



**BOARD OF WATER AND LIGHT**

**November 16, 2021 - 5:30 p.m.**

**REO Town Depot, 1201 S. Washington Ave., Lansing, Michigan**

**REGULAR BOARD MEETING AGENDA**

BWL full meeting packets and public notices/agendas are located on the official web site at <https://www.lbwl.com/about-bwl/governance>.

**1. Roll Call**

**2. Pledge of Allegiance**

**3. Approval of Minutes**

- a. Regular Board Meeting Minutes of September 28, 2021

**4. Public Comment on Agenda Items**

*Members of the public are welcome to speak to the Board on any agenda subject. Anyone wishing to comment on any matter **not** on the agenda may do so immediately prior to adjournment.*

**5. Communications**

- a. Letter of resignation from BWL Corporate Secretary Griffin
- b. Electronic mail from Michelle Chambers re: Moores Park Neighborhood Trees
- c. Electronic mail from Crane Family re: Moores Park Neighborhood tree trimming
- d. Electronic mail from Mary Pollack re: Streetlight outage on Saginaw Harrison
- e. Electronic mail from Ellen Todd re: BWL investment performance
- f. Electronic mail from Jonathan Korpi re: BWL customer Service
- g. Electronic mail from a BWL Employee re: A complaint against an Executive Staff Member

**6. Committee Reports**

- a. Human Resources Committee Meeting (October 12, 2021) – David Price, Chairperson
- b. Human Resources Committee Meeting (October 26, 2021) – David Price, Chairperson
- c. Human Resources Committee Meeting (October 27, 2021) – David Price, Chairperson
- d. Committee of the Whole Meeting (November 9, 2021) – Sandra Zerkle, Chairperson
- e. Finance Committee Meeting (November 9, 2021) - Tony Mullen, Chairperson
- f. Pension Fund Trustees Meeting (November 16, 2021) – David Price, Chairperson

**7. Manager's Recommendations**

**8. Unfinished Business**

**9. New Business**

## **10. Resolutions/Action Items**

- a. Corporate Secretary Longevity Adjustment
- b. Retention of Hiring Consultant
- c. Regular Board Meeting Schedule – 2022
- d. Interim Internal Auditor Appointment
- e. Grant of Settlement Authority

## **11. Manager's Remarks**

## **12. Commissioners' Remarks**

## **13. Motion of Excused Absence**

## **14. Public Comment**

*Members of the public are welcome to speak to the Board on any Board of Water and Light subject.*

## **15. Adjournment**

Based on recommendations from the Centers for Disease Control, and in accordance with the City of Lansing, the Board of Commissioners are requesting members of the public, staff and Board Members to wear a face covering at Committee and Regular Board Meetings.

Agenda posted on web site/building 11-12-21

2021 Board Meetings Notice/Schedule Posted in the Lansing City Pulse January 6, 2021



**MINUTES OF THE BOARD OF COMMISSIONERS MEETING  
LANSING BOARD OF WATER AND LIGHT**

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**September 28, 2021**

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The Board of Commissioners met at the Lansing Board of Water and Light (BWL) Headquarters-REO Town Depot located at 1201 S. Washington Ave., Lansing, MI, at 5:30 p.m. on Tuesday, September 28, 2021.

Chairperson David Price called the meeting to order at 5:30 p.m.

Chair Price welcomed Non-Voting Commissioner Brian Ross representing DeWitt Township.

The Corporate Secretary, M. Denise Griffin, called the roll.

Present: Commissioners David Price, Semone James, DeShon Leek, Tony Mullen, Tracy Thomas, and Sandra Zerkle. Non-Voting Commissioners present: Douglas Jester (East Lansing), Larry Merrill (Delta Township), and Brian Ross (DeWitt Township)

Absent: Commissioner Beth Graham

Corporate Secretary Griffin declared a quorum.

Commissioner Leek led the Pledge of Allegiance.

**APPROVAL OF MINUTES**

**Motion** by Commissioner Mullen, **Seconded** by Commissioner Leek, to approve the Regular Board Meeting minutes of July 27, 2021.

**Action:** Motion Carried.

**PUBLIC COMMENTS ON AGENDA ITEMS**

There were no public comments on agenda items.

