



WAYNE COUNTY RETIREE SUB-CHAPTER 38

WE MAKE MICHIGAN HAPPEN

Executive Board Meeting

Ronald Yee
President

September 8, 2020

Gilbert J. Cox
Vice-President

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

Hugh S. Macdonald
Secretary Treasurer

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

Mary Etta Kreklau
Recording Secretary

EXCUSED: None

Douglas Wadlin
Sergeant-At-Arms

ABSENT: None

Richard Noelke

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

John McCall
James Sockolosky
Executive Board

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.

Faith Cairgle
Charles Parker
Jerry Smith
Trustees

CORRESPONDENCE

1. President Yee Notice to the membership canceling April 14, May 12, June 9, July 14, and August 14, 2020 Executive Board and Membership meetings. Also, the Notice to Members announcing the time and location for the September 8, 2020, Executive Board meeting and canceling the September 8, Membership meeting. Receive and File
2. MiARA – The March, April, May, June, July, and August 2020 Newsletters discussing current Retiree issues and events. There are no membership meetings scheduled. Receive and File
3. President Yee – Email message to the membership reporting that the election process had begun for a retiree Commissioner on the Wayne County Employees' retirement Commission. The email included nominating petitions and instructions. Receive and File
4. Chapter 255 – The minutes of the May 12, 2020, quarterly Executive Board meeting. 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 pass for the day the approval of the minutes of the March 10, 2020 Executive Board meeting. The motion carried.

Brother Macdonald made the motion, properly supported by Sister Bauman, to pass for the day, the approval of the Membership meeting of March 10, 2020. The motion carried.

REPORT OF OFFICERS

PRESIDENT:

The membership drive promised by Chapter 255 is still a work in progress. A draft letter was reviewed.

The Wayne County Employees' Retirement System Retiree Trustee election will be this year. Petitions for this election are due by September 14. President Yee is not sure anyone but Betty Misuraca, who's running for re-election, and President Yee are both running for this position. Ballots will be sent out and must be returned by November 2, 2020.

President Yee gave an update on the situation with the additional \$15 health care supplement for low-income Medicare-eligible retirees. This additional \$15 per month was approved for the period January through September 2020 only. After discussions with various County Commissioners, there appears to be little or no support on the Commission to consider this for the 2020-21 fiscal year. After consideration of the lack of support and the apparent budget issues with the County this fiscal year, it was decided not to pursue this for next year. However, President Yee does want to issue a letter to all the Commissioners indicating that decision and putting them on notice that the Sub-Chapter intends to pursue this in the following fiscal year.

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

VICE-PRESIDENT:

No regular report but Brother Cox did report that as a non-Medicare eligible retiree covered by the Consent Agreement, he received his annual letter from the County of Wayne to produce documents supporting his 2019 income taxes. As usual, the County is threatening to cut off any retiree who is in this group and does not provide the income information they demand.

SECRETARY TREASURER

Financial Report

Brother Macdonald reported that the Sub-Chapter has \$122,390.28 in cash and investments as of August 31, 2020. There are 1,263 current members with 176 participating in the PEOPLE Plan and (57) members were lost this calendar year 51 from death and (6) from cancellation/non-payment.

Motion by Brother Macdonald, properly supported by Brother Wadlin, 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 made to eliminate the funding of the 13th check, On March 30, 2020, arbitrator, Betty Widgeon, denied the grievance. The arbitrator's decision effectively means that the idea of a "13th Check" is gone.

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. Briefs on this grievance have been submitted and arguments before the arbitrator completed. The arbitrator is expected to issue a decision soon.

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 no 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 and the inclusion of an enhancement for those below the Federal poverty level.

The Sub-Chapter has identified a number of incorrect or omitted payments pre-Medicare stipend payments. The August 2020 reconciliation found fifteen (15) such incorrect or omitted payments. Legal counsel and your representatives assigned the task of monitoring the stipend programs are communicating with Wayne County to resolve these payments. Only one (1) of these payment problems is an underpayment, the other fourteen (14) are overpayments and Wayne County has not advised as to how they propose to deal with the overpayments.

