

PROCEEDINGS OF

PERSONNEL COMMITTEE / BOARDS & COMMISSIONS COMMITTEE
CHARTER TOWNSHIP OF WEST BLOOMFIELD
4550 WALNUT LAKE ROAD

MONDAY, NOVEMBER 27, 2006 — 1:00 P.M.

CALL TO ORDER

The meeting was called to order at 1:09 p.m. by Trustee Spector.

Members Present: Trustee Deborah Macon
Trustee Robert Sher
Trustee Robert Spector

Members Absent: None

In Attendance: Attorney Gary Dovre
Kent Herbert, Human Resources Director
Marshall Labadie, Environmental Director
Doug Plachcinski, Planning Director
Patty Hicks, Planning Department
Linda Smith, Planning Department
Judy Sheridan, Purchasing Department
Marilyn Henry, Clerk's Office
Teresa Hebert, Information Technology Department

APPROVAL OF AGENDA

Ms. Macon asked that discussion regarding the memo dated 11/22/06 about the Boards & Commissions Committee from the Township Supervisor be added to the agenda as Item 6b.

Ms. Macon suggested that the agenda be arranged in order to accommodate the employees who were present at the meeting for a specific item.

Mr. Herbert stated that discussion of the memo would probably last 30 minutes and suggested that the employees come back then.

Mr. Spector stated the Committee would not take any action until the employees had an opportunity to provide their input.

APPROVAL OF AGENDA (Continued)

Motion by Ms. Macon and supported by Mr. Sher to approve the agenda as amended.

Ayes: Macon, Sher, Spector

Nays: None

Absent: None

Motion carried

APPROVAL OF MINUTES

Motion by Ms. Macon and supported by Mr. Sher to approve the minutes of 10/16/06 and 10/23/06 as submitted.

Ayes: Macon, Sher, Spector

Nays: None

Absent: None

Motion carried

SET NEXT MEETING DATE

The next meeting was scheduled for Monday, December 11, 2006 at 3:00 p.m.

UNFINISHED BUSINESS

REVIEW OF RECOMMENDATIONS 9 & 10

The meeting was turned over to Mr. Sher at this point, since he served as the Boards & Commissions Committee Chairperson.

Mr. Herbert stated the Committee wanted to review the removal process for a boards/commissions member as well as a complaint & grievance procedure. He stated that an opinion which includes the minimum standards according to State law and any ordinances has been provided. He stated the Committee could add any additional conditions and/or procedures as long as those additions did not conflict with the law.

Ms. Macon asked for a brief summary of those items.

Attorney Dovre stated that Item 9 involved a removal process for boards and commissions members to be incorporated into each board/commission enabling ordinance. He stated that Item 10 involved a complaint and grievance procedure for boards and commissions members and their actions as to be established.

REVIEW OF RECOMMENDATIONS 9 & 10 (Continued)

Attorney Dovre stated opinions were provided to the Township in January 2003 and June 2004. Since then, the process has become even simpler with the Michigan Legislature adopting the Michigan Zoning Enabling Act which makes Zoning Ordinances for cities, townships, and villages uniform. He stated that both opinions indicate that municipalities should refer to the statute with respect to removal of an appointee. If the statute reflects certain procedures and standards, the Township has no authority to change it.

Attorney Dovre stated the new law includes both a standard procedure as well as standard criteria for removal of members on the Planning Commission and the Zoning Board of Appeals. He stated that the removal of any member on the Planning Commission or Zoning Board of Appeals could be for misfeasance (negligence or incompetence), malfeasance (illegal or unethical conduct such as a conflict of interest when voting), or non-feasance (complete neglect of duty such as members simply not attending any meetings).

Attorney Dovre stated that since language existed in the State statute for the standards of removal, it would not be necessary for the Township to adopt an ordinance to address removal of a board or commission member who serves on the Planning Commission or Zoning Board of Appeals. He stated the procedure for removal is also set forth in the statute for those two bodies.

Attorney Dovre stated the standards could be similar for the Wetland Board and Woodland Board.

Attorney Dovre stated a member of the Planning Commission or the Zoning Board of Appeals cannot be removed until he or she has been given written charges reflecting reasons and a public hearing has been held regarding those written charges. He stated that the opinions provided previously indicate that individuals should be notified of their proposed removal and be given an opportunity to respond which are the basic elements of a due process.

Mr. Sher asked if the vote had to be a majority. Attorney Dovre stated that a majority vote is sufficient for removal.

Mr. Spector stated there was no mention of insubordination. Ms. Macon stated that was not included in the statute.

REVIEW OF RECOMMENDATIONS 9 & 10 (Continued)

Mr. Sher asked for his definition of insubordination. Mr. Spector stated there was an issue at a previous Board meeting and he felt an individual was insubordinate to the Board as well as the Township because that individual took their own personal ideologies ***opposite of the Board***. He stated the Board issued an order for a study to be conducted by Oakland County and the board member contacted the County as an official of the Township to indicate that the study not be conducted.

Mr. Sher stated that it appeared insubordination came under one of the categories.

Ms. Macon stated that rather than attempting to go back, she wanted to move forward. She stated the previous Boards & Commissions Committee included only three reasons for removal and those were: misfeasance, malfeasance, and non-feasance. Therefore, the majority of the appointing body bears the responsibility to state the issue in light of the three reasons reflected in the State statute.

Ms. Macon agreed that the three reasons should be applied to every board and commission. She stated that boards and commissions members as well as staff and the public have to be informed of the specific standards and due process.

Attorney Dovre stated that while insubordination may be the word that comes to mind to describe the issue raised by Mr. Spector, the better approach that would tie back into the three standards included in the statute would be malfeasance which is illegal or unethical conduct.

