

STATE OF MICHIGAN

COUNTY OF EATON ROLL CALL AND VOTES IN BOARD OF COMMISSIONER'S

December 17

SESSION A.D. 2008

ROLL CALL

			ON MOTION TO <i>Separating Removg Rd Com + p+r Com appts</i>		ON MOTION TO <i>full appts w/out removing Rd com + p+r Com</i>		ON MOTION TO	
A.M.	P.M.	COMMISSIONERS	AYE	NAY	AYE	NAY	AYE	NAY
	✓	MICHAEL HOSEY		✓	✓			
	✓	HARLAN MACDOWELL	✓			✓		
	✓	THERESA ABED		✓	✓			
	✓	CAROL STRACHAN		✓	✓			
	✓	JEANNE PEARL-WRIGHT		✓	✓			
	✓	LEO A FARHAT JR	✓			✓		
	✓	GLENN H. FREEMAN III		✓	✓			
	✓	JOHN FORELL	✓			✓		
	✓	LINDA KEEFE		✓	✓			
	✓	ART LUNA		✓	✓			
	✓	L. DARYL BAKER	✓			✓		
	✓	DALE BARR	✓			✓		
	✓	DENISE J. CLARKE	✓			✓		
	✓	LEONARD M. PETERS		✓	✓			
	✓	JOSEPH C. BREHLER		✓	✓			
			6	9	9	6		

EATON COUNTY BOARD OF COMMISSIONERS

DECEMBER 17, 2008

The Eaton County Board of Commissioners met in regular session at the County Facilities, in the City of Charlotte, Wednesday, December 17, 2008.

Chairperson Brehler called the meeting to order at 7:00 PM.

The Pledge of Allegiance to the Flag was given by all.

Commissioner MacDowell gave the invocation.

Roll call. Commissioners present; Michael Hosey, Harlan MacDowell, Theresa Abed, Carol Strachan, Jeanne Pearl-Wright, Leo Farhat, Glenn Freeman, John Forell, Linda Keefe, Art Luna, Daryl Baker, Dale Barr, Denise Clarke, Leonard Peters, Joseph Brehler. Commissioners absent: none.

Commissioner Keefe added a Remonumentation Resolution to the Ways and Means Committee report as item #11.

Commissioner Luna moved the agenda be approved as amended. Seconded by Commissioner Freeman. Carried.

Commissioner Peters moved the minutes of November 19, 2008 be approved as presented. Seconded by Commissioner Baker. Carried.

Communications.

1/ Letter from Governor Jennifer Granholm acknowledging receipt of a resolution opposing HB 6070.

Chairperson Brehler called the Public Hearing to order at 7:05 PM to hear public comment regarding the detachment of certain lands from the Village of Dimondale and the attachment of certain lands to the Village of Dimondale.

There was no public comment.

Chairperson Brehler closed the public hearing at 7:06 PM.

Public Comment. Andrea Stay, Executive Director of Eaton Conservation District thanked the Board for their support. Ms. Stay informed the Board the district received a National Award for an outreach partnership with GM in Delta Township.

Chairperson Brehler acknowledged Commissioner MacDowell as he retires from the Board of Commissioners, for his dedication to the Board and presented him with a gift certificate in appreciation.

Chairperson Brehler moved the approval of Resolution #08-12-144 In Appreciation for Commissioner Harlan MacDowell. Seconded by Commissioner Forell. Carried unanimously.

Commissioner MacDowell spoke about his tenure on the Board and introduced his wife Betty.

Chairperson Brehler acknowledged Commissioner Peters and spoke of his accomplishments while on the Board of Commissioners and presented him with a crystal gavel in appreciation for his years of service to the County and 22 years as Chairperson.

Chairperson Brehler moved the approval of Resolution #08-12-145 In Appreciation for Commissioner Leonard Peters. Seconded by Commissioner Forell. Carried unanimously.

Commissioner Peters noted it was an enjoyable and fast 26 years on the Commission and introduced his wife Marilyn.

Commissioner Pearl-Wright moved the approval of Resolution #08-12-146, To Continue Eaton County Human Services Collaborative Council and Amend it's Operating Guidelines. Seconded by Commissioner Farhat. Carried.

Commissioner Freeman moved to appoint Tom Towsley to the Concealed Weapons Licensing Board for a term expiring 12-31-2012. Seconded by Commissioner Forell. Carried.

Commissioner Luna moved the approval of document #08-12-147, Appointments to various commissions and committees. Seconded by Commissioner Freeman.

Commissioners Clarke, Farhat, Baker, MacDowell and Forell spoke in favor of reappointing Eric Dean to the Parks and Recreation Commission. Commissioner Baker is concerned that Delta Township is not represented geographically on the Road Commission.

Commissioner Forell moved to vote on the Parks and Recreation Commission and Road Commission appointments separately. Seconded by Commissioner Farhat. Roll Call vote. Ayes; MacDowell, Farhat, Forell, Baker, Barr, Clarke. Nays; Hosey, Abed, Strachan, Pearl-Wright, Freeman, Keefe, Luna, Peters, Brehler. Motion failed.

Roll Call vote on the document #08-12-147. Ayes; Hosey, Abed, Strachan, Pearl-Wright, Freeman, Keefe, Luna, Peters, Brehler. Nays; MacDowell, Farhat, Forell, Baker, Barr, Clarke. Carried.

Commissioner Luna moved the approval of Resolution #08-12-148, To Authorize an Administrative Agreement with the City of Charlotte for a Homeowner Rehabilitation Grant. The Eaton County Community Development and Housing Department will administer the grant. Seconded by Commissioner Clarke. Carried.

Commissioner Keefe moved the approval of Resolution #08-12-149, To alter the Boundaries of the Village of Dimondale to Detach Certain Lands from the Village of Dimondale and Attach Certain Lands to the Village of Dimondale. Seconded by Commissioner Forell. Carried.

Commissioner Keefe moved the approval of Resolution #08-12-150, To Adopt Amendments to the County Personnel Policy and Adopt Personnel Policy for the Circuit and Probate Courts. Seconded by Commissioner Baker. Carried.

Commissioner Keefe moved the approval of Resolution #08-12-151, Establishing Commissioner Compensation and Mileage Reimbursement and Compensation for Non-Commissioner Members of Appointed Committees and Commissions, to be effective January 1, 2009. Seconded by Commissioner Farhat. Carried.

Commissioner Keefe moved the approval of Resolution #08-12-152, To Approve Interim Agreement for the Operation of the Juvenile Facility under the Family Division of the Circuit Court. Seconded by Commissioner Barr. Carried.

Commissioner Keefe moved the approval of Resolution #08-12-153, To Award the Gildart & Mud Creek Drain Project Bond Counsel to the firm of Myka, Myers, Beckett & Jones. Seconded by Commissioner Baker. Carried.

Commissioner Keefe moved the approval of Resolution #08-12-154, To Appoint County Agents Under the Prisoner Reimbursement Act. Seconded by Commissioner Luna. Carried.

Commissioner Keefe moved the approval of the following appointments;

- Dan Kares to the Building Authority for a term expiring 12-31-2011
- Joyce Miller to the Historical Commission for a term expiring 12-31-2011.

Seconded by Commissioner Forell. Carried.

Commissioner Keefe moved the approval of Resolution #08-12-155, to Approve 2008/2009 General Fund Budget Amendments. Seconded by Commissioner Freeman. Carried.

Commissioner Keefe moved the approval of Resolution #08-12-156, to Approve 2008/2009 Special Revenue Fund Budget Amendments. Seconded by Commissioner Hosey. Carried.

Commissioner Keefe moved the approval of claims as audited by the Ways and Means Committee in the amount of \$261,271.56. Seconded by Commissioner Freeman. Carried.

Commissioner Keefe moved the approval of Resolution #08-12-157, To Appoint County Remonumentation Representative Ronnie M. Lester and Related Contract. Seconded by Commissioner Pearl-Wright. Carried.

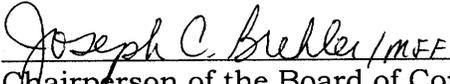
Public Comment. Ben Lyons, 1921 S. Canal Rd, Eaton Rapids pledged to serve the county well on the Road Commission.

There was no Unfinished or Old Business.

New Business. Controller Fuentes announced beginning 2009 Clerk Fuller will be sending the agenda and minutes by email.

Chairperson Brehler thanked everyone for their help this year and wished everyone Happy Holidays.

Chairperson Brehler adjourned the meeting to Monday, January 5, 2009 at 7:00 PM.


Chairperson of the Board of Commissioners


Clerk of the Board of Commissioners

EATON COUNTY BOARD OF COMMISSIONERS

DECEMBER 17, 2008

RESOLUTION OF APPRECIATION FOR HARLAN MACDOWELL

Introduced by Commissioner Joseph Brehler

Commissioner Brehler moved the approval of the following resolution. Seconded by Commissioner Forell.

WHEREAS, Harlan MacDowell has served for 24 years on the Eaton County Board of Commissioners from 1985 to 2008 and

WHEREAS, during the course of tenure Harlan has spent time serving on all of the Board's Committees, including many years on the Building & Grounds Committee, utilizing his expertise to plan and implement the development of the County's facilities; and

WHEREAS, Harlan has also served on the Planning Commission where he demonstrated his concern for the County's continued development; and

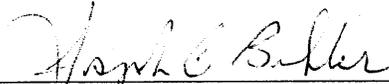
WHEREAS, Harlan also served on the Eaton County Parks Commission where he focused on his interest for the availability of outdoor recreation activities, as well as serving on many other Boards and Committees; and

WHEREAS, Harlan can now share more time with his family, as well as being able to increase his time spent on the many community activities that he has always been involved in; and

WHEREAS, the Eaton County Board of Commissioners and the people of Eaton County greatly appreciate the many years of Public Service that Harlan has given to this community.

NOW, THEREFORE, BE IT RESOLVED, that the Eaton County Board of Commissioners, meeting in regular session this 17th day of December, 2008 do commend Harlan MacDowell for a job well done. We wish him well in his new endeavors; and

BE IT FURTHER RESOLVED, that a copy of this resolution shall be signed by the Chairperson of the Board and Clerk of the County; and bear the great seal of the County as well. A copy shall be attached to the permanent records of the County. Carried.


Chairman of the Board of Commissioners


Clerk of the Board of Commissioners

EATON COUNTY BOARD OF COMMISSIONERS

DECEMBER 17, 2008

RESOLUTION OF APPRECIATION FOR LEONARD PETERS

Introduced by Commissioner Joseph Brehler

Commissioner Brehler moved the approval of the following resolution.
Seconded by Commissioner Forell.

WHEREAS, Leonard Peters has served for 26 years on the Eaton County Board of Commissioners from 1983 to 2008; and

WHEREAS, Leonard also served on the County Board of Supervisors from 1966 to 1968; and

WHEREAS, Leonard served as Chairman of this Commission for 11 consecutive terms from 1985 to 2006; and

WHEREAS, Leonard has also served on and represented this County on numerous Boards and Commissions through his tenure, and

WHEREAS, Leonard served as the state-wide elected County representative to the Board of Directors of the Michigan Municipal Risk Management Authority; and

WHEREAS, Leonard served for over 20 years, including five as the Chairman, on the Board of Capital Area Michigan Works!, for which he was presented a Lifetime Achievement Award, which was named in his honor; and

WHEREAS, Leonard served for 26 years on the Board of Tri-County Office on Aging, including seven as its Chairman; and

WHEREAS, Leonard can now share more time with his family, as well as being able to increase his time spent on the many community activities that he has always been involved in; and

WHEREAS, throughout his public life Leonard has sought to do what is right for the people, always acting with dignity and treating with respect everyone he has worked with, enabling him to bring together people of opposing views and reach consensus, the true mark of leadership; and

WHEREAS, the Eaton County Board of Commissioners and the people of Eaton County greatly appreciate the many years of Public Service that Leonard has tirelessly given to his community.

NOW, THEREFORE, BE IT RESOLVED, that the Eaton County Board of Commissioners, meeting in regular session this 17th day of December, 2008 do commend Leonard Peters for a job well done. We wish him well in his new endeavors and thank him for his years of dedicated service to the County; and

BE IT FURTHER RESOLVED, that a copy of this resolution shall be signed by the Chairperson of the Board and Clerk of the County; and bear the Seal of the County as well. A copy shall be attached to the permanent records of the County. Carried.


Chairman of the Board of Commissioners


Clerk of the Board of Commissioners

EATON COUNTY BOARD OF COMMISSIONERS

DECEMBER 17, 2008

**RESOLUTION TO CONTINUE
EATON COUNTY
HUMAN SERVICES COLLABORATIVE COUNCIL
AND AMEND ITS OPERATING GUIDELINES**

Introduced by the Health and Human Services Committee

Commissioner Pearl-Wright moved the approval of the following resolution.
Seconded by Commissioner Farhat.

WHEREAS, the Board of Commissioners established an Eaton County Human Services Collaborative Council on January 17, 1996; and

WHEREAS, such resolution requires an annual review of the Human Services Collaborative Council to determine the necessity of its continuation; and

WHEREAS, the Health and Human Services Committee feels that the Human Services Collaborative Council had a productive year in 2008.

WHEREAS, as part of its activities this year the Council reviewed its operating guidelines and submitted proposed amendments to the Health and Human Services Committee, which are attached to this resolution; and

WHEREAS, the Health and Human Services Committee reviewed and is recommending approval of the attached amendments to the operating guidelines of the Eaton County Human Services Collaborative Council.

NOW, THEREFORE, BE IT RESOLVED, that the Human Services Collaborative Council be continued for another year; and

BE, IT FURTHER RESOLVED, that the amendments to the operating guidelines of the Eaton County Human Services Collaborative Council are approved. Carried.

DRAFT

Eaton County Human Services Collaborative Council Operating Guidelines

ARTICLE I. NAME

The name of this organization shall be called the Eaton County Human Services Collaborative Council, hereafter referred to as the HSCC.

ARTICLE II. VISION STATEMENT

Through sustainable partnerships, the Eaton County Human Service Collaborative Council will promote positive environments for all individuals and families to be able to live and work.

ARTICLE III. MISSION STATEMENT

Our mission is to promote and support community resources to collaboratively address the human service needs of the Eaton Community.

ARTICLE IV. GUIDING PRINCIPLES

We believe:

- Community needs are more important than agency needs.
- Prevention is crucial and cost effective.
- Services to families/individuals should be individualized.
- Services should reflect community values and needs.
- Providers are able to do more collectively than individually.
- That outcomes and evaluations are essential to provide quality services.
- Consumer involvement is essential.
- It is important to identify and address service gaps.
- In the inclusiveness of all.
- In linking citizens to resources.

ARTICLE V. MEMBERSHIP

GOVERNING BODY

The membership of the Governing Body of the HSCC shall consist of the following:

Director of the Eaton County Department of Human Services
Executive Director of the Clinton-Eaton-Ingham Community Mental Health Board
Health Officer/Director of the Barry-Eaton District Health Department

Director of the Michigan Works! Eaton County
Director of the Eaton County MSU Extension Service
Superintendent of the Eaton Intermediate School District
Eaton County Prosecutor
Representative of the Eaton County Family Court
Chairperson of the Board of Commissioners Health & Human Services Committee
Representative (1) of the County Commissioners Health & Human Services
Committee
Executive Director of the Tri-County Office on Aging
Director of the Eaton County United Way
Coordinator of the Capital Area Community Services - Eaton County office
Hayes Green Beach Hospital
Eaton County Sheriff Department
Director of Housing Services for Eaton County
SIREN/ Eaton Shelter
EATRAN
Dir. – Child Abuse Prevention Council
Consumer-at-large
Two (2) at-large representatives will be recruited to provide community input. They will
be appointed and approved by the Board of Commissioners.