The Sub-Chapter filed Grievance #8 on April 15, 2019, about the many problems with the Health Reimbursement Accounts at TASC (formerly Genesis). Arbitration on the Grievance was held on February 7, 2020, with the arbitrator granting the grievance and ordering Wayne County to (1) meet with us "on a regular and meaningful basis to develop a stipend plan"; (2) Wayne County will

provide all eligible with an agreed upon summary plan document”; (3) “upon implementation of the new stipend plan on or before March 10, 2021” “the unilateral HRA plan will be dissolved”, and; (4) Wayne County will compensate all Medicare-eligible class members that were harmed by the unilateral HRA implemented plan.” Again, legal counsel and your representatives assigned the task of monitoring the stipend programs have been participating in video conferences with Wayne County with the express purpose of resolving the inconsistencies of the current process with the settlement agreement.

ANNOUNCEMENTS –

Nominations for the Executive Board and two (2) Trustees need to happen in September and October. Elections for the Executive Board and two (2) Trustees is required in October in accordance with our constitution. The annual newsletter has to be mailed in September. There are decisions to be made.

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

COMMITTEE REPORT(S):

PEOPLE Committee: Sister Bauman reported that if we decide to do Zoom meetings, Senator Peters would like to address the membership. The two Supreme Court candidates also wish to participate if we have Zoom meetings. Nancy Darga, who is a Wayne County Retiree, and also a candidate for Wayne County Commission, District #9. She actually had more votes in the primary election the incumbent, Republican Terri Marecki. Sister Bauman would also like to include a small bio in the upcoming Newsletter.

Motion by Sister Cairgle, properly supported by Brother Cox, to accept the People’ Committee report as presented. The motion carried.

Trustee’s Report: Sister Cairgle indicated that a Trustee Committee meeting needs to be scheduled prior to the October 13th meeting date. Sister Bauman and Brother Smith are available and a meeting will be scheduled.

UNFINISHED BUSINESS:

President Yee presented the Committees and Sub-Committees for Sub-Chapter 38 and asked for the renewal of the current members of these committees for six months as required. He added that members may be added to any standing committee at any time and if any members are interested in being on a committee, they should let him know.

Motion by Brother Macdonald, properly supported by Sister Bauman, to approve the appointments to committees as recommended by President Yee. The motion carried.

NEW BUSINESS:

Nominations for Officers of Sub-Chapter 38:

Motion by Brother Macdonald, properly supported by Brother Cox, to nominate the following slate of officers with the stipulation that additional nominations may be made from the floor at the October meeting:

President – Ronald Yee
Vice-President – Gilbert Cox
Secretary-Treasurer – Richard Noelke
Recording Secretary – Mary Etta Kreklau
Sergeant of Arms – Julie Bauman
Executive Board – John McCall; James Sockolosky; and Douglas Wadlin
Trustees - Paul Pendraki (term ending October 2021) and Faith Cairgle (term ending October 2022)

The motion carried.

Newsletter:

Brother Macdonald outlined the need for the annual newsletter to be put together and sent out prior to the mass mailings for the General Election in November. In addition, the newsletter annually announces the October election. This year is different inasmuch as the information for the membership since the last meeting in March is great and how the election will take place has to be decided and outlined in the newsletter.

President Yee suggested a timeline for putting together the newsletter and getting it mailed out. Brother Macdonald is requiring everything electronically so it may be submitted to the printer. A decision of Thursday, September 10, 2020 was made.

Motion by Sister Kreklau, supported by Sister Bauman, that the annual Newsletter announcing the election, including news and updates since the March 2020 meeting, submitting the slate as adopted by the Executive Board this date, including a ballot as the last page with the nominations made this date for each office and including blank lines under the nomination for each office for possible write-in candidates; with instructions that the members should mark the ballot, with a deadline of OCTOBER 13, 2020 postmark, with the ballot to be returned ONLY TO THE Sub-Chapter P.O. Box, and instructions for the Election Committee to be given a key to the post office box and provided a locked-box to pick up the mail at the Post Office Box someday after October 13, 2020 at a date to be determined by the Election Committee for a date which would allow for ballots mailed on OCTOBER 13, 2020, to be received; and place the ballots in the locked box, until the Election Committee can meet to open and count said ballots and determine the outcome of the election. The motion carried in an unanimous vote.

GOOD AND WELFARE:

There was a moment of silence for deceased members.

ADJOURNMENT

Motion by Brother Macdonald, properly supported by Sister Cairgle to adjourn the meeting at 1:45 pm. The motion carried.