Attorney Dovre stated the Township has an ethics policy which is included in the Employee Manual as Policy S4. However, he did not believe it currently dealt with the exact example referenced in which a member of a board or commission attempts to use their position to advance a personal agenda.

Attorney Dovre stated it would be his opinion that if the Township establishes an ethics policy and provides notice of that policy with particular focus on boards and commissions, and someone violates that particular policy, that could be claimed to be malfeasance and therefore, it could be grounds for removal. He stated that type of action should not be referred to as insubordination because some individuals took exception to that and indicated that they did not exist to simply do what the Township Board directed them to do.

Attorney Dovre stated the individuals who are appointed to the boards and commissions do not directly answer to the Township Board, but rather, they answer by way of whether they have earned the right to be reappointed or alternatively, if they have done something that was grounds for removal.

REVIEW OF RECOMMENDATIONS 9 & 10 (Continued)

Mr. Sher stated that inappropriate behavior appeared to fall under one of the standards listed in the State statute.

Ms. Macon stated that if there is substantive evidence and concern, a thoughtful and reasonable individual would be able to use those three standards and make a strong case, if there is a strong case to be made. Therefore, it made sense to simply use the language contained in the State statute.

Ms. Macon stated that if the Township Board believes that members of boards and commissions should do exactly what it tells them to do, then the Township Board has to create some mechanism to indicate that. She felt that if some mechanism is to be created, that particular board or commission did not need to be in place. She stated that if a majority of the Township Board believes that a board or commission should always know what the Township Board wants, it will have to ask the Board what it should do every time a question or issue arises. She stated that did not appear to be the reason for having boards and commissions. However, if the majority of the Township Board felt that way, she suggested that all the boards and commissions be restructured in order to allow that to happen.

Mr. Sher agreed with most of Ms. Macon's comments and stated that the word "insubordination" indicated to him that the individual is working for a specific body under direct control and instructions. He stated the boards and commissions are in place to make decisions and act appropriately under their guidelines. He stated that if they do things that are inappropriate or acting rudely, the three standards in the State statute were pretty broad.

Mr. Sher questioned whether the boards and commissions worked for the Township Board on an individual basis and whether the Township Board gave them direction on a case-by-case basis. He doubted that was the case. However, if that was the case, he felt the majority of the Township Board needed to inform the boards and commissions of that responsibility. He added that he was not comfortable with the use of the word "insubordination" with respect to the actions of the boards and commissions.

Mr. Spector stated that the Township Board consisted of individuals elected by the residents and they are expected to make decisions for the majority of the citizens with respect to health, safety, and welfare.

Attorney Dovre stated, "No. That's too broad of statement when you're talking in the context of particular permitting decisions."

REVIEW OF RECOMMENDATIONS 9 & 10 (Continued)

Mr. Spector stated the Township Board made appointments and he felt that a lot of the appointments to the boards and commissions were politically motivated. He felt that the individuals who are appointed to the boards and commissions should do the bidding of the Township Board because if an individual is not happy with the decision by a board or commission, they have the right to appeal that decision to the Township Board who makes the final decision with respect to an issue.

Mr. Sher stated it appeared Mr. Spector was indicating that the boards and commissions should be a rubber stamp of the majority of the Township Board. Mr. Spector stated that was correct. Mr. Sher disagreed with that idea and felt the Board appointed individuals for whatever reason and they are given guidelines with respect to their responsibilities while serving that board or commission. He stated those individuals are to exercise their judgment on those particular guidelines and if individuals are not satisfied with the decisions made by that board or commission, they simply go before the Township Board and appeal the decision.

Mr. Sher stated if the Township Board felt that a member of the boards and commissions has violated the three standards reflected in the State statute, then it should be brought up in a public forum, give them an opportunity to respond and vote on the issue.

Ms. Macon stated that if majority of the Township Board believes that all boards and commissions are rubber stamps, then the authorizing body has to create some mechanism, philosophy, policy, or guidelines that communicate that intent to those boards and commissions. She stated that typically, the ordinance is the mechanism used by the Township to address the creation or change of policy.

Ms. Macon stated the eight points which the Committee dealt with previously were designed to address the gaps. The Committee could come back to this discussion once they have gone through those points.

Mr. Spector stated he was not indicating that the boards or commissions should be rubber stamps, but rather, they should have the thoughts and feelings of the full Township Board. He assumed that the boards and commissions were a method of handling the business of government at that level. Therefore, the Township Board would expect that the individuals who are appointed to the boards and commissions to follow certain guidelines that are congruent with the wishes of the Township Board.

Mr. Sher stated that when he served on the Planning Commission for seven years under Supervisor Hood as well as Supervisor Flaisher, he was never told how he should vote and if he was told that, he would not have served on that commission.

REVIEW OF RECOMMENDATIONS 9 & 10 (Continued)

Attorney Dovre stated the Township currently has an Ethics Policy in place and maybe it needed to be fine tuned in order to identify additional areas or amend the language to address unethical issues.

Ms. Macon stated the eight points raised by the Committee referred to creating a manual for the members of boards and commissions. She stated the Employee Manual does not address the members of boards and commissions. Therefore, a manual needed to be created to maintain boundaries.

Mr. Sher stated he wanted to move forward with respect to Attorney Dovre's suggestion of applying the same standards for the Planning Commission and Zoning Board of Appeals to the other boards as well as review the Ethics Policy to ensure that it addressed what the Committee felt was appropriate.

Ms. Macon suggested that the existing policy and procedures as applicable to the Planning Commission and Zoning Board of Appeals be equally applicable to all boards and commissions for West Bloomfield Township and that procedures be written so that members understand how those policies apply, subject to legal limitations:

Motion by Ms. Macon and supported by Mr. Spector that the Boards & Commissions Committee recommend to the Township Board to apply the misfeasance, malfeasance, and non-feasance standards that apply to the Planning Commission and Zoning Board of Appeals to all appointed boards and commissions and that the same removal procedure for State law apply, which includes written charges and a public hearing before removal.