**COMMUNICATIONS**

Electronic mail received from Kyla Holmes regarding tree removal - *Referred to Management. Received and Placed on File*

Electronic mail received from Kathi Raffone regarding an overgrown field - *Referred to Management. Received and Placed on File*

Electronic mail received from Ashlee Barker regarding tree trimming in the Moores Park Neighborhood - *Referred to Management. Received and Placed on File*

Electronic mail received from Pauline Thomas regarding a water bill discrepancy - *Referred to Management. Received and Placed on File*

Late Item Electronic mail received from Danielle Crane, Bryan Taylor and Tina Olson regarding tree trimming and the Moores Park Neighborhood Association - *Referred to Management. Received and Placed on File*

Late Item Electronic mail received from Bryan Taylor and Tina Olson regarding balancing community needs and protecting power lines - *Referred to Management. Received and Placed on File*

### **COMMITTEE REPORTS**

Commissioner Sandra Zerkle presented the Committee of the Whole Report:

#### **COMMITTEE OF THE WHOLE Meeting Minutes September 14, 2021**

The Committee of the Whole of the Lansing Board of Water and Light (BWL) met at the BWL Headquarters-REO Town Depot located at 1201 S. Washington Ave., Lansing, MI, on Tuesday, September 14, 2021.

Committee of the Whole Chair Sandra Zerkle called the meeting to order at 5:30 p.m. and asked the Corporate Secretary to call the roll.

Present: Commissioners Sandra Zerkle, Beth Graham, DeShon Leek, Tony Mullen, and Tracy Thomas, and Non-Voting Members: Douglas Jester (East Lansing), Larry Merrill (Delta Township) and Brian Ross (DeWitt Township)

Absent: Commissioners Semone James and David Price

The Corporate Secretary declared a quorum.

#### **Public Comments**

None.

#### **Approval of Minutes**

**Motion** by Commissioner Graham, **Seconded** by Commissioner Mullen, to approve the Committee of the Whole meeting minutes of May 11, 2021.

**Action:** Motion Carried.

### **IT and Security Update**

Chief Information Officer, Rod Davenport, presented the IT and Security Update. Mr. Davenport presented information on the focus areas in the Information Technology Department (ITD)—infrastructure, business value, IT projects and cybersecurity. Information provided from infrastructure included network optimization and hardware lifecycle management; information from business value included the role of the Business Relationship Manager (BRM) of identifying, delivering and measuring IT's business value; information from IT projects included FY 20 projects completed and projects on deck; information from cybersecurity included cyber resources additions and the internal cyber audit conducted by BDO Audit & Assurance. Mr. Davenport reported that ITD's strategic focus for FY22 would be on asset lifecycle management, business alignment, enhanced resource planning and projections, and achieving the target of a 3.5 Cyber Maturity score by the end of the current strategic planning cycle.

Commissioner Mullen asked if the IT audit presented was the same audit in the document the Commissioners were sent. Mr. Davenport affirmed.

### **North American Electric Reliability Corporation (NERC) Compliance Update**

Ms. Caitlin Chavez, BWL's NERC Compliance Supervisor, presented the NERC Compliance update. Ms. Chavez stated that there is a total of 83 NERC standards that encompass 14 categories, with one new standard and nine revised standards that have been approved and will be enforceable. Ms. Chavez gave a history of how mandatory compliance requirements developed through the Federal Energy Regulatory Commission (FERC), who approves policies and standards; the Energy Reliability Organization (ERO), NERC, who drafts policies and standards; and the Regional Entity, Reliability First, who oversees BWL's compliance with policies and standards. BWL also works with Midcontinent Independent System Operators (MISO) for compliance obligations in real time and for future planning.

GM Peffley commented that there are several variables that can cause a variance which are brought to him and commended the compliance department on the quality and efficiency of the work they do. ***(PowerPoint available online in meeting packet)***

### **Energy Waste Reduction (EWR) & Renewable Energy Update**

Environmental Services and Reliability Compliance Manager, Lori Myott, provided the Committee with an update on BWL's Energy Waste Reduction (EWR) Program. Ms. Myott reported that several programs were halted during the COVID-19 pandemic but BWL still exceeded its 2020 savings goal. Ms. Myott presented residential program highlights and gave an overview of business programs and upgrades. Ms. Myott also reported that BWL met the state's 12.5% renewable energy portfolio mandate, its own 30% clean energy by 2020 goal and is complying, with all aspects of PA342. ***(PowerPoint available online in meeting packet)***

Commissioner Jester commented on the energy efficiency program and stated that, we or the BWL, should offer similar incentives for replacing an air conditioner (AC) with a heat pump as we do for replacing AC's with more efficient AC's. GM Peffley responded that the credit is for customers to whom BWL has reached out, who have new heat pumps installed which use less natural gas.

