



# WAYNE COUNTY RETIREE SUB-CHAPTER 38

## WE MAKE MICHIGAN HAPPEN

### Executive Board Meeting

January 14, 2020

**Ronald Yee**  
*President*

**Gilbert J. Cox**  
*Vice-President*

**Hugh S. Macdonald**  
*Secretary Treasurer*

**Mary Etta Kreklau**  
*Recording Secretary*

**Douglas Wadlin**  
*Sergeant-At-Arms*

**Richard Noelke**  
**John McCall**  
**James Sockolosky**  
*Executive Board*

**Faith Cairgle**

**Jerry Smith**  
*Trustees*

The meeting was called to order at 11:30 AM by President Yee, and was opened with the Pledge of Allegiance.

**PRESENT:** Bauman, Cairgle, Cox, Kreklau, Macdonald, McCall, Smith, Sockolosky, Wadlin, and Yee

**EXCUSED:** None

**ABSENT:** None

**ROLL CALL OF OFFICERS:** Brother Macdonald made the motion, properly supported by Sister Cairgle, to accept the roll call of officers. The motion carried.

**Sub-Chapter 38 minutes for the Executive and Membership meetings are recorded to help the Recording Secretary to produce minutes for each meeting. Pursuant to the previous direction of the membership these recordings shall be disposed of as soon as reasonably possible after the Sub-Chapter 38 membership has approved the minutes. The minutes are not or intended to be an actual verbatim record of the proceedings but are summarized notes of the agenda items, motions maker of the motion, votes and lengthy discussions.**

### CORRESPONDENCE

1. MiARA Notice of 2020 Affiliation Fee payment due in the amount of \$350 and requesting name of contact persons. New Business
2. Council 25 Announcing the 46<sup>th</sup> Annual Reverend Dr. Martin Luther King Jr. Dinner celebration on Saturday, February 29, 2020, at the Westin Hotel, Southfield, along with a request for various award nominations. Tickets are \$75 per person or a table of ten (10) for \$750. New Business
3. Chapter 255- Resignation letter of the Secretary of Chapter 255, Nancy A. Moore. Receive and File

Motion by Brother Macdonald, properly supported by Sister Bauman, to receive and file all items. The motion carried.

### READING OF MINUTES

Brother Macdonald made the motion, properly supported by Sister Bauman, to waive the reading and approve the minutes of the Executive Board meeting of December 10, 2019, leaving the record open to the end of the meeting for corrections, additions, or deletions. The motion carried.

Brother Macdonald made the motion, properly supported by Sister Bauman, to waive the reading and approve the minutes of the Membership meeting of December 10, 2019, leaving the record open to the end of the meeting for corrections, additions, or deletions. The motion carried.

## **REPORT OF OFFICERS**

### **PRESIDENT:**

A reminder that the Health Care Stipend for Medicare Eligible, non-mirrored retirees whose pension is \$25,750 or less was increased effective January 1, 2020 and this would take their reimbursement up to about \$148.00 per month. If you're eligible and didn't receive it, let us know so we can look into it.

There was arbitration on the 13<sup>th</sup> check in early December. Brother Macdonald will cover that in his report.

A number of retirees contacted us because their notice of DDA didn't come in January. For some reason, persons receiving their DDA by e-mail with certain email addresses did not receive them. The Retirement Office indicated that for some reason, those retirees with e-mails ending with att.net, SBCglobal, ATT.net, AOL.com and Yahoo.com had their DDA notices rejected. They are working to determine the problem. Retirees' can either give the Retirement System a new email without those suffixes or request the Retirement System to mail the DDA notices to them by regular mail.

Motion by Brother Macdonald, properly supported by Brother Wadlin to accept the President's report as presented. The motion carried.

### **VICE-PRESIDENT:**

The Wayne County Employees' Retirement System Board meeting will be January 27, 2020, at 9:15, Retirement offices. The Wayne County Labor Coalition meeting will be January 23, 2020, at noon, at the GAA Offices, 3031 West Grand Blvd., Ste. 415, which is in the New Center One Building at noon. The PO Box was cleared today.

Motion by Brother Macdonald, properly supported by Brother Noelke, to accept the Vice-President's report.

### **SECRETARY TREASURER**

#### **Financial Report**

Brother Macdonald reported that the Sub-Chapter has \$121,739.53 in cash and investments as of December 31, 2019. There are 1,295 current members with 184 participating in the PEOPLE Plan and (105) members were lost this calendar year.

Motion by Brother Macdonald, properly supported by Brother Cox, to accept the Treasurer report as presented. The motion carried.

## **Secretary-Treasurer Report, Comments and Announcements**

### **Two Pending Arbitration Cases**

There were three (3) grievances filed by AFSCME and its Local Unions relating to pension issues of which two (2) survived various court hearings and were remanded for arbitration. They are:

1. **Elimination of 13th Check:** The grievance dealt with the changes Evans and the County Commission to eliminate the funding of the 13th check, taking that money (\$32+ million) away from retirees and using the thirty-two + million dollars, in the “13<sup>th</sup> check account, as a required County contribution to the pension system.
2. **Medical Insurance for Disability Retirees:** For (30) years, the County had a practice which was supported by the various CBAs and the pension ordinance which provided that people who retired on a duty or non-duty disability pension were entitled to medical insurance as part of their retirement. In 2010, CEO Ficano eliminated this program and the Union filed an unfair labor practice and prevailed.