Mr. Spector suggested that language be included to assert the authority that the Township Board has the final decision. Mr. Sher stated the Township Board has the final decision. Mr. Spector stated that was not correct.

Ms. Macon stated there was one board that has more authority than the Township Board. She stated the ordinance creating the Wetland Board gave that particular board more authority than the Township Board.

Mr. Spector stated the Township Board should have the final decision. Ms. Macon stated that has always existed.

Attorney Dovre stated the motion did not directly address Mr. Spector's concern, but it was consistent with his recommendation that all the boards and commissions be subject to the same removal standards and process. He suggested that the Township Ethics Policy be reviewed to determine whether it reflected the Committee's position on ethical expectations of appointees and if not, decide how it should be changed.

REVIEW OF RECOMMENDATIONS 9 & 10 (Continued)

Ms. Macon stated she could provide a copy of the Best Practice for Volunteers to the Committee. She stated there is a stand alone document, not co-mingled with paid staff because it is very difficult for a volunteer who is not present full-time to go through that document and pick out the items that apply. She suggested that any language in the Employee Manual that the Committee believes would apply to volunteers be replicated and possibly, modify the language if necessary.

Mr. Spector stated that if the Committee was going to vote on a policy, he wanted to have the terms and conditions of the Employee Manual, rather than not having any language at all.

The following vote was taken with respect to the motion for recommendation to the Township Board to apply the misfeasance, malfeasance, and non-feasance standards that apply to the Planning Commission and Zoning Board of Appeals to all appointed boards and commissions and that the same removal procedure for State law apply, which includes written charges and a public hearing before removal.

Ayes: Macon, Sher, Spector

Nays: None

Absent: None

Motion carried

Attorney Dovre stated that the Committee should review the Ethics Policy and other provisions of the Employee Manual. He suggested that the Boards & Commissions Committee review existing Township Ethics Policy for possible changes to be recommended to the Township Board as related to the malfeasance issue.

There was a consensus of the Committee to review the existing Township Ethics Policy for possible changes as recommended by Attorney Dovre.

Ms. Macon strongly recommended that procedures be in place to act on the policy since no policy currently exists. Mr. Spector agreed.

DISCUSSION REGARDING 11/22/06 MEMO FROM TOWNSHIP SUPERVISOR

Ms. Macon stated the memo contained items being assigned by the Township Supervisor to members of the Board or the Boards & Commissions Committee or chairpersons. She asked if many of the assignments were made by the Township Board as opposed to the Township Supervisor. She expected that the Township Supervisor would be directing the department heads or paid staff to put some of the items in place.

DISCUSSION REGARDING 11/22/06 MEMO FROM TOWNSHIP SUPERVISOR

(Continued)

Mr. Herbert stated that he has done so with some of the items. Ms. Macon stated that was not what was reflected in the memo. She referred to Item #1 which indicated the assignment was to the liaison of a board or commission. Mr. Herbert stated that liaison was the term used when referring to the paid staff.

Ms. Macon asked if the language could be clarified so that the term "liaison" actually referred to the paid staff. She suggested that the term "paid staff director" be used. Mr. Herbert stated that would be true in most cases, with the exception of the Cable Advisory Board because there is no staff director.

Ms. Macon asked if staff support would be assigned to the Committees since no staff assignments currently exist.

Mr. Spector referred to the rules for conduct of boards and commissions and asked whether that document should be signed by each member when they are appointed. Ms. Macon agreed.

Ms. Macon referred to Item #5 which indicated that the Boards & Commissions Committee chairperson would produce a copy and stated that staff support should be provided to those chairpersons. Mr. Herbert stated there would always be staff support.

Ms. Macon referred to Item #6 and indicated that included in the original Boards & Commissions Report is a format for a position description. Mr. Herbert stated that item indicates that the Boards & Commissions Committee would be handling that issue.

Ms. Macon stated that customer feedback would tie into the entire concept of the goal setting. Mr. Spector asked if the customers were the residents or the boards and commissions. Ms. Macon stated the original intent was people who use the Township services.

Mr. Spector stated that Items 1 through 6 specifically dealt with issues that would be dealt with internally. Ms. Macon stated that was correct.

Ms. Macon referred to Item #8 and asked if the Township Supervisor was not acting on that particular item. Mr. Herbert stated Mr. Flaisher felt that a system currently existed and did not want to change it. Ms. Macon stated that system was more than only address negative feedback.

Mr. Spector stated that Mr. Flaisher received a lot of complaints. Ms. Macon stated although that might be true, she was not aware of that since there was no mechanism in place to provide that information.

DISCUSSION REGARDING 11/22/06 MEMO FROM TOWNSHIP SUPERVISOR

(Continued)

Ms. Macon asked for the language in Item #8. Mr. Herbert read the following, "*The Township Board is to institute a customer feedback system regarding the work of the various boards and commissions.*" Mr. Herbert stated that Mr. Flaisher indicated that a system currently existed.

Ms. Macon suggested that Item #8 be placed back on the agenda in order to allow the Boards & Commissions Committee to re-recommend or not.

The Committee took a recess at 2:12 p.m. and reconvened at 2:16 p.m.

NEW BUSINESS

REVIEW OF PROPOSED PAY PLAN CHANGES — APPOINTED & ELECTED

The meeting was turned back over to Mr. Spector at this point, since he served as the Personnel Committee Chairperson.

Mr. Herbert stated the 3% increase for the elected officials was not approved last year because the Board was attempting to show solidarity with respect to the issues of the economy. Now there is a request to apply the 3% to the appointed and elected officials since the employees have received the increase.

