

PROCEEDINGS OF

**PERSONNEL COMMITTEE MEETING
CHARTER TOWNSHIP OF WEST BLOOMFIELD
CONFERENCE ROOM #76
4550 WALNUT LAKE ROAD**

MONDAY, JUNE 12, 2006 --- 4:00 P.M.

CALL TO ORDER

The meeting was called to order at 4:05 p.m.

ROLL CALL

Members Present: Trustee Stuart Brickner
 Trustee Deborah Macon
 Trustee Robert Spector

Members Absent: None

In Attendance: Kent Herbert, Personnel Director
 Ed Haapala, Water & Sewer Director

Mr. Herbert stated this was an unprecedented situation in which the Chairman is no longer on the Committee. He questioned whether there has ever been a Vice Chairman on the Committee.

Ms. Macon stated there was a Vice Chairman in the past; however, there has not been a Vice Chairman for this term. Mr. Herbert suggested they select a Vice Chairman in the interim.

APPROVAL OF AGENDA

Mr. Brickner asked that Consideration for Appointment of Personnel Committee Chair be added to the agenda as Item #3a.

Ms. Macon asked that Item #7a be amended to insert the word "Supervision" so that it reads as follows: *Discussion of Hiring, Supervision, Evaluation, Termination Procedures.*

APPROVAL OF AGENDA (Continued)

Motion by Mr. Brickner and supported by Mr. Spector to approve the agenda as amended.

Ayes: Brickner, Macon, Spector

Nays: None

Absent: None

Motion carried

APPOINTMENT OF PERSONNEL COMMITTEE CHAIR

Mr. Brickner asked whether there were any nominations for the position of Chairperson for the Personnel Committee.

Motion by Mr. Spector and supported by Mr. Brickner to nominate Trustee Spector as Personnel Committee Chair.

Ayes: Brickner, Spector

Nays: Macon

Absent: None

Motion carried

APPROVAL OF MINUTES

Motion by Mr. Brickner and supported by Ms. Macon to approve the minutes of 04/24/06 as submitted.

Ayes: Brickner, Macon, Spector

Nays: None

Absent: None

Motion carried

SET NEXT MEETING DATE

Mr. Herbert suggested that the next meeting be scheduled for Monday, July 31, 2006. He stated that the job descriptions for the Police Department would be on that agenda and that would complete all the Township job descriptions. The job descriptions could then be placed on the Township Board agenda in August for review and approval.

SET NEXT MEETING DATE (Continued)

Motion by Ms. Macon and supported by Mr. Brickner to approve the next meeting date for Monday, July 31, 2006 at 4:00 p.m.

Ayes: Brickner, Macon

Nays: None

Absent: None

Motion carried

Mr. Brickner noted that Mr. Spector did not indicate his vote on the motion. Mr. Spector stated that according to Roberts Rules of Order, if there is a majority vote, the Chair does not have to make a reference as to which way he chose to vote.

Ms. Macon stated that was correct when it is applied to items for ordinary societies; however, it was not applicable to elected or appointed boards. Therefore, it was absolutely appropriate for the Chair of an elected board to state their position for the record because the Chair's position is never assumed.

Ms. Macon stated that it appeared he supported the motion regarding the next meeting date and asked that he state his position verbally.

Mr. Spector stated that he did support it; however, since it was already assumed there were three votes, he did not feel it was necessary to state his position verbally.

Ms. Macon stated that his position was not assumed and reiterated that the rule did not apply to elected bodies.

Mr. Brickner questioned whether he was going to declare his vote. Mr. Spector stated that if it passed, he was accepting the meeting time of 4:00 p.m. Mr. Brickner stated it would make it a lot easier if he simply declared his vote. Mr. Spector indicated that he was in favor of the July 31, 2006 meeting.

UNFINISHED BUSINESS

Mr. Brickner noted that there were typos in some of the job descriptions. Mr. Herbert stated the job descriptions were provided to the department heads for their review and they had an opportunity to share them with their staff. He stated there was one grievance with respect to the job description but it has since been resolved. Therefore, he felt the job descriptions were ready for approval subject to the typographical errors.

Motion by Ms. Macon and supported by Mr. Brickner that upon conclusion of review of job descriptions, that the Personnel Director have the authority to make grammatical, syntax, and punctuation changes that would be technical in nature.

Ayes: Brickner, Macon, Spector

Nays: None

Absent: None

Motion carried

PERSONNEL SPECIALIST

Mr. Brickner referred to page 2 regarding Math Abilities and suggested that the paragraph read as follows: "*a thorough and understanding.*"

Mr. Haapala stated there were last minute changes by the department heads who wanted items included and they were simply typed in. Therefore, they did not have an opportunity to review the document again.

Ms. Macon stated that it was typical in adopting documents such as the job descriptions, that one motion be cast to allow changes of grammar, syntax and punctuation only and that the authority to make those changes rest with the staff person responsible.

Motion by Mr. Brickner and supported by Mr. Spector to recommend approval of the Personnel Specialist job description as submitted.

