynamics happening at CMH with long-term employees retiring and others concerned for their jobs. He thought it might be better to wait a year or so and then address this issue again.

Mr. Horton explained that if the Committee were to approve the action request today, it would simply be a step within the process of considering making CMH an authority. There will be public hearings and the full Board of Commissioners would have an opportunity to act on the issue in May and again in July.

Mr. Kuipers stated that in the past few months, the County has moved towards bringing a couple of County departments (Health and Parks) closer under the County's management. If the authority were approved, the County would be doing the opposite.

Mr. Delabbio explained recent changes in the Health Code gave counties authority to have more control, per se, over health departments than what the CMH Code allows. In regard to the Parks Department, there are not many road commissions in the State of Michigan that run parks departments. Legislative changes have been made that make it possible for the County to run the Parks Department. Also, 100 percent of the funds for the Parks come from the County (with the exception of grants, etc.) CMH, on the other hand, receive 98 percent of their money from state or federal funds. Mr. Delabbio stated that if the County had the same accountability with CMH that it has with the Health or Parks

Department, CMH would stay with the County. However, the County does not have that authority and accountability over CMH.

Mr. Kuipers asked where the public notices were posted for the March 12, 2002, public hearing.

Ms. Swanson explained that the notices were posted on the County's web site, and also through the Clerk's Office per the standard procedures. CMH staff also mailed notices to their primary stakeholders.

Mr. Kuipers stated his concern is that of service to the clients. He is not as interested in dollars, but would like to see that the clients are provided the same level of service, if not better, if CMH went to authority status. He said he would also be interested in seeing information from other counties in Michigan that have gone to authority status. He added that he would like to see additional input from consumers in regard to level of service, quality of service, etc. which thus far he has not seen.

Mrs. Buege felt that part of the reason they have not heard from providers or consumers is that they do not see this as such a big change; it is more of an administrative change.

Mr. Hiddema said he had a couple of concerns, as follows, and asked staff to address them.

- 1) The second bullet in the action requests states in part, "the establishment of a *fixed* County match amount requirement for mental health services." He asked if "*fixed*" represents dollars or percentages.
- 2) The third bullet in the action request recommends that "the County seek legislative change to allow investment of mental health authority funds as part of the investment pool." He said he is concerned about when this change would be sought.
- 3) Mr. Hiddema questioned the procedural process - what exactly would happen if the Committee voted yes on this issue.

Ms. Swanson replied to Mr. Hiddema's questions as follows:

Question #1 - She explained that under the Mental Health Code, once a County establishes an authority, the financial contribution by the County to the authority is fixed at a certain dollar amount. The amount would not fluctuate.

Question #2 - She said it would be the intent that County Administration would begin work on the legislative change right away. She noted that the legislation would benefit all CMH authorities in the State of Michigan. Kent County would also be working with other counties in the State to get the legislation passed.

Question #3 - Procedural Issues - Ms. Swanson stated that the official public hearings would have to be held by the Board of Commissioners so the authority issue needs to appear before the Board. The County's procedural process is to have the item appear before the Standing Committee, and then on to the full Board.

Mr. Hiddema asked if a resolution could go to the Board without standing committee approval.

Mrs. Buege answered, yes, it could.

Mr. Koorndyk pointed out that if this action request were approved today, it would allow the necessary steps to be taken to pursue Kent CMH as a mental health authority. He added that in regard to the investment money, the County would still be getting a portion of that income. Also, there may be some savings to offset the rent so he did not see those issues as a big concern. He said he is concerned about the clients, and the first step to begin the authority process is to learn more information. This information process would begin by approving today's action request.

Mr. Mast commented that he thinks it is time to get the entire Board of Commissioners involved. The State is giving the County the opportunity to go to a CMH authority. He said he does not feel the agencies are concerned about going to authority status. Mr. Mast noted the importance to him that the CMH Board approved this status, as well as the recommendation by Mr. John Walker who has been very involved in the mental health system over the years.