Ms. Macon stated that with respect to the 3% increase, she had concerns with how it affected the Trustees. She has been consistent about it since 1996, at which time she officially requested that the role of Trustees on the Board has continued to change and she does more work now as a Trustee than she ever did in 1996. Therefore, she felt it was inappropriate to not treat the Trustees as valued team players.

Ms. Macon stated the stipend for Trustees was increased only one time and that was in 1996. She felt that the 3% should have been applied for consistent purposes across the board. She stated that historically in many townships, there has been very little regard for the role that Trustees have played. She added that the Trustees were not minor players and therefore, she believed they should be respected consistently as those 3% increases.

Ms. Macon stated that on a couple of occasions, she recommended that there be some acknowledgement of the Trustee role as a quarter time or part-time salary.

Ms. Macon stated that she had a conversation regarding the Trustees' pay with a resident who indicated that if the Township did not pay the public officials, it sets up a system that allows corruption.

REVIEW OF PROPOSED PAY PLAN CHANGES — APPOINTED & ELECTED

(Continued)

Ms. Macon stated that in 1996, the Board made a decision that the highest salaries should be the Supervisor (being paid the highest), the Clerk and the Treasurer should be at the same pay and no department head salary should exceed that of the Supervisor, Clerk, and Treasurer. She stated the Board has also reversed that.

Ms. Macon stated the pension benefits were also changed to reflect that any officer serving two terms would receive pension benefits.

Mr. Spector stated that it appeared the Trustees have simply been overlooked in the past years.

Ms. Macon stated the challenges the Township is facing are more complicated because Township government does not afford the Trustees the tools to effectively provide service and support for the constituency.

DISCUSSION REGARDING STAFFING CHANGES FOR FISCAL YEAR 2007

Mr. Herbert felt it was important for the Personnel Committee to review the staffing changes in the fiscal year 2007 budget and therefore, he made a list of the changes that have been made so far. He stated that it did not address possible attrition issues, which he recommended the Committee review before any vacancies occurred because the Personnel Department was required to fill every vacancy unless a formal hiring freeze was instituted by the Board or an attrition program was put in place.

Mr. Sher asked if the changes were recommendations from the Township Supervisor and Mr. Herbert. Mr. Herbert stated the recommendations actually involved the proposal for reorganization of the Building, Engineering, Planning, and Environmental Departments that was presented to the Board at the 11/20/06 Budget Work Session.

Mr. Herbert stated there was also a recommendation to subcontract the Town Hall cleaning position. Mr. Spector asked about the cost savings with respect to subcontracting that position. Mr. Herbert replied that it was approximately \$14,000 to \$15,000 in savings.

Mr. Sher asked what was expected with respect to the staffing changes. Mr. Herbert stated it was basically for review by the Committee and not necessarily for any recommendations to the full Township Board.

DISCUSSION REGARDING STAFFING CHANGES FOR FISCAL YEAR 2007

(Continued)

Mr. Herbert stated there were a couple of employees wishing to express their concerns regarding the reorganization of the Building, Engineering, Planning, and Environmental Departments.

Mr. Spector referred to the general services and asked about the cost savings. Mr. Herbert stated a report from Judy Sheridan was provided to the Committee regarding the current and proposed data. Mr. Spector stated that according to the information provided, the current cost for the in-house employee with benefits is \$55,000 plus time to cover the cost of that employee's absence in the amount of \$3,594. He stated a quote from the janitorial service indicated that the cost for completing the general services is \$42,700 based on the checklist provided by the Township.

Mr. Spector recalled that the position also included changing light bulbs and performing minor maintenance. Mr. Herbert stated that he originally included those items in the job responsibilities, but at one of the Personnel Committee meetings, the employee indicated that she did not perform those duties. He stated the justification for the pay raise was that the employee performed some janitorial tasks which basically involved cleaning rather than repairs.

Ms. Macon asked what the Committee was discussing and why. Mr. Spector stated he was asking questions relative to subcontracting the cleaning services for Town Hall. He stated it appeared the cost savings was about \$15,000 and his question was whether the exact comparisons were made because he was aware that the current staff locked up the building whenever there are board meetings.

Mr. Herbert stated that was incorrect and indicated that the recording secretaries locked up the building.

Ms. Macon asked if this budget matter was before the Personnel Committee because the Township Board asked the Committee to come up with recommendations or was this considered as an opportunity to hear from staff as opposed to critiquing the question.

Mr. Spector stated the Committee was a party to the reorganization of the Building, Engineering, Planning, and Environmental Departments since that issue was presented to the Board at the Budget Work Session.

Mr. Sher stated the subcontracting of general services was a recommendation of the Township Supervisor. Mr. Spector stated that Mr. Flaisher indicated in the memo that the Township could save \$15,000 by subcontracting the cleaning services to a private company.

DISCUSSION REGARDING STAFFING CHANGES FOR FISCAL YEAR 2007

(Continued)

Ms. Macon stated that recommendation should be discussed at a budget meeting. Mr. Herbert stated there were no more budget meetings scheduled. Ms. Macon asked that if the budget was already done, was discussion regarding this item simply an opportunity for employees to express their concerns as opposed to the Committee critiquing the budget.

Mr. Spector stated that at one time, there was discussion relative to the maintenance in Town Hall and Police Department. He asked what happened with respect to that issue. Mr. Herbert stated that because it involved a different type of operation that is being maintained as a 24-hours, 7 days a week operation by one individual.

Mr. Herbert stated that the attendance of the current employee performing the general services has been very difficult which has required the Township to routinely hire an outside contractor to perform the services in that employee's absence.

