



# CASS COUNTY BOARD OF COMMISSIONERS

---

## MEETING OF THE POLICY COMMITTEE

May 9, 2024

2:00 PM

---

1. **CALL TO ORDER**
2. **ROLL CALL**
3. **PUBLIC COMMENT**
4. **ADDITIONS/DELETIONS TO AGENDA**
5. **APPROVAL OF AGENDA**
6. **OLD BUSINESS**
  - a. Conflict of Interest Policy
  - b. Chief Deputy Salaries
  - c. Commissioners Mileage Policy
  - d. Boards and Commissions Per Diem and Mileage
7. **NEW BUSINESS**
8. **COMMITTEE MEMBER COMMENT**
9. **ADJOURNMENT**



# CASS COUNTY BOARD OF COMMISSIONERS

---

## POLICY COMMITTEE

### MEETING MINUTES

*Thursday, April 11, 2024*

---

1. The meeting was called to order at 2:00 p.m. by Commissioner Roseann Marchetti.
2. Roll call was taken with Commissioner Marchetti, Commissioner Howie, Commissioner Lee, Commissioner Locke, Administrator Newton, Human Resources/Payroll Director Daly and Finance Director Rentfrow present. Marketing & Communications Manager Neldon was present to take minutes. There were two visitors.
3. **PUBLIC/COMMITTEE MEMBER COMMENT**
  - a. Public comment was given.
4. Lee moved, Howie seconded, CARRIED, to approve agenda as presented.
5. **OLD BUSINESS**
  - a. Tax Sharing Policy
    1. Locke moved, Lee seconded, CARRIED, to move the policy forward to the April 18 Committee of the Whole agenda.
  - b. Chief Deputy Salaries
    1. Administration is working with the County attorney to determine a path forward on the employee who took a lower salary than their predecessor in 2020. Newton will report findings at May meeting.
    2. Small copy changes were noted.
  - c. Conflict of Interest Policy
    1. The committee reiterated that this policy puts the onus on the county attorney to determine whether or not a conflict exists, removing any concerns of impartiality or bias.
    2. Newton reminded the committee that commissioners and other elected officials serve as representatives on boards in an oversight capacity to ensure that the county is represented and the county's needs are being met.
    3. Commissioner Lee said he believes the wording of the policy is well done. Commissioner Marchetti thought including business interests may be excessive.
    4. Lee moved, Locke seconded, CARRIED, to move the policy on to the April 18 Committee of the Whole meeting.
6. **NEW BUSINESS**
  - a. Handbook update
    - i. Daly explained that she is working with Judge Carol Bealor, HR Assistant Dacia Kirkland and Court Administrator Sarah Mathews to compile many materials, including existing policies and handbooks. They realized how big and expensive a project this is, decided to reach out to the county attorney, which has much experience putting together handbooks. A Handbook



# CASS COUNTY BOARD OF COMMISSIONERS

---

project scope was developed. It was shared with Elected Officials for review and input, prior to being shared at the committee meeting.

ii. The goal is to have one handbook across the county (in addition to collective bargaining agreements) within the next six to nine months. The time frame will be dependent on turn-around time from county attorney and applicable offices/departments throughout the process.

iii. Moving forward, employee-related policy issues will be deferred for consideration within the handbook. The policy committee will focus on county-wide, non-employee policies.

b. Commissioner Per Diem and Mileage Policy

i. Daly explained that this policy conflicts with the Boards and Commissions Per Diem and Mileage policy.

ii. Because commissioners no longer receive per diems, the committee agreed this should be changed to a mileage policy, removing the “per diem” component.

c. Boards and Commissions Per Diem and Milage Policy

i. This policy does not include a rate to be paid. The committee agreed a resolution needs to be passed stating what the per diem is. This could be done annually at the organizational meeting for the Board of Commissioners.

ii. Administration will clean up the policy and bring to the next meeting.

7. No Committee Member comment was given.

8. Commissioner Lee moved, Commissioner Locke seconded, CARRIED, to adjourn meeting at 3:33 p.m.

## CONFLICT OF INTEREST & ETHICAL STANDARDS OF CONDUCT

### PURPOSE:

To help Elected and Appointed County Officials avoid action that may result in, or create the appearance of:

1. Using public office for private gain.
2. Giving improper preferential treatment to any person or organization.
3. Impeding government efficiency or economy.
4. A lack of independence or impartiality of action.
5. Making a government decision outside of official channels.
6. Adversely affecting the confidence of the public in the integrity of the County.