Ayes: Brickner, Macon, Spector

Nays: None

Absent: None

Motion carried

WATER & SEWER FOREMAN

Motion by Mr. Brickner and supported by Mr. Spector to recommend approval of the Water & Sewer Foreman job description as submitted.

Ayes: Brickner, Macon, Spector

Nays: None

Absent: None

Motion carried

ASSISTANT WATER & SEWER DIRECTOR

Ms. Macon referred to page 1 and 2 of the document titled, "Water & Sewer Field Foreman" and questioned whether a portion of a sentence was removed. Mr. Herbert stated that was the old job description.

Motion by Mr. Brickner and supported by Mr. Spector to recommend approval of the Assistant Water & Sewer Director job description as submitted.

Ayes: Brickner, Macon, Spector

Nays: None

Absent: None

Motion carried

WATER & SEWER OFFICE COORDINATOR

Ms. Macon referred to the following wording under the section regarding Technical and Control: "...*follows-up on complaints and transactions involving deadlines and expiration dates.*" She asked whether the individual had the authority to come to resolution on those matters.

Mr. Haapala replied that the transactions involving deadlines and expiration dates involve paying all the bills and any special reports that may be due to the State or any other entity such as the County or City of Detroit.

Mr. Haapala stated the individual would simply gather information. If the individual is directed by the Director, Assistant Director or Foreman to assist in gathering information or follow-up on issues, it is merely a fact-finding or informational situation.

Mr. Brickner suggested that the word "investigates" be used rather than "follow-up." Ms. Macon agreed and indicated that "follow-up" basically indicates to her that the individual has the authority to make a decision.

WATER & SEWER OFFICE COORDINATOR (Continued)

Ms. Macon questioned the two different pay grades. Mr. Herbert explained that the first pay grade is the current pay grade and the other pay grade was negotiated as a reduction in the union contract. Therefore, when the position is vacated, the position will be reduced to pay grade level 5. He added that it would be in line with the other Office Coordinator positions.

Ms. Macon suggested that a note be placed in the job description to explain that change in order to avoid confusion. Mr. Brickner agreed. Mr. Herbert stated that it was addressed in the union contract.

Mr. Haapala stated that he did not believe the current employee would disagree with the word “investigates” being replaced with “follows-up.”

Motion by Mr. Brickner and supported by Ms. Macon to recommend approval of the Water & Sewer Office Coordinator job description as amended to replace “follows-up” with “investigates” so that the paragraph reads as follows: “Coordinates office and field activities with Assistant Water & Sewer Director. Investigates complaints and transactions involving deadlines and expiration dates.” With respect to the pay grades, the first number reflects the current pay of the person currently holding the position and the second number reflects the pay grade of the replacement person.

Ayes: Brickner, Macon, Spector

Nays: None

Absent: None

Motion carried

WATER & SEWER ACCOUNT ANALYST

Mr. Spector asked whether this job description replaced the Water & Sewer Office Coordinator. Mr. Haapala replied, “No” and indicated that the Water & Sewer Account Analyst is actually in the job description written as the Water & Sewer Billing Analyst/Specialist.

Mr. Herbert stated the reason he included that is because he found two job descriptions referring to the same position. Therefore, rather than choosing one or the other, he included both job descriptions.

Mr. Herbert stated that the language in bold print were changes made by the Township Treasurer.

WATER & SEWER ACCOUNT ANALYST (Continued)

Mr. Haapala felt there should be a distinction between an analyst and specialist. He stated that the specialist in his department is at pay grade level 5 and the Personnel Specialist is at pay grade level 5 as well.

Mr. Herbert asked if he wanted to remove the word "specialist." Mr. Haapala replied that the job description should simply indicate "Water & Sewer Billing Analyst."

Mr. Spector stated the old title was Water & Sewer Billing Specialist. Mr. Haapala stated that title will no longer exist.

Ms. Macon stated there would be a Billing Analyst that has more responsibility than a Billing Specialist. As she read the descriptions, it appeared the Analyst/Specialist appeared to have more depth, specificity and complexity.

Mr. Haapala stated that it changed in 2003 when there was a half level that went from Water & Sewer Billing Analyst which was at pay grade level 4 and bumped to level 4.5.

Mr. Spector questioned whether the job description title should be Water & Sewer Account Analyst/Specialist. Mr. Herbert stated that "Specialist" will be removed from the title.

Ms. Macon asked if there would only be one Water & Sewer Billing Analyst position dated 4/12/06 and whether the job description dated 03/06/06 was inappropriate. Mr. Herbert stated the job description dated 03/06/06 would be eliminated.

Ms. Macon asked if the job description for the Specialist position which Mr. Haapala mentioned earlier, was included. Mr. Herbert replied, "No" and indicated that it was reviewed and approved a year ago. Ms. Macon asked if the position was at pay grade level 5. Mr. Haapala replied, "Yes."

Motion by Ms. Macon and supported by Mr. Brickner that the job description titled "Water & Sewer Billing Analyst/Specialist" the word "Specialist" in the title be removed and to recommend approval of the Water & Sewer Billing Analyst job description.