Mr. Sher stated that if the Township Supervisor wanted to make this type of change, he did not feel the issue needed to go before the Personnel Committee or the Township Board. His understanding is that the issue is simply before the Committee to allow employee input.

Mr. Herbert stated that was correct and makes the Committee aware of every position that was moved. He stated that it was important for the Personnel Committee to approve the Staffing Table anytime a change has been made.

Mr. Spector asked if anyone wished to speak on the cleaning maintenance position.

Marilyn Henry, Clerk's Office, stated she was not aware this issue was going to be discussed at this meeting and indicated that her recollection was that a full-time position was created because of the amount of thefts that were occurring when private contractors were utilized. She stated there was a loss of a video camera, digital camera, and clothing.

Teresa Hebert, Information Technologies Department, recalled an incident in which the individual from the private company was not able to perform the services, so her daughter was performing the services in her absence.

Mr. Sher stated that could be solved by simply hiring a better company. Ms. Henry stated that was the reason for having an in-house full-time person. Mr. Herbert stated although that was true, the current individual was working on a part-time basis, as evidenced by the number of absences.

DISCUSSION REGARDING STAFFING CHANGES FOR FISCAL YEAR 2007

(Continued)

Mr. Spector asked about the thefts that occurred with the private companies and was there a substantial amount of items stolen.

Judy Sheridan, Purchasing Agent, stated there were a series of problems towards the end of that private company's employment.

Ms Sheridan stated that if the Township Board decided to take this course of action of replacing the in-house person with a private company, the Township should not consider hiring the low bidder as they have always done in the past because it simply brought on problems.

Ms. Macon stated that being said; she asked if the cost savings provided in the memo was based on the low bid cost. Ms. Sheridan replied, "No" and indicated that the cost savings was based on a company that had performed the services in the past. She stated that particular company provided excellent services but was not selected during the bidding process.

Ms. Macon assumed that changing the position was being done as a cost savings and questioned whether that amount was balancing the risks.

Ms. Macon stated that while she saw a list of attendance figures, she did not see the methods of supervision that were used to attempt to remediate or address any of the issues.

Ms. Sheridan stated there were numerous conversations with the employee, the union representative, and Mr. Herbert sometime ago and a checklist was instituted in September 2005 in an effort to obtain consistency with respect to the job duties.

Mr. Sher stated it appeared the reason for the change was expectations of better service and cost savings. Mr. Herbert stated that was correct.

Mr. Spector asked that if the problem is with the employee and their attendance problems, did the Employee Manual address that issue. Mr. Herbert stated an Attendance Policy existed which related to being to work on time and not abusing sick time.

DISCUSSION REGARDING STAFFING CHANGES FOR FISCAL YEAR 2007

(Continued)

Mr. Spector asked if there was an indication that the employee did not meet the requirements. Mr. Herbert stated, "I don't believe that the employee meets the requirements." Mr. Spector asked if there were guidelines to replace the employee. Mr. Herbert stated that it would begin with a disciplinary process and the employee's supervisor has provided notice to the employee. However, disciplinary action has not been initiated. He stated that typically when disciplinary action is initiated, the employee's performance *often* becomes worse and it becomes acrimonious at that point.

Mr. Spector asked why the Township was being held hostage to that situation. Mr. Herbert replied, "We're not. This budget provides the freedom necessary for making a change."

Mr. Spector asked if the security issues would be addressed. Mr. Sher stated that should not be a problem if the contractor has insurance. Mr. Spector stated he was aware of companies who go into large office buildings containing thousands of dollars of equipment and there is not a problem; rather, it is a question of obtaining the right firm. Mr. Sher stated that was all the more reason to not select the low bidder.

Mr. Spector asked about the criteria relative to costs as opposed to the reliability and reputation of the company. Ms. Sheridan replied that a thorough background check would be conducted and if there were problems, she would have to be pro-active to remediate the situation or dismiss the company.

Mr. Spector asked if she had discussion with any companies. Ms. Sheridan stated that she had very limited discussions because she did not feel it was appropriate to have extensive discussion at this point. She simply obtained one quote from a company who previously performed the services at the Township Supervisor's request.

Ms. Henry asked how the figures were obtained and whether the services have already been bid out prior to the matter being approved by the Board. She stated that with respect to the employee, she was aware that there were family health issues and in speaking with the employee, she was aware that Ms. Sheridan left messages for her, but there were very few face to face interactions. She stated that prior to moving forward with a decision, the proper thing to do would be to approach the employee to see if her work ethics would change.

Mr. Herbert asked that without getting into detail about disciplinary actions, has Ms. Sheridan has spoken with the employee on several occasions relative to performance issues. Ms. Sheridan replied, "Yes."

DISCUSSION REGARDING STAFFING CHANGES FOR FISCAL YEAR 2007

(Continued)

Mr. Herbert stated there is an explanation as to when some of the absences were related to family health issues.

Mr. Sher asked if the Committee needed to take any action. Mr. Herbert replied, "No" and indicated that this was simply for informational purposes and there have been discussions relative to economizing in the Township.

Mr. Spector stated that if the Township could have efficiency at the same price, he did not consider it as a cost savings. He stated that if better service could be provided at the same price, the Township would be further ahead.

* * * * *

Mr. Spector stated that with respect to the reorganization of the Building, Engineering, Planning, and Environmental Departments, there was simply an attempt to merge the entire area and a proposal was submitted to the Township Board.

Mr. Spector asked what the Committee wanted to do with respect to this issue. Mr. Sher suggested that the Committee hear any comments. Ms. Macon agreed and suggested that Mr. Herbert provide a brief summary.

Mr. Herbert stated the four department heads came up with the proposed reorganization which basically takes three individuals from the Building Department, one person from the Engineering Department, one person from the Planning Department, the recording secretaries who are nominally in the Planning Department, and assumes that the Engineering Assistant is likely to be the Office Manager of a new group of people who will work interchangeably as far as being able to handle a one-stop shopping environment.