### POLICY:

#### 1. **Fair and Equal Treatment**

No Elected or Appointed County Official shall request, use, or permit the use of any consideration, treatment, advantage, or favor beyond that which is the general practice to grant or make available to the public at-large. All Elected and Appointed County Officials shall treat all citizens of the County with courtesy, impartiality, fairness, and equality under the law.

#### 2. **Use of Public Property**

No Elected or Appointed County Official shall request, use, or permit the use of any publicly owned or publicly supported property, vehicle, equipment, material, money, labor or service for the personal convenience or the private advantage of themselves or any other person or entity, including his or her employer. This requirement shall not be deemed to prevent any Elected or Appointed County Official from requesting, using or permitting the use of such publicly owned or publicly supplied property, vehicle, equipment, material, labor or service which is made available by general practice to the public at large, or which is provided, as a matter of public policy for the use of the Elected and Appointed County Officials in the conduct of official business, as approved consideration for their services to the County.

#### 3. **Matters Requiring Disclosure of Conflicts of Interest, Actual and Potential**

The following disclosure requirements are established to avoid both actual and potential conflict between the private self-interest and the public interest of Elected and Appointed County Officials:

- a. Self Interest: No Elected or Appointed County Official, either on his or her behalf or on behalf of any other person, shall have an interest in any business transaction with any public body of the County, unless the person shall first make full disclosure of the nature of such interest.
- b. Dual Employment: No Elected or Appointed County Official shall engage in employment with, or render services for, any person or entity which has business transactions with any public body of the County, without first making full disclosure of the nature and extent of the employment or services.
- c. When a conflict of interest is determined to exist following disclosure, an Elected or Appointed Official shall be disqualified from participating in the deliberations and/or voting on the matter.

#### 4. **Prohibited Conduct and Conflicts of Interest**

- a. Divulging confidential information to any person not authorized to obtain such information.
- b. Benefiting financially from confidential information.
- c. Representing his or her individual opinion as that of the County or the Board of Commissioners as a whole.

- d. Misusing County personnel, resources, property, funds, or assets for personal gain or private employment purposes.
- e. Soliciting or accepting a gift or loan of money, goods, services, or other things of value which tend to influence the manner in which the Elected or Appointed County Official performs their official duties.
- f. Engaging in a business transaction which may cause the Elected or Appointed County Official or his or her employer to derive a personal profit or gain or benefit directly or indirectly as a result of their official position.
- g. Engaging in employment or rendering services that are incompatible or in conflict with the discharge of his or her official duties or that tend to impair his or her independence of judgment.
- h. Participating in policy making, the result of which potentially benefits them or their employer.
- i. Participating in contracts, loans, or grants involving a business entity or non-profit in which he or she has a substantial interest unless:
  - i. The contract is awarded pursuant to sealed, and;
  - ii. The Elected or Appointed County Official is not involved directly or indirectly or otherwise refrains from participation in the decision on the award of the contract, and;
  - iii. The Board of Commissioners, after reviewing the circumstances, determines the award of the contract would be in the best interest of the County.

**5. Disclosure**

Whenever a disclosure is required by this policy, it shall be made and filed in writing or electronically with the County Administration Office on the form attached as Attachment A, Conflict of Interest and Potential Conflict of Interest Disclosure Statement. Each Elected and Appointed Official will be required to sign the Conflict of Interest and Potential Conflict of Interest Disclosure Statement upon assuming office, as well as annually. A copy of the Conflict of Interest and Potential Conflict of Interest Disclosure Statement shall be sent to all Elected and Appointed County Officials no less than annually. In all cases, disclosures shall include:

- a. The identity of all persons involved in the interest. This includes family members, organizations in which Elected and Appointed County Officials or family members are officers, directors, or either directly or indirectly, stockholders or partners, and trusts and estates in which Elected and Appointed Officials or family members have a beneficial interest, or for which they act in a fiduciary capacity. Family members include spouses, parents, brothers, sisters, children, nieces, nephews, spouses of brothers, sisters, and children, and spouses' parents, brothers, and sisters.
- b. The source and amount of income or benefit, directly or indirectly derived from the interest that may be considered as resulting from employment, investment, or gift. The person required to file a disclosure statement in accordance with the provisions of this policy must verify, in writing, under penalty of perjury, the information in the statement is true and complete as far they know.
- c. If it is determined that a conflict exists, the affected Elected or Appointed County Official shall disclose the conflict on the record at an Open Meeting, shall recuse himself or herself from participating in the discussion and vote relating to the issue, and shall leave the room while the discussion and vote take place.