Ayes: Brickner, Macon, Spector

Nays: None

Absent: None

Motion carried

WATER & SEWER ACCOUNT ANALYST (Continued)

Mr. Brickner asked that when the job description was submitted for approval by the Township Board, the title be changed to reflect "Water & Sewer Billing Analyst" rather than "Water & Sewer Account Analyst."

WATER & SEWER DIRECTOR

Ms. Macon stated Mr. Herbert made a point at a previous meeting when a question was asked as to why the person to whom the individual reported to was not included in any of the job descriptions. She stated that his response was that the item was omitted from all positions. After reading all the job descriptions, it seemed that it would add specificity as well as accountability that when positions are posted, it would be clear. She stated that some of the older positions did state very clearly to whom the individual reported to.

Ms. Macon stated that the first sentence in the old Water & Sewer Director job description included the following language, "*Under the direction of the Township Supervisor.*" She stated the new descriptions for directors appeared to subordinate the reference to the Township Supervisor. Therefore, she felt it was appropriate to include who the individual reported to.

Mr. Haapala agreed that the job description should include language indicating whom the individual reported to.

Mr. Herbert agreed there should be language indicating who the individual reported to for the director, deputy director and assistant positions only.

Motion by Ms. Macon and supported by Mr. Brickner to recommend that all position descriptions for department heads/directors clearly stated that they report directly to the Township Supervisor.

Ayes: Brickner, Macon, Spector

Nays: None

Absent: None

Motion carried

Mr. Haapala stated his job description clearly states that he provides direction to the Billing Analyst and Billing Clerk who are currently in the Treasurer's Department located at Town Hall. He wanted to be clear that he agreed the director needed to be involved with the billing of its department, but with respect to supervision, he was not in that location on a daily basis nor capable of being at Town Hall every day.

WATER & SEWER DIRECTOR (Continued)

Mr. Haapala stated that in the past, the performance evaluations have been conducted by the Township Treasurer. He had discussions with Ms. Hammond and she wanted him to take on the responsibility of conducting the performance evaluations. He felt that it would be difficult for him to supervise those individuals from his location and therefore, it should be shared between the Township Treasurer and him.

Mr. Brickner stated that was a good point.

Ms. Macon stated that the Water & Sewer Billing Analyst job description does not indicate that the individual works in the Treasurer's Office. She questioned whether they could assign duties to any other officer.

Mr. Herbert asked that when the location of those individuals was changed back in 1995, was the reporting structure assigned at that point. Mr. Brickner replied, "Yes" and indicated that Ms. Hammond assumed the responsibility. Ms. Macon stated that there was more staffing in that office back then. Mr. Herbert stated there was only one less person now than it was back then.

Mr. Spector stated there was discussion in the past regarding having the billing conducted by Oakland County or a private company. Mr. Herbert stated that was considered a possibility if there were problems with respect to administration of the department.

Mr. Spector felt the costs involved in doing that should be considered and suggested that it be placed on the next agenda for discussion because it would eliminate some positions in the Township.

Mr. Haapala stated that it would not affect the General Fund, but it would eliminate three or four positions from the Water & Sewer Fund.

Ms. Macon stated she could not support that type of decision unless expectations were established. At previous meetings, she recommended that they look at the cohesion and operation of departments on a macro basis, not only honing in on one area and not having specific assignments of staff so that it could be clear in order to avoid turf issues as to who reports to whom.

WATER & SEWER DIRECTOR (Continued)

Mr. Haapala stated that if the Township potentially ran into an issue with placing against State statute an officer such as the Treasurer, in supervising the Billing Analyst and Billing Clerk, he would place that responsibility under the Assistant Water & Sewer Director. However, he has not had the opportunity to discuss that with his staff. He stated that currently, the Assistant Water & Sewer Director is working with the Billing Department and it is placing quite a strain on the department.

Mr. Haapala stated that his Operations Superintendent spends at least 30 to 40 percent of his time dealing with billing in addition to addressing customer complaints and amount of public inquiries. He stated that the individual has been working late nights as well as on weekends in order to keep up.

Mr. Spector asked if he was indicating that the overtime was affecting his budget. Mr. Haapala indicated that the individual is basically giving time away because he does not submit the overtime. He stated the only way the individual can stay on top of the work is by working on Saturdays.

Ms. Macon stated it appeared there were issues with respect to the proper supervision of the Billing Department. She felt that was a separate conversation from the job description and should be discussed at another meeting.

Mr. Spector stated there appeared to be a violation of the law with respect to overtime payment because when an individual works overtime, they must be paid.

Mr. Herbert stated that was not the case for the Assistant Water & Sewer Director because he is considered an executive employee. Mr. Brickner stated that as professional management, he does not receive overtime.

Mr. Haapala stated that the Assistant Water & Sewer Director position is an hourly employee.

Mr. Spector asked that clarification be obtained with respect to the type of position as well as payment of overtime for that position.

Ms. Macon asked what paragraph in the job description referred to supervision of the Billing Analyst and Billing Clerk. Mr. Haapala stated that it was included in the first paragraph which indicated that he directed staff support.

