

Public Safety & Judiciary Committee

Monday, August 20, 2012

1:00p.m. – Conference Room A260

MINUTES

1. Call the Meeting to Order. Meeting called to order at 1:00 pm.
2. Was the meeting properly announced? Yes
3. Roll Call. All present. Green, Rogers, J. Roseberry, B. Koehn, Hinze, Jack Albert, Kaye, Larson
4. Approve the Agenda. Motion to approve by Eggebrecht/James. Motion Carried. Unanimous.
5. Public participation (*If requested by the Committee Chair*). As needed.
6. Correspondence. None.

Hold meeting for a few minutes to wait for Ms. Hinze. Continue meeting at 1:08.

7. Medical Examiner, Angela Hinze – Chief Deputy Medical Examiner, Marilyn Rogers.

Discuss/act on organization of the ME's office and contract/agreement.

Mr. James asked Ms. Rogers about the conversation that took place in the parking lot after last meeting. Ms. Rogers explained what was said and that she is upset regarding what was said at the last meeting. The meeting did not end well. She asked Ms. Hinze to contact her to talk professionally and she did not hear back from Ms. Hinze. Ms. Hinze explained the recent proposal for the ME's office at the last budget meeting. She then was contacted by Ms. Rogers who was in disagreement of this proposal. She explained further the process of events which occurred thereafter. Ms. Rogers feels it's extremely inappropriate to speak of their own employees when they are not there and Supervisor Sebastiani asks who she heard that from. Supervisor James also expressed information regarding the conversation that was held about the badmouthing of each other and she was not willing to provide information as to who she heard this information from. The subject was dropped.

Mr. Albert stepped in regarding how a closed or open session is determined. Mr. Albert explained this conversation should probably be in closed session and therefore could be continued in closed session as soon as possible. Mr. Albert inquired whether the chair of this committee felt we should go into closed session. The Chair, Mr. Sebastiani, asks we move ahead per the agenda. Mr. Miller thanks Columbia County and Ms. Hinze for the support provided thus far. Mr. Miller came up with figures and will be making a motion momentarily. Having Angela as the Chief Deputy we don't need to spend \$5,000 to have Ms. Hinze to do this when we could hire someone to actually be present in the position. Mr. James explained how the present and non-present Chief Deputy Examiner would affect the County. His concern is Marilyn's incompatibility with Angela is not appropriate and feels she has been insubordinate in regards to her current position. Marilyn explained that we would not be where we are today if it were not for Angela's guidance. She has done a great job and feels the County has received their money's worth in 2011. Marilyn would much rather have the workload divided up by three people rather than the two they have been working with. She states the on call is just too much for two people.

Ms. Hinze explains the actively recruiting and how that is set up and why recruiting and then hiring did not occur. Those job postings have been posted since last June. Up until recently we received four applications we would consider. They would be setting up the interviews soon but leaving the application process open. Ms. Hinze wants to make it clear that when rearranging the budget and the positions that came from the committee, not herself. It was not misrepresentation on who was going to be in what position in the ME's office. Mr. James asked about the 18 shifts per month and if there is still flexibility in that? Ms. Hinze explained she would be flexible in this and Ms. Rogers does agree we could re-write the MOU's to reflect more flexibility.

When Ms. Hinze brought forward the proposal for the positions she was clear about continuing education as well as outside influences, choices that were discussed on sidebar caliber and we've worked too hard to let this office go backward and would like to see it continue to move forward in a positive light. Ms. Rogers explained two

things which she thought Ms. Hinze misrepresented the facts. Ms. Rogers referenced working with Mr. Roseberry.

Mr. Albert referenced a discussion Mr. Roseberry had regarding conflict of interest and how it affects the ME's office and other disputes that Mr. Roseberry had over the last couple of years with Mr. Hinze. Now that he is a Supervisor of the County, it precludes him being involved with any operational discussions with the ME's office and the PS&J Committee. That under "conflicts of interest", our county ethics ordinance and what is applicable to you is Sec. 1.06 paragraphs a.b.h.i. Mr. Albert asks he look at those in henceforth and abide by those. That information he is putting on the record as a part of being in this meeting today. He advised that with ethics and conflicts of interest, often times that "perception is reality" and the reality here is Mr. Roseberry has business conflicts. Mr. Roseberry stated he is "interested in the outcome". Mr. Albert said the message should be "no you shouldn't be interested in the outcome given your role on this board because it is a direct conflict with your position. Mr. James says the passing of information between Mr. Roseberry and the ME's office specifically by one employee, is passing information that should not be shared. Mr. Albert states he hopes Ms. Rogers knows the difference between operations, advocacy and politics and should probably not be sharing information or be involved with any of this with Mr. Roseberry. Marilyn states her dealings with Jake Roseberry are strictly professional because she needs to work with him on a daily basis. Discussions that there has to be an independence of the ME's office from any local or multiple funeral homes as they are not a part of the family of the ME's office as they have to be independent from the Sheriff's Office, etc. The ME's office needs to be a part of the whole picture or format.