Mr. Herbert stated that currently, the recording secretaries are supervised by the Township Clerk, but only until December 31, 2006 and at that time, they will be turned over to the Planning Department.

Marshall Labadie, Environmental Director, stated the discussion at the Budget Work Session was relative to a series of points in which the basis or key elements was for moving to an integrated development services department that includes the Building, Planning, Environmental, and Engineering Departments.

DISCUSSION REGARDING STAFFING CHANGES FOR FISCAL YEAR 2007

(Continued)

Mr. Labadie stated by integrating the departments, they will be pooling the clerical services and focusing on the customer by creating a one-stop shopping environment. He stated there would be a focus on delivering the core services and basically evolving into a department that will serve a built out community.

Mr. Labadie stated the four legacy systems have been in place for over 30 years and those systems were appropriate as the Township boomed with development. However, that situation has ended as evidenced by the decrease in permit fees. Therefore, the Board expressed concerns relative to the delivery of services as a result of the reduction of revenue from permit fees.

Mr. Labadie stated the four department heads met and came up with the proposed reorganization that flattens out the organization to include shared management of the clerical services. He stated the current information was simply the framework and they still needed the transition strategy which will involve the Personnel Department and the union to see whether this proposal could be worked out. He stated there would be approximately \$200,000 in savings by the end of the two year period as based on the assumptions included in the proposal.

Mr. Spector asked if anyone would be losing their job. Mr. Labadie replied, "No, not at this point." He stated that the proposal was based on some attrition and if that did not occur, then a harsher or more difficult decision would have to be made.

Mr. Labadie stated there was also a recommendation that possibly, early retirement options could be explored and review one-time cost allocations over the long-term fixed costs of carrying an employee longer. However, that was a recommendation that would have to be considered by the Township Board.

Mr. Spector stated the current two year plan did not include layoffs or loss of monies. Mr. Labadie stated that was correct.

Mr. Sher asked what was being expected of the Committee. Mr. Herbert stated this was simply an open forum for employees to comment. He stated the purpose was also to make the Committee aware of the proposed change in staffing.

Mr. Spector asked about redlining. Doug Plachcinski, Planning Director, stated that involved shifting an employee to a lower pay grade, but maintaining their current pay without cost of living increases until the amount caught up to the range the employee was currently in.

Mr. Spector asked if it would be easier to have the department head answer any questions of the employees. Mr. Sher and Ms. Macon agreed.

DISCUSSION REGARDING STAFFING CHANGES FOR FISCAL YEAR 2007

(Continued)

Ms. Hebert expressed concern with the redlining issue and indicated that there were some employees who were currently at the top of their level who could be frozen for a period of time. Mr. Herbert stated those employees could be frozen for approximately three years.

Mr. Plachcinski stated the department heads had no idea of what job descriptions were going to be available or who would bid on what. He stated that all the assumptions in the world could be made, but there is a range of qualified people and how those individuals will be chosen and what weight will be given. Those issues will be resolved through the bidding process and the union.

Ms. Macon stated her understanding is that this is still in its conceptual form and the Township Board did ask the department heads to look at different ways of delivering services. She personally preferred to look at big picture concepts and making decisions around how all the services would be delivered to residents as opposed to singling out certain positions because she did not believe the discussion has reached that point yet.

Ms. Macon stated that when she voted to hire Mr. Herbert, one of the things that impressed her was that the Township was going to look at how to deliver all services, but it also meant that the Township Board would indicate their top priorities and that has not been done yet.

Ms. Henry stated that when the memo was distributed on 11/22/06 to most of the employees in the departments that were affected, it reflected that there would be cost of living increases. She asked if those employees have been informed that was not the intent.

Mr. Herbert stated that since the budget has not been adopted yet, he was not informing anyone of anything at this point. However, when it comes to the cost of living, the Township might have the flexibility of implementing it on January 2nd rather than the 1st.

Ms. Hebert expressed concern that when the employees originally negotiated the union contract that expires on 12/31/08, there was conversation regarding clerical staff not being able to bump outside of the building unless they previously held that position. She stated that with respect to the proposed changes in the four departments, the employees would start out not knowing what their seniority would mean for them. She asked if those employees would have another method for bumping into other clerical positions and if so, there has not been any discussion in relation to the current contract.

DISCUSSION REGARDING STAFFING CHANGES FOR FISCAL YEAR 2007

(Continued)

Mr. Sher stated those details have not been discussed and therefore, they were not available. Mr. Herbert stated that was correct and therefore, it was not known as to who would be bumping where. He stated that if it was found later that the Township was still not saving enough money, the contract would be expired before the Township would really do something such as layoffs, with respect to the proposed reorganization plan failing.

Ms. Hebert stated that was not certain at this point and indicated that it might not take two years for the Township to realize that the reorganization did not save as much as they expected, especially if employees did not retire.

Mr. Herbert stated the Township did not expect any employees to retire until just before the contract ends.

Ms. Hebert stated the employees understood the need to save money; the concern was that the proposed reorganization would change a lot of things for the employees in those departments. She stated that based on the information given to the employees there was a lot concern and fear.

Mr. Sher understood the employees' concerns, but indicated that this was simply a working document and very preliminary.

Mr. Spector stated the Board simply had discussion on the proposed reorganization plan and most of the members were in favor of the one-stop shopping idea. However, the details have yet to be worked out. He stated it was not the intent of any Board member to eliminate any positions at this time and the discussion about savings was relative to attrition. Therefore, it was not just a matter of cost savings, but one of efficiency for the community.