**6. Duties of the County Attorney**

The County Attorney shall examine all disclosure statements filed pursuant to this policy and report to the County Administrator any concerns or irregularities that may, in the judgement of the County Attorney, require further review. Acceptance of a Disclosure Statement by the County Attorney shall not constitute approval of the statement.

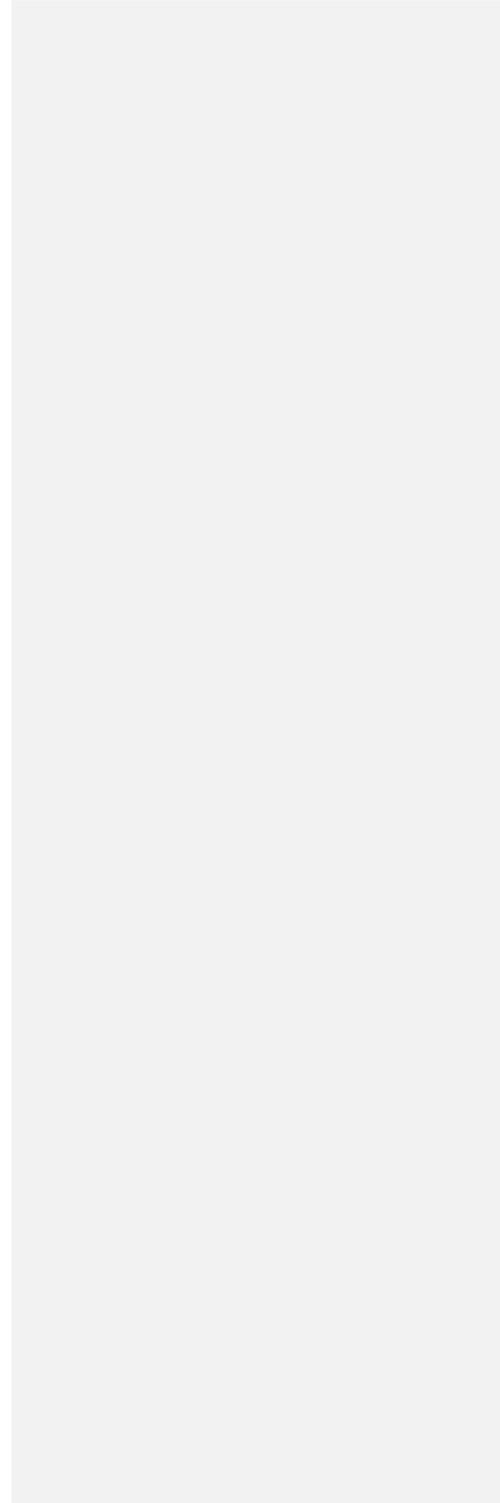
**7. Request for Opinion from County Attorney**

Any Elected or Appointed County Official may request that the County Attorney provide an advisory privileged legal opinion addressed to the entire Board of Commissioners interpreting the effect or application of this Policy generally, on conflicts or potential conflicts, disclosed or undisclosed, or on questions directly relating to the propriety of their conduct or the conduct or possible conflicts of another Elected or Appointed County Official in a particular situation. [Those requesting an opinion from the County Attorney are asked to communicate this request to the County Administrator in order to avoid duplicative opinions and legal fees.](#)

**8. Policy Enforcement**

Following the issuance of an opinion pursuant to section 7, any request seeking enforcement of this Policy shall be presented to the Board of Commissioners. The Board of Commissioners shall have the authority to render a final decision, including but not limited to censure of the Official found to be in violation of this policy.

DRAFT





## SALARIES FOR ELECTED OFFICIALS & CHIEF DEPUTIES

### PURPOSE

The purpose of the Salaries for Elected Officials and Chief Deputies Policy is to provide requirements and guidelines provided by the Michigan Legislature.

### ELIGIBILITY CRITERIA

The County shall adhere to the requirements of MCL 45.421(1). Which states the annual salary of each salaried county officer, which is by law fixed by the county board of commissioners, shall be fixed by the board before November 1 of each year and shall not be diminished during the term for which the county officer has been elected or appointed, but may be increased by the Board of Commissioners (BOC) during the officer's term of office.