Mr. Eggebrecht agrees we need to have the ME's office all in County and thinks with the guidance of our Attorney he feels we can do this. Ms. Rogers gave her proposal and he would go along with that 100% except the pool of deputies and should be on an on call basis. What is the difference in the duties in percentages between Marilyn and Angela? That is 50/50 between Marilyn and Angela. Ms. Hinze explains that she oversees the entire process up here (Adams County). She is consulted (or is supposed to be) on everything. Angela is responsible for everything that happens in Adams County so when final decisions are made on autopsies or cases, it all relies and extends back to Angela. She is still oversight of the entire County in terms of her position in the ME's office. Mr. Eggebrecht once again asks when Angela actually comes to Adams County to work. Ms. Hinze explained the situations in which she would need to be present for work.

Ms. Edwards agrees we do need a Medical Examiner in Adams County. She is afraid we are seeing a lot of personality clashes here and we should be strictly looking at credentials to hire in these positions. She also has problems with what is being said in open session and thinks that we as a committee have already decided budgetary where we want to go. If we are going to post this position for an ME, that is what we should do. The other two or three positions she thinks they do need more than one position, we need two positions under the Chief Deputy.

Mr. James asked Marcia Kaye about the intergovernmental agreement with Columbia County and when we would have to notify. It was stated 90 days one way or the other to be reviewed by the committee. Mr. Albert stated the MOU's does not constitute an employment contract and we can move forward as we see fit. A MOU allows us to terminate at anytime without cause of notice by delivering written notice to the other party. Mr. Sebastiani agrees that too much turmoil is going on and we should move forward with the way things are right now and see how things go over the next year and make a decision then on how to proceed. Ms. Edwards agrees with Mr. Sebastiani. Mr. James also agrees. Ms. Rogers states that if the committee chooses to go that route, Marilyn and Becky will choose to resign immediately following this meeting. Mr. Albert explains how this process will go forward if this does occur.

Mr. Miller states again, he thinks this office can run with only Adams County, hire an ME, a Chief Deputy, etc. and move forward with cutting our ties with Columbia County. We can move forward with having a good ME's office right now.

Mr. Albert explains if he understands this motion and we do take over Adams County completely that we would not have access to Columbia County's facilities from this point forward if we choose to cut ties. Ms. Rogers brought forward an alternative to Adams County presented on paper.

Ms. Rogers also states there are many qualified persons out there who are willing to provide us training and services at no charge to the County. Ms. Koehn doesn't believe this position doesn't pay enough to be on call for approximately half the month. Mr. Albert asks Marilyn if she is fully qualified to be Medical Examiner. She states yes and she has six years of experience and she wants to be the medical examiner. Ms. Rogers states her goal is not money, she loves this job and she would work hard to make the office run even better. She wants to do what is best for the County. Mr. Miller states that when the ME came on board, we knew eventually the intention was for someone to take over here in Adams County.

Ms. Koehn explained some things in which she has needed to meet with Angela regarding her education. Ms. Hinze still feels as expressed in the last meeting, Ms. Rogers is not ready to do the ME's job at this point. Ms. Hinze explained further that she never expressed that neither could not do the job at some point, just that they could not run the office at this point in time. Ms. Hinze continued to provide more information regarding the possible transition. Ms. Rogers stated she would have to disagree with Ms. Hinze.

Mr. Sebastiani states that before all of this began, the committee was all on board so what happened? Ms. Rogers felt that most of this was brought forward from the last PS&J meeting when they were bad mouthed while not there.

Ms. Edwards says all three of you have all done a tremendous job and it's very evident you want the ME position. This committee was ready to move forward a month ago and I'm afraid the actions of the ME's office are what has brought this decision to a halt right now. Ms. Rogers stated she would not be pushed around and she will say what she feels and feels that she is under too much scrutiny when all she has done is try to do her best.

Mr. Miller says aside from all the bickering aside we have enough competent people to move forward without Columbia County. Motion to solicit and find an ME for \$24,500 and a CD for \$12,800 and find a third deputy whether two or three positions at \$7,300 each and move forward. Motion by Miller/Eggebrecht. Open for discussion. Mr. Eggebrecht states he agrees with Mr. Miller. Mr. Sebastiani asks Ms. Rogers if she can prepare a budget. Marcia Kaye asks under Bill's motion if this makes these positions employee positions or MOU positions? Added to his motion: Mr. Miller states they would stay as contract positions. Mr. James would also like some kind of agreement to be completely cooperative throughout the end of this year working with Ms. Hinze. This is the only way we would allow this job to be posted and not go to Columbia. Ms. Edwards asks about the fees and it was clarified the amounts spoken of were only wages. Ms. Hinze states you will have to rewrite the PD's.

Eggebrecht: Yes, Edwards: Yes, Miller: Yes, Sebastiani: No, James: Yes. Motion carried.

8. Adjournment. Motion by James/Eggebrecht. Motion carried. Unanimous.

Submitted by Sandra M. Green, Fiscal and Support Services Manager, Sheriff's Office.
These minutes are not yet approved by Public Safety & Judiciary Committee.

Cc: Sebastiani / James / Eggebrecht / Miller / Edwards / Wollin / Fahrenkrug / Green/ McFarlin / Bonnett/ Cada / Hinze / Rodgers / Gervais / Helmrick / Reynolds / Barnes / County Clerk Dept / McGhee / Larson / Eyes of Hope Shelter