Each member of the Governing Body may assign a designee who may attend HSCC meetings in the member's absence. Such designees shall notify the Chair prior to the start of any meeting which Collaborative Council member that he/she is representing. Such designees shall enjoy the rights and privileges of that member at meetings attended in the member's absence.

MEMBER-AT-LARGE

Annually, the Executive Committee will send a letter to other identified human service organizations within the community explaining the mission and vision of HSCC and inviting them to attend the HSCC meetings.

ARTICLE VI. OFFICERS

A unique relationship exists between the Eaton County Commissioners and the HSCC. Both bodies seek to involve and encourage mutual participation and input in the planning and delivery of human services in Eaton County.

The Chair of the HSCC (one of the two county commissioners serving on and elected by the executive committee) shall preside at all meetings of the HSCC.

The Vice-Chair shall preside at all meetings of the HSCC in absence of the Chair.

The Chair and Vice-Chair shall be elected annually (See Executive Committee) and shall serve for one one-year term or until the next election.

ARTICLE VII. COMMITTEES

The HSCC shall have the following standing committee:

- Executive Committee

The HSCC recognizes the necessity for having an Executive Committee to do the planning and organizational work on behalf of the HSCC in-between its regular meetings to ensure that the business of the HSCC is successfully maintained.

The Executive Committee will consist of five (5) members. Two (2) members will be County Commissioners and the Governing Body will elect three (3) members. The Executive Committee will elect a Chair (which will be one of the two county commissioners) and Vice-Chair from its committee annually. They will serve as the Chair and Vice-Chair of the HSCC.

The Executive Committee shall meet as needed to consider any grant application which requires the concurrence and/or endorsement of the HSCC which must be submitted to a granting agency prior to the next regularly scheduled meeting of the Council.

The Executive Committee may appoint ad-hoc committee(s).

The Executive Committee is designed to provide special advisory consultation to the HSCC. The Executive Committee recommends direction and has the authority to propose:

- a. Policy changes,
- b. Operational guidelines,
- c. Grant approvals,
- d. Program development,
- e. Management of the HSCC's finances, and
- f. Contractual relationships to the HSCC.

ARTICLE VIII. WORKGROUPS (OR SUBCOMMITTEES)

The HSCC shall utilize workgroups comprised of individuals, agencies and other stakeholders who have an interest in the particular issue. Workgroups shall be given a charge from the HSCC Governing Body and operate under the Operational Guidelines established herein. The function of the Workgroups is to conduct in-depth analysis of an issue and make recommendations relative to the charge set forth by the HSCC. The Executive Committee shall appoint the workgroup chair. The workgroup chair shall solicit participation of community and service provider members necessary to accomplish the given task.

The charge, developed by the HSCC, shall include: the name of the workgroup, the specific issue or segment of the population to be studied or action to occur, the lead agency (if applicable), membership, workgroup goals and objectives, timelines, and reporting mechanism. The workgroup charge shall be updated and reviewed as directed.

The Council recognizes the following Workgroups as currently active:

- Strong Families/Safe Children Council
- Eaton County Substance Abuse Advisory Group
- Wraparound
- Professional Development Frontline Workers
- 2-1-1
- Great Start Collaborative
- Continuum of Care
- Eaton County Family Violence Coordinating Council

The HSCC may from time to time, as it deems necessary create additional Workgroups at a regularly scheduled meeting. Workgroups will be required to meet and make periodic reports to the HSCC. Periodic reports will be provided, at least semi-annually from all active Workgroups based upon a schedule developed by the HSCC annually.

ARTICLE IX. MEETINGS

Regular meetings of the HSCC are conducted as open meetings. Any member of the Eaton County Community or service providers group is welcome to attend. Reports may be presented by service provider groups on an as-needed basis but should be placed on the agenda ahead of time.

Regular meetings of the HSCC shall be held no less than six (6) times per year. Special meetings can be called to address immediate needs.

All grant applications requiring the concurrence and/or endorsement of the Council shall be communicated to the County Controller for inclusion on the agenda of the next regularly scheduled meeting for consideration by the Council. An executive summary of the grant and summary grant budget shall be presented to the council at the regular meeting the item appears on the agenda.

Workgroups shall meet on a schedule determined by the workgroup charged and its membership.

ARTICLE X. QUORUM

A quorum shall consist of at least seven (7) members of the HSCC in attendance. When a vote is taken, a majority vote of members present is required to approve the proposed action of the organization.

ARTICLE XI. PROCEDURES

Roberts Rules of Order (Revised) shall be the parliamentary authority for all matters of procedure not otherwise defined in the Operational Guidelines.

Operational Guidelines can be changed at any time by simple majority vote of the membership and approval of the Eaton County Board of Commissioners.

The Agenda shall be developed by the County Controller with the guidance and input of the Executive Committee. Additions and submissions to the agenda must be provided to the County Controller by no later than ten (10) days before the scheduled date of the meeting.

The Eaton County Board of Commissioners shall review the organization and operation of the Eaton County Human Services Collaborative Council as necessary, and in any event no less than on an annual basis.

Commissioner Luna moved the approval of the following document.
 Seconded by Commissioner Freeman.

12/17/2008

Public Works and Planning Committee Appointments

Road Commission

Benjamin Lyons Term expiring December 31, 2014

Parks and Recreation Commission

L. Robert McConnell Term expiring December 31, 2011

Zoning Board of Appeals

Charamy Cleary Term expiring December 31, 2011

Planning Commission

Marilyn Rutter Term expiring December 31, 2011

David Roberts Term expiring December 31, 2011

Ronald Wilson Term expiring December 31, 2011

EATRAN

Jim Byington Term expiring December 31, 2011

Housing Advisory Committee

Victor Rose Term expiring December 31, 2010

Denise Dunn Term expiring December 31, 2010

Leon Monroe Term expiring December 31, 2010

Robert Worgul Term expiring December 31, 2010

Bob Brown Term expiring December 31, 2010

Purchase of Development Rights Selection Committee

Andrea Stay Term expiring December 31, 2010

David Roberts Term expiring December 31, 2010

Duane Ross Term expiring December 31, 2010

Brownfield Redevelopment Authority

Karry Trickey Term expiring December 31, 2011

Roll Call vote. Carried.

EATON COUNTY BOARD OF COMMISSIONERS

DECEMBER 17, 2008

**RESOLUTION TO AUTHORIZE AN ADMINISTRATIVE
AGREEMENT WITH THE CITY OF CHARLOTTE FOR A
HOMEOWNER REHABILITATION GRANT**

Commissioner Luna moved the approval of the following resolution.
Seconded by Commissioner Clarke.

WHEREAS, the Eaton County Community Development and Housing Department strives to assure the County's residents have adequate and affordable housing available; and

WHEREAS, the City of Charlotte in Eaton County has been awarded a grant from the Michigan State Housing Development Authority for a Targeted Neighborhood Homeowner Rehabilitation Program; and

WHEREAS, the Eaton County Community Development and Housing Department is experienced and qualified in the administration of MSHDA grants for residential rehabilitation and has been selected to administer this grant on behalf of the City of Charlotte through an administrative agreement; and

WHEREAS, the division of responsibility between the City and County shall follow the attached Third Party Administrator Management Plan ("Exhibit A").

NOW THEREFORE BE IT RESOLVED, that the Administrative Agreement between the City of Charlotte and Eaton County is approved; and

BE IT FURTHER RESOLVED, that the Chairperson of the Board of Commissioners is authorized to sign said agreement; and

BE IT FURTHER RESOLVED the Eaton County Community Development and Housing Department will administer the City of Charlotte Targeted Neighborhood Homeowner Rehabilitation Grant in accordance with the requirements detailed in Exhibit A throughout the grant period. Carried.

EATON COUNTY BOARD OF COMMISSIONERS

DECEMBER 17, 2008

**RESOLUTION TO ALTER THE BOUNDARIES
OF THE VILLAGE OF DIMONDALE**

Introduced by the Ways and Means Committee

**Order and Determination by the
Eaton County Board of Commissioners to
Detach Certain Lands from the Village of Dimondale and
Attach Certain Lands to the Village of Dimondale**

Commissioner Keefe moved the approval of the following resolution.
Seconded by Commissioner Forell.

WHEREAS, the Village Council of the Village of Dimondale has, by resolution, determined to petition the Board of Commissioners of Eaton County to detach/attach certain lands as herein described and also as described in said petition and resolution, from the Village of Dimondale; and

WHEREAS, such petition and resolution gives as the reason for said proposed detachment/attachment is to correct the corporate boundary map on file with the State of Michigan to accurately reflect the boundaries of the jurisdiction as know and understood; and

WHEREAS, such resolution as presented was duly signed by the President and the Clerk of the Village of Dimondale; and

WHEREAS, notice of the hearing to be held by the Eaton County Board of Commissioners on the question of such proposed detachment/attachment was published or posted, as required by statute, as appears by the affidavit of Denise Parisian, Village Manager, in the files of this matter; and

WHEREAS, such notice also contained a description of the premises to be detached/attached; and

WHEREAS, all persons interested have been given an opportunity to be heard at a public meeting of the Eaton County Board of Commissioners; and

WHEREAS, all proceedings pursuant to Section 6, Chapter 14, of Act 3 of the Public Acts of 1895 of the State of Michigan, (MCL 74.6;MSA 5.1470), have been complied with; and

NOW, THEREFORE, it is hereby ordered and determined that the following described lands in the Village of Dimondale, Eaton County, Michigan:

PARCEL 1 (TO BE DETACHED)

All that part of the Southwest $\frac{1}{4}$ Section 14, T3N, R3W, Village of Dimondale, Windsor Township, Eaton County, Michigan, lying north of the Original Corporate Boundary, south of the south line of the Plat of Williams Homestead Subdivision No. 2 as recorded in Liber 9 of Plats, Pages 8 & 9, Eaton County Records, and its westerly extension to the west line of Section 14; and east of Williams Homestead Subdivision No. 2.

PARCEL 2 (TO BE DETACHED)

All of that part of the Village of Dimondale lying South of the following described line: Beginning at a point on the North-South $\frac{1}{4}$ line, S00° 05'32"E 521.11 feet from the North $\frac{1}{4}$ Corner, Section 22, T3N, R3W, Windsor Township, Eaton County, Michigan; thence East 895.00 feet, thence N47°18'00"E 299.96 feet to the centerline of Jefferson Street; thence S42°42'00"E to the Original Corporate Boundary.

PARCEL 4 (TO BE ATTACHED)

All that part of the West $\frac{1}{2}$ of the Northeast $\frac{1}{4}$ of Section 22, T3N, R3W, Windsor Township, Eaton County, Michigan, lying North of the Following described line; beginning at a point on the North-South $\frac{1}{4}$ line S00°05'32"E521.11 feet from the North $\frac{1}{4}$ Corner of Section 22, T3N, R3W, Windsor Township, Eaton County, Michigan; thence East 895.00 feet; thence N47°18'00"E 299.96 feet to the centerline of Jefferson Street; thence S42°E to the Original Corporate Boundary.

be and the same are hereby detached/attached to the Township of Windsor, Eaton County/Village of Dimondale, Michigan, and said lands shall be considered hereafter to be included within the limits of the said Township/Village.

IT IS FURTHER ORDERED, that a copy of this Order and Determination to detach/attach territory to the Village of Dimondale, Michigan, shall be entered on the records of the Eaton County Board of Commissioners and that a certified copy of this Order and Determination shall be transmitted by the Clerk of the Eaton County Board of Commissioners to Clerk of the Village of Dimondale, and to the Secretary of State, State of Michigan, and that this Order and Determination shall be prima facie evidence of such change of boundaries of the Village of Dimondale and of the regularity of such proceedings. Carried.

EATON COUNTY BOARD OF COMMISSIONERS

DECEMBER 17, 2008

**RESOLUTION TO ADOPT AMENDMENTS TO THE
COUNTY PERSONNEL POLICY AND ADOPT PERSONNEL POLICY
FOR THE CIRCUIT AND PROBATE COURTS**

Introduced by the Ways and Means Committee

Commissioner Keefe moved the approval of the following resolution.
Seconded by Commissioner Baker.

WHEREAS, the Board of Commissioners has adopted a Personnel Policy, which sets and governs the economic and non-economic benefits and policies of its employees; and

WHEREAS, the Ways and Means Committee has reviewed and is recommending approval of the attached, 2009 amendments to the Personnel Policy; and

WHEREAS, the Circuit and Probate Courts have developed a Personnel Policy (attached) with economic policies consistent with those contained in the County's policies and non economic policies determined to be appropriate by the Courts.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Commissioners approves the amendments to the Personnel Policy effective January 1, 2009; and

BE IT FURTHER RESOLVED, that the Board of Commissioners approves the economic benefits contained in the Circuit and Probate Court Personnel Policy; and

BE IT FURTHER RESOLVED, that the Board of Commissioners accepts the non-economic policies contained in the Circuit and Probate Court Personnel Policy. Carried.

2009 Proposed Personnel Policy Changes

Note: "Personnel Committee" needs to be changed to "Ways & Means Committee" throughout policy where referenced.

1. **Article 1 – Insurance** – Page 1

Section 1. Health Insurance – Current Employees.

(i) **Premium Share Plan.** Paragraph 2 and 3

All employees eligible for health insurance will pay ~~five (5%)~~ **(7 ½%)** percent of the applicable premium for their health insurance coverage (such payment will not be made by employees who waive health insurance coverage pursuant to (b) of this section). The Employee share of the premiums will be withheld from the first payroll check of the month.

An employee, whose spouse has comparable group health insurance from another source, must secure coverage for the spouse from that group. The comparable coverage must also cost the spouse less than ~~\$600.00~~ **\$900.00** annually. The spouse may be covered by the Employer's group health coverage upon becoming ineligible to be covered by the other source or if the alternate coverage does not continue to be comparable to the coverage provided by the Employer. When a spouse has coverage, as described above, any other eligible family members will be covered according to the Order of Benefit Determination Rules, i.e.: coverage is the coverage plan of the parent whose birthday is earlier in the calendar year.

2. **Article 1 – Insurance** – Page 2

Section 1. Health Insurance – Current Employees

(ii) **No Premium Share Plan.** Paragraph 3

An employee, whose spouse has comparable group health insurance from another source, must secure coverage for the spouse from that group. The comparable coverage must also cost the spouse less than ~~\$600.00~~ **\$900.00** annually. The spouse may be covered by the Employer's group health coverage upon becoming ineligible to be covered by the other source or if the alternate coverage does not continue to be comparable to the coverage provided by the Employer. When a spouse has coverage, as described above, any other eligible family members will be covered according to the Order of Benefit Determination Rules, i.e.: primary coverage is the coverage plan of the parent whose birthday is earlier in the calendar year.

3. **Article 1 – Insurance** – Page 4

Section 2. Health Insurance – Retirees Hired Prior to January 1, 2006.

(b) **Working Elsewhere After Retirement.** An eligible retiree, past or present, may be employed elsewhere after retirement. If such eligible retiree's employment is with another Employer providing comparable group health coverage, he must secure coverage from that group. The comparable coverage must also cost less than ~~\$600.00~~ **\$900.00** annually. The retiree may then return to the Employer's group health coverage upon his separation from the other Employer.

(c) Alternate Coverage. An eligible retiree, past or present whose spouse has comparable group health insurance coverage from another source must secure coverage for the spouse from that group. The comparable coverage must also cost the spouse less than ~~\$600.00~~ \$900.00 annually. The spouse may then be covered by the Employer's group health coverage upon becoming ineligible to be covered by the other source or if the alternate coverage does not continue to be comparable to the coverage provided by the Employer.

4. **Article 1 – Insurance** – Page 4

Section 2. Health Insurance – Retirees Hired Prior to January 1, 2006.