Mr. Sak asked for clarification on the resolution in regard to exactly what the Legislative Committee would be voting on today.

Ms. Swanson explained that if the Legislative Committee approved the action request, it would be recommending to the Board to accept the CMH Board's recommendation to take the necessary steps to pursue establishing CMH as a mental health authority as provided by the Mental Health Code. She added that this item is not proposed to go to the full Board until May 23, which would be after two public hearings were held.

Mrs. Buege noted the Committee is not voting on the resolution; it is voting on the action request. Standing Committees make recommendations to the Board and the Board takes action by resolution.

Mr. Sak asked how much of the 98 percent of state and federal funding CMH receives is from the State of Michigan.

Ms. Huntley stated she did not have the breakdown, but 65 percent of the funding is from Medicaid, which is comprised of federal and state funds.

Mr. Sak pointed out a list of concerns/comments he had about giving CMH authority status, which are listed below:

- Four out of the top six administrators are leaving CMH which may not be a good time to change to authority status
- It may be better to wait until the interest income issue is resolved through legislation
- The lack of input at the public hearing by consumers/providers
- If authority status were given, the County would not be able to provide a safety net if CMH dollars or services were cut

Mr. Sak said that limiting the County's liability by establishing an authority may not be in the best interest of the clients that are impacted on a day to day basis. He added that he is also concerned about the employees of Kent County - they will also be impacted by a change to authority status.

Mr. Horton commented that everyone should have the right to their reservation or opposition to this issue, but he feels the issue should be moved along to the full Board of Commissioners. The Board should have an opportunity to discuss it. To not do so, Mr. Horton felt would be an obstruction.

Mr. Sak moved to table this item until legislative action can be taken at the State level in regards to the interest income issue.

Supported by Mr. Mayhue.

Mr. Sak requested a roll call vote.

Yeas: Commissioners Kuipers, Vonk, Sak, and Mayhue.

Nays: Commissioners Mast, Horton, Koorndyk, Hiddema, and Buege.

Motion failed.

Additional discussion ensued in regard to the procedure to be followed by the Committee and the full Board.

Ms. Buege stated she feels the County should move to authority status, and hopes the efficiencies will positively affect the clients. CMH services are more of a function of the State of Michigan than it is of the County.

Mr. Sak had a concern with the resolution language as opposed to the language in the action request.

Mr. Koorndyk moved to call for the question on Mr. Mast's original motion.

Supported by Mr. Sak.

Yeas: Commissioners Koorndyk, Hiddema, Horton, Mast, Mayhue, Sak, and Vonk.

Nays: Commissioner Kuipers.

Motion carried.

Mr. Sak requested a roll call vote on the original motion.

Yeas: Commissioners Mast, Horton, and Koorndyk.

Nays: Commissioners Kuipers, Vonk, Sak, Mayhue, and Hiddema.

Motion failed.

(Mr. Sak left the meeting at this time).

VI. HEALTH - ADDITIONAL POSITIONS TO IMPLEMENT TASK FORCE RECOMMENDATIONS

Mr. Delabbio stated approval is requested to recommend to the Board of Commissioners to add one Public Health Program Supervisor II and one part-time (.5 FTE) Clerk Typist II to the Health Department to implement Recommendations One and Two of the Task Force on Health Care for People of Color, and to appropriate an additional \$242,000 to the Health Department Budget over the next three years to fund the positions. This item is proposed to go to the Board on April 25, 2002. A summary of the request follows.

- The Board of Commissioners approved the recommendations of the Task Force on Health Care for People of Color on March 28, 2002, and designated \$500,000 to be used for implementation of the recommendations.
- The recommendations called for creation of a professional-level staff position and associated support to assist the public and private health clinics within the County to develop partnerships for better service, and to implement a health care transportation resource directory and coordination project.
- While it is anticipated that most of the transportation project will be conducted by a contractor from the community and that the staff role will be one of oversight and facilitation, the clinic coordination project was proposed as a three-year pilot targeting specific projects including developing a system of mobile screenings/services with non-traditional hours, improvements to the medical data collection and management system, sharing of donated pharmaceuticals and investigating a technology connection among health department and primary care clinics.



