

GENESEE COUNTY COMMUNICATIONS CONSORTIUM
Executive Board Meeting
Genesee County 9-1-1
January 11, 2022
2:00 pm
Location: Grand Blanc Township PD, 5405 Saginaw Rd, Flint

MINUTES

1. CALL MEETING TO ORDER

Meeting called to order by Chairman Mark Emmendorfer at 2:00 pm.

2. PLEDGE OF ALLEGIANCE

3. ATTENDANCE ROLL CALL

Members Present: Thomas Spillane, Clayton Township; Fred Thorsby, Flushing Township; Paul Fortino, Gaines Township; Scott Bennett, Grand Blanc Township; Mark Emmendorfer, Montrose Township; Vicki Corlew, Mt. Morris City; Sam Stiff, Gaines Village; Yvonne Brantley, MSP, Richard Cronkright, GCSO

Members Absent: Karyn Miller, Flint Township; Clyde Edwards, Flint City; Meredith Davis, Genesee County; Ellen Ellenburg, Genesee County

Others Present: Ryan Volz, Ron Wiles, Brian Arnes, Tony Craig, Dan Eashoo, Steve Henson, Joe Hyrman, Ellen Glass, Ashley Frase, Anthony Chubb, Dave Plumb, Tim Jones, Valerie Moore- recorder

4. APPROVAL OF AGENDA, MINUTES & ACCOUNTS **Chairman
Emmendorfer**

Emmendorfer stated Director Jones would like to add an item under New Business, item B, 'ACH Appendix' and review to add this to our Purchasing Policy. And the current item 7.B 'Attorney Report – Keller Thoma-Closed Session' will be removed from the agenda.

- **Current Agenda – January 2022**
- **Executive Board Meeting Minutes – December 2021**
- **Accounts /Transaction List – December 2021**
- **Treasurers Report – December 2021**
- **Invoices/Quotes – (BCBS/BCN, Guardian)**

Action Taken: Motion by Bennett support by Thorsby to add the ACH Appendix and remove the Closed Session Attorney Report by Keller Thoma on the current Agenda.

All Ayes, Motion Passes

Action Taken: Motion by Bennett, support by Brantley to approve the current Agenda, December 14, 2021 meeting minutes, December Accounts, transactions, Treasurers Report and Invoices as presented.

Roll Call Vote:

Spillane Aye
Thorsby Aye
Fortino Aye
Bennett Aye
Emmendorfer Aye
Corlew Aye
Stiff Aye
Brantley Aye
Cronkright Aye

All Ayes, Motion Passes

5. PUBLIC COMMENTS ON AGENDA ITEMS ONLY
None

6. OLD BUSINESS

A. Advisory Board Report

Chief Volz

No meeting in December, nothing new to report.

B. Municipal EMS Service Contracts

Jones

Jones stated that at the request of the Board, a letter has been written to outline the information needed regarding a resolution and/or ordinance by each municipality that are interested in entering into a Service agreement with private ambulances. A copy of this letter was sent out to all Members, with a request from Attorney Chubb to have the required documents sent in by February 1, 2022. Each submission will be reviewed on a case by case basis and will be brought to the February meeting for review and consideration on next steps and how we proceed.

The timeline is in place but does allow for a short period following this deadline to add a few more that may be lagging behind. We need to know who is participating by the deadline so our I.T. staff can gauge the workload and work towards meeting the 60-day window.

Thorsby asked to clarify if municipalities would need indemnity and hold harmless agreements between municipality to another municipality.

Chubb stated that we are only requesting a hold harmless, not an indemnity from our participating communities. We are also seeking indemnity and defense from the participating EMS Service providers who are private entities. We did negotiate and come up with a final document providing full indemnity for the Consortium and a ten-million-dollar policy to assist with that. I will be bringing these documents along with the service contracts to the Board for their review.

Jones stated he has reached out to our Insurance provider and requested underwriting on this as well. He does not have an opinion from them yet.

Bennett asked if the policy limit was aggregate.

Chubb stated that its primary non contributor, and can be aggregate, we would have to see, if there were any claims, if this is the appropriate policy level we need. We do have another policy for ourselves as well.

Chubb stated he has heard concerns from some communities regarding potential liability being pushed on our participating members. The Consortium was created under the 1967 Urban Cooperation Act, that makes us a totally autonomous entity and I don't see any way a liability on behalf of the Consortium can be passed to our participating members. I do not think that is a viable concern for our communities, I encourage you to reach out to your own legal council and confirm this as well.

Bennett asked if he could receive copies of the indemnity or hold harmless agreements that are put in place. Chubb stated, yes, once he has the agreements signed, he will provide a copy to whomever sends him a request.

Bennett asked Attorney Chubb, regarding your original position, that you did not recommend entering into the exclusive EMS Service Agreements, is that still your position?

