

Court Committee Meeting Minutes
MIDC Michigan Indigent Defense Commission
Tuesday, August 17, 2021, at 4:00 p.m.
Zoom Conference Call in Howard Male Conference Room

IN ATTENDANCE:

Kevin Osbourne, Court Committee Chair
John Kozlowski, Commissioner
Brenda Fournier, Commissioner
Bill Pfeifer, MAC Administrator
Barb Klimaszewski, MIDC State Representative (by zoom)
Elizabeth Skiba, District Court Administrator
Marcia Burns, Circuit Court Administrator
Russ Rhynard, County Legal Council
Tammy Sumerix-Bates, County Executive Manager
Lynn Bunting, County Board Assistant
Undersheriff Erik Smith
Kim Ludlow, Treasurer
Judge Ed Black, Circuit Court
Bonnie Friedrichs, County Clerk
Chelsea Wallace, Attorney
Devin Pommerake, Attorney
Richard Steiger, Chief Public Defender
Julie Miller, Chief Deputy Defender (by zoom)
Judge Thomas LaCross, Probate/Juvenile Court

Chair Osbourne called the meeting to order at 4:00 p.m.

INFORMATION ITEM: Circuit Court Judge Black presented discussion and recommendation to change the current attorney contract for indigent council to be the same pay, same cases with rotations for all attorneys in the agreement. Discussion to remove language and update contract. Attorney Chelsea Wallace informed the committee that she will be submitting her resignation as she has a conflict with the agreement in her current role. Attorney Devin Pommerake shared his concerns with the workload for the attorneys and recommended to be equally distributed amongst all the attorneys in the contract. Chair Osbourne recommended to negotiate the current 2021 contract and negotiation a 2022 Attorney Contract with County Attorney Russ Rhynard to send a letter to notify the attorney's and invite to the next committee meeting. Moved by Commissioner Fournier and supported by Commissioner Kozlowski to recommend the below Action Item. Roll call vote was taken: AYES: Commissioners Fournier, Kozlowski, and Osbourne. NAYS: None. Motion carried.

ACTION ITEM #1: The Committee recommends to approve to review the current 2021 Attorney Contract and to adjust for all parties involved with County Attorney review and negotiate a 2022 Attorney Contract.

INFORMATION ITEM: MAC Administrator Bill Pfeifer introduced Chief Public Defender Richard Steiger and Chief Deputy Defender Julie Miller. MAC Administrator Pfeifer informed the committee that there is no contract with the County with their staff attorney's as it is the Public Defender's responsibility.

INFORMATION ITEM: MAC Administrator Bill Pfeifer presented the draft Public Defender Contract for July 1, 2021 to September 30, 2022 in the amount of \$40,000 per month for three months and \$41,215.29 for months based on the FY20/21 MIDC Grant Compliance Plan and Financial Budget (attachment #1). MAC Administrator Pfeifer informed the committee that there will be initial startup costs for new computers/printers, furniture, etc. for this year and will speak with MIDC State Representative Barb Klimaszewski on the amount that can be approved to use from the 2021 MIDC Grant monies towards this expense. Moved by Commissioner Kozlowski and supported by Commissioner Fournier to recommend the below Action Item. AYES: Commissioners Fournier, Kozlowski, and Osbourne. NAYS: None. Motion carried.

ACTION ITEM #2: The Committee recommends to approve the Public Defender Contract (07.01.21/09.30.22) in the amount of \$40,000 per month for each month beginning on July 1, August 1, and September 1, 2021 and then \$41,215.29 per month beginning on the 1st day of each month of October 1, 2021 through September 30, 2022 pending state approval and attorney review.

INFORMATION ITEM: MAC Administrator Bill Pfeifer reported the Public Defender's staff is filled and the Public Defender Office will be in Montmorency County. Bill informed the Committee that there were locations investigated and the square footages were not enough for their office.

INFORMATION ITEM: Bill reported on the 3rd quarter financial status report. Discussion on Public Defender's Office needing furniture with monies coming out of the MIDC Grant. MIDC State Representative Barb Klimaszewski reported the Public Defender's Office will have startup costs into this year's grant instead of bringing the expense into FY2022.

INFORMATION ITEM: MIDC State Representative Barb Klimaszewski reported the FY2022 MIDC Grant Application for Alpena County has been approved and she will send the contract to the commissioners for approval and signature.

INFORMATION ITEM: MAC Administrator Pfeifer presented the MAC Administrator Agreement (10.01.21 to 09.30.22) for review and approval (attachment #2). Moved by Commissioner Kozlowski and supported by Commissioner Fournier to approve the below Action Item. Roll call vote was taken: AYES: Commissioners Fournier, Kozlowski, and Osbourne. NAYS: None. Motion carried.

ACTION ITEM #3: The Committee recommends to approve the MAC Administrator Agreement (10.01.21/09.30.22) with MAC Administrator Attorney Bill Pfeifer in the amount of \$1,000 per month with monies coming out of line item #260-282-803 each month of the first day of each month for period October 1, 2021 to September 30, 2022. This has attorney review.

INFORMATION ITEM: MAC Administrator Bill Pfeifer reported the MAC Administrator Budget will need to be adjusted for 2021 and informed the committee that he will prepare the line items that will need adjustment and bring to the next committee meeting. Moved by Commissioner Fournier and supported by Commissioner Kozlowski to table the MAC Administrator budget adjustment for 2021 until next month. Roll call vote was taken: AYES: Commissioners Fournier, Kozlowski, and Osbourne. NAYS: None. Motion carried.

INFORMATION ITEM: Chairman Osbourne presented the budget discussion for 2022 reporting the 2022 MIDC Grant will need to be put in the 2022 budget. MIDC State Representative Barb Klimaszewski reported she will send the approved grant and send the contract to the commissioners for approval and signature. Barb reported that once she receives the signed contract from the commissioners she will obtain signatures, after the State budget is approved, and send the final contract.

ADJOURNMENT: Moved by Commissioner Fournier and supported by Commissioner Kozlowski to adjourn. Roll call vote was taken: AYES: Commissioners Fournier, Kozlowski, and Osbourne. NAYS: None. Motion carried.

The meeting adjourned at 5:47 p.m.

Kevin Osbourne, Court Committee Chair

Lynn Bunting, Board Assistant

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