Mr. Spector stated there is a contract in place and the Township would definitely uphold its duties relative to the contract.

Mr. Herbert stated that with respect to time, he suggested that the implementation date relative to personnel changes be April 1st rather than January 1st, to allow time to write job descriptions and have them reviewed by the Personnel Committee, obtain input from the union where appropriate, and to have discussions with the union on any issues they might have. He stated that three weeks was not sufficient and therefore, it would be difficult to provide all the information by December 11th. He stated that part of the proposal was to prevent any layoffs.

Mr. Plachcinski stated there were other major components that have been identified with respect to reorganization and one of them being space issues.

DISCUSSION REGARDING STAFFING CHANGES FOR FISCAL YEAR 2007

(Continued)

Mr. Sher questioned how this issue was part of the Personnel Committee versus the budget meetings. Mr. Herbert stated there was a very close connection between the Personnel Committee and the budget because personnel issues represents between 70 and 80 percent of all the expenditures in the Township.

Ms. Smith stated that at one time, the two recording secretaries were originally in the Planning Department and then they were moved to the Clerk's Department. Now, they are being moved back to the Planning Department. She indicated that she would prefer to report to a department head who attends meetings, not an Office Manager or Office Coordinator. She felt that an individual who attended the meetings would have a better understanding of her job responsibilities.

Ms. Smith stated that in the past, the Township had difficulty finding individuals to perform the recording secretary duties because a lot of people do not possess the language or grammar skills or have the background necessary to perform the job.

Mr. Spector stated that the Township staff was aware of those issues. Ms. Smith stated that the Township was currently dealing with an entirely different group of people. Mr. Spector stated regardless of that, the staff members are certainly aware of the skills that are necessary to perform the recording secretary duties.

Mr. Spector asked if the concerns have been taken into account. Mr. Labadie and Mr. Plachcinski replied, "Yes." Mr. Spector stated that being said; he felt the department heads would place the appropriate individuals in the positions.

Mr. Spector asked if individuals have been selected for any of the proposed positions. Mr. Labadie replied, "No."

Ms. Henry stated that both Mr. Sher and Mr. Spector have indicated that this matter was in the preliminary stages; however, Mr. Herbert has indicated that three weeks would not be enough time to implement the plan.

Mr. Spector stated that the plan was something the Board wanted, but they also wanted it to work. He stated it was one thing to have an idea, but it involved another process to get to that point. He stated that getting to that point involved having conversations and obtaining input.

Patty Hicks, Planning Department, asked what was being implemented.

Mr. Spector stated the Board has a desire to have a one-stop shopping environment to provide an efficient system for all individuals who utilize Township services.

DISCUSSION REGARDING STAFFING CHANGES FOR FISCAL YEAR 2007

(Continued)

Mr. Sher stated a meeting was scheduled on December 11th and this particular proposal was included in the budget. However, Mr. Herbert has indicated that there was no way this proposal could be implemented at this time. Therefore, he was going to request a 90-day delay on the activity. He stated that prior to April 1st there will have been discussions with all the individuals being affected by the proposal.

Mr. Herbert stated that was correct and indicated that no one would be leaving their position and pay or transferred to another position during the 90 days. He stated that on April 1st, everyone will be aware as to what they will be doing and what positions would be posted.

Ms. Macon felt that 90 days was conservative because the issue involved a significant change initiative and the Township has always had a system in which the staff are valued. She stated her way of thinking of her job as Township Trustee is that she serves the people who work her so they can serve the residents. Therefore, the better work environment created for the staff at Town Hall, the more effective the Township will be in serving the residents. She stated this issue also involved culture change and she did not want to see it taken lightly or trampled uncomfortably as they go through the process.

Ms. Macon stated that when Mr. Labadie referred to the four departments, she appreciated the term “legacy systems” and indicated that she referred to them as “silos” because that was always the thinking. Each silo did its job and did not do anything else. She stated that was the thinking in Township government all across the State of Michigan. She stated that Township governments were developed with the concept that everyone had to protect their own turf.

Ms. Macon wanted to see a method that would actually deliver what the Boards & Commissions Committee was attempting to do to make it friendlier as well as provide greater customer service for residents, while effecting efficiencies at Town Hall.

Ms. Smith stated that before she was hired, the recording secretaries were located in the general area. However, it was found that it was difficult to perform their duties because of all the disruptions such as the ringing phones, individuals at the counter, and individuals talking. As a result, the recording secretaries were moved upstairs in order to allow them to concentrate and be more focused. She stated that anyone transcribing minutes needs to be away from the phone, counter, and other people who are constantly talking.

DISCUSSION REGARDING STAFFING CHANGES FOR FISCAL YEAR 2007

(Continued)

Mr. Spector stated that issue should be taken up with the department heads since they are part of the design and implementation process.

Ms. Macon stated that it has always been her personal view that the Township exceeds the requirements of minutes. She stated that in some ways, she would prefer the quick read minutes, but that has to be a decision of the entire Township Board in terms of another culture change because the Township was currently receiving transcribed minutes and everything they have heard about how those have to be put together was absolutely accurate. She stated that was simply a question as to whether there should be some change in how the record is delivered.

Mr. Sher stated that was a great idea and asked how that could be accomplished. Mr. Spector agreed.

Ms. Macon stated that in the first half of the meeting there was discussion relative to consistent practices across the board with respect to minutes. She stated the Township Board has to make choices. She stated that legal minutes only have to record the motion and the action agreed upon. She stated Mrs. Law has mentioned that everyone wants to see their comments included in the minutes.

Ms. Macon stated the record must meet the legal bounds of being accurate and she has never had a question with respect to that particular issue as it relates to the minutes.

Mr. Spector felt that issue would be in the purview of the Boards & Commissions Committee. Ms. Macon agreed.