(d) Spouse Coverage. An eligible employee may include health insurance coverage for his spouse under the following conditions:

(1) From the date of the employee's eligibility for paid health insurance **for the initial 12 month period**, ~~up until the annual open enrollment period for group health coverage~~, the County will pay 50% of the premium difference required to include the spouse with the employee paying the remaining 50% of the premium difference.

5. **Article 1 – Insurance** – Page 7 & 8

Section 6. Disability Plan.

(a) The County currently provides disability insurance coverage for all regular full time employees. **Employees must obtain the Disability Leave Application from the Controller's Office and upon completion must return the paperwork to the Controller's Office. Any non-privileged information for payroll purposes will be shared with the Department Head.** The coverage will be applicable to non-work related disabilities (including pregnancies), which are covered by Health Insurance and disable an employee from performing their employment duties. The coverage is available only for employees who are temporarily disabled and have a physician's excuse indicating a projected return to work date. If an employee fails to return to work **on a full time (40 hours/week) basis**, or returns to work from a disability leave and resigns prior to the completion of ninety (90) days of employment, they shall be required to reimburse the County for any disability benefits received during their leave, unless the reason for not returning or not completing the ninety (90) day period is that the employee **cannot medically return to work on a full time basis**, ~~is eligible for another disability leave, workers' compensation or Family Medical Leave Act.~~ During the time an employee is off of work on the Disability Program, they shall have no other employment. The coverage shall provide the following:

66 2/3% of basic weekly earnings to a maximum of \$435 for 26 weeks maximum, commencing the first day of an accident and the eighth day of an illness. Employees must complete the necessary Disability Leave Medical Form and Application prior to going off on disability unless it is an emergency leave (such as an injury that may have been caused as a result of a car accident or other unforeseen event). If the disability leave is an emergency, employees must obtain the necessary paperwork, complete and return to the Controller's Office in a timely manner. If paperwork is not returned in a timely manner, this may cause a delay in processing an employee's disability pay.

6. **Article 3 – Workers’ Compensation – Page 13**
Section 1. Guidelines. – Last paragraph and remove Section 2.

Any initial time off and any extensions thereof due to a Workers’ Compensation leave must be approved in writing by a physician. **During the time an employee is off of work under a Workers’ Compensation injury or illness, they shall have no other employment.**

~~Section 2. Workers’ Compensation Pay. The County will pay an employee receiving Workers’ Compensation the difference between their regular rate of pay and the Workers’ Compensation payments for a period not to exceed six (6) months.~~

Renumber remaining section.

7. **Article 10 – Funeral Leave – Page 24**

Section 1. Immediate Family. In case of death in the immediate family, all eligible employees may be granted a leave of absence with pay for a period of up to three (3) days, with prior approval of the Department Head. Regular part time employees shall receive up to 3 days equivalent to their regularly scheduled hours. “Immediate Family” shall mean current spouse, child, brother, sister, parents, parents of current spouse, grandparents, **grandparents of current spouse** or grandchildren.

8. **Article 13 – Leave Without Pay – Page 27**

Section 1. Disability Leave. An employee may be granted an unpaid leave of absence by the **Personnel Ways and Means** Committee if unable to return to work once their Sickness and Accident Insurance benefits have expired, because of continued illness, injury or pregnancy, but in no event for a period to exceed one year. Requests for such leave shall be in writing and must be accompanied by a physician’s statement certifying the necessity for the leave. The Employer may continue to require updated information during such leaves. Before returning to work, the employee must provide a physician’s certificate approving the employee’s return to the job. Such leave time may be counted towards the Family and Medical Leave Act. **The continuation of Insurance Coverage in Section 3 of this Article shall not apply for purposes of an employee’s disability leave of absence.**

Section 2. Leave of Absence. In addition to the leaves authorized above, a Department Head may authorize leave without pay for an employee for a period of time not to exceed 10 days in any calendar year however all other applicable leave must be exhausted. Leave without pay for a longer period must be approved by the Department Head, but must also be requested in writing to and approved by the **Personnel Ways and Means** Committee. **During the time an employee is off of work on an unpaid leave of absence, they shall have no other employment.**

Section 3. Continuation of Insurance Coverage. Employees on an unpaid leave of absence greater than thirty (30) days shall pay the full cost of their life, sickness, dental and health insurance premiums if they desire those benefits to continue while on leave, and provided that the insurance carrier permits such payment. **An employee who goes off on an unpaid leave of absence and elects not to continue the cost of their insurance premiums will be required to meet the insurance eligibility requirements upon their return.** No other benefits shall continue to accrue while an employee is on an unpaid leave of absence, unless otherwise required under the Family and Medical Leave Act.

9. **Article 16 – Hours – Page 31**

Section 2. Overtime. Overtime shall consist of any and all time assigned by an employee's supervisor to be worked by an employee eligible for overtime in excess of forty (40) hours worked in the seven (7) consecutive days, Sunday through Saturday subject to the following provisions. Prior approval of overtime is required by an employee's supervisor. ~~All hours worked and all hours taken from all accumulated leave hours and including holidays shall be counted for purposes of computing overtime pay.~~ However, in the event an employee requests leave time, in a given day, and comes to work before 8:00 a.m. or stays after 5:00 p.m. on the same day, they are not eligible for overtime compensation. **Only time worked shall be counted for purposes of computing overtime pay, except that: (1) holidays shall count as time worked for computing overtime pay, and (2) approved paid sick leave pursuant to Article 8 shall count as time worked for computing overtime pay.**

10. **Article 17 – Classification of Employees. Page 33**

Section 1. Classification of Employees.

(b) Part-Time Employees. An employee regularly scheduled to work less than 40 hours per week (scheduled in advance to work a minimum of 40 hours every pay period) for a period to exceed 6 months shall be classified as a regular, part-time employee. Such employees shall only be entitled to earn pro-rated annual leave, sick leave, personal leave, funeral leave and holiday benefits **(when the holiday falls an employee's regularly scheduled workday).** **If a holiday falls on a day that is not a regularly scheduled workday, an employee will not receive any additional compensation for that day. Department Heads may not give another day off in lieu of that holiday;** and shall participate in the retirement system provided the minimum eligibility requirements are met. Part-time employees regularly scheduled to work 30-39 hours per week are eligible for health insurance benefits.

56th Judicial Circuit Court and Eaton County Probate Court

Personnel Policy

Effective January 1, 2009

ECONOMIC BENEFITS

ARTICLE 1

INSURANCE

Section 1. Health Insurance - Current Employees.

(a) Coverage. All eligible regular full-time employees (employees regularly scheduled at least thirty (30) hours per week) and eligible family members are covered by a health insurance plan, which is currently Blue Cross and Blue Shield of Michigan-Community Blue PPO Plan. There shall be no dual coverage of dependents on any employee's policy. There shall be two plan options, a premium share plan and a no premium share plan. The no premium share plan can be selected by an employee on a voluntary basis.

(i) Premium Share Plan.

The plan includes a \$20.00 office visit co-pay, a \$20.00 urgent care co-pay and a \$75.00 emergency room co-pay. The Plan also includes a three-tiered prescription drug benefit administered by Blue Cross and Blue Shield of Michigan as outlined in the Certificate of Coverage (\$10.00 for generic drugs, \$20.00 for brand-name medications on Community Blue PPO's Preferred Drug List and \$30.00 for covered brand-name medications not on Community Blue PPO's Preferred Drug list). The Plan also includes certain other benefits and exclusions as described in benefit summaries provided by the insurance carrier.

All employees eligible for health insurance will pay [REDACTED] percent of the applicable premium for their health insurance coverage (such payment will not be made by employees who waive health insurance coverage pursuant to (b) of this section). The Employee share of the premiums will be withheld from the first payroll check of the month.

An employee, whose spouse has comparable group health insurance from another source, must secure coverage for the spouse from that group. The comparable coverage must also cost the spouse less than [REDACTED] annually. The spouse may be covered by the Employer's group health coverage upon becoming ineligible to be covered by the other source or if the alternate coverage does not continue to be comparable to the coverage provided by the Employer. When a spouse has coverage, as described above, any other eligible family members will be covered according to the Order of Benefit Determination Rules, i.e.: coverage is the coverage plan of the parent whose birthday is earlier in the calendar year.

Coverage for eligible employees shall begin on the first day of the month following 30 days of employment or the first day following their date of employment that allows them to have continuous coverage from previous employment. Coverage ends upon an employee's separation from employment. The County shall return to the employee a pro-rated (pro-ration is based on a 30 day month) share of the premium paid by the employee for the month in which they separate from employment.

The County reserves the right to change insurance carriers or coverage.

(ii) No Premium Share Plan.

The plan includes a \$20.00 office visit co-pay, a \$20.00 urgent care co-pay and a \$75.00 emergency room co-pay. The Plan also includes a three-tiered prescription drug benefit administered by Blue Cross and Blue Shield of Michigan as outlined in the Certificate of Coverage (\$10.00 for generic drugs, \$20.00 for brand-name medications on Community Blue PPO's Preferred Drug List and \$30.00 for covered brand-name medications not on Community Blue PPO's Preferred Drug list). The Plan also includes certain other benefits and exclusions as described in benefit summaries provided by the insurance carrier.

There shall be no premium sharing required of employees for this Plan. Coverage will include for In-Network Benefits a \$250.00 annual deductible for single coverage and a \$500.00 annual deductible for double or family coverage. After the annual deductible is satisfied, the employee has a ten percent (10%) co-insurance responsibility for most general services up to an out of pocket annual maximum expense of \$1,000.00 for single coverage and \$2,000.00 for double or family coverage. The deductibles and co-insurance requirements do not apply to co-pays, such as Office Visits, Urgent Care, Emergency Room and Prescriptions. They do apply to inpatient hospitalization, outpatient hospitalization and certain other benefits as described in the benefit summaries provided by the insurance carrier.

An employee, whose spouse has comparable group health insurance from another source, must secure coverage for the spouse from that group. The comparable coverage must also cost the spouse less than [REDACTED] annually. The spouse may be covered by the Employer's group health coverage upon becoming ineligible to be covered by the other source or if the alternate coverage does not continue to be comparable to the coverage provided by the Employer. When a spouse has coverage, as described above, any other eligible family members will be covered according to the Order of Benefit Determination Rules, i.e.: primary coverage is the coverage plan of the parent whose birthday is earlier in the calendar year.

Coverage for eligible employees shall begin on the first day of the month following 30 days of employment or the first day following their date of employment that allows them to have continuous coverage from previous employment. Coverage ends upon an employee's separation from employment.

The County reserves the right to change insurance carriers or coverage.

(b) Payment in Lieu of Coverage. A regular, full-time employee who is eligible for health insurance via another source and who executes an affidavit to that effect may elect not to be covered by the health insurance provided under this Article. The decision to waive coverage shall be made once per calendar year, during the 30 day period prior to January 1st of each year. A waiver agreement drafted by the County shall be executed by the employee. In the event the employee elects to forego health insurance, the County shall pay the employee the amount of \$100.00 monthly (up to \$1,200.00 per year) directly as taxable compensation. (The County shall pro-rate an employees last waiver check upon their separation from employment). The payment shall be made on a monthly basis, on the first payday of the month following coverage. New hires may opt for the health waiver upon hiring into the County.

The provisions of this Sub-section (b) shall not apply to a husband and wife who are both employees of the County or any of the Courts of Eaton County. Those employees shall not be permitted to have double health insurance coverage.

Employees who are currently receiving payment under this Sub-section (b) shall be grandfathered.

An employee losing health insurance coverage from another source shall notify the County Personnel Department in time so that the employee and dependents, where appropriate, can be re-enrolled in a health care plan beginning the first day of the month following alternate coverage. No pre-existing condition requirement has to be met in this situation. The employee shall be paid through the month in which they were covered under the waiver. Payment to be made the first payday of the month following coverage.

Section 2. Health Insurance – Retirees Hired Prior to January 1, 2006. (a) Eligibility. The County currently provides the same health insurance coverage benefits referred to in Section 1 of this Article for all eligible employees with the County paying the appropriate health insurance premiums. Retiree's are required to apply for Medicare (Parts A and B) when they are eligible to do so. An eligible employee is one who:

- (1) Has twenty-five (25) years of full time Municipal Employees Retirement System (MERS) credited with Eaton County. (Prior service purchased after July 1, 1996 cannot be used toward the 25 year requirement) and must be at least fifty-five (55) years of age and been eligible for Health Insurance referred to in Section 1 of this Article for a minimum of 25 years, or
- (2) Is retired due to a duty disability as determined by MERS, or
- (3) Is an employee who retires with twenty-five (25) years of service (as defined in (1) above) and has not attained the age of fifty-five (55) and who maintains the

Employer's group health insurance plan by paying the full amount of the premium on a prepaid quarterly basis or is continuously enrolled in some other type of group health coverage. When said employee reaches age 55, he becomes eligible for County paid group health coverage as provided herein, provided, the employee can document continuous group health coverage from the date of retirement.

b) Working Elsewhere After Retirement. An eligible retiree, past or present, may be employed elsewhere after retirement. If such eligible retiree's employment is with another Employer providing comparable group health coverage, he must secure coverage from that group. The comparable coverage must also cost less than [REDACTED] annually. The retiree may then return to the Employer's group health coverage upon his separation from the other Employer.

(c) Alternate Coverage. An eligible retiree, past or present whose spouse has comparable group health insurance coverage from another source must secure coverage for the spouse from that group. The comparable coverage must also cost the spouse less than [REDACTED] annually. The spouse may then be covered by the Employer's group health coverage upon becoming ineligible to be covered by the other source or if the alternate coverage does not continue to be comparable to the coverage provided by the Employer.

(d) Spouse Coverage. An eligible employee may include health insurance coverage for his spouse under the following conditions:

(1) From the date of the employee's eligibility for paid health insurance [REDACTED] [REDACTED] the County will pay 50% of the premium difference required to include the spouse with the employee paying the remaining 50% of the premium difference.

(2) For the next twelve-month period, the County will pay for 60% of the premium difference required to include the spouse with the employee paying the remaining 40% of the premium difference.

(3) For the next twelve month period the County will be responsible for paying 70% of the premium difference required to include the spouse with the employee paying the remaining 30% of the premium difference.

(4) For the next twelve month period the County will be responsible for paying 80% of the premium difference required to include the spouse with the employee paying the remaining 20% of the premium difference.

(5) For the next twelve-month period, the County will pay 90% of the premium difference required to include the spouse with the employee paying 10% of the premium difference.

(6) The County will be responsible for the entire premium payments made thereafter. An employee whose spouse is not immediately covered from the date of the employee's eligibility for paid health insurance because of alternate coverage as specified in (c) above, and who subsequently becomes eligible shall enter the Employer's payment schedule based on the date of the employee's eligibility for paid health insurance.

For all employees hired after January 1, 2001, spouses may continue to be covered by the Employer's health insurance plan, at the employee's expense.

In the event of the employee's death the spouse (at time of retirement) may continue coverage as described in this Section at the County's expense. (For all employees hired after January 1, 2001, the coverage shall be provided at the spouse's expense).

In the event of the death or divorce of the employee's spouse (the person married to the employee at the time of his retirement) and if the employee remarries, that new spouse may be covered at the employee's expense.

If an employee is single at the time of retirement and later marries, that new spouse may be covered at the employee's expense.

(e) A retiree may completely and totally withdraw from the Employer's group health coverage. It should be noted that in the event a retiree withdraws from the Employer's group health coverage and does not receive group health coverage benefits from another source, said retiree will not be permitted at a later date, to re-enter the Employer's group health coverage program.