Ms. Macon stated there was lack of specificity in the Water & Sewer Billing Analyst job description with respect to who supervises this position.

WATER & SEWER DIRECTOR (Continued)

Mr. Herbert stated it was not necessary to reflect that in the job description because it could be done in the budget. He added that the job descriptions should be as general as possible.

Mr. Spector stated he did not feel there was an issue because the job description indicates that the position directs staff support and therefore, he has control over that issue.

Mr. Haapala asked whether the Committee was comfortable with the fact that there is no on-site supervision of the Water & Sewer Billing Analyst and Clerk. The only way to have on-site supervision would be to have another position or physically move the Assistant Water & Sewer Director to Town Hall.

Mr. Spector did not feel the job description should be changed with respect to that issue because it would weaken the position.

Mr. Haapala stated the current situation with the Billing Department staff has been set up that way for years. He stated the department is dynamic and evolving and requires rearrangement.

Mr. Spector stated he understood that. Mr. Haapala stated that at a future date, he needed to come back to the Personnel Committee to discuss that issue.

Mr. Spector stated that Mr. Haapala basically has the authority to make those changes because the staff is directly accountable to him. If there are changes to be made, the Township and this Committee has the confidence in Mr. Haapala to do the right thing.

Mr. Haapala asked if he was indicating that he has the right to pull the Billing Department out of Town Hall. Mr. Spector reiterated that the job description clearly states that the Water & Sewer Director was in charge of his staff and he had discretion to do what he felt needed to be done. Therefore, he has the authority.

Motion by Mr. Brickner and supported by Mr. Spector to recommend approval of the Water & Sewer Director job description as submitted.

Ayes: Brickner, Macon, Spector

Nays: None

Absent: None

Motion carried

CODE ENFORCEMENT DIRECTOR

Mr. Spector stated that originally, this position was titled "Code Enforcement Supervisor." He stated that the current job description is titled 05/30/06.

Ms. Macon and Mr. Brickner both indicated they had no changes to the job description.

Mr. Herbert stated that Mr. Killian had a couple of minor changes that were made at the last minute.

Motion by Mr. Brickner and supported by Mr. Spector to recommend approval of the Code Enforcement Director job description as submitted.

Ayes: Brickner, Macon, Spector

Nays: None

Absent: None

Motion carried

CODE ENFORCEMENT OFFICE COORDINATOR

Motion by Mr. Brickner and supported by Mr. Spector to recommend approval of the Code Enforcement Office Coordinator job description as submitted.

Ayes: Brickner, Macon, Spector

Nays: None

Absent: None

Motion carried

CODE ENFORCEMENT INSPECTOR

Motion by Mr. Brickner and supported by Mr. Spector to recommend approval of the Code Enforcement Inspector job description as submitted.

Ayes: Brickner, Macon, Spector

Nays: None

Absent: None

Motion carried

ENVIRONMENTAL INSPECTOR

Ms. Macon asked if this position and the Code Enforcement Inspector position were in different departments. Mr. Herbert replied, "Yes" and indicated that both positions were equal.

Ms. Macon stated that the duties appeared to be related in a significant way because they both deal with the permitting and approval process and asked about the relationship between all the inspectors.

Mr. Herbert stated that with the exception of the Code Enforcement Inspectors, most of the inspectors find items that are not in compliance with the ordinance, but when it comes to citations, they turn those over to the Code Enforcement Inspectors.

Ms. Macon stated there was no language included to indicate that.

Mr. Herbert stated that language could be added to indicate that the Environmental Inspector coordinates with the Code Enforcement Inspectors.

Mr. Spector stated that prior to doing that, the job description should be examined further because the Environmental Inspector is reporting to two department heads and there should be a clarification.

Ms. Macon stated that it was indicated earlier that would only be done for the department head positions.

Mr. Spector stated the Wetland Board feels that the Environmental Inspector is directly under their control. Mr. Herbert stated this position was administrative and questioned how they could come up with that. Mr. Brickner stated that the Environmental Inspector is not under their control.

Ms. Macon stated this individual does not report to either the Wetland or Woodland Board. Rather, this individual is serving an administrative function with a clear staff person to whom they report.

Mr. Brickner stated the Environmental Inspector reports to administrative staff and not to any of the Environmental Boards.

Mr. Herbert stated that unless it is in the ordinance, they do not have any control over administrative staff.

ENVIRONMENTAL INSPECTOR (Continued)

Mr. Spector stated their interpretation of the ordinance is that the Environmental Inspector reports to the Environmental Boards. Mr. Brickner stated they were misinterpreting the ordinance and they do not have that authority.

Mr. Spector asked if the Environmental Inspector is a department head. Mr. Brickner replied, "No" and indicated that the Environmental Director is the department head. Mr. Spector asked who the Environmental Inspector is. Mr. Herbert replied, "John Roda."

Mr. Spector asked if the Environmental Inspector is under Marshall Labadie. Ms. Macon replied, "Yes" and indicated that he does not report to the Wetland Board or the Personnel Committee.

Motion by Mr. Brickner and supported by Mr. Spector to recommend approval of the Environmental Inspector job description as amended to include Code Enforcement Inspector under Coordinates.