In keeping with the statute, the BOC will endeavor to address the salaries of the elected officials and chief deputies at the time it passes its annual budget, with the exception of the year prior to the commencement of a new term of office.

The "term of office" of each chief deputy will be co-terminus with the elected official under which they serve. The BOC may adjust salaries annually;

Deleted: as follows

During a term of office, the BOC shall not decrease the salary of an elected official and chief deputy position, even if the chief deputy is a "new hire" or "inexperienced." Chief deputies serve at the pleasure of their elected officials.

The following non-binding principles apply:

- a) The BOC may elect to increase salary at any time. It is not bound by the November 1 deadline.
- b) The BOC may adopt uniform pay scales for guidance; however, it is not required to follow them. The application of a pay scale shall not result in a decrease in salary from a predecessor in office.
- c) Elected officials and chief deputies are not automatically entitled to cost-of-living adjustments. However, the BOC will endeavor to keep elected official chief deputy salaries competitive and in proportion to employees above and below them on the organizational chart. This may result in regular salary increases. The County recognizes the practical benefit and will endeavor for consistency with future changes in compensation under the policy to be consistent with changes approved for non-union employees' cost of living increases.

The principles set forth in this policy do not apply to non-salary compensation, which remains subject to change as otherwise provided by law.

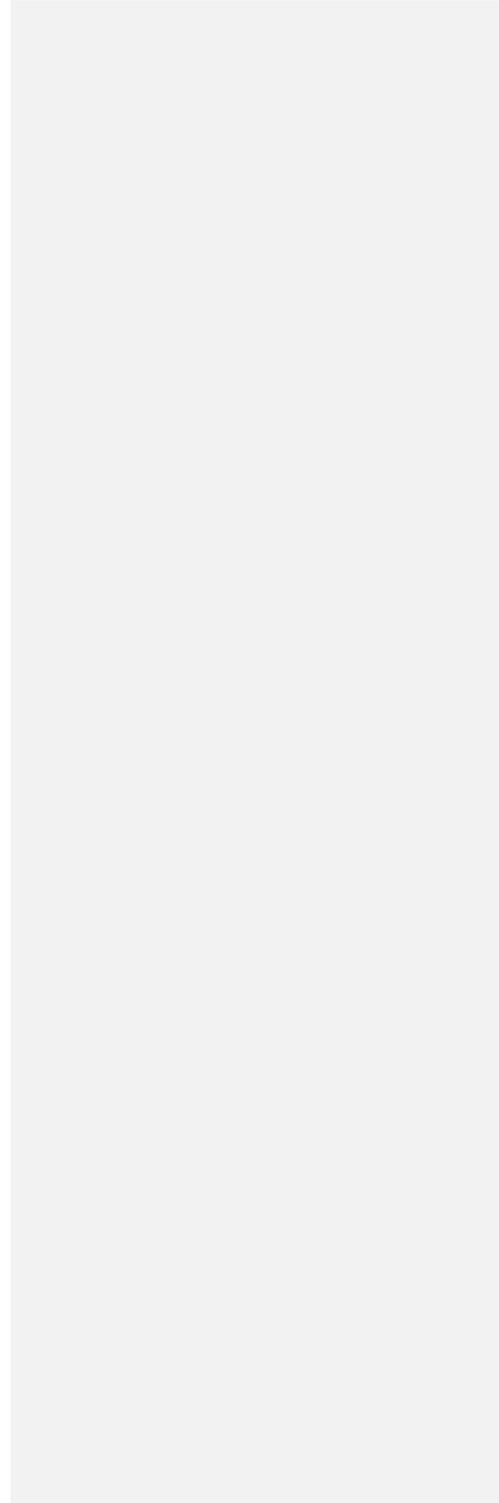
This policy does not apply to others not specifically identified herein.

### QUESTIONS

Questions regarding this policy should be directed to Human Resources.

*Note: This policy may differ for those employees who are members of recognized unions, organizations, associations, or non-union positions with the County. Any questions related to the content of this policy, or its interpretation, should be directed to Human Resources.*

DRAFT



# Commissioner Mileage

## I. POLICY

A. **STATEMENT OF POLICY:** The Cass County Board of Commissioners sets forth the following Mileage Policy for the purpose of providing specific parameters and uniformity as to the availability of obtaining mileage for a commissioner's attendance at various meetings, events, and other relevant activities, as well as providing a collective understanding as to the authority and proper process for submitting mileage and charging a per diem fee to the County.