(f) Continuation of County's Group Health Coverage. Any employee hired prior to January 1, 2006 who retires and is not eligible for health insurance coverage as described herein and (1) who is immediately eligible for retirement benefits as defined by the Municipal Employees' Retirement System (MERS) or (2) is retired due to non-duty disability as determined by MERS may remain on the County's group health insurance plan by prepaying the full amount of the premium on a quarterly basis if permitted by the insurance carrier. Procedure for such payment will be established by the County.

(g) Payment in Lieu of Coverage. An eligible retiree as of January 1 of any year, who is eligible for health insurance via another source and who executes an affidavit to that effect may elect not to be covered by the health insurance provided under this Article. The decision to waive coverage shall be made once per calendar year. A waiver agreement drafted by the County shall be executed by the retiree. In the event the retiree elects to forego health insurance, the County shall pay an amount up to twelve hundred dollars (\$1,200.00) directly to the retiree as taxable compensation. The payment shall be made on an annual basis, as soon as possible after the end of the calendar year. A retiree is eligible for full payment if they have been eligible for County paid health insurance for

the prior twelve (12) month period and a new retiree is eligible for a pro-rated payment if they are eligible for County paid health insurance and have retired within the preceding twelve month period.

The provisions of this Sub-section (g) shall not apply to a husband and wife who are both retirees (or one employee and one retiree) of the County or of any of the Courts of Eaton County.

A retiree losing health insurance coverage from another source shall notify the County Personnel Department in time so that the retiree and dependents, where appropriate, can be re-enrolled in a health care plan beginning the first day of the month following alternate coverage. No pre-existing condition requirement has to be met in this situation. The retiree shall be paid a pro-rated payment. Said payment shall be based on the number of months of full time service credited to a retiree from the preceding January 1. Payment shall be made as soon as possible after the end of the calendar year.

Retirees eligible for payment in lieu of health insurance and who become deceased shall have a pro-rated payment made to their beneficiary (as determined by MERS). Said payment shall be made as soon as possible after the retiree's death and shall be based on the number of months of full-time service credited to the retiree from the preceding January 1.

A retiree who obtains health insurance coverage from another source, and elects not to be covered by the County's health insurance shall be paid a pro-rated payment. Said payment shall be based on the number of months of full time service credited to a retiree from the time they obtained the alternate coverage until January 1. Payment shall be made as soon as possible after the end of the calendar year.

Section 3. Health Care Savings Program. Any employees hired after January 1, 2006, will not be eligible for County paid retiree health insurance as outlined in this Section 2, (a) through (g).

(a) Employees hired after January 1, 2006, will be required to contribute 1% of their salary into their Health Care Savings Program, which will be a pre-tax deduction. In addition, the County will contribute an amount equal to 2% of the employee's salary into their Health Care Savings Program.

(b) An employee is also able to contribute an additional portion of their salary into the Health Care Savings Program over and above the mandatory 1%, up to 10%, which will also be a pre-tax deduction. The County will match the additional contribution by the employee for any amount over 2% and up to 4%.

(c) Any accumulated leave time available to be paid to an employee upon their separation from or retirement from the County may, at the employee's option, be converted in a Health Care Savings Program in accordance with MERS Policy.

Any money contributed by the employee, both on a mandatory or voluntary basis, will remain in the employee's account to use for allowable health related activities upon their retirement or termination of employment with the County.

The Health Care Savings Program has a vesting period of 10 years. If an employee terminates employment prior to 10 years of service they will receive only their contributions. Any vested employee shall receive both their contributions and the County's contributions upon their retirement or termination of employment from the County.

Section 4. Optical Coverage. All eligible regular full time employees (employees regularly scheduled at least 30 hours per week) and eligible family members who are covered by the County's health insurance, which is currently Blue Cross and Blue Shield of Michigan Community Blue PPO Plan must also be enrolled in the optical coverage. The cost of the coverage is paid 100% by the employee, with the rate being determined by the employees' current family status through Blue Cross (single, double or family coverage). The employees may not opt out of the optical coverage. The premium rate is determined annually by Blue Cross and will be payroll deducted the first pay of every month in accordance with our Section 125 Plan (Pre or Post Tax Elected).

Section 5. Life Insurance. The County currently provides life insurance coverage (\$30,000) and accidental death and dismemberment insurance coverage (\$30,000) for all regular full time employees. Coverage for employees shall begin on the first day of the month following 30 days of employment. The County currently pays the entire premium costs for all such coverage. Life Insurance ends on the employee's last date of employment. An employee may convert the County policy to a personal policy when they terminate their employment, if permitted by the insurance carrier.

Section 6. Disability Plan.

(a) The County currently provides disability insurance coverage for all regular full time employees. Employees must obtain the Disability Leave Application from the Controller's Office and upon completion must return the paperwork to the Controller's Office. Any non-privileged information for payroll purposes will be shared with the Department Head. The coverage will be applicable to non-work related disabilities (including pregnancies), which are covered by Health Insurance and disable an employee from performing their employment duties. The coverage is available only for employees who are temporarily disabled and have a physician's excuse indicating a projected return to work date. An employee receiving benefits under this section is required to return to work for a period of 90 days or face repaying a prorated portion of such benefit received. The Chief Judge or Court Administrator, after consultation with the County Controller regarding budgetary impact, may waive all or part of this 90-day period for good cause and on a case-by-case basis. Repayment shall not be required if the reason for not returning or not completing the ninety (90) day period is that the employee cannot medically return to work on a full time basis. During the time an employee is off of work

on the Disability Program, they shall have no other employment. The coverage shall provide the following:

66 2/3% of basic weekly earnings to a maximum of \$435 for 26 weeks maximum, commencing the first day of an accident and the eighth day of an illness. Employees must complete the necessary Disability Leave Medical Form and Application prior to going off on disability unless it is an emergency leave (such as an injury that may have been caused as a result of a car accident or other unforeseen event). If the disability leave is an emergency, employees must obtain the necessary paperwork, complete and return to the Controller's Office in a timely manner. If paperwork is not returned in a timely manner, this may cause a delay in processing an employee's disability pay.

Coverage for eligible employees begins on the first day of the month following 30 days of continuous employment. The County shall pay the entire premium cost for all such coverage.

In the event of an illness, the employee must use accumulated leave time (if they have accumulated leave time) for the first 40 hours. An employee may use accumulated sick leave, annual leave, personal leave, or compensatory time (non-exempt employee) to make up the difference between the disability rate of compensation and the employee's normal rate of pay.

Before returning to work, the employee must present a doctor's certificate that they can perform all the duties of the position to which they are returning.

The Employer shall continue to pay the cost of the life, sickness, dental and Employer portion of the health insurance premiums for the length of the disability.

The employee shall continue to pay the cost of the employee portion of the health insurance premiums for the length of the disability.

(b) Limited Duty. At times, an employee who has suffered an accident, injury, or illness is physically able and qualified to perform limited duties while recuperating from such accident, injury, or illness. Based upon the Department Head's judgment relative to need, availability, costs and physical limitations, such employee may be utilized for limited duty. The employee may be assigned to any shift, as determined by the Department Head.

Employees being considered for limited duty must present either a physician's statement of physical ability to perform limited duty or a medical examination report by the Employer's designated physician to the Department Head.

When an employee is approved for normal duty by the appropriate physician he/she shall immediately notify the Department Head and present proper medical certification.

Section 7. Dental Insurance. All eligible regular full time employees and their families are currently covered by a dental plan. Coverage for eligible employees will begin on the first day of the month following 30 days of employment or the first day following their date of employment that allows them to have continuous coverage from previous employment. Basic Dental Services (Class 1) and Prosthodontic Dental Services (Class II) will be provided with the Plan paying 50% of claims up to a maximum of \$1,200 per covered person per year. The County reserves the right to change insurance carriers or coverage. The County currently pays the entire premium costs for this benefit.

When an employee leaves County employment, their dental insurance is continued through their last day of employment.

Section 8. Flexible Spending Plan. The County provides a Flexible Spending Plan. New hires are eligible to join the first of the month following 30 days of employment or the first day following their date of employment that allows them to have continuous coverage from previous employment. However, new hires must have paperwork completed within their first week of employment or they will have to wait until the next open enrollment period. There will be an annual open enrollment period during the month of November of each year for an effective date of January 1.

Section 9. Deferred Compensation. The County has a group deferred compensation program available. There are three open enrollment periods each year, those being January, May and September.

Section 10. Continuation of Insurance Coverage. An employee on a layoff of thirty (30) calendar days or more shall pay the full cost of their life, sickness, dental and health insurance premiums if they want those benefits to continue, and provided that the insurance carrier permits such payments by the employee. An employee on Worker's Compensation or a disability leave covered by the County's insurance program shall continue to have the full cost of their life, sickness, dental and health insurance premiums paid for by the County for the length of their disability (not to exceed 26 weeks).

Section 11. Insurance Coverage Changes. If an employee wishes to make any change to their insurance coverage such as an addition of a dependent, deletion of a dependent, etc., the County must be notified in writing, within three (3) weeks of the occurrence. If notice of the addition of dependents is not made within the three (3) week period, the addition will not be able to be effective until the next open enrollment period. The open enrollment period is the 30 day period prior to January 1st of each year.

ARTICLE 2

FAMILY AND MEDICAL LEAVE

Section 1. Eligibility. An eligible employee who has completed twelve (12) months of employment and worked at least 1250 hours in the past twelve (12) months may request an unpaid leave of absence for a period not to exceed twelve (12) weeks in any twelve (12) month period measured forward from the date the employee's first FMLA leave begins. The request should be in writing, must give the reason for the request and must give the expected duration of the leave. The proper forms must be obtained from the Controller's Office. The leave may be taken for the following reasons:

- (a). A serious health condition that makes the employee unable to perform the functions of his position;
- (b). In order to care for the employee's spouse, child or parent if the person being cared for has a serious health condition;
- (c). Because of the birth of a child of the employee, and in order to care for the child within twelve (12) months of the child's birth;
- (d). Because of the placement of a child with the employee for adoption or foster care, and in order to care for the child within twelve (12) months of the child's placement.

Unless leave is taken for the employee's own serious health condition or that of his child or spouse, the total leave taken by spouses when both are employed by the Employer is limited to twelve (12) weeks. Any time off under the County's Short Term Disability Plan and Workers Compensation is included as part of the twelve (12) weeks allowed under the Family and Medical Leave Act.

Section 2. Intermittent Leave. Unless the Chief Judge agrees, leave for the birth or placement of the employee's child, or to care for the child within twelve (12) months of the child's birth or placement, may not be taken intermittently or on a reduced leave schedule. If medically necessary, leave for the employee's own serious health condition or to care for a seriously ill spouse, child or parent, may be taken intermittently or on a reduced leave schedule.

Section 3. Unpaid Leave. Although the law indicates that an employee is entitled to a twelve (12) week unpaid leave of absence, the County has the right to, and shall require its employees to use their accumulated sick leave (where applicable), annual leave, personal leave or compensatory time. However, this does not extend the leave beyond the twelve (12) weeks.

When leave is taken for the birth of a child or to care for the child within twelve (12) months, and the leave is foreseeable based on the event, the employee must provide not less than thirty (30) days notice before the leave is to begin. If the date of the birth or leave to begin is not foreseeable, such notice must be as soon as is practicable.

When leave is taken for the employee's own serious health condition, or to care for a seriously-ill spouse, child or parent, and the leave is foreseeable based on planned medical treatment, the employee must make a reasonable effort to schedule the treatment so as not to unduly disrupt the Employer's operations, and must provide not less than thirty (30) days notice before the date the leave is to begin. If the date of treatment requires leave to begin in less than thirty (30) days, however, the employee must provide such notice as soon as is practicable.

Section 4. Medical Certification. When leave is taken for the employee's own serious health condition, or to care for a seriously ill spouse, child or parent, the Employer may require certification issued by the health care provider of the employee or of the spouse, child or parent of the employee, as appropriate. This certification must include the date the condition began, its probable duration, appropriate medical facts within the knowledge of the health care provider regarding the condition, and a statement that the employee is unable to perform his job function or is needed to care for a sick family member for a specified time.

Section 5. Intermittent or Reduced Leave Requirements. For leave taken intermittently or on a reduced leave schedule, further certification requirements are as follows:

- (a). When there is planned medical treatment, the certification must include the dates on which treatment is expected and its duration.
- (b). When leave is taken for the employee's own serious health condition, the certification must include a statement of the medical treatment necessary for such leave and its expected duration.
- (c). When leave is taken to care for a seriously ill family member, the certification must include a statement that such leave is necessary for the care of the family member who has a serious health condition or will assist in his recovery, and the expected duration and schedule of the leave. The Employer has the right to and shall require the employee to provide the necessary documentation every 30 days in the event that the initial doctors statement is not specific.

Section 6. Second and Third Opinions: Re-certification. The Employer may require, at its own expense if not covered by insurance, a second medical opinion from a health care provider designated by the Employer, but not employed on a regular basis by the Employer. In the event of a dispute concerning the second certification, the Employer may require, at its own expense if not covered by insurance, a third opinion from a health

care provider. The employee and Employer must agree on the selection of the third health care provider whose opinion is binding on both parties. The Employer may require that the employee obtain subsequent re-certification on a reasonable basis.

Section 7. Benefits During Leave. The Employer shall continue to pay the cost of the Employer portion of the health insurance premiums for an eligible employee during the period the employee is on leave for any of the reasons under Subsections 1 (a) – (d) above. The employee shall continue to pay the cost of the employee portion of the health insurance premiums for the length of the unpaid leave. The employee will not accumulate paid sick or annual leave nor be paid for holidays or funeral leave, which may fall during the period of unpaid leave. If the employee fails to return after the leave has expired due to circumstances within the employee's control, the Employer may recover from the employee any premiums, which the Employer paid to maintain medical coverage during the leave.

Section 8. Return Rights. Upon return from a leave taken for a reason listed under Subsection 1 (a) – (d) above, the employee will be returned to his or her former position, or to a position equivalent in pay, benefits, and other terms and conditions of employment. The decision will be at the discretion of the Chief Judge.

Section 9. Other Employment. During the time an employee is off work due to the provisions of the Family and Medical Leave Act, they shall have no other employment.

ARTICLE 3

WORKERS' COMPENSATION

Section 1. Guidelines. The County currently also provides Workers' Compensation coverage.

A work related injury must be immediately reported to the employee's Supervisor and the Personnel Office so that the appropriate forms can be completed. Arrangements can then be made by the Personnel Office for the employee to receive medical care from a County designated physician.

If an injury occurs after 5:00 p.m. or on a weekend, emergency medical treatment may be received from other than a County designated physician. However, if the physician who treated an employee for an emergency indicates time off work or follow-up care is necessary, arrangements must be made to see the County physician. These arrangements will also be made by the Personnel Office for the employee.

After ten (10) days from the inception of medical care, an employee may treat with a physician of his own choice but he must first notify the Personnel Office of the name of the physician and his intentions to treat with such physician. The County after receiving such notice may file a Notice of Objection with the Bureau of Workers' Compensation if it so desires.

Failure to follow these procedures will result in the denial and refusal of payment of medical bills where treatment has been sought outside the proper guidelines.

Any initial time off and any extensions thereof due to a Workers' Compensation leave must be approved in writing by a physician. ~~During the time an employee is off of work under a Workers' Compensation injury or illness, they shall have no other employment.~~

~~Section 2. Worker's Compensation Pay. The County will pay an employee receiving Workers' Compensation the difference between their regular rate of pay and the Workers' Compensation payments for a period not to exceed six (6) months.~~

Section 2. Limited Duty. At times, an employee who has suffered a work related accident, injury, or illness is physically able and qualified to perform limited duties while recuperating from such accident, injury, or illness. Based upon the Department Head's judgment relative to need, availability, costs and physical limitations, such employee may be utilized for limited duty. Limited duty may also include part time work. The employee may be assigned to any shift, as determined by the Department Head.