- The Health Department has proposed employing a Public Health Program Supervisor II and Clerk Typist II position to perform these duties.
- In addition to the salary and fringe benefit costs, the proposed budget includes funding for supplies, printing, travel, etc.

The funding recommendation is as follows: \$242,000. Funding will be transferred from the Designated General Fund Balance to the Health Department FY2002 Budget, and included in the recommended budgets for FY2003 and FY2004.

Mr. Mast moved approval to recommend to the Board of Commissioners to add one Public Health Program Supervisor II and one part-time (.5 FTE) Clerk Typist II to the Health Department to implement Recommendations One and Two of the Task Force on Health Care for People of Color, and to appropriate an additional \$242,000 to the Health Department Budget over the next three years to fund the positions.

Supported by Mr. Koorndyk.

Mr. Hiddema asked who could use the mobile unit.

Ms. Swanson answered that anyone who is a user of the clinic can use the mobile unit - it is not just for people of color.

Mrs. Buege pointed out that she has requested that staff evaluate the program, and Ms. Swanson has assured her it will be done.

Motion carried.

VII. HEALTH - AUTHORIZATION TO HIRE AN EMPLOYEE ABOVE THE MIDPOINT OF THE MANAGEMENT PAY PLAN

Mr. Delabbio stated approval is requested to recommend to the Board of Commissioners for the Health Department to hire an employee above the midpoint of the Management Pay Plan. This item is proposed to go to the Board on April 25, 2002. A summary of the request follows.

- Board approval is needed to hire an employee above the midpoint of the Management Pay Plan.
- The prospective Public Health Medical Director/Chief Medical Examiner has eleven years experience as a Family Practitioner. He will complete his Masters of Public Health and Preventive Medicine Residency at the University of Michigan in June 2002.
- The candidate's credentials have been approved by the Michigan Department of Community Health, as required by the State Administrative Rules.

- A salary of \$127,000 is acceptable by the candidate and is competitive with current market rates for public health physicians.

Funds are available.

Mr. Mast moved to recommend to the Board of Commissioners approval to hire the prospective Public Health Medical Director/Chief Medical Examiner above the midpoint of the Management Pay Plan.

Supported by Mr. Koorndyk.

Mr. Kuipers asked what the midpoint salary is for this position in the Management Pay Plan.

Ms. Glocheski stated that the midpoint salary is \$109,263. The recommendation to the Committee is to hire this person in the 4<sup>th</sup> quartile.

Motion carried.

#### VIII. SHERIFF - POSITION CHANGE FROM PART-TIME TO FULL-TIME

Mr. Delabbio stated approval is requested to recommend to the full Board of Commissioners to create one full-time Emergency Communications Operator (ECO) (KCLEA) position by combining two part-time ECO positions. This item is proposed to go to the Board on April 25, 2002. A summary of the request follows.

- A full-time Emergency Communications Operator position was split into two part-time positions in 1994 in response to a request from an incumbent employee to transfer to part-time status.
- Both of the positions are now vacant due to resignation.
- The Sheriff Office believes that a single full-time position will ensure proper coverage by well-trained staff on a more sustained basis than the two part-time positions.

The cost is \$1,620 and funds are available in the 2002 Sheriff Department budget.

Mr. Koorndyk moved to recommend to the Board of Commissioners to create one full-time Emergency Communications Operator (ECO) (KCLEA) position by combining two part-time ECO positions.

Supported by Mr. Vonk.

Motion carried.

IX. MISCELLANEOUS

None.

X. ADJOURNMENT

There being no further business for discussion, Chair Buege adjourned the meeting at 9:50  
a.m.

ADMINISTRATIVE APPROVAL FOR DISTRIBUTION \_\_\_\_\_

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