Ayes: Brickner, Macon, Spector

Nays: None

Absent: None

Motion carried

PURCHASING AGENT

Mr. Herbert stated this position is also responsible for the maintenance personnel and therefore, the title of Building & Operations Supervisor has been added to the job description.

Ms. Macon stated that while this is a supervisory position, the individual reports directly to the Township Supervisor. However, the job description does not reflect that.

Motion by Mr. Brickner and supported by Mr. Spector to recommend approval of the Purchasing Agent job description as amended to include language that the position reports directly to the Township Supervisor.

Ayes: Brickner, Macon, Spector

Nays: None

Absent: None

Motion carried

ENGINEERING SENIOR CLERK

Motion by Mr. Brickner and supported by Mr. Spector to recommend approval of the Engineering Senior Clerk job description as submitted.

**Ayes: Brickner, Macon, Spector
Nays: None
Absent: None
Motion carried**

ENGINEERING ASSISTANT

Motion by Mr. Brickner and supported by Mr. Spector to recommend approval of the Engineering Assistant job description as submitted.

**Ayes: Brickner, Macon, Spector
Nays: None
Absent: None
Motion carried**

SENIOR PLANNING CLERK

Mr. Brickner referred to the following sentence: *“Organizes materials for the Commission and Board meetings and follows-up on subsequent actions.”*

Mr. Herbert stated the individual ensures that documentation is provided to the appropriate individuals.

Mr. Brickner stated that the individual is actually making sure there is compliance with actions.

Mr. Herbert suggested that the wording “assures compliance” replace “follows-up.”

Motion by Mr. Brickner and supported by Mr. Spector to recommend approval of the Senior Planning Clerk job description as amended to include language the following language: “Organizes materials for the Commission and Board meetings and confirms compliance on subsequent actions.”

**Ayes: Brickner, Macon, Spector
Nays: None
Absent: None
Motion carried**

ASSISTANT FIRE CHIEF

Ms. Macon suggested that language be included to clearly confirm that this individual reports directly to the Fire Chief. She referred to the last line in the General Summary which indicated that the individual may act as Fire Chief in the Fire Chief's absence. She felt the language should be amended to reflect "*shall act as Fire Chief in the Fire Chief's absence.*"

Mr. Spector stated it is the discretion of the Township Supervisor to determine who will be charge of the department.

Ms. Macon stated that if the department heads have someone as their Assistant Director that currently does not meet the approval of the Township Supervisor for acting in an emergency or a temporary position, that department head and the Township Board should be aware of that.

Ms. Macon stated that every department head who has cultivated and developed a respectful high level relationship with their assistants are intending that those individuals represent in a dire emergency. She stated that it is succession planning and felt it is a responsibility of the Township Board.

Mr. Brickner asked that in terms of succession, was she referring to temporary succession. Ms. Macon replied, "Yes." Mr. Brickner stated that Mr. Spector had concerns with permanent succession. He stated that as indicated in the ordinance and statute, the position is filled by the Township Board in the event of a vacancy. The language in the job description only fills a temporary absence.

Mr. Spector reiterated that it should be done at the discretion of the Township Supervisor.

Motion by Ms. Macon and supported by Mr. Brickner to recommend that in every assistant's position description, the last line be amended as to indicate: "shall act as the Fire Chief in the Chief's temporary absence."

Mr. Haapala asked that if the assistant was not the individual whom the department head wanted to be in charge of the department in his/her absence, would the department head have the right to have another designee as recommended to the Township Supervisor.

Mr. Spector stated that would not be possible if the language suggested by Ms. Macon were to be included in the job description. He stated that he did not have a problem with the line of succession as long as it was acceptable to the Township Supervisor and/or the Township Board.

ASSISTANT FIRE CHIEF (Continued)

Mr. Brickner stated that the succession would only be during a temporary absence of the department head.

Mr. Spector stated that if a department head were seriously ill, the temporary absence could result in a longer period such as six months or more.

Mr. Herbert stated that the length of a temporary absence should be defined.

Mr. Spector stated the uncertainty could be eliminated by simply indicating that the succession would be done with the approval of the Township Supervisor.

Mr. Brickner suggested that Ms. Macon's motion be amended to indicate that the Assistant Fire Chief shall act as the Fire Chief in the Chief's temporary absence unless specifically determined otherwise by the Township Supervisor.

Mr. Spector asked what was wrong with his suggestion. Mr. Brickner stated that in the event of a crisis, it was necessary to have another individual automatically step in to deal with the situation and that was the reason for succession.

Mr. Spector suggested that the language indicate that the assistant shall act as the department head in an emergency only and be reaffirmed by the Township Supervisor.

Mr. Herbert suggested that the Committee simply vote on the change and debate the issue at the Township Board meeting.

Mr. Haapala expressed concern with the word "may" and agreed that it should be changed to "shall" because it would allow the assistant to make a decision during the department head's absence.

Mr. Spector expressed concern with an individual who obtained the title of assistant through job seniority and attrition making critical decisions.