Employees being considered for limited duty must present either a physician's statement of physical ability to perform limited duty or a medical examination report by the Employer's designated physician to the Department Head.

When an employee is approved for normal duty by the appropriate physician he shall immediately notify the Department Head and present proper medical certification.

ARTICLE 4

RETIREMENT

Section 1. Benefit Program. All regular full-time and eligible part-time employees are currently covered by the Municipal Employees' Retirement System, (MERS) Benefit Program B-4. The employees' contribution rate to this Retirement Plan is 7.3%.

All employees who are included in the Administrative Group Division Code are covered by the Municipal Employees' Retirement System, (MERS) Benefit Program B-4. The employees' contribution rate to this Retirement Plan is 9.0%.

The County shall abide by all of the terms and conditions of these programs.

Section 2. Early Retirement. The Plan currently provides for no reduction in pension for those employees who retire and are less than 60, but at least 55 years of age with 25 years or more of credited service (Benefit Program F55/25).

An employee who retires from Eaton County in accordance with MERS guidelines and is immediately eligible to draw their pension, will not be rehired into the County as a regular full time or a regular part time employee as outlined in Article 17, Classification of Employees.

Section 3. Final Average Compensation. The Plan provides for the final average compensation being computed on the highest thirty-six (36) consecutive months of earnings, divided by three (3) (Benefit Program FAC-3).

Section 4. Service Purchase Requests. Requests for the purchase of previous service credit may be made by an employee according to the procedures of MERS. Such requests must be made in writing and approved by the Personnel Committee, subject to final approval by the full Board of Commissioners. The employee shall pay the entire cost. Prior service purchased after July 1, 1996 cannot be used toward the 25 year requirement for retiree's health insurance.

ARTICLE 5

LONGEVITY

Section 1. Schedule. All eligible regular full-time and regular part time employees as of December 1 of any year, excluding anyone whose status as employee has ended prior to that date, shall be entitled to receive longevity pay for continuous service with the Employer according to the following schedule:

<u>Years of Continuous Service</u>	<u>Annual Benefits</u>
At least 5 years but less than 10 years	\$300
At least 10 years but less than 15 years	\$600
At least 15 years but less than 20 years	\$900
20 years or more	\$1,200

Regular part time employees shall receive a pro-rated payment based on their regular part time scheduled hours based on the above schedule.

Section 2. Payments Made. Longevity payments shall be made on the first pay day in December.

Section 3. Pro-Rated Longevity Payments. Longevity pay shall be pro-rated depending on the number of months in the year during which an employee has been in each category (e.g. an employee hired on September 1st shall receive \$50 (3/12 of \$200) in December following his completion of the fourth (4th) year of service, and \$275 (\$200 + 3/12 of \$300 {difference}) in December following his completion of the ninth (9th) year of service, etc.).

Section 4. Unpaid Leaves. Eligible employees on an unpaid leave of absence or unpaid disability leave for a period of more than thirty (30) days shall have their longevity payment pro-rated based upon the deduction of unpaid hours after the first thirty (30) days of unpaid leave.

Section 5. Retirement. Employees who are eligible for longevity payments and who retire on a regular or disability basis shall be paid a pro-rated payment. Said payment shall be based on the number of months of full-time service credited to an

employee from the preceding December 1. Payment to be made immediately upon retirement.

ARTICLE 6

HOLIDAYS

Section 1. Recognized Holidays. All eligible employees will receive the following twelve (12) paid holidays:

New Year's Day
Martin Luther King, Jr. Day
President's Day
Memorial Day
Independence Day
Labor Day
Veteran's Day
Thanksgiving Day
Day After Thanksgiving
Christmas Eve
Christmas Day
New Year's Eve

Section 2. Observed Dates. If the holiday falls on a Saturday, it shall be observed on the preceding Friday. If the holiday falls on Sunday, it shall be observed on the following Monday. If Christmas or New Year's fall on Saturday, Christmas Eve and New Year's Eve will be observed on the preceding Thursday. If Christmas Eve or New Year's Eve fall on a Saturday or a Sunday, the preceding Friday will be observed as a holiday. Otherwise, all holidays will be on the observation date.

Section 3. Holiday Pay. Regular full-time employees shall be paid at their regular rate of pay for each observed holiday. Regular part-time employees shall be paid at their regular rate of pay for each observed holiday, pro-rated according to their normal work schedule, if scheduled to work on the holiday.

To qualify for holiday pay, an eligible employee must work or be compensated for all of their scheduled hours on their last scheduled day before and their first scheduled day after the holiday unless approved by the Department Head and Controller.

Section 4. Compensation for Holiday Worked. An employee working on a holiday shall receive their straight time rate for all hours worked, in addition to any holiday pay they might be entitled to under this Article. Holidays shall be deemed hours worked for overtime purposes. Overtime shall not be pyramided.

Section 5. Compensation While on Paid Leave. When an employee is on vacation, personal leave, or off due to illness, they should not be charged with the time if a holiday occurs during that period if they are compensated for the entire day before and the entire day after the Holiday.

Section 6. Compensation While on Disability Leave. When an employee is off on a short term disability leave under the County's Sickness and Accident Insurance, and the leave includes a holiday, the employee shall not be charged with sick leave if they have been continuously supplementing the necessary hours to make up full days since the start of their disability.

ARTICLE 7

ANNUAL LEAVE

Section 1. Accrual. Regular full-time employees shall earn annual leave per the following schedule:

<u>CONTINUOUS SERVICE</u>	<u>HOURS EARNED EACH PAYROLL PERIOD (80 HRS.) OF PAID SERVICE</u>
0 thru 4 years	3.1 hrs. (2 wks. per year)
5 thru 9 years	4.6 hrs. (3 wks. per year)
10 or more years	6.2 hrs. (4 wks. per year)

After you have completed 4 years of employment, at the beginning of your 5th year, you will accrue 4.6 hours per pay period. When you have completed your 9th year of employment, at the beginning of your 10th year, you will accrue 6.2 hours per pay period.

Regular part-time employees shall earn annual leave on a pro-rated basis. The amount of annual leave earned shall be determined by multiplying the full time rate by a fraction derived by dividing the actual hours worked or compensated for during a pay period (exclusive of overtime) by 80.

Section 2. Use. Annual leave may be used only in the pay period in which it is earned or after the pay period in which it is earned. An employee may take annual leave only with prior approval of their Department Head. In no event may an employee use unaccumulated time or borrow annual time against future accumulations of time past the current pay period.

Absences because of sickness or disability in excess of the amount authorized for such purposes may, at the request of the employee, be charged against accrued annual leave.

Section 3. Accumulation. No annual leave shall be authorized or accumulated in excess of 240 hours. Any hours in excess of 240 shall be forfeited.

Section 4. Separation From Employment. Employees shall be paid subject to the below requirements, at their current rate of pay, for their accumulated unused annual leave upon separation from employment, provided they have completed six (6) months of continuous employment. All employees will be paid in a lump sum payment only and in no event shall an employee be allowed to be carried out on the payroll with their unused annual leave hours. Employees who leave or quit without giving at least two (2) weeks prior written notice shall forfeit and waive their right to any accrued vacation time pay, unless waived by the Department Head and Controller in writing. Employees who are terminated due to inappropriate behavior or misconduct as determined by the Employer,

shall forfeit their accumulated unused annual leave unless approved otherwise by the Controller in writing. In the event of the death of an employee, who has completed six (6) months of continuous employment, their designated beneficiary shall be paid for the employee's accumulated annual leave.

ARTICLE 8

PAID SICK LEAVE

Section 1. Accrual. Each regular full-time employee shall earn 3.0 hours of sick leave with pay for each completed 80 hours of service. Hours worked in excess of 80 hours in a biweekly pay period shall not be counted. Regular part-time employees shall earn sick leave on a pro-rated basis. The amount of sick leave earned shall be determined by multiplying the full time rate by a fraction derived by dividing the actual hours worked or compensated for during a pay period (exclusive of overtime) by 80.

Section 2. Accumulation. Sick leave shall be credited at the end of the biweekly pay period in which service is completed.

Sick leave can be used only in the pay period in which it is earned or after the pay period in which it is earned.

Any sick leave hours accumulated in excess of five hundred (500) hours shall be compensated for to the employee once a year at their current rate of pay. Such compensation will be made on the first payday in December.

Section 3. Use. Employees may only use sick time that has been accrued or earned in the current pay period. In no event may an employee use unaccumulated time or borrow sick time against future accumulations of time past the current pay period.

Eligible employees may use accrued paid sick leave for absences due to illness, injury or pregnancy. Sick leave may also be used for illness of an employee's immediate family members where their attendance is essential to their care. Absences for medical, dental or optical appointments may also be taken from accumulated sick leave. "Immediate Family" shall mean current spouse, child, or parents.

Employees taking sick leave shall notify their immediate supervisor within the first hour of the employee's workday. Failure to do so may result in loss of pay for the period of absence.

Employees shall provide a doctor's statement when requested by the Department Head. Falsification of such evidence may result in dismissal of employment.

Employees who have submitted a notice of resignation may not use sick leave within their last two weeks of employment without providing a doctor's statement or obtaining the approval of the Court Administrator or Chief Judge. Failure to comply with this policy shall result in the loss of pay for the time used.

Section 4. Pay-Out of Earned Sick Leave Upon Retirement or Death. Any employee who retires and is immediately eligible for retirement benefits as defined by the Municipal Employees' Retirement System (MERS) or has twenty five (25) years of service with Eaton County shall be paid 50% of their unused earned sick days in a lump sum payment upon their retirement. In the event of the death of an employee, the designated beneficiary shall receive 50% payment of their unused earned sick leave in a lump sum payment. The amount of pay for each such hour shall be based on the employee's most recent rate of pay.

Section 5. Evidence of Fitness. The Court Administrator or Chief Judge, after consultation with the County Controller, may require that an employee present medical certification to the Chief Judge and County Controller of his or her physical or mental fitness to perform the essential functions of the job, with or without accommodation.

Section 6. Returning to Work. Employees returning to work from an illness may be required by his or her Department Head to submit a statement from his or her physician qualifying his or her ability to return to work.

ARTICLE 9

PERSONAL LEAVE DAYS

Section 1. Eligibility. A regular full-time employee, after 1 year of employment shall be eligible for 3 personal leave days as follows:

- (a) An employee with a first year anniversary date between January 1 and June 30 shall be eligible for 3 personal leave days that calendar year.
- (b) An employee with a first year anniversary date between July 1 and December 31 shall be eligible for 1 personal leave day that calendar year.
- (c) For every calendar year after that, the employee shall be eligible for 3 personal leave days.

Section 2. Advance Notice. An employee may take personal leave only with prior approval of their Department Head.

Employees who have submitted at least a two week notice of resignation, and have not used their personal leave days prior to their written notice, must receive prior approval from their Department Head and the Court Administrator to use accumulated personal days.

Section 3. Lose if not Used. Personal leave days are forfeited if they are not used and may not be carried over to the next calendar year.

ARTICLE 10

FUNERAL LEAVE

Section 1. Immediate Family. In case of death in the immediate family, all eligible employees may be granted a leave of absence with pay for a period of up to three (3) days, with prior approval of the Department Head. Regular part time employees shall receive up to 3 days equivalent to their regularly scheduled hours. "Immediate Family" shall mean current spouse, child, brother, sister, parents, parents of current spouse, grandparents ~~and great-grandparents~~ or grandchildren.

In case of death for all other relatives, the day of the funeral may be taken off to attend the funeral upon receiving prior approval of the department head, with such time deducted from the employees' accumulated sick leave days.

If additional days are necessary, they may be taken upon receiving prior approval of the department head, with such time deducted from the employee's accumulated sick leave days.

Section 2. All Others. In case of death for persons other than those described in this Article, any time taken off of work must have prior approval of the Department Head and be taken from the employee's accumulated vacation, personal, or compensatory time accumulated totals.

ARTICLE 11

MILITARY LEAVE

The Court abides by the mandatory provisions of Federal and State law regarding re-employment rights of veterans and in granting leaves of absence for active military duty.

ARTICLE 12

JURY DUTY

Regular full and part-time employees required to appear for jury qualifications or jury service shall be granted leave with regular pay; however, any money earned as a juror, except the money received for mileage (over and above that driven to their normal worksite) and meals, shall be turned over to the County. Such hours shall not be counted for computing overtime pay. To qualify for jury duty pay, an employee must give immediate notice to his supervisor when notified of his selection by showing his Notice of Jury Duty, and must report for work immediately upon his release from jury service each day.

ARTICLE 13

LEAVE WITHOUT PAY

Section 1. Disability Leave. An employee may be granted an unpaid leave of absence by the Chief Judge if unable to return to work once their Sickness and Accident Insurance benefits have expired, because of continued illness, injury or disability due to pregnancy. Such leave may be for the duration of the illness, injury or pregnancy, but in no event for a period to exceed one year. Requests for such leave shall be in writing and must be accompanied by a physician's statement certifying the necessity for the leave. The Chief Judge may continue to require updated information during such leaves. Before returning to work, the employee must provide a physician's certificate approving the employee's return to the job. Such leave time may be counted towards the Family and Medical Leave Act. [REDACTED]

Section 2. Leave of Absence. In addition to the leaves authorized above, a Department Head, after consultation with the Court Administrator, may authorize intermittent leave without pay for an employee. All other leave available to an employee must be exhausted before intermittent leave without pay will be granted. Any request for intermittent leave without pay in excess of 10 days in any calendar year must be approved by the Court Administrator or Chief Judge. [REDACTED]

Section 3. Continuation of Insurance Coverage. Employees on an unpaid leave of absence greater than thirty (30) days shall pay the full cost of their life, sickness, dental and health insurance premiums if they desire those benefits to continue while on leave, and provided that the insurance carrier permits such payment. [REDACTED]

[REDACTED] No other benefits shall continue to accrue while an employee is on an unpaid leave of absence, unless otherwise required under the Family and Medical Leave Act.

ARTICLE 14

TRAVEL ALLOWANCE

Section 1. Transportation. An employee using a County owned vehicle on Departmental business will be reimbursed for gasoline and other operating expenses incurred while using the vehicle provided that appropriate receipts for all such expenses are submitted with the travel expense voucher.

Employees required to drive their own vehicle while on Departmental business will be reimbursed for travel based on the most current allowable rate set by the Internal Revenue Service. Mileage accumulations and a brief explanation of the travel must be submitted on a travel expense voucher, approved by the Department Head. Reimbursed mileage shall not include the round trip distance the employee regularly drives from his home to his work site and back home again.

All travel by common carrier must be at tourist fare rates and receipts submitted in order to be reimbursed.

Section 2. Meals.

Breakfast	\$ 8.00
Lunch	\$10.00
Dinner	<u>\$22.00</u>
	\$40.00 (Including gratuity)

An exception may be allowed for meals when traveling in certain areas based on federal per diem rates and must be approved by the Controller's Office.

Meal Receipts are not required.

No alcoholic beverages will be paid for by the County.

Conventions, Conferences or Group Functions: Whenever it becomes necessary for an employee to attend a pre-scheduled convention, conference or group function that is within the continental United States but outside Eaton County the following provisions apply:

- a. A full explanation must be provided on the voucher, including the name of the convention. Copies of the convention agenda, reservation form, conference schedule and meals included in the conference agenda will be attached to the expense voucher or advance travel request. If the documentation is not provided or incomplete, payment will not be issued.

b. Meals included in the conference/meeting are not eligible for payment to the employee. The daily allowance will be pro-rated to exclude meals included in the conference.