Chubb stated that his obligation to the Consortium is to ensure I look out and provide the best legal protection. When the communities choose to go down this path with service agreements, my goal is to ensure proper agreements are in place in order to protect the Consortium the best way possible. We are notifying our Insurance company, and requiring the participating entities must indemnify us, and provide proper insurance for that indemnity and get the agreements from the communities. The municipalities are within their right to enter into these service agreements within their own communities, and they will be taking on the obligation of those agreements. Chubb stated the Indemnity agreements will be brought to the next Board meeting for review and they must be approved by the whole Board, along with each of the EMS contracts. The Board will need to approve each and every one of the contracts individually for those choosing to participate and entering into a contract.

Bennett stated he did not want to be in a position that the Board ignores his legal opinion and recommendations by going against it and putting themselves in a bad spot.

Bennett asked if the agreements would still need to include a Mutual Aid or backup partner.

Jones respond that after discussing this with Med Control, the understanding is that all operating, licensed EMS company in Genesee county are counted as Mutual Aid.

All Ambulance companies licensed in Genesee County automatically become the Mutual Aid default, so we could send any EMS provider as back up when needed. Emmendorfer asked, to clarify, if a municipal contracted EMS provider has no available ambulances to respond to a call in the contracted service area, one of the other five ambulance companies must respond? Even if that municipality has said they don't want another company other than their contracted EMS company, the other ambulance provider must respond? Jones replied, yes, it could be any of the other five providers in Genesee County and if they don't respond, they will be subjecting themselves to being fined by the State.

C. House Bill 5026

Jones

Jones reported the House Bill 5026 was signed and approved and the sunset date has been moved forward. The Bill also includes approval of PFN funding, which will cover the next 5 years. Without this funding, we would need to pay the annual bill of \$600,000 for the PFN system.

7. NEW BUSINESS

A. 2021 FY Audit Report- Plante Moran

Pam Hill / Ashley Frase

Pam Hill presented the completed 2021 Fiscal Year Audit reports to the Board. Hill acknowledged Tim Jones and Valerie Moore for all their assistance during the audit process, the preparation and overall process went very smooth this year.

Ashley Frase presented the 2021 Financial Statements and noted that an unmodified Opinion was issued, which is the highest level of assurance they can provide.

Frase covered a few of the high-level items, including the increase to Technology Fund and Capital Projects Fund increase to the ending balances based on planned transfers during the year. In the General Fund, ending balance is about 5.9 million as of Sept 30, 2021. In comparison to the approved 2021 budget the Annual expenditures, there is a 95 percent ratio, this is a healthy fund balance and ratio.

In reviewing the approved 2021 Budget the final year end, income and expenditures, show Management and the Board have been doing a very good job monitoring and planning to be within 5 percent of the budgeted expenditures. Overall, compared to a few years ago you are in a good financial position especially having funds set aside for Technology and Capital Projects. The planning, progress and policies put in place recently have helped put you in a good place financially.

Hill noted that they are happy to report they have no internal control issues or concerns to report, and they understand and recognize this has been a very important aspect that Management has been focusing on.

B. ACH Appendix – Purchasing Policy

Jones

Jones presented a draft of an ACH Appendix that would be added to our purchasing policy. We have run into very late timing of invoices for some of our regular monthly bills, mostly due to recent mail delays and then getting checks out.

Jones reached out to our Auditors as well as the Budget Committee for feedback on an ACH policy. The suggestion was to create a list of vendors to be considered and approved for ACH payments throughout the year. The items are included in the Budget and part of our normal operation expenses.

Emmendorfer stated that this policy will be reviewed annually to keep it up to date, vendors can be removed or added based on the Boards review each year. These may include Invoices from approved vendors that will be over the Directors authority to approve and pay (limit being \$5,000). The process to add a new vendor and payment will require dual approval.

Action Taken: Motion by Bennett, support by Brantley to move forward with adding the ACH Appendix to the Purchasing policy as presented.

All Ayes, Motion Passes

8. OTHER BUSINESS

9. DIRECTORS REPORT

Nothing additional to add

Jones

10. COMMITTEE REPORTS

11. ATTORNEY REPORT

Nothing additional to add

Attorney Chubb

12. PUBLIC COMMENTS

Motion by Brantley to add an HR position. No support.

Emmendorfer stated that this has been discussed in the past and would like Jones to put together information about adding this new position and how much it would cost. Once we have more information, we can bring it back to the Board for further consideration.

Members noted a few concerns to consider when bringing an HR Firm on board or adding a new position as a staff member.

Emmendorfer agreed there are many things to be considered in an HR position, but ultimately, we need to know that it will be a benefit to the staff and what best fits for the organization.

Ellen Glass commented that she would like the Boards consideration in reviewing the By-Laws regarding how the 911 Membership Board representatives are currently chosen for the Membership Board to help address the absentees. It's been difficult in

getting everyone on the Board present to conduct business when a large number of the members are not able to make it to the meetings.

Emmendorfer stated that in response to Glass's request, he spoke with Attorney Chubb and Director Jones and they will set a meeting with the By-Laws Committee to review possible solutions and bring suggestions back to the Board.

13. ADJOURNMENT

Meeting Adjourned by Chairman Mark Emmendorfer at 2:39 pm.

**Next Meeting:
Executive Board Meeting
February 8, 2022 @ 2:00 pm**

DRAFT