Mr. Herbert stated that would not happen and when hiring assistants and deputies, the department head has to consider whether that individual was appropriate for the position.

Mr. Herbert stated that with respect to critical decisions, the job description for department heads indicate that the individual has considerable amount of discretion, however, the Township Supervisor is consulted during unusual or extenuating circumstances.

ASSISTANT FIRE CHIEF (Continued)

Mr. Brickner stated that Ms. Macon indicated that the Township Supervisor has the authority to select another individual other than the assistant, to act in the absence of the department head. Ms. Macon stated that was correct and indicated that it was not necessary to include that language in the motion because that language is included in the ordinance.

Mr. Herbert suggested that when the job descriptions are presented to the full Township Board, there will be an agenda item to indicate that all previously approved job descriptions include language to indicate that they report to the Township Supervisor and for assistants to department heads, the following language be included: "*shall act in the temporary absence of the department head.*" He added that language could also be included to indicate that the Township Supervisor has the authority to change the designation of the individual to act in the absence of the department head.

Ms. Macon stated that it would not be favorable to have instability in a department during an emergency.

Mr. Spector stated that the Fire and Police Departments already have an emergency system involving the chain of the command.

Motion by Ms. Macon and supported by Mr. Brickner to recommend that each assistant department head, regardless of their title, shall act in the temporary absence of that department head.

**Ayes: Brickner, Macon, Spector
Nays: None
Absent: None
Motion carried**

Motion by Mr. Brickner and supported by Mr. Spector to recommend approval of the Assistant Fire Chief job description and that the last line be amended to indicate: "shall act as the Fire Chief in the Chief's temporary absence."

**Ayes: Brickner, Macon, Spector
Nays: None
Absent: None
Motion carried**

FIRE CHIEF

Motion by Mr. Brickner and supported by Mr. Spector to recommend approval of the Fire Chief job description as submitted.

Ayes: Brickner, Macon, Spector

Nays: None

Absent: None

Motion carried

INFORMATION SYSTEMS DIRECTOR

Motion by Mr. Brickner and supported by Mr. Spector to recommend approval of the Information Systems Director job description as submitted.

Ayes: Brickner, Macon, Spector

Nays: None

Absent: None

Motion carried

ASSISTANT INFORMATION SYSTEMS DIRECTOR

Motion by Mr. Brickner and supported by Mr. Spector to recommend approval of the Assistant Information Systems Director job description as submitted.

Ayes: Brickner, Macon, Spector

Nays: None

Absent: None

Motion carried

COMPUTER APPLICATIONS COORDINATOR

Motion by Mr. Brickner and supported by Mr. Spector to recommend approval of the Computer Applications Coordinator job description as submitted.

Ayes: Brickner, Macon, Spector

Nays: None

Absent: None

Motion carried

COMPUTER PROGRAMMER / ANALYST

Motion by Mr. Brickner and supported by Mr. Spector to recommend approval of the Computer Programmer / Analyst job description as submitted.

Ayes: Brickner, Macon, Spector

Nays: None

Absent: None

Motion carried

NETWORK SUPPORT ADMINISTRATOR

Motion by Mr. Brickner and supported by Mr. Spector to recommend approval of the Network Support Administrator job description as submitted.

Ayes: Brickner, Macon, Spector

Nays: None

Absent: None

Motion carried

GIS SPECIALIST

Motion by Mr. Brickner and supported by Mr. Spector to recommend approval of the GIS Specialist job description as submitted.

Ayes: Brickner, Macon, Spector

Nays: None

Absent: None

Motion carried

SWITCHBOARD / PART-TIME

Ms. Macon stated it was her understanding that the pay grade level was increased to 2.5 because the original level of 2 appeared to be incredibly low.

Mr. Spector asked if any positions were paid at pay grade level 2. Mr. Herbert stated that the information was in his office.

The Committee took a recess at 5:34 p.m. and reconvened at 5:40 p.m.

Mr. Herbert stated that the Switchboard (part-time) was at pay grade level 2 and the current hourly rate is \$16.69.

SWITCHBOARD / PART-TIME (Continued)

Mr. Spector felt that the hourly rate for the part-time position was appropriate. He stated that when the Township originally purchased the automatic phone system, this particular position was going to be eliminated altogether. However, there was not a majority vote on the Township Board to do so. Therefore, he felt that the hourly rate for the position was reasonable.

Ms. Macon stated that her question was simply one of clarification.

Motion by Mr. Brickner and supported by Mr. Spector to recommend approval of the Switchboard / Part-time job description as submitted.

Ayes: Brickner, Macon, Spector

Nays: None

Absent: None

Motion carried

MECHANIC – POLICE OR FIRE

Ms. Macon asked that the title be changed to delete Police or Fire and simply be titled "*Mechanic*."

Mr. Spector stated that the mechanics work on different equipment.

Mr. Herbert stated that there was a mechanic for the Police and Fire Department. Mr. Haapala suggested that the job be titled "*Public Safety Mechanic*."

Mr. Spector asked who was responsible for the Township cars. Mr. Herbert stated that the Police Mechanic performed maintenance and repair on the Township cars.