## II. AUTHORITY

### A. LEGAL AUTHORITY:

1. Public Act 156 of 1851 [MCL 46.11 et seq.] provides that the Cass County Board of Commissioners may prescribe and fix the salaries and compensations of employees of the County.

### B. BUDGET

1. The Cass County annual budget shall recognize costs for mileage for currently elected Commissioners in allowable circumstances consistent with the policy.

## IV. MILEAGE DEFINED

A. The current Internal Revenue Service standard mileage rates shall be applied and paid to the current elected Commissioners for all business miles driven and allowable pursuant to this policy to recognize, in part, the wear and tear on a Commissioner's vehicle, personal insurance maintained, gasoline and other relevant costs.

## V. PER DIEM AND MILEAGE APPLICATION

A. Resolution R-188-22 was approved on 10/6/2022. The resolution increased the base salary for Commissioners and thus eliminated the payments of Per Diems for attending meetings and paying mileage for in-county travel. Commissioners shall not be paid any per diem payments or mileage for travel within Cass County for attending meetings. Commissioners shall only be eligible to receive mileage for travel outside of Cass County for conducting county related business. The restructuring of wages, per diem and mileage went into effect on January 1, 2023.

## VI. PROCESS FOR SUBMITTING MILEAGE REQUESTS

### A. REQUESTS FOR PAYMENT SUBMITTED QUARTERLY

1. All requests for payment of mileage shall be submitted on a quarterly basis on forms provided through the Per Diem & Mileage Workgroup: October 1<sup>st</sup>, January 1<sup>st</sup>, April 1<sup>st</sup>, and July 1<sup>st</sup>.

2. At a minimum, the information to be submitted for mileage shall include:

- The date of the meeting
- Name of agency / event and board / group
- Location
- Mileage incurred

3. All requests for quarterly payments of mileage traveled outside of Cass County.

4. Requests for quarterly payments of mileage approved by the Per Diem & Mileage Workgroup shall be forwarded to the Chair or Vice-Chair for approval and submission for payment.

5. All requests for quarterly payment of mileage shall be paid timely.

Deleted: Per Diem and

Deleted: Per Diem and

Deleted: and set per diem fee

Deleted: per diems and

Deleted: III. → PER DIEM DEFINED

A per diem is the amount of money set forth for attendance at a single meeting at a rate adopted by the Board of Commissioners that is allowed to a current elected Cass County Commissioner for attendance at certain meetings and is consistent with this policy to recognize, in part, the value of a Commissioner's time, use of personal resources and participation in the community and Southwest region of Michigan in various ways that provides additional information, supporting and assisting an elected Commissioner and the whole of the Cass County Board of Commissioners in their policy making and budget oversight functions.

Formatted: Numbered + Level: 1 + Numbering Style: A, B, C, ... + Start at: 1 + Alignment: Left + Aligned at: 0.5" + Indent at: 0.75"

Formatted: Font color: Auto

Deleted: → A. REGULAR BOARD MEETINGS

1. An elected Cass County Commissioner shall receive mileage but not receive a per diem for attendance at the twice monthly regular Board of Commissioners meetings.

→ B. SPECIAL MEETINGS AND WORKSHOPS

1. An elected Cass County Commissioner shall receive mileage but not a per diem for attendance at up to and including two Special Meetings in a single calendar year.

2. An elected Cass County Commissioner shall receive mileage but not a per diem for attendance at up to and including two Workshops [generally a half or whole day devoted to one or more topics] in a single calendar year.

3. In the event that more than two of any of the above specific meeting types are called during a single calendar year, a commissioner attending three or more of a specific type listed in 1 and 2 above will be paid and a per diem for each such meeting, over two, attended.

→ C. APPOINTED BOARDS, COMMISSIONS, AND COMMITTEES

For attendance at any meeting of a Board, Committee, Commission, Council, or other agency meeting to which an elected Commissioner is currently appointed by the Cass County Board of Commissioners, the Commissioner shall receive a per diem and mileage for attendance.

Deleted: PER DIEM AND

Deleted: per diems and

Deleted: each per diem and

Deleted: per diems and/or

Deleted: will be submitted to the Per Diem & Mileage Workgroup on or before the fifteenth day of the month in which it is due.