Section 3. Advances. The Controller shall be authorized to approve travel advances for up to the estimated amount to employees for pre-approved conventions conferences, training or group functions for estimated lodging, travel, meals and registration fees. Departments should pre-pay all lodging, registration and air fare by County check whenever possible. An advance travel request form, available on the County Intranet, shall be submitted to the Controller not more than two weeks in advance of the scheduled conference and must include all documentation as stated above. If such request includes meals, the amount for meals shall be not less than \$120.00 (three day meal allowance including gratuity).

Section 4. Lodging. In the event a meeting/conference is held outside of Eaton County or any of its adjacent counties, lodging will be reimbursed at the single room rate at the hotel/conference center where the conference is being held. If an employee chooses to upgrade their accommodations, they will pay the difference from the single room rate.

Section 5. Expenses. Only expenses incurred on behalf of the Employer will be reimbursed upon presentation of appropriate receipts. Expenditures for travel insurance, laundry, dry cleaning, personal telephone calls, hotel gratuities and hospitality expenses will not be reimbursed under any circumstances.

Travel expense vouchers and applicable receipts, in accordance with Section 5, must be submitted to the Controller's Office within sixty (60) days from the employee's return to work.

ARTICLE 15

EDUCATIONAL ASSISTANCE POLICY

Section 1. Reimbursement. The County will reimburse an employee for tuition costs and other charges, up to a maximum of \$1,000.00 per calendar year, subject to the availability of funds within the department's budget [REDACTED] and that the requested course meets the IRS allowable guidelines. The course(s) must be related to the employee's present position in the Court or be a required course leading to a degree relating to the employee's present position. Reimbursement is for Undergraduate courses only. In order for an employee to be eligible, he must follow the application process that is outlined below. The course(s) must be taken outside of working hours except in the rare instance when it is not offered at such a time.

Section 2. Procedure. (a) The employee must complete the Tuition Reimbursement Request Form. Forms are available in the Personnel Office. Prior to enrolling in a course(s), signatures must be secured from the Department Head and the Controller. In order to be reimbursed, the course(s) must be undergraduate courses, taken at an approved school and the employee must receive a passing grade.

(b). After the employee completes the course(s) he must complete the bottom half of the Tuition Reimbursement Request Form and have his Department Head and the Controller approve payment. The reimbursement may include registration fees, tuition, laboratory fees, book costs and supply costs. Reimbursement requests must be supported by an itemized paid receipt(s) and a copy of the grade(s) for the course(s). The completed Tuition Reimbursement Request Form must be signed by the Department Head and the Controller and forwarded to the Controller's Office for payment after the next regularly scheduled Board meeting.

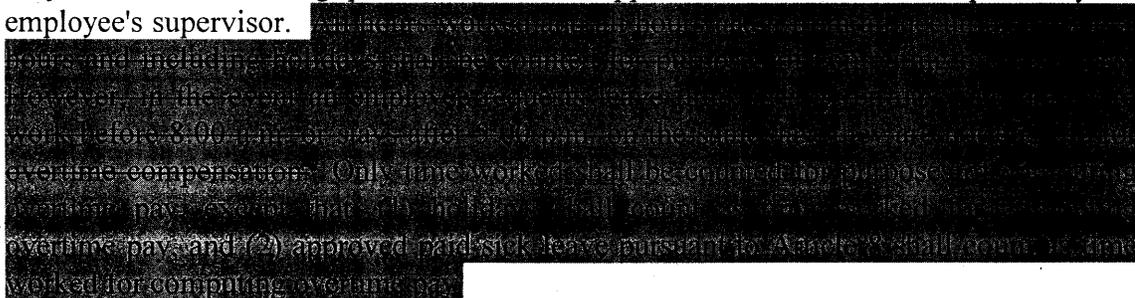
(c). In the event a Department Head requires an employee to enroll in a course(s) payment can be made in advance, however the same Tuition Reimbursement Request Form must still be completed prior to enrollment.

ARTICLE 16

HOURS

Section 1. Courthouse Hours. The Offices of the Eaton County Courthouse shall be open daily for business from 8:00 a.m. to 5:00 p.m., Monday through Friday, except on the holidays listed in the Holiday section. The normal work week shall be 40 hours.

Section 2. Overtime. Overtime shall consist of any and all time assigned by an employee's supervisor to be worked by an employee eligible for overtime in excess of forty (40) hours worked in the seven (7) consecutive days, Sunday through Saturday subject to the following provisions. Prior approval of overtime is required by an employee's supervisor.



(a) Employees working in classifications considered to be non-exempt from the overtime provisions of the Federal Fair Labor Standards Act (FLSA) who are required to work in excess of 40 hours in any one week shall be compensated at the rate of time and one half (1 1/2) their regular rate of pay for all such hours. An employee, with the mutual agreement of the Department Head, may take compensatory time off at the rate of time and one half (1 1/2) per hour of worked overtime in lieu of overtime pay. Compensatory time off shall be taken at a time mutually agreeable to the Department Head and the employee. Such time cannot accumulate in excess of one hundred and sixty (160) hours. Overtime must be paid for any time accumulated in excess of one hundred and sixty (160) hours. Compensation at the rate of time and one half (1 1/2) will be paid to employees for compensatory time not taken upon their separation from employment. All employees will be paid in a lump sum payment only and in no event shall an employee be allowed to be carried out on the payroll with their unused compensatory time hours.

A Department Head may within their discretion allow an employee to flex their work schedule as the department's workload demands, provided such adjustment to the work schedule does not interfere with the office's daily business hours contained in Section 1 of this Article. The adjustment to the work schedule should not be made to prevent or eliminate the need for the employee to utilize their accrued sick or vacation leave. The permitted flex schedule must be made to maintain the total number of hours (40) of a normal work week as required under the provisions of FLSA and contained in Section 1 of this Article. In the event a Department Head approves an employee to flex

their schedule within a week, the daily payroll hours will be recorded to reflect the flex schedule.

(b) Employees working in classifications considered to be exempt from the overtime provisions of the Federal Fair Labor Standards Act (FLSA) shall not receive overtime compensation or be eligible for compensatory time off.

A Department Head may authorize a flexible schedule other than that described above in Section 1 when an exempt employee is required by his Supervisor to work more than a normal work day (increments of at least one (1) hour), when the work load permits.

Section 3. Lunch Hours and Breaks. Each full time employee shall be allowed a one (1) hour unpaid lunch break near the middle of their scheduled work shift. Unused lunch hours may not be used for accumulation of overtime.

Breaks are generally allowed twice a day with one occurring during the first four (4) hours of the workday and one occurring during the last four (4) hours of the workday. Each break period is not to exceed fifteen (15) minutes and will be scheduled or approved by the Department Head. Unused breaks may not be used for accumulation of overtime and do not accumulate if not taken.

ARTICLE 17

CLASSIFICATION OF EMPLOYEES

Section 1. Classification of Employees. (a) Full Time Employees. An employee regularly scheduled to work 40 hours per week for a period to exceed 6 months shall be considered a regular, full time employee. Such employees shall be entitled to the benefits listed in this booklet except where otherwise indicated.

(b) Part-Time Employees. An employee regularly scheduled to work less than 40 hours per week (scheduled in advance to work a minimum of 40 hours every pay period) for a period to exceed 6 months shall be classified as a regular, part-time employee. Such employees shall only be entitled to earn pro-rated annual leave, sick leave, personal leave, funeral leave and holiday benefits [REDACTED]; and shall participate in the retirement system provided the minimum eligibility requirements are met. Part-time employees regularly scheduled to work 30-39 hours per week are eligible for health insurance benefits.

(c) Temporary Employees. An employee who is hired for a period of 6 months or less shall be considered a temporary employee and shall be entitled to wages only with no fringe benefits. This period may be extended for an additional 90 days. If a temporary employee is transferred to a regular status, retroactive requests for any benefit calculations must be requested at the time of transfer by the employee's department head and approved by the Personnel Committee.

(d) Intermittent Employees. An employee who is not regularly scheduled in advance to work a minimum number of 40 hours every pay period shall be considered an intermittent employee and shall be entitled to wages only with no fringe benefits.

(e) Contract Employees. In certain instances, as approved by the Chief Judge and County Controller, an individual may be hired on a contractual basis.

(f) Seasonal Employees. Any employee working in a seasonal capacity for any County Department shall be entitled to wages only with no fringe benefits.

Section 2. New Employees. All hiring of new employees will be at the entry level rate except as follows: A department head may hire a new employee at the 1 year step with the approval of the Controller or at any higher level upon approval of the Personnel Committee.

Section 3. Returning Employees. An employee who previously worked for the County and returns to full-time employment must request consideration for any seniority restoration or fringe benefit modification at the time of (or prior to) being re-employed.

ARTICLE 18

RECLASSIFICATION OF EMPLOYEES

Section 1. Regular Reclassification. In order to conform to the budgetary process of the County, reclassification requests should be submitted by the Court Administrator to the Personnel Office no later than the date of the regularly scheduled February Personnel Committee meeting so they may be considered at the regularly scheduled March Personnel Committee meeting. Any requests approved [REDACTED] will be made effective the following October.

A reclassification request may only be submitted to the Court Administrator by a Department Head. A reclassification request submitted by an employee that has not been reviewed by their Department Head will be returned to the Department Head for their review.

Reclassification requests should be submitted only for employees whose job duties have changed substantially since their job description was completed. They should not be viewed as a means of increasing the salary of an employee who is performing well or is at the last step of their salary grade. Except as provided in Section 2. below, once a reclassification request has been submitted, another request may not be submitted for the same position until two reclassification periods have passed.

Any regular reclassification request is not subject to appeal or to the County Grievance Procedure.

Section 2. Special Reclassification. A reclassification request may be considered at other times during the year or within the two reclassification periods restriction set forth in Section 1. above, if in the discretion of the Controller, a significant single change has occurred in the employee's job responsibilities; ie: new and different projects undertaken, many more employees added to be supervised, etc.

Section 3. Employees Temporarily Working out of Classification. Employees scheduled to work in a higher classification by the Chief Judge due to a vacancy shall be compensated at the rate of pay within the higher classification closest to their normal rate of pay that would afford a pay increase after two (2) consecutive days of the temporary reassignment. Notification of such temporary reassignment shall be provided to the County Controller prior to its effective date.

ARTICLE 19

INCLEMENT WEATHER

Section 1. Authorization to Close. The County is officially closed by the Controller and Chairperson of the Board of Commissioners due to inclement weather or other acts of God and employees are instructed to return home, they will be paid for their regularly scheduled hours.

Prior to the opening of the Courthouse on any regularly scheduled workday, the Controller and Chairperson of the Board of Commissioners may officially close the County due to inclement weather or other acts of God. In such event, employees shall be paid for their regularly scheduled hours. Employees who do not return to work because of continuing inclement weather conditions after the County has been officially reopened must use compensatory time, personal leave or vacation time in order to be paid.

In accord with 
Local Administrative Order 1999-1, 

The decision to close the County will be broadcast on the following local media if possible:

RADIO

WJIM FM 97.5
 AM 1240

WFMK FM 99.1
WITL FM 100.7

TELEVISION

WILX TV Channel 10

Section 2. Compensation While On Paid Leave. When an employee is on vacation, personal leave, or off due to illness, they shall not be charged with the time if the County closes its offices for an inclement weather day occurs during that period if

they are compensated for the entire day before and the entire day after the inclement weather day.

Section 3. Outside Work. For employees regularly scheduled to work outside, the following inclement weather policy will apply:

Every employee must report to work every day to be paid unless he has been excused. If in the discretion of the supervisor the weather is too severe to work he will attempt to identify and assign indoor work. This type of work will be distributed as evenly as possible.

If an employee reports to work and is sent home because weather is too severe and there is no indoor work to be performed he will be paid for two hours or the actual time worked, whichever is greater.

NON - ECONOMIC POLICIES

ARTICLE 20

ANNUAL EMPLOYEE EVALUATION

There may be an annual evaluation done on each employee by their immediate supervisor or department head. The employee evaluation may be placed in their personnel file in the Controller's Office.

ARTICLE 21

GRIEVANCE PROCEDURE

If a grievance arises over the application of these rules and policies with regard to an economic benefit under the control of the County as outlined herein, an employee shall have the benefit of the following grievance procedure:

- Step 1. An employee having a grievance shall present it in writing to the Department Head within 5 working days from the date the grievance first arose or should have been known by the employee. Any grievance not timely filed shall be considered null and void. Such grievance shall include time, date, and alleged violation(s) of this policy that is the basis of the grievance, the remedy desired, and the signature of the grievant. The Department Head's written answer shall be given to the employee within 3 working days thereafter. A Department Head does not have the authority to change, alter, or modify any of the provisions contained in this Personnel Policy. The decision of the Department Head shall not act as precedent or bind the Employer.
- Step 2. If the grievance is not satisfactorily adjusted in Step 1, the grievance shall, within 3 working days of the Step 1 answer, be submitted in writing to the Controller. The Controller, Department Head and the affected employee may meet within 5 working days. The Controller shall give a written answer within 3 working days following the meeting if held, or the receipt of the grievance. If the grievance is not satisfactorily adjusted it shall be submitted, within 3 working days thereafter, to Step 3.
- Step 3. The Personnel Committee shall discuss the grievance at the next regularly scheduled committee meeting, provided the appeal is received by the Controller in writing at least 5 working days prior to the next meeting. The employee shall have the right to appear at this meeting to discuss their grievance and present evidence and witnesses. The Personnel Committee shall give a written answer within 5 working days thereafter. The Personnel Committee's decision shall be final and binding on all parties.

Any complaint not appealed from a decision in one of the steps above to the next step within the prescribed time limit shall be considered dropped and not subject to further appeal unless the time limit is extended by mutual written agreement.

Failure of the Employer to respond to a grievance, at Step 1 or Step 2, within the time limits specified, shall be considered a denial of the grievance and the grievance may be processed to the next step, provided the grievance is advanced timely from the last day that the Employer's answer was due.

New employees or employees who voluntarily transfer or are promoted to another position, for the first one (1) year of their new employment, shall not be able to utilize the above grievance procedure.

If a grievance arises over the application of these rules and policies with regard to a non-economic benefit under the control of the Court as outlined herein, an employee shall have the benefit of the following grievance procedure:

An employee having a grievance shall present, in writing, a Grievance Report to the Chief Judge within 5 working days from the date the grievance first arose or should have been known to the employee. Such Grievance Report shall include the time, date, alleged violations of this policy that is the basis of the grievance, the remedy sought, and the signature of the grievant. Any Grievance Report not timely filed shall be considered null and void.

The Chief Judge or his/her designee shall meet with the employee, and any other staff deemed necessary to resolve the grievance, within five (5) working days of receipt of the Grievance Report. Within five (5) working days following this meeting, the Chief Judge or his/her designee shall respond to the Grievance Report. The decision of the Chief Judge or his/her designee shall be binding on all parties.

An employee serving their probationary period may not avail themselves of the above outlined non-economic grievance procedure.

ARTICLE 22

WORK RULES

Section 1. Rules of Conduct. All employees are expected not to violate the following rules of conduct as well as the rules and policies previously mentioned. The list is for illustration purposes only and is not intended to be an all-inclusive list of rules of conduct. Further, the list may be added to, modified or supplemented. The purpose of these rules is to set forth some rules of conduct, which will result in disciplinary action, including possible discharge. Other type behavior can subject an employee to disciplinary action including discharge. Further, all employees serve at the will and pleasure of the, and may be terminated with or without cause.