Ms. Henry asked if the budget to be considered by the Board on December 11th reflected the new jobs and salaries as proposed for the Building, Planning, Environmental, and Engineering Departments.

Mr. Herbert stated that the Staffing Table would include the job titles, but not the salaries. He stated he could provide the salary information later.

Mr. Spector reminded everyone that the wages would not be changed for at least for a couple of years.

Ms. Hebert stated that redlining would actually be a change for an employee especially if an employee at a higher level was moved to a lower pay level and did not receive any cost of living increases.

DISCUSSION REGARDING STAFFING CHANGES FOR FISCAL YEAR 2007

(Continued)

Mr. Herbert stated that if the proposal is not implemented until April 1st, everyone will receive the 3% increase. Ms. Hebert stated that according to the contract, they would receive a 3% increase up to 2008. Mr. Herbert stated the cost of living increase for 2008 was the only one at stake. Ms. Hebert stated that it should not be at stake because it was included in the contract.

Mr. Herbert explained his understanding of redlining by giving an example that an Office Coordinator would be reduced to a senior clerk and expected to do those functions; however, the pay rate of an Office Coordinator would be maintained.

Ms. Hebert stated that was correct; however, her concern was that the contract guaranteed those individuals a 3% increase through the end of 2008. Mr. Herbert stated that was true, if the employee was in their classification. He stated that with the proposal, those individuals would not be in their classifications and therefore, the 3% increase would no longer apply. He stated that many communities simply eliminate the position and expect the employee to bump down.

Ms. Hebert stated the contract does not base the increases on classifications; it simply indicates that the employees are guaranteed a 3% increase each year. Mr. Herbert reiterated that was only true if the employee remained in their classification.

Ms. Hebert expressed concern that the budget was being changed to reflect the changes and all of the positions which employees were previously in and had bumping rights to, will no longer exist. Therefore, the Office Coordinators would not have an opportunity to exercise their bumping rights.

Mr. Herbert stated she raised some valid points which could be discussed with the union to address those concerns and obtain a letter of understanding.

Mr. Spector stated the Committee was not agreeing or disagreeing with the employees, but rather, listening to their comments. He stated the Township was continuing to work on the process and those issues will be worked out.

Ms. Hebert expressed concern that the Board would be approving a budget that is lower than the existing budget; the Board was already indicating that they have gone past the preliminary stage.

DISCUSSION REGARDING STAFFING CHANGES FOR FISCAL YEAR 2007

(Continued)

Mr. Spector stated the budget could always be amended. He stated that if the proposal could not be fully implemented by April 1st and the cost savings are not realized until further, it could show a positive benefit the following year. He stated that it was a consensus of the Board to streamline the process. He stated the concerns of the employees were simply part of the process of moving forward and he felt that all the issues would be worked out.

* * * * *

Mr. Hebert stated there was going to be a number of changes effective in 2008, 2009, 2012, and 2015 to address all the concessions. He stated the auditor indicated that the Township did not have to make any immediate changes, but there needs to be a plan in place to control costs, primarily with the health care.

Mr. Herbert stated that proposals would be unveiled this week to the police and fire unions.

Mr. Sher asked what he was seeking from the Committee. Mr. Herbert stated he was simply making the Committee aware of the information and to answer any questions that could be addressed at the meeting in January 2007. He stated that no pay increases would be given until the proposals were passed.

Mr. Herbert stated the information was simply to put the Committee members on notice that in 2009, there will be major changes in the health care plan. He stated that it would also affect the retirees in 2012.

Mr. Sher asked if the information provided to the Committee would be the proposals submitted in union negotiations. Mr. Herbert replied, "Yes" and indicated that these changes were discussed with the Board previously.

Mr. Herbert stated there will be a lot of complaints from the long-term employees. Mr. Sher asked if other communities were doing the same things with respect to health care. Mr. Herbert replied, "Yes." Mr. Sher questioned whether the Township was doing enough to address the concerns regarding increased costs in health care.

Mr. Spector felt there would be a lot of employees leaving in 2009. Mr. Herbert stated that was what the whole attrition program was all about.

DISCUSSION REGARDING STAFFING CHANGES FOR FISCAL YEAR 2007

(Continued)

Mr. Sher disagreed and indicated that in years when this community had a lot of competition for jobs, the Township had to do certain things and that was done. He stated this community also had a lot of revenue from the building permits and other items. However, there are many companies that have closed plants, made pay cuts, and making other reductions. He did not feel the Township could continue to do what they have done in the past of spending a million dollars more a year than what they were taking in and have no reserves. Therefore, he felt the Township needed to seriously review everything, including the union contracts.

Mr. Spector stated the problem is that the current administration cannot do anything about what occurred in the past. Mr. Sher agreed and indicated that he was not finding fault; he was simply indicating that in the future, there will be a culture change.

Mr. Spector stated it would behoove those employees who are eligible to retire, to leave in 2008, especially knowing that some of the benefits will have an effective date of 01/01/09. Ms. Macon agreed.

Ms. Macon understood the reason for having the conversation and expressed concern that rolling out the drastic changes at 01/01/09 would also have the Board not only looking at the bottom line, but also looking at future leadership. Therefore, the Board needed to consider what legacy they wished to leave in terms of succession planning.

Ms. Macon questioned whether the changes would result in the Township taking off a layer of mature, seasoned leadership that will make a significant impact if others were not nurtured along the way.

AUDIENCE GENERAL COMMENTS/QUESTIONS

Comments were taken during the discussion of each individual item.

ADJOURNMENT

There being no further business, the meeting adjourned at 3:40 p.m.

Respectfully Submitted,

Robert Sher
Personnel / Boards & Commissions Committee Chairperson

Transcribed by: Millie Gray, Recording Secretary