COW Chair Zerkle inquired about the program(s) delays and their reinstatements. In response to COW Chair Zerkle's inquiry, Ms. Myott stated that limited contact appointments were made with customers and that most of the programs were only delayed about four months.

**PUBLIC ACT (PA) 152 Health Care Premium Sharing Resolution**

Human Resources Executive Director, Lynnette Keller, presented two topics regarding the PA 152 Health Care Premium Sharing, options for employer caps on healthcare costs and affordability requirements of the act. Ms. Keller reported that the BWL no longer needs to opt out of Michigan’s 2011 Public Act 152, however a resolution needs to be adopted or approved annually for the 80%/20% employer/employee health care cost option as set forth in PA 152. Ms. Keller reported that in the ACT affordability provisions for January 1, 2022 stipulates health insurance premiums cannot exceed 9.61% of employees’ income and entities must add Opt Out/Waiver pay in the affordability calculations. Ms. Keller respectfully requested that the Committee forward the annually required resolution to the full Board for consideration.

**Motion** by Commissioner Mullen, Seconded by Commissioner Graham, to forward the PA 152 Health Care Premium Sharing Resolution to the full board for consideration.

**Action:** Motion Carried

**Other**

**Motion** by Commissioner Graham, Seconded by Commissioner Mullen, to excuse Commissioners Simone James and David Price from tonight’s meeting.

**Action:** Motion Carried

**Adjourn**

Chair Zerkle adjourned the meeting at 6:24 p.m.

Respectfully Submitted  
Sandra Zerkle, Chair  
Committee of the Whole

Commissioner Tony Mullen presented the Finance Committee Report:

**FINANCE COMMITTEE  
Meeting Minutes  
September 14, 2021**

The Finance Committee of the Board of Water and Light (BWL) met at the BWL Headquarters – REO Town Depot, located at 1201 S. Washington Ave., Lansing, MI on Tuesday, September 14, 2021.

Finance Committee Chair Tony Mullen called the meeting to order at 6:31 p.m. and asked the Corporate Secretary to call the roll.

Present: Commissioners Tony Mullen, Beth Graham, and Sandra Zerkle. Also present: Non-Voting Commissioners Douglas Jester (East Lansing), Larry Merrill (Delta Township) and Brian Ross (DeWitt Township).

Absent: Commissioner Simone James

The Corporate Secretary declared a quorum.

## **Public Comments**

None.

## **Approval of Minutes**

**Motion** by Commissioner Zerkle, **Seconded** by Commissioner Graham, to approve the Finance Committee meeting minutes of July 13, 2021.

**Action:** Motion Carried.

## **Baker Tilly External Audit Report and Resolution**

Chief Financial Officer (CFO) Heather Shawa provided background information on the annual external audit report. Ms. Shawa introduced external auditor Aaron Worthman, Partner and CPA at Baker Tilly Virchow Krause, LLP. Mr. Worthman presented and highlighted the external audit report which included an audit overview, management's responsibilities, the audit approach and results, accounting changes relevant to BWL, and trending challenges and opportunities. BWL received an unmodified or clean opinion which is the highest level of assurance provided. Mr. Worthman stated that 30% of the audit process was internal controls, 40% was substantive testing and 30% was reviewing financial reports. Internal controls include disbursements, payroll, billing and information technology while substantive testing consists of reviewing cash and investments and fixed asset purchases. Mr. Worthman reported that there were no deficiencies in internal controls.

Mr. Worthman noted from the financial statements the income available for revenue bond debt retirement was \$52.7 million for 2021 and was a significant increase from \$29.7 million in 2020. Mr. Worthman also noted that operating revenues increased by \$15.9 million or 6% and was mainly due to increased rates in 2020. Operating expenses decreased \$18.3 million or 5.7% which was mostly due to decreased administrative expenses in health care and positive investment performance. Mr. Worthman also reported that there was a substantial increase in debt services due to capitalized interest payments on the last borrowings and this will level off in 2023.

Chair Zerkle asked if the COVID-19 pandemic was the reason for the greatest part of the increase in water and electric revenues. Mr. Worthman responded that the rate increase for 2020 was the reason for the increase in revenues. GM Peffley added there was an increase in residential electricity and water use due to employees working from home and it wasn't offset by a decrease in commercial consumption.

Mr. Worthman reported that the disclosures in the financial statements are neutral, consistent and clear. He stated that, when reviewing the financial statements and financial plans, assets and projected outcomes are an assumed value and the audit determines whether these are reasonable assumptions.

Chair Mullen commented that there were bound presentations of the audit on the side table for all of the Commissioners and thanked the CFO and Finance Department for their work on the audit.

Commissioner Merrill inquired about net fund assets with no allocation and whether there were any benchmarks or standards for balancing prudence and what customers are charged. Mr. Worthman responded that the Government Finance Officers Association (GFOA) website provides information on benchmarking and what should be reviewed. The information isn't specific to utilities but to governmental

entities. CFO Shawa responded that recommendations are being reviewed and that information placed on the Financial Dashboard is benchmarked. Commissioner Merrill asked if information from other public utilities was compared for an industry standard. GM Peffley responded that information from all public utilities is reviewed for competitiveness through information obtained through American Public Power Association (APPA).

**Motion** by Commissioner Zerkle, **Seconded** by Commissioner Graham, to forward to the Board Meeting the Acceptance of the Resolution for the 2021 Audited Financial Statements.

**Action:** Motion Carried.

#### **Advanced Distribution Management System (ADMS) Capital Project Exceedance Policy and Resolution**

CFO Shawa stated that the ADMS project is part of the BSmart program and is the replacement of the prior Outage Management System (OMS). Phase I was fully implemented and Phase II is the energy side of it. Additional approved scope is 50% of the ADMS project exceedance request and the other 50% is internal and outside labor and additional hardware purchases. GM Peffley responded that the regulations changed after the project was started and has been included in the exceedance request. CFO Shawa requested approval of the exceedance in order to complete the project.

**Motion** by Commissioner Graham, **Seconded** by Commissioner Zerkle, to forward to the Board Meeting the Advanced Distribution Management System Capital Project Exceedance Policy Resolution.

**Action:** Motion Carried.

#### **July YTD Financial Summary**

Finance Manager, Scott Taylor gave a review of the July 2021 Year-to-date Financial Summary. Mr. Taylor reported the following: revenues were budgeted at \$32 million and it is at \$31 million; operating expenditures were budgeted at \$26 million and \$23 million was spent; Net Income was budgeted just above \$ million and it is now a little under \$8 million. Mr. Taylor noted that as July and August are typically slower months financial factors are typically under budget.

#### **Update on Federal Infrastructure Plan**

GM Peffley reported that in response to Commissioners' request about funding from the government and will provide an update on water at the Regular Board meeting. Grants are requested through the city as the opportunities are available. CFO Shawa gave an update on the Federal infrastructure plan. The Federal infrastructure plan is being monitored as it is awaiting being passed. Clean drinking water, electric vehicles infrastructure, distribution planning and energy efficiency, and cybersecurity efforts are items of interest for BWL.

Chair Mullen inquired whether the funding that is being requested is in addition to what BWL would spend or is it in place of what would be spent. Commissioner Zerkle responded that it would be extra money to start a project that has been budgeted. GM Peffley added that the funding requested would be in addition in order that a project could be completed sooner.

Commissioner Zerkle commended the BWL program that assisted with the Financial Pandemic Relief Fair. GM Peffley responded that BWL shuts off less customers' utilities than any other utility in the state. GM Peffley added that there was increase of unpaid bills from \$1 million to \$11 million during the pandemic

and that there was \$30 million of financial assistance available to pay past due bills. BWL hopes that at least \$5.5 million of the unpaid bills will be paid through the financial assistance available.

**Other**

**Motion** by Commissioner Zerkle, Seconded by Commissioner Graham, to excuse Commissioner Simone James from tonight's meeting.

**Action:** Motion Carried

**Adjourn**

Chair Tony Mullen adjourned the meeting at 7:16 p.m.

Respectfully submitted  
Tony Mullen, Chair  
Finance Committee

**MANAGER'S RECOMMENDATIONS**

There were no Manager's Recommendations.

**UNFINISHED BUSINESS**

There was no unfinished business.

**NEW BUSINESS**

There was no new business.

**RESOLUTIONS**

**RESOLUTION 2021-09-01**  
**PA 152 Health Care Premium Sharing**

WHEREAS, Governor Rick Snyder, on September 27, 2011, signed legislation known as the "Public Funded Health Insurance Contribution Act", Public Act 152 of 2011 (the "Act") limiting the amount public employers may pay for government employee medical benefits, and;

WHEREAS, the Act took effect January 1, 2012 and applies to all public employers including the Lansing Board of Water & Light, and;

WHEREAS, the Act contains three options for complying with the requirements of the Act;

WHEREAS, the three options are as follows:

- 1) Section 3 - "Hard Caps" Option - limits a public employer's total annual health care costs for employees based on coverage levels, as defined in the Act;

- 2) Section 4 - "80%/20%" Option - limits a public employer's share of total annual health care costs to not more than 80%. This option requires an annual majority vote of the governing body;
- 3) Section 8 - "Exemption" Option - a local unit of government, as defined in the Act, may exempt itself from the requirements of the Act by an annual 2/3 vote of the governing body;

WHEREAS, the Board of Commissioners desires to maintain premium sharing at 20% for all active employees for medical benefits effective January 1, 2022 through December 31,2022;

RESOLVE that the Board of Commissioners by a majority vote has decided to adopt the 80%/20% option as its choice of compliance under the Act;

NOW, THEREFORE, BE IT RESOLVED the Board of Commissioners of the Lansing Board of Water & Light elects to comply with the requirements of 2011 Public Act 152, the Publicly Funded Health Insurance Contribution Act, by adopting the 80%/20% option for the medical benefit plan coverage year January 1, 2022 through December 31,2022.

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**Motion** by Chair Price, **Seconded** by Commissioner Mullen, to approve the Resolution for the PA 152 Health Care Premium Sharing.

**Action:** Motion Carried.

**RESOLUTION 2021-09-02**  
**Fiscal Year 2021 Audited Financial Statements**  
**of the Enterprise Fund and Pension Fiduciary Funds**

RESOLVED, that the fiscal year 2021 Audited Financial Statements of the Board of Water and Light have been reviewed and are hereby accepted as presented.

FURTHER RESOLVED, that the Corporate Secretary is hereby directed to file a copy of the fiscal year 2021 Audited Financial Statements of the Board of Water and Light and the report on auditing procedures with the State Treasurer as required by the Uniform Budgeting and Accounting Act (Public Act 2 of 1968, as amended) no later than December 31, 2021.

FURTHER RESOLVED, that the Corporate Secretary is hereby directed to file a copy of the fiscal year 2021 Audited Financial Statements of the Board of Water and Light with the City of Lansing no later than October 2021.

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**Motion** by Commissioner Mullen, **Seconded** by Commissioner Leek, to approve the Resolution for the Fiscal Year 2021 Audited Financial Statements of the Enterprise Fund and Pension Fiduciary Funds.

**Action:** Motion Carried.

**RESOLUTION 2021-09-03**

**Capital Project Exceedance:PG-40025 Advanced Distribution Management System**

WHEREAS, Lansing Board of Water & Light's (BWL) Policy F1-13, previously known as Policy #15-02, entitled Capital Project Exceedance Approval requires BWL Board of Commissioners approval for specific capital projects that are expected to exceed their previously approved designed budget amount by both 15% and \$200,000 prior to completion of the project; and

WHEREAS, the previously approved budget for Capital Project PG-40025 Advanced Distribution Management System was \$4,603,120; and

WHEREAS, the projected final total cost for Capital Project PG-40025 Advanced Distribution Management System is \$6,315,943, should the project be completed; and

WHEREAS, BWL staff and management reviewed the project cost in detail, which includes but is not limited to the rationale and circumstances for the increased budget projection; and

WHEREAS, BWL staff and management recommends that the Capital Project PG-40025 Advanced Distribution Management System projected spending be approved; and

RESOLVED, the BWL Board of Commissioners approve projected spending for Capital Project PG-40025 Advanced Distribution Management System with a projected final total cost of \$6,315,943.

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**Motion** by Commissioner Mullen, **Seconded** by Commissioner Thomas, to approve the Resolution for the Capital Project Exceedance:PG-40025 Advanced Distribution Management System

**Action:** Motion Carried (Yeas 5: Commissioners Price, Leek, Mullen, Thomas, Zerkle) (Abstaining 1: Commissioner James)

**MANAGER'S REMARKS**

General Manager Dick Peffley provided the following information:

1. Delta Energy Plant (DEP) will run and tune the gas turbines in the 2<sup>nd</sup> week of October and will also start up the support equipment to fire up the steam generator to be brought online in the middle of November. There was a \$12 million (3%) impact by COVID-19 due to labor. DEP is currently available for emergency use.

Commissioner Leek asked for a completion date on DEP and how it was affected by COVID-19. GM Peffley responded that pre-COVID 19 DEP was to be brought online in September, but now it will be in November.

Commissioner Zerkle asked for confirmation that the DEP would be running in October. GM responded that DEP is available for use and there is fine tuning that is being conducted, but it will be completely operational in November.

2. BWL did not get selected for the water grant for which they applied but will work with lobbyists to find out why and report back to the Commissioners.
3. The Federal Infrastructure Plan is still in committee and when the plan is signed the Finance Department has a team ready to determine the best use for the funding.
4. Prior to the pandemic BWL averaged about \$1 million per month in unpaid utility bills, and in August after the pandemic started there was \$13.2 million in unpaid bills. Pandemic Relief Fairs with 12 community partners were held a month ago to assist with bill paying. About 100 people were expected and 1,000 people showed up and were assisted.

Chair Price commended the BWL and stated that the relief was an outstanding thing to do.

5. The First Step Program is in its thirteenth year. Fourteen students work alongside BWL employees from January to May. The students work 15 hours a week at \$12 per hour and those that complete the program receive an additional \$2,000 stipend for a participating college. The application process is currently in effect for participation for January 2022.

Commissioner Mullen commented that Lansing students are to be encouraged to apply as BWL is a local entity. GM Peffley responded that there is now a better relationship with the leadership of the Lansing School District and that the applications go through Michigan Works rather than BWL. Lansing students will be encouraged to apply.

6. The Amazon Fulfillment Center is a one million square foot warehouse that is being built on the corner of Mt. Hope and Creyts Roads in the BWL service territory. It will be serviced at three or four watts of energy per square feet if a contract is signed.
7. The BWL Policy on removing trees states that trees can't be removed without the owner's approval. BWL is currently working with the Moore's Park Neighborhood and it is in the last quarter of the tree trimming sections. BWL has gone from being near the bottom in restoration time to being at the top in the state of Michigan at 50 minutes.

Chair Price commented on being slammed in reports after the ice storm for not maintaining the tree trimming scheduling, that weather has become more severe and other utilities may take days for restoration. The safety of the line workers and restoration time are the most important items. GM Peffley added that he doesn't want trees to be cut down but safety and service to customers is more important.

8. In the Advanced Metering Infrastructure (AMI) program the BWL conducted a successful campaign in which there were 8,000 meters left to change in the spring and now there are 3,500 meters left to change.
9. There was a question sent through the BWL communication process from a customer about a water bill discrepancy and excess water use while the customer was on vacation. The water was running while customer was on vacation and the Smart meter was able to indicate that there was water usage.
10. After 10 years, BWL has regained a 10.8% differential between the nearest customer on residential rates.

Commissioner Jester inquired about the water meter that leaked while the customer was on vacation and if there would be a leak notification created. GM Peffley responded that there is notification project in progress that will send a notification if there is not a zero-usage reading if a customer indicates they will be on vacation.

Commissioner Zerkle commented that she appreciates the updates that GM Peffley provides and that BWL employees have a part in the accomplishments of the programs.

Commissioner Leek inquired about the hiring process for the Internal Auditor position and the Commissioners' tasks in the process. GM Peffley responded that a job description was put together and it was sent the Human Resources (HR) Committee, which they approved. BWL marketed the position through internal resources and a head hunter that is on contract. Three applications were received for the Internal Auditor position and forwarded to the HR Committee Chair. Applications will be received through next week. GM Peffley reviewed the questions asked in the previous interviewing process and will forward them to the Commissioners for edits. The next step after that will be to set up the interview process.

Chair Price stated that he polled the HR Committee earlier and a meeting is being scheduled in two weeks to review the applications received along with the HR Director.

Commissioner Thomas asked for a list of the 12 community partners that participated in the Pandemic Relief Fairs.

Commissioner James asked for information about the process for open enrollment and benefits. She also asked for information regarding the pros and cons for the services provided by the Pension provider for retirement and why that provider was selected. GM Peffley responded that the information would be sent to her.

### **COMMISSIONERS' REMARKS**

There were no Commissioners' remarks.

### **EXCUSED ABSENCE**

**Motion** by Commissioner Mullen, **Seconded** by Commissioner Zerkle, to excuse Commissioner Graham from tonight's meeting.

**Action:** Motion Carried.

### **PUBLIC COMMENTS**

Bryan Taylor, Moores Park Neighborhood, spoke against the tree trimming that is planned and the proposals that have been offered and presented. Mr. Taylor asked that the tree trimming be postponed until the BWL can meet with the Moore's Park Neighborhood and discuss what can be done to manage the power lines in the neighborhood and protect the trees.

Alana Binker, Moores Park Neighborhood, spoke against the tree trimming that is planned.

**ADJOURNMENT**

Chair Price adjourned the meeting at 6:24 p.m.

M. Denise Griffin, Corporate Secretary

Preliminary Minutes filed (electronically) with Lansing City Clerk 10-01-21

Approved by the Board of Commissioners: \_\_-\_\_-21

Official Minutes filed (electronically) with Lansing City Clerk: \_\_-\_\_-21

**From:** MDenise Griffin

**Sent:** Wednesday, September 29, 2021 10:27 AM

**Subject:** M. Denise Griffin Resignation

***Good Morning Commissioners,***

***This email is to inform you that effective January 7, 2022, I will be resigning from my Charter Appointed position of Corporate Secretary. Thank you for the privilege and for the opportunity to serve in this role. By submitting my resignation now, this will allow enough time for you to begin the process for hiring a new Corporate Secretary to be in place in January.***

***Respectfully,***

***Denise***



M. Denise Griffin

Corporate Secretary

1201 S. Washington Ave.

Lansing, MI 48910

Office: (517) 702-6033

Mobile: (517) 763-8474

[Mdenise.Griffin@LBWL.COM](mailto:Mdenise.Griffin@LBWL.COM)

-----Original Message-----

From: Michelle Chambers

Sent: Thursday, September 30, 2021 10:09 AM

Subject: Moores Park Neighborhood Trees

To the Board for LBWL,

I'm writing in response to the Board's plan to cut down myriad trees in the Moores Park Neighborhood in an effort to preserve power lines. I know this has been a citywide effort, and I know that you've heard complaints citywide about the abject butchering of trees that Wright does on your behalf - often after the fact.

I know this is done with progress in mind, but quite honestly, it's shortsighted and a dereliction of responsibility for future generations for a temporary gain - especially when compared to the life and history of those trees and the future environmental and financial benefits for the environment and city.

I would appreciate you continuing to work with Moores Park, continuing to assess ALL options, and proceed with an open mind as we strive to preserve our history and environmental integrity for the future.

Sincerely,  
Michelle Chambers  
905 Sparrow Ave

Submitted on Thu, 09/30/2021 - 10:28 AM

**Select a Commissioner:**

All Commissioners

**Name**

Danielle Crane

**Message**

Dear BWL Board,

We have lived at 631 Moores River Drive for twenty years. When we first moved in, we had three trees, two of which were dying and eventually removed. The tree that remains, a mature sugar maple in our backyard, is now marked for removal this Fall and is the reason for this letter to you.

Our tree has been witness over the past two decades to our arrival at our first home, our wedding, and the birth of our two sons. It has been in the background of photos of little boys learning to ride bikes, Father's Day get togethers, and new graduates. We have watched it break out in pale, green buds each Spring, dark and cooling green leaves each Summer, and shower bronze and gold leaves each Autumn. It provides us with a shady, cool respite from our un-airconditioned house and keeps our grass green and lush during hot, dry weather. And, though we don't always appreciate it, it gives us several days of exercise each Autumn as we rake up its many leaves.

We have seen this tree weather a terrible, destructive storm in June 2008. It lost a few branches but nothing compared to what the neighborhood and park endured. Even the cooling towers were tossed about like paper cups! We were also here for the now infamous ice storm of 2014. Our tree didn't sustain any damage and neither did any of the wires that pass beneath its protective branches. Our tree has stood through all of this in the past twenty years but that is not all.

Our tree was here when J.H. Moores, the lumber baron, decided to donate this land to the city as a gift, an acknowledgement of and apology for all of the trees he had cut down. This tree survived the planning of our neighborhood, the placement of the streets and construction of the houses. This tree, our tree, was here when each utility pole was placed and their wires were strung.

The trees in this neighborhood, ours included, have been