Mr. Haapala stated that the Water & Sewer Department sent their cars out to another location for maintenance or repairs.

Mr. Spector stated that based on that information, he felt "*Police or Fire*" should be removed from the job title.

Ms. Macon asked who handled the mechanical needs for the Water & Sewer Department. Mr. Haapala stated that in the past, the Police and/or Fire Mechanics came to the Water & Sewer Department to perform vehicle maintenance and repairs. In the 1990's, it was changed and the vehicles are now taken to Jiffy Lube and Safety Auto.

MECHANIC – POLICE OR FIRE (Continued)

Mr. Spector suggested that there be a central garage and simply have the Mechanics perform service all the Township vehicles.

Motion by Mr. Brickner and supported by Mr. Spector to recommend approval of the Mechanic job description as amended to remove “Police or Fire” from the job title.

Ms. Macon asked if there was a willingness to include language in the body of the job description to indicate that priority will be given to public safety vehicles. Mr. Spector replied, “Absolutely not.” Mr. Brickner suggested that the issue be debated at another time.

Ayes: Brickner, Spector

Nays: Macon

Absent: None

Motion carried

ELECTIONS SPECIALIST / COORDINATOR

Mr. Herbert stated that this job description was previously approved by the Township Board, but there were a couple of minor changes that the Township Clerk wanted to include.

Motion by Mr. Brickner and supported by Mr. Spector to recommend approval of the Elections Specialist/Coordinator job description as submitted.

Ayes: Brickner, Macon, Spector

Nays: None

Absent: None

Motion carried

NEW BUSINESS

LEGAL OPINION FROM TOWNSHIP ATTORNEY REGARDING DISCUSSION OF HIRING, SUPERVISION, EVALUATION, TERMINATION PROCEDURES

Mr. Herbert stated that he obtained a legal opinion which addressed the questions Mr. Horn asked at the last meeting.

Ms. Macon recapped the discussion by indicating that Mr. Horn asked that since the Township Board hired the department heads, were they involved in the performance review evaluation process and questioned whether they could review the performance reviews.

Mr. Spector referred to item 2 of the opinion which indicated that because the Township Supervisor is ultimately responsible for each Township department, it is our opinion, unless otherwise directed by Township Board resolution or ordinance, that the Township Supervisor is responsible for conducting the formal evaluations of department heads.

Ms. Macon stated that the opinion also indicated that said evaluations are to be provided to the Township Board. Therefore, the question relative to whether the Board members could review the performance evaluations has been answered.

Mr. Herbert asked in what manner would the Township Board wish to have those performance evaluations provided. He preferred to provide them at the request of the Board members.

Mr. Spector stated that it was the discretion of the Township Supervisor. Mr. Herbert stated that was not correct and the opinion indicated that the performance evaluations would be provided at the Board's request.

Mr. Spector stated that if the Committee wished to review the performance evaluation of a particular department head, a request should be submitted to the Township Board.

Mr. Herbert stated that according to the opinion, the Board members were entitled to review the performance evaluations at their request.

LEGAL OPINION FROM TOWNSHIP ATTORNEY REGARDING DISCUSSION OF HIRING, SUPERVISION, EVALUATION, TERMINATION PROCEDURES (Continued)

Ms. Macon stated that the opinion actually indicated that the performance evaluations were to be provided to the Township Board. Therefore, she did not construe that as Board members being able to individually request the performance evaluations. She added that the Open Meetings Act provides an opportunity for an individual's evaluation and that an individual could request that review in a closed session.

Mr. Spector asked that clarification be provided with respect to that language because his interpretation was that there had to be a request. He stated there was not a policy involving annual evaluations of all employees.

Mr. Herbert stated that was incorrect and that employee evaluations were conducted every year. Ms. Macon agreed and referred to Article 7a of the Employee Policy Manual.

Mr. Herbert suggested that when this issue is discussed at the full Board level, it be placed on the June 26th agenda since the Township Labor Attorney would be present at that meeting.

Ms. Macon stated she was satisfied with the language in the opinion and questioned what the process would be with respect to receiving the performance evaluations. She envisioned that there would be a designated opportunity to review a copy of the performance evaluation and then return it to the Personnel Department.

Mr. Brickner suggested that they review the Charter Township Act because the opinion refers to Section 4210a of that Act.

Ms. Macon asked under what circumstances the Board members would have some connection to the evaluations of department heads.

Mr. Herbert questioned whether the performance evaluations should be automatically sent to the Board members in January of each year or should a request be submitted.

Mr. Brickner referred to item 3 of the opinion which indicated that ordinarily the Supervisor has the authority for termination or discipline of an employee department head under the direction of the Supervisor, unless two conditions are met. He stated the two conditions include language indicating where there has been authorization from the Township Board to undertake such action.

LEGAL OPINION FROM TOWNSHIP ATTORNEY REGARDING DISCUSSION OF HIRING, SUPERVISION, EVALUATION, TERMINATION PROCEDURES (Continued)

Mr. Brickner stated that according to the opinion, the Board members are directly involved in the process of reviewing performance evaluations and the Supervisor has delegated his authority as Personnel Director under MCL 4210 and to that officer. He stated that the Township Supervisor or an officer acting on his behalf does not have the authority to fire an employee. Therefore, he felt the language indicates that the performance evaluations should be given to the Board members.