Formatted: Not Strikethrough

Deleted: per diems and/or

Deleted: per diems and/or

**VII. POLICY**

**A. EFFECTIVE DATE**

1. This Per Diem and Mileage Policy shall be effective on the date approved by the Cass County Board of Commissioners.

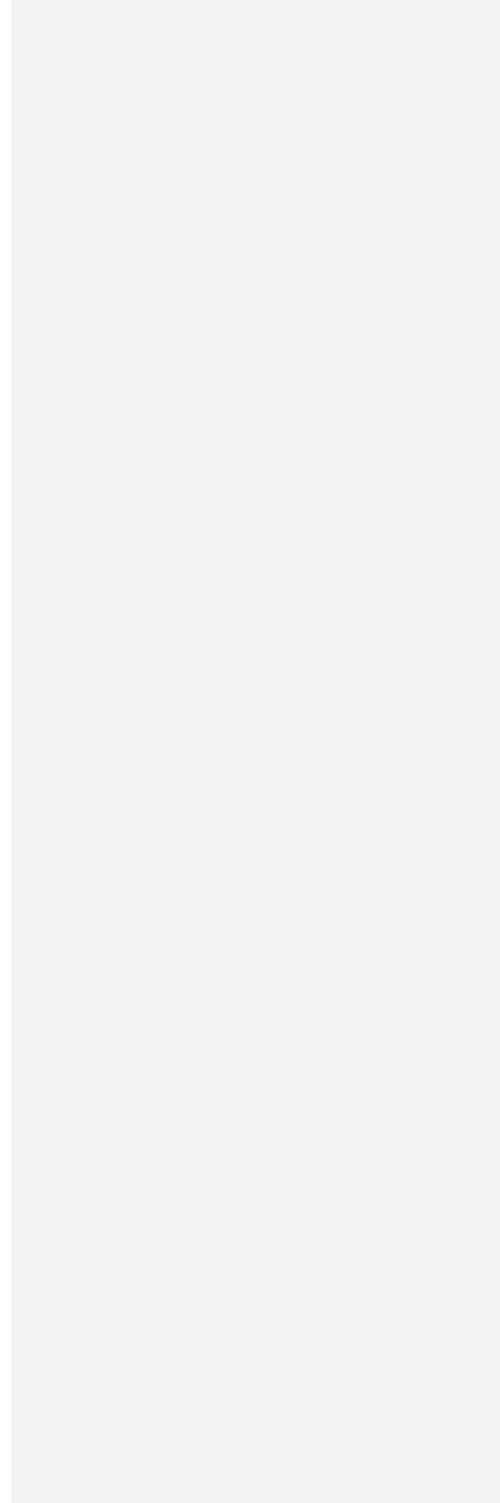
**ADOPTED: 06/15/2017**

**AMENDED: 09/06/2018**

**AMENDED: 04/21/2022**

**AMENDED: \_\_\_\_\_**

DRAFT





## Boards & Commissions Per Diem and Mileage

Members of all boards, commissions, and authorities appointed by the Board of Commissioners shall be compensated for their attendance at meetings in accordance with the following policy:

### I. Board, Commission, and Authority Members Other Than County Commissioners

- a. Members of all boards, commissions, and authorities subject to appointment by the Board of Commissioners, other than members of the Board of Commissioners, shall be entitled to the approved per diem in accordance with an approved per diem schedule, and, in all cases, shall be entitled to mileage to and from any meeting at the standard rate mileage rate set by the Internal Revenue Service.
- b. For the purposes of this Policy, a meeting is limited to any regular or special meeting as defined in the by-laws or a meeting called by the chairman of the board, commission, or authority at the regular location of the board, commission, or authority.
- c. Per diem shall be equivalent to the currently approved rate adopted ~~annually at the Board of Commissioners organizational meeting,~~

### II. Exclusion from Compensation, Employees, Other County Officials

- a. County officials, other than members of the Board of Commissioners, and County employees who serve on a board, commission, or authority established by the Board of Commissioners are entitled to mileage and necessary expenses for attending the meetings of the board, commission, or authority. However, no per diem shall be allowed for such attendance unless required by law or approved by the Board of Commissioners.

### III. Application of Policy

- a. To receive per diem and/or mileage, the chair of each applicable board, commission, or authority shall submit an attendance sheet to the County Administration Office following each applicable meeting that indicates which members were present and eligible to receive said per diem and/or mileage.
- b. This policy is not intended to affect in any way the compensation of members of the Board of Commissioners.

ADOPTED: 05/19/2022

AMENDED: \_\_\_\_\_

Deleted: by the Board of Commissioners Commissioner Per Diem and Mileage Policy annually as contained in the fiscal year budget.