Arbitration on the 13<sup>th</sup> check matter was held on December 16, 2019 and the award is pending. The disability retiree health care issue arbitration schedule pending. The Sub-Chapter has been assisting legal counsel in preparation both arbitrations.

### **WAYNE COUNTY LAWSUIT TO SEAT EVAN’S BOARD**

Wayne County CEO Evans filed a lawsuit against the Wayne County Employees’ Retirement System Commissioners (WCERS) demanding the ability to seat his handpicked WCERS Board by expanding the Board to ten (10) members while eliminating one (1) active employee Commissioner and one (1) retired member Commissioner. Wayne County Circuit Judge Leslie Kim Smith issued an opinion on July 31, 2017 denying Evans the ability to seat his WCERS Board. Wayne County filed an appeal with the Michigan Court of Appeals (Case No. 339714) and an appellate court decision, dated May 9, 2019, confirmed the ruling of Judge Smith. Wayne County has filed an application to appeal to the Michigan Supreme Court. Briefs on behalf of all parties have been entered and we now await the “pleasure” of the court. There is now way to estimate when the court will issue a decision on the application to appeal.

### **PRESCRIPTION CO-PAY SETTLEMENT**

Payments by Wayne County of Medicare eligible stipends appear to be consistent with the settlement agreement. A new problem has arisen. Wayne County has apparently decided not to pay the December 1, 2019 pre-Medicare stipends to retirees where either the retiree or spouse is entitled to a Medicare eligible stipend. Wayne County did, however, pay the January 2, 2020 pre-Medicare stipends to most of those retirees but did pay the tem the December 1, 20019 stipend. There appear to be forty-five (45) class members affected by this violation of the settlement agreement. The Sub-Chapter is working with legal counsel to resolve this issue. It appears that twenty-two (22) non-Class retirees were also impacted. Wayne County has also made noises about retirees owing the county significant amounts for “stipend overpayments”.

The Sub-Chapter continues to pursue a grievance on the issue of the many problems with the Health Reimbursement Accounts at TASC (formerly Genesis). As a partial response the Sub-Chapter received a list from Wayne County of 996 HRA accounts at TASC with balances of more than

\$3,000.00 totaling over \$3.5 million. It is evident that the only resolution to those grievances is a mutually acceptable Health Reimbursement Account (HRA) Plan and that every Medicare eligible class member know their rights and responsibilities under the plan. The Sub-Chapter is seeking a mutually agreed upon HRA plan or that at least a summary plan document be provided to every current and future Medicare eligible retiree. The primary problem is communication with affected retirees. Since no progress has been made the Sub-Chapter has demanded arbitration and Wayne County has delayed the process with false excuses. Finally, arbitration scheduled for February 7, 2020. To complicate everything Wayne County has advised some retirees that their HRA accounts would be suspended due to the alleged pre-Medicare over-payments.

The 2019-2020 Wayne County budget included an appropriation of approximately \$450,000 for a Medicare eligible stipend enhancement for retirees with a pension of less than \$25,750. An early estimate was that the stipend enhancements would amount to approximately \$13.50 per month in twelve (12) installments for each eligible retiree class member. The Wayne County Chief Financial Officer has stated that the stipend enhancements will begin in January 2020.

#### **ANNOUNCEMENTS**

None

#### **COMMITTEE REPORT(S):**

Chapter 255: Brother John McCall and Sister Faith Cairgle gave a report following the last Executive Board meeting of Chapter 255 held January 7, 2020. The quarterly meetings for 2020 will be April 7<sup>th</sup>, July 7<sup>th</sup>, and October 6<sup>th</sup>. The time and locations are to be determined. Brother McCall will report the financials and provide minutes from these meetings. Upcoming events are being discussed as fundraisers such as a casino night or something... The Chapter will be running an ad in the MLK Legacy Dinner but will not be purchasing tickets or a table. They are also looking at having a luncheon in October annually. Nancy Moore resigned from everything both from Secretary and the representative from Region 5. The new secretary for Chapter 255 is Kathy Sherrill from Region 3. Sister Cairgle added that educational training may be provided at the quarterly meetings.

Motion by Brother Macdonald, properly supported by Brother Noelke, to accept the report. The motion carried.

**UNFINISHED BUSINESS:** None

#### **NEW BUSINESS:**

Referred from Correspondence: Council 25's Annual MLK Legacy Dinner with a table cost at \$750. Motion by Brother Macdonald, properly supported by Brother Cox to purchase one table at a cost up to \$750 with the tickets to be given to President Yee for distribution as per his wishes. The motion carried.

Referred from Correspondence: Renewal request from Michigan Association of Retired Americans for Sub-Chapter 38 membership at a cost of \$350. Motion by Brother Macdonald, properly supported by Sister Bauman, to renew this membership at a cost of \$350 if Chapter 255 is NOT renewing the membership. The motion carried.

**GOOD AND WELFARE:**

Sister Bauman announced a Senior Summit coming up on January 24, 2020.

There was a moment of silence for deceased members.

**ADJOURNMENT**

Motion by Brother Cox, properly supported by Brother Wadlin to adjourn the meeting at 12:10 am.  
The motion carried.