Mr. Spector disagreed and referred to the language in item 1 of the opinion. He stated that the language in both of the statutory provisions is broad and can be concluded that the Supervisor has the authority to handle personnel matters related to policy, interpretation, policy development, hiring procedures, disciplinary matters, recordkeeping, and benefit administration. It is important to note that the final adoption of a policy is a Township Board function. He stated that his interpretation of the language is that it was the discretion of the Township Supervisor or the Township Board.

Mr. Spector stated that although an Employee Manual exists, it is obvious that the policy of providing the performance evaluations to the Board has not been enforced. Therefore, it was a question of placing the issue before the Board to determine whether they wish to have it enforced.

Mr. Spector asked what the Board would gain from the information they found in the performance evaluations. He stated that if the Township Board felt it was important to review the performance evaluations, then a request should be submitted to the Township Supervisor to enforce Article 7. He suggested that a motion be made with respect to that issue.

Ms. Macon stated that prior to doing that, she wanted to know what process would be recommended by the Township Attorney. She stated that she could pose her question directly to the Supervisor, but based on Mr. Horn's question, the Personnel Committee would want to understand how performance evaluations were handled.

Mr. Brickner felt the issue also involved accountability and in reading the opinion, it actually indicated that the performance evaluations should be provided to the Board members.

Mr. Spector stated that the opinion also indicated that because the language in both of the statutory provisions are broad, it can be concluded that the Supervisor has the authority to handle personnel matters related to policy interpretation.

LEGAL OPINION FROM TOWNSHIP ATTORNEY REGARDING DISCUSSION OF HIRING, SUPERVISION, EVALUATION, TERMINATION PROCEDURES (Continued)

Mr. Brickner stated he was not arguing that point and indicated that Mr. Spector was discussing an entirely different issue. He stated that the attorney's opinion has separated the statutory provisions into different numbered issues. Mr. Spector disagreed and wanted a Board resolution to interpret the ordinance.

Mr. Brickner stated the Township Attorney would advise the Board against approving a Board resolution to interpret an ordinance because that is done by the Township Attorney whom the Board relies on to provide interpretations.

Mr. Spector stated that it appeared revisions needed to be made to the policy. Ms. Macon stated that the policy has already been approved by the Board. Mr. Spector stated that enforcement of the policy needed to be addressed.

Mr. Brickner stated that the Township Attorney's opinion referred to State law, not Township policy and therefore, it supersedes the policies and ordinances.

Mr. Spector stated that he did not wish to argue any further and suggested that if the Committee felt it was that important, the matter be placed before the Township Board for interpretation.

Mr. Brickner stated that the Township Attorney has already interpreted the State statute as reflected in his opinion and according to the language, the Township is not complying with the mandate.

Mr. Spector asked whether there were performance evaluations in the employee personnel files. Mr. Herbert replied, "Yes." Mr. Spector asked if there were performance evaluations in the files for all the department heads. Mr. Herbert replied, "Not in every case." Mr. Spector asked if the performance evaluations were done on an "as needed" basis. Mr. Herbert stated that the Township policy has typically been that performance evaluations were conducted between the periods of October through December.

Mr. Herbert stated that he would provide the performance evaluations to the Board members once clarification is obtained with respect to the language as to whether the performance evaluations should be provided by request or automatically.

Mr. Spector asked if they were currently being provided automatically or by request. Mr. Herbert stated that at the present time, it was not being done at all.

**LEGAL OPINION FROM TOWNSHIP ATTORNEY REGARDING DISCUSSION OF
HIRING, SUPERVISION, EVALUATION, TERMINATION PROCEDURES** (Continued)

Ms. Macon suggested that clarification be provided by the Township Attorney and that the information be brought back to the next Personnel Committee meeting.

Mr. Spector wanted to eliminate any implication that the Township Supervisor was derelict in his responsibilities. Mr. Brickner stated there was no question about that.

Ms. Macon asked if there were any aspects of Article 7 in terms of managing performance that would be a direct benefit to the Committee and the Township if they were to reflect or address any of those aspects.

Mr. Herbert stated that throughout the organization, one of the criticisms of any evaluation system, is that there is a halo effect of what has been done in the last six weeks, not in the last six months and making notes about performance throughout the year, both good and bad.

AUDIENCE GENERAL COMMENTS/QUESTIONS

None.

COMMITTEE EMERGING ISSUES

Mr. Herbert stated that at the next meeting the Police Department job descriptions would be ready for review and an opinion provided as to whether the Assistant Water & Sewer Director is exempt from overtime as it relates to the Fair Labor Standards Act, even though under the Union Contract, he is eligible for overtime pay.

ADJOURNMENT

There being no further business, the meeting adjourned at 6:35 p.m.

Robert Spector
Personnel Committee Chair

Transcribed by: Millie Gray, Recording Secretary