1. Unlawfully manufacturing, distributing, dispensing, possessing, or using a controlled substance on County property or during working hours.
2. The possession or consumption of intoxicants while on duty, either on County property or otherwise during working hours.
3. Reporting for work in an intoxicated condition or under the influence of a controlled substance.
4. Operating a County vehicle in an intoxicated condition or under the influence of a controlled substance.
5. Absence without notification or excuse.
6. Absenteeism.
7. Tardiness.
8. Neglect or failure to satisfactorily perform assigned duties.
9. Violation of a safety rule or safety practice.
10. Misrepresentation on employment application.
11. Falsification or destruction of Employer's records.
12. Violations of policies outlined in the Personnel Policy.
13. Refusal to perform work assigned to an employee.
14. Interfering with the work of the other employees.
15. Improper use, unauthorized use or destruction of County Property. (Includes County Cars taken home overnight being used for personal reasons).
16. Insubordination.
17. Theft.
18. Fighting.
19. Possessing a firearm on County property or during working hours unless specifically authorized in conformance with the Security Policy for the County Courthouse adopted by the Courts and the County Board of Commissioners. The County reserves the right to conduct firearm searches in areas within the employee's control, while the employee is on the County property or during working hours.
20. Possession of fireworks or explosives on County property or during working hours.

21. Abusive language to any supervisor, employee or member of the public.
22. Immoral conduct or indecency on County property.
23. Gambling on County property.
24. Unlawful discrimination or harassment.
25. Engaging in the use of a cell/mobile phone while operating a motor vehicle on County business that is in motion, unless such mobile phone is equipped and used with a hands-free device. Emergency phone calls are the only exception, such as to summon "9-1-1" or other similar number for emergency assistance.

Section 2. Inspection of [REDACTED] Property. All desks, lockers, filing cabinets, computers and other storage areas provided by the Court remain the property of the Court, even though the Court may permit an employee to lock such a desk, locker, filing cabinet or other storage area. These items are provided by the Court for business purposes and for the convenience of the employees. Employees have no expectation of privacy in the contents of such desks, lockers, filing cabinets, computers or other storage areas, all of which are subject to periodic inspection by the Court. Where practicable, such inspections will be conducted in the presence of a witness.

Section 3. Dress Code. Pursuant to the Michigan Code of Judicial Conduct, Canon 3A(2), a judge may require court personnel to be appropriately attired. Employee appearance is a reflection upon the court. Whether or not an employee is in a position with direct public contact, each employee represents the court to the public. A properly attired and groomed individual creates a favorable image for the court and to the public. All employees are encouraged to use common sense, good taste, and judgment when it comes to their appearance. Attire, accessories, and grooming must be conservative to maintain standards for a professional environment. Such must not attract undue attention, serve as a distraction to others, interfere with job performance, or present a safety hazard to the employee or co-workers.

For employees who serve or may serve in the courtroom or provide presentations to professional organizations, dress should be suitable for the dignity of the court. These employees shall wear business attire: suits, ties, dress shirts/blouses, dress slacks, sport coats, blazers, pantsuits, dresses, and skirts.

Business casual is applied to those employees who serve outside the courtroom environment and in fieldwork. Business casual is designated to create a comfortable work environment yet still portray a professional image. In general, business casual attire should be conservative in appearance. Revealing, tight fitting, torn, excessively worn, or dirty clothing is not acceptable. Slogans and graphics should be avoided. Excessive jewelry, body ornamentation, and inappropriate hair coloring should be avoided. The following are guidelines for those wearing business casual attire:

Dress khaki/twill pants, dress slacks, and dress capris are acceptable, while cargo, oversized, tight fitting, gym attire, shorts, and bib overalls are not acceptable.

Long or short sleeved shirts, blouses, and sweaters are acceptable, while sweatshirts, tee-shirts with logos, denim shirts, halter tops, tube tops, spaghetti strap tops, shirts with letter or figures other the appropriate designer insignia are not acceptable.

Dresses, skirts, and dress skorts are acceptable, while mini-skirts, and exposed, backless, or spaghetti strap dresses are not acceptable.

Dress shoes and boots are acceptable, while gym shoes, flip-flops, slippers, and beach shoes are not acceptable.

Department Heads, in consultation with the Court Administrator, will have the authority to interpret this policy for their department staff. Differing standards may apply within the same unit depending upon the types of duties performed. Judges will have interpretation authority of this policy with regard to their staff. Final interpretation of this policy lies with the Chief Judge.

The Court Administrator may consider exceptions for employees who must wear special attire based upon a medical condition or for religious reasons. Documentation to support such an exception may be requested by the Court Administrator.

An employee deemed to be dressed inappropriately may be counseled regarding appropriate attire, and may be charged annual or personal time in order to return home to change attire. Repeated failure to comply with this policy may lead to progressive disciplinary action.

Section 4. Code of Ethics. A fair, impartial, and independent judiciary is essential to the administration of justice in a democratic society. Proper conduct by court employees inspires public confidence and trust in the courts and conveys the values of impartiality, equity, and fairness that brings integrity to the court's duties. To advance these values and to achieve justice, we believe certain moral principals should govern our daily activities. We therefore commit ourselves to the following:

- **Impartiality**—All persons coming to the court for assistance are entitled to fair and equitable treatment, regardless of their personal behavior or legal situation. Employees must refrain from taking sides in matters before the court, interject himself or herself into the legal decision-making process, second-guess a judge or referee's ruling, or give the appearance of partiality. The procedural integrity of the court must be maintained at all times.
- **Personal Integrity**—Honesty and truthfulness of court employees is essential to ensure an impartial judiciary. Personal integrity should be maintained in both dealing with those that come before the court and in comporting oneself as an employee of the court.
- **Professionalism**—Employment in the court system is a public trust engendered by the citizen's confidence in the professional knowledge, competence, and personal integrity of the officers and employees of the judicial branch. Employees should strive to be knowledgeable,

business-like, efficient, non-judgmental, and comport themselves with dignity at all times.

- Confidentiality—Court employees shall be cognizant of the sensitive nature of information that they may acquire. Confidential matters must remain so until made publicly available, and then should only be disseminated in the discharge of their duties. Employees must be aware that casual comments to jurors or attorneys may compromise a matter before the court. Court staff should discuss cases only for legitimate reasons and within the scope of their duties. Information retained in electronic format should be treated as any other official court document, and its confidentiality should be assumed unless otherwise specified.
- Appearance of Impropriety—Court employees shall comport themselves in such a manner as to instill public confidence in the court. No employee shall seek a favor, solicit gifts, or receive gifts that could be construed as a reward for preferential treatment, or give the appearance that they would accept such. No employee shall improperly intervene in a matter to expedite or interfere with the normal resolution of the matter. No employee shall accept outside employment that may be in conflict with the proper discharge of their duties. Finally, any mode of conduct that casts doubt upon the integrity and impartiality of the legal system is forbidden.
- Prohibition Against Providing Legal Advice—A court employee's duties include providing information to those who come before the court on the proper manner of filing forms, paying fees, and clarifying court policies. Employees shall not provide legal advice, give their opinion on the law, or their opinion on how one should proceed in a matter.
- Duty to Serve—Court personnel are employed to serve the public. As such, staff should strive to ensure that those who come before the court (including litigants, jurors, attorneys, victims, police officers, experts, members of the general public, and others) are provided accurate and timely information, and that the process of accessing the courts is made as easy and pleasant as possible.
- Competency—In furtherance of their duties, court staff are encouraged to participate in professional activities and associations, and to take advantage of internal and external training programs designed to improve their personal and professional skills. Court staff shall remain appraised of changes in the laws and administrative procedures that impact their job performance, and operation of the courts. Judges, Administration, and Department Heads should initiate and oversee ongoing professional growth programs for their staff.
- Harassment—Court staff are strictly forbidden from engaging in any activity that would constitute harassment. Sexually charged language, sexual advances, and insinuations are inappropriate behavior for the work environment. Verbal, physical, and psychological harassment is

likewise inappropriate for the workplace. Complaints of harassment should be made to Department Heads and/or Administration. A prompt and thorough investigation of any allegation of harassment will be undertaken to ensure the rights and privacy of all parties involved. If an investigation reveals that harassment has occurred, corrective action, up to and including potential discharge from employment, shall immediately be taken.

- **Discrimination**—Equal access to the court system and equal treatment for all serve as cornerstones of our system of justice. Court employees are expected to treat each user of court services equally and with compassion.
- **Compassion**—Court staff should always be cognizant that the nature of the judicial system is to deal with people in conflict. This reality places significant strain on those individuals who provide services on behalf of the court. Staff should strive to deliver respectful, courteous, and responsive service, while always appreciating the perspective of those coming before the court in any capacity. Litigants, defendants, victims, attorneys, jurors, and witnesses, all play vital roles in our system of justice. Staff should understand the unique position of each of these, and ensure that all that come before the court are treated respectfully and with understanding.

ARTICLE 22a

COMPUTER AND DATA USE/OWNERSHIP/SUPERVISION POLICY

Section 1. Applicability. This policy applies to all Circuit and Probate Court employees, contractors, volunteers, remote users, and other individuals with access to Court or County systems.

Section 2. System Ownership. All data generated by or resulting from the actions of a Court's employee is the property of that Court, as is all other data generated for the benefit of the Court by, or resulting from, the actions of contractors, volunteers, remote users, and others with access to the Court's or County's systems.

Section 3. Requests for Information. All requests for information or data owned by the Courts pursuant to this policy must be submitted in writing to the Chief Judge or designee of that court.

Section 4. System Monitoring. The Court reserves the right to monitor and review the contents of information generated by any Court employee as well as any contractor, volunteer, remote user, or others given access to its system by the Court. The funding unit or its authorized agents will only have the right to monitor, review the contents of, or have access to any information generated by Court employees as well as contractors, volunteers, remote users, or others given access by the Court as agreed to between the County and the Court. The funding unit or its agents or designees shall not access or view data, electronic mail, or other system-generated data or information without permission by the Chief Judge. Further, the funding unit shall not have access to portions of official court files/records that are sealed from public view.

The County may monitor the usage of the internet of Court employees only to determine if a Court employee is utilizing the internet for gambling or pornographic purposes, or other purposes that may subject the County to liability. Any suspected internet use for gambling or pornographic purposes, or purposes that might subject the County to liability, shall be reported only to the Court Administrator or Chief Judge.

The Court agrees to notify the County of any internet usage by a Court employee that the Court believes may subject the County to liability.

The Court may enter into an agreement with the County to monitor Internet use of Court employees' computers on a case by case basis if inappropriate or excessive use is perceived.

Section 5. Internet and E-Mail Use. E-mail and the Internet are valuable tools that improve the functioning of the Court and the efficiency of its employees. All Court employees are encouraged to use E-mail and the Internet as cost effective means of finding and sharing information.

E-mail sent by a court employee must be of a nature and tone that is consistent with the standard of conduct appropriate to the workplace, and court employees must not

solicit or encourage others to send E-mail that fails to meet this standard. Similarly, all other file-sharing and communication either on county networks or across the Internet must meet this same standard.

Limited personal use of E-mail and the Internet is allowable to the same extent as personal use of telephones. Such use should be kept to a minimum and must not interfere with the performance of your job duties.

The primary allowable uses of E-mail and the Internet are as follows:

- a) The gathering, exchange, and appropriate dissemination of work-related information, research, analysis, documents, and software.
- b) Communication and exchange of information for professional development, maintaining an employee's work-related training and education, and discussing issues related to the employee's court activities.
- c) Activities to further the work of committees and professional societies with the employee has joined in connection with his or her court duties.
- d) Announcement of new laws, court decisions, court rules, orders, policies, and bulletins, new services and programs, and any other publicly disseminated court information.
- e) Applying for and administering grants or contracts for court based research and programs.
- f) Communication committed to E-mail in order to create a permanent record for future use.
- g) Communications regarding intra-office announcements and activities.

The following uses of E-mail and Internet access are prohibited:

- a) Any use that violates the laws of the United States or laws of the State of Michigan.
- b) Use for any purpose that violates a Michigan Court Rule, personnel rule, or a court employment contract.
- c) Use for any purpose specifically prohibited by the Chief Judge.
- d) Use which violates the security, privacy, and confidentiality policies, practices, and laws of this court and the State of Michigan, including unauthorized releases of confidential information.
- e) Use or access to the intentional display or distribution of files containing the following: obscenity, profanity, pornography, expressions of animosity or bias against individuals, groups, or organizations, material in violation of regulations prohibiting sexual harassment or other non-businesslike materials.
- f) The intentional display or transmission of sexual images, messages, or cartoons, as well as the use of ethnic slurs, racial epithets, or anything that could be construed as harassment, gender bias, race/ethnic bias, or bias against any protected class of individuals.
- g) Use for profit activities.
- h) Use to solicit for commercial ventures or political causes, or for private or personal business transactions, or for partisan or non-partisan political activities, or for political fundraising.

- i) Playing of games or non-business related activities that consume bandwidths on any local area network.
- j) Seeking or obtaining information about files, documents, or other data that are private, confidential, or otherwise not open to public inspection, unless specifically authorized to do so by the file owners, or copying, modifying, or deleting such files, documents, or data without authorization.
- k) Copying or downloading software or files in violation of copyright or license restrictions, or using evaluation copies of software in violation of license restrictions.
- l) Downloading of software without screening for viruses.
- m) Representing oneself as another without that person's permission.

ARTICLE 23

LAYOFF

Section 1. Authorization. The decision to request a layoff or layoffs shall be determined by the Board of Commissioners. In such a case, the Controller shall contact the Court Administrator and advise him or her as to the number of staff to be laid off and the total dollar figure of budget reduction represented by these proposed layoffs. The Court Administrator shall work with the Chief Judge and applicable department heads to determine which employee or employees shall be laid off within their Department, or other budget cuts to be made to accommodate the proposed budget reduction. During the period of layoff, all benefits shall cease unless otherwise specified in these policies.

Any employee who is laid off shall receive pay for any unused annual leave, compensatory time (non-exempt employees only) and sick leave (if employed 25 years or more only). If an employee is re-called within the one (1) year maximum period, they shall begin to accumulate annual leave immediately at the rate when laid off, and they shall not be required to complete six (6) months of regular continuous paid service to use the annual leave hours. If an employee is re-called with the one (1) year maximum period, they shall resume use of their unused sick leave and continue to accumulate immediately.

Section 2. Recall. Employees shall be re-called to their previous department and classification in the reverse order they were laid off, ie: the most recently laid off will be the first to return to work. The right to recall, shall cease after a period of time equal to the amount of time the employee has worked full time, or to a maximum of not more than (1) year from the date of the employee's layoff, whichever is less. If the employee is rehired after such period, they shall be considered a new employee, without seniority.

Section 3. Failure to Respond. Employees who have been laid off and who, within five (5) days after recall notice by certified mail to their last known address shown on the County's personnel records, fail to respond as directed or decline recall, shall be presumed to have waived their recall rights and shall be deemed to have resigned.

ARTICLE 24

NEPOTISM POLICY

Pursuant to Michigan Supreme Court Administrative Order 1996-11, the Eaton County Circuit and Probate Courts adopt the following policy in conformity therewith:

Section 1. Definitions.

The term "relative" as used herein shall include current spouse, child, parent, brother, sister, grandchildren, grandparents, first cousin, uncle, aunt, niece, nephew, brother-in-law, sister-in-law, daughter-in-law, son-in-law, and parents of current spouse, whether natural, adopted, step, or foster.

The term "immediate family" shall mean current spouse, child, brother, sister, parents, parents of current spouse, grandparents or grandchildren.

Section 2. Prohibition on Hiring/Contracting.

Relatives of Judges or the Court Administrator(s) shall not be employed, retained, or compensated for any services rendered to or on behalf of the Court. Relatives of Judges or Court Administrators shall not be eligible for attorney rosters, contracts, or other means of appointment of counsel under the Plan for Appointment for Indigent Parties adopted by the Court, even if no compensation is provided by the Court.

No individual shall be hired in a department if, at the time of their application for employment that potential employee has a member of their immediate family working in any capacity in the same department to which they seek employment.

Section 3. Preferential Consideration. No individual, not covered in Section 2 above, seeking employment shall receive any preferential consideration for employment because of the fact that individual has a relative, by blood or marriage, employed or in an elected County position. All such applications shall be considered for employment strictly on the basis of their qualifications.

ARTICLE 25

CONFLICT OF INTEREST

From time to time, an employee or class of employees may directly or indirectly derive a personal benefit, from a person or private entity that does business with the Court. In such cases, the employee shall notify his or her department head and gain approval prior to entering into any such relationship. At no time shall any employee use their position with the Court to exert influence over a person or private entity in order to acquire a direct or indirect personal benefit.

ARTICLE 26

**COMMUNICATION WITH PERSONS NOT
ASSOCIATED WITH THE COUNTY**

It is the policy of the Court that no employee other than the Court Administrator or a Judge shall speak with, provide information or documents to, or otherwise communicate with an attorney, private investigator or other persons not associated with the Court pertaining to inquiries on an existing or potential lawsuit or claim against the Court or any of its employees. Employees contacted by an attorney, private investigator, or other persons not associated with the Court regarding such matters shall advise the attorney, private investigator or other persons not associated with the Court that they are not permitted to discuss it with them without the express written authorization of the Chief Judge. The attorney, private investigator or other persons not associated with the Court shall be referred to the Court Administrator for further information.

This policy does not apply to protected free speech in a matter of "public concern."

This policy also does not apply to sworn testimony properly obtained through a subpoena or in a properly ordered court deposition.

ARTICLE 27

NON-DISCRIMINATION

It is a policy of the Court to provide equal employment opportunities to qualified persons without regard to race, creed, color, religion, sex, age, national origin, height, weight, or disability as required by law. Employees with disabilities who feel accommodation is needed to perform their job must notify the Court Administrator in writing of the need for reasonable accommodation within 182 days after the date the employee knew or reasonably should have known that accommodation was needed. The Court Administrator will forward such request to the County Controller. Failure to properly notify the Court will preclude any claim that the County or the Court failed to accommodate the employee with the disability. Eaton County and the Court will make accommodations that do not pose an undue hardship to the County and/or the Court.

ARTICLE 28

HARASSMENT

Section 1. Sexual Harassment. Sexual harassment of employees by other employees or elected officials is strictly prohibited.

The law defines sexual harassment as unwelcomed sexual advances, requests for sexual favors, and other verbal or physical conduct or communication of a sexual nature when either:

1. Submission to or rejection of such conduct or communication by an individual is used as a factor in employment decisions affecting the individual, or
2. Such conduct or communication has the purpose or effect of substantially interfering with an individual's employment or create an intimidating, hostile or offensive employment environment. This includes, but is not limited to:
 - a. Sexually-oriented jokes, gestures, noises, remarks or comments about a person's sexuality or sexual experience directed at or made in the presence of an employee;
 - b. Sexual or discriminatory displays or publications; and
 - c. Retaliation for sexual harassment complaints.

The foregoing policies require that each individual exhibit, in his conduct and communications, sound judgment and respect for the feelings and sensibilities of each employee.

It is the policy of Eaton County and the Court that any employee who in good faith believes he [redacted] has been subjected to sexual harassment prohibited by law, or who believes in good faith he [redacted] has observed sexual harassment prohibited by law, must report that fact immediately in writing to his [redacted] Department Head, Court Administrator, or Chief Judge.

If such complaint be against a Judge or other elected official, report of the incident may be made to the Court Administrator or the Region II Administrator of the State Court Administrative Office.

Any report or complaint reported to a Department Head must immediately be given to the Court Administrator and will be promptly investigated and remedial action, up to and including immediate discharge, will be undertaken as appropriate. To the

extent possible, the investigation will be conducted in a manner calculated to protect the privacy of the individuals involved and the confidentiality of the complaint. If a report of sexual harassment prohibited by law is made in good faith, Eaton County and the Court will protect the reporting individual from retaliation or any other detrimental impact on his or her employment.

Section 2. Other Harassment. The Court desires its employees to be free of harassment of all kinds while working. In addition to sexual harassment as described in Section 1, the Court prohibits racial, ethnic, age or any other illegal harassment. Strong disciplinary action up to and including discharge will be taken against any employee who engages in illegal harassment. Employees subject to or who observe any types of illegal harassment are required to report such acts as described in Section 1 above.

ARTICLE 29

PHYSICALS

New employees hired into specific positions, designated by the County, must pass a physical and/or drug screening before starting work. The physicals will be given by a physician approved by the County. The list of specified positions may be modified at any time by the County.

ARTICLE 30

GENDER

The use of the male gender herein shall include the female and vice-versa.

ARTICLE 31

ADDRESS CHANGES

An employee shall notify the County in writing of any change in name or street address promptly and, in any event, within five (5) days after such change has been made. The County shall be entitled to rely upon an employee's last name and street address shown on his record for all purposes involving his or her employment.

EATON COUNTY BOARD OF COMMISSIONERS

DECEMBER 17, 2008

**RESOLUTION ESTABLISHING
COMMISSIONER COMPENSATION AND MILEAGE REIMBURSEMENT AND
COMPENSATION FOR NON-COMMISSIONER MEMBERS OF APPOINTED
COMMITTEES AND COMMISSIONS, TO BE EFFECTIVE JANUARY 1, 2009**

Introduced by the Ways and Means Committee

Commissioner Keefe moved the approval of the following resolution.
Seconded by Commissioner Farhat.

WHEREAS, the Board of Commissioners is empowered to determine its own compensation, as well as non-commissioner members of various other committees, commissions and agencies; and

WHEREAS, the Board of Commissioners is desirous of revising that compensation.

NOW, THEREFORE, BE IT RESOLVED, that commencing January 1, 2009, members of the Board of Commissioners shall receive an annual salary, payable monthly, as stated below:

1. The Chairperson of the Board of Commissioners shall receive an \$8,978.00 per year salary.
2. The Vice-Chairperson of the Board of Commissioners shall receive an \$8,123.00 per year salary and is not entitled to any additional compensation as stated in #3 below.
3. The Chairperson of the Ways and Means Committee shall receive an \$8,123.00 per year salary.
4. All other Commissioners shall receive \$7,743.00 per year salaries; and

BE IT FURTHER RESOLVED, that provided that the following payments are not prohibited by statute, each Eaton County Commissioner shall receive, in addition to their annual salary, a \$35.00 per meeting payment. The \$35.00 payment is applicable for attendance at Board of Commissioners meetings, Board of Commissioners Committee meetings, or to any meeting attended by an Eaton County Commissioner when he/she is appointed by the Board of Commissioners or the Chairperson to that board or agency or is instructed to attend a meeting by the Board of Commissioners or by the Chairperson; and

BE IT FURTHER RESOLVED, that if a Commissioner attends a meeting to which they are entitled per meeting payment and mileage and if that meeting provides a per meeting payment and mileage, separate from the County's payment system, they shall be compensated through that agency's procedures in lieu of payment from the County; and

BE IT FURTHER RESOLVED, that non-commissioner members of committees, commissions or agencies who are appointed by the Board of Commissioners, shall receive a payment of \$35.00 per meeting, provided that those payments are not prohibited by statute; and

BE IT FURTHER RESOLVED, that if a non-commissioner attends a meeting to which they are entitled per meeting payment and mileage and if that meeting provides a per meeting payment and mileage, separate from the County's payment system, they shall be compensated through that agency's procedures in lieu of payment from the County; and

BE IT FURTHER RESOLVED, that individuals who have served as an Eaton County Commissioner for at least twenty-five years are eligible for health insurance coverage paid for by the County. These individuals will be eligible as they continue their service as a Commissioner and after they are no longer active as a Commissioner. The health insurance coverage is provided in accordance with the Eaton County Personnel Policy (effective January 1, 2007), Article 1, Insurance, Section 2, Health Insurance-Retirees. All other Commissioners shall be eligible to be covered under the County's health insurance program by paying for the coverage. This coverage shall apply as they continue their service as a Commissioner and after they are no longer active as a Commissioner; and

BE IT FURTHER RESOLVED, that the Commissioners shall receive mileage reimbursement at the most current allowable rate set by the Internal Revenue Service for travel to meetings other than those held at the Eaton County Complex; and

BE IT FURTHER RESOLVED, that all prior resolutions of this Board on this subject are repealed effective January 1, 2009. Carried.

EATON COUNTY BOARD OF COMMISSIONERS

DECEMBER 17, 2008

**RESOLUTION TO APPROVE INTERIM AGREEMENT
FOR THE OPERATION OF THE JUVENILE FACILITY**

Introduced by the Ways and Means Committee

Commissioner Keefe moved the approval of the following resolution.
Seconded by Commissioner Barr.

WHEREAS, the Board previously adopted an agreement to allow the Juvenile Facility to continue to be operated under the direction of the Family Division of the Circuit Court; and

WHEREAS, such agreement expires December 31, 2008; and

WHEREAS, the Ways and Means Committee has reviewed the operation of the Juvenile Facility over the past year and feels that it should remain under the operation of the Family Division of the Circuit Court.

NOW THEREFORE BE IT RESOLVED, that the Agreement be extended for another year to expire on December 31, 2009. Prior to such time, it will be reviewed again by the Ways and Means Committee. Carried.

EATON COUNTY BOARD OF COMMISSIONERS

DECEMBER 17, 2008

**RESOLUTION TO APPROVE
GILDART & MUD CREEK DRAIN PROJECT BOND COUNSEL
Introduced by the Ways and Means Committee**

Commissioner Keefe moved the approval of the following resolution.
Seconded by Commissioner Baker.

WHEREAS, the Board of Commissioners approved a Full Faith and Credit Policy on February 16, 2005; and

WHEREAS, that Policy provides for the services of a Project Bond Counsel for any project that is requesting the full faith and credit of the County; and

WHEREAS, the County Treasurer has prepared and distributed bid packages for Bond Counsel services for the Gildart & Mud Creek Drain Project; and

WHEREAS, these bids were received and have been reviewed by the Ways and Means Committee.

NOW, THEREFORE, BE IT RESOLVED, that the following firm be awarded the Bond Counsel designation for the Gildart & Mud Creek Drain Project:

- Myka Myers Beckett & Jones (in the amount of \$6,340, plus \$250 for out-of-pocket expenses); and

BE IT FURTHER RESOLVED, that the Chairperson of the Board of Commissioners or his designee be authorized to sign any necessary agreements. Carried.

EATON COUNTY BOARD OF COMMISSIONERS

DECEMBER 17, 2008

**RESOLUTION TO APPOINT COUNTY AGENTS
UNDER THE PRISONER REIMBURSEMENT ACT**

Introduced by the Ways & Means Committee

Commissioner Keefe moved the approval of the following resolution.
Seconded by Commissioner Luna.

WHEREAS, the Prisoner Reimbursement Act, P.A. 118 of 1984 allows Agents appointed by the County Board of Commissioners to collect information and conduct investigations pursuant to the Act; and

WHEREAS, Section 7 of the Act also allows Agents for the County to file civil actions to seek reimbursement under the Act.

NOW, THEREFORE BE IT RESOLVED, that Corrections Officer Troy Hansbarger and Financial Services Clerk Pam Tobias, be designated as Eaton County's Agents pursuant to the Prisoner Reimbursement Act, P.A. 118 1984 for the period of January 1, 2009 through December 31, 2009. Carried.

EATON COUNTY BOARD OF COMMISSIONERS

DECEMBER 17, 2008

**RESOLUTION TO APPROVE
2008/2009 GENERAL FUND BUDGET AMENDMENTS**

Introduced by the Ways and Means Committee

Commissioner Keefe moved the approval of the following resolution.
Seconded by Commissioner Freeman.

WHEREAS, the Eaton County 2008/2009 Appropriations Act of September 17, 2008 states that any amendment to increase a salary and/or a Capital Outlay line-item in excess of \$2,500.00 or any amendment to increase the total budget of any fund or department in excess of \$2,500.00 shall be amended by the Board of Commissioners, except that any amendment to decrease the General Fund Contingency shall be approved by the Board of Commissioners; and

WHEREAS, such amendments are needed in order to comply with the Uniform Budgeting and Accounting Act of 1978, P.A. 621.

NOW, THEREFORE BE IT RESOLVED, that the following budget amendments be approved and added to the 2008/2009 Eaton County Budget:

DISTRICT COURT - 136

Increase	Salaries Regular	\$ 2,600
Decrease	Salaries Temporary	\$ 2,600

To increase Salaries Regular to increase part-time staff hours to assist in collection efforts.

FRIEND OF THE COURT - 141

Increase	Salaries Temporary	\$ 6,300
Decrease	Salaries Regular	\$ 6,300

To increase Salaries Temporary to hire temporary investigator/mediator assistance due to vacant position and disability leave of another staff member utilizing saving from vacancy.

PROBATE COURT - 148

Increase	Salaries Regular and Fringes	\$ 1,964
----------	------------------------------	----------

JUVENILE COURT - 149

Decrease	Salaries Regular	\$ 1,964
----------	------------------	----------

To increase Probate Court Salaries Regular and Fringes to increase employee wage from the 4 yr step to 5 yr step of grade level effective 12/8/08 from Juvenile Court salary savings. Carried.

EATON COUNTY BOARD OF COMMISSIONERS

DECEMBER 17, 2008

**RESOLUTION TO APPROVE
2008/2009 SPECIAL REVENUE FUND BUDGET AMENDMENTS**

Introduced by the Ways and Means Committee

Commissioner Keefe moved the approval of the following resolution.
Seconded by Commissioner Hosey.

WHEREAS, the Eaton County 2008/2009 Appropriations Act of September 17, 2008 states that any amendment to increase a salary and/or a Capital Outlay line-item in excess of \$2,500.00 or any amendment to increase the total budget of any fund or department in excess of \$2,500.00 shall be amended by the Board of Commissioners, except that any amendment to decrease the General Fund Contingency shall be approved by the Board of Commissioners; and

WHEREAS, such amendments are needed in order to comply with the Uniform Budgeting and Accounting Act of 1978, P.A. 621.

NOW, THEREFORE BE IT RESOLVED, that the following budget amendments be approved and added to the 2008/2009 Eaton County Budget:

JAIL MILLAGE - 281

Increase	Salaries Temporary	\$ 17,340
Decrease	Salaries Regular	\$ 17,340

To increase Salaries Temporary for clerical position to staff inmate visitation/switchboard with savings from vacant positions. Carried.

EATON COUNTY BOARD OF COMMISSIONERS

DECEMBER 17, 2008

**RESOLUTION TO APPOINT COUNTY
REMONUMENTATION REPRESENTATIVE
AND RELATED CONTRACT**

Introduced by the Ways and Means Committee

Commissioner Keefe moved the approval of the following resolution.
Seconded by Commissioner Pearl-Wright.

WHEREAS, pursuant to Section 9 of PA 345 of 1990, the State Survey and Remonumentation Act, the Board of Commissioners is authorized to appoint a County Representative for all surveying projects in Eaton County approved or initiated by the State Survey and Remonumentation Commission; and

WHEREAS, the Ways & Means Committee is recommending entering into a contract with Ronnie M. Lester, which designates Mr. Lester as County Representative; and

WHEREAS, Mr. Lester is a surveyor licensed to practice in the State of Michigan and has offered to provide the County, on an independent contractor basis, with the County Representative services it requires.

NOW, THEREFORE, BE IT RESOLVED, that the Eaton County Board of Commissioners appoints Ronnie M. Lester as the County Representative under PA 345 of 1990; and

BE IT FURTHER RESOLVED, that the Chairperson of the Board of Commissioners or his designee is authorized to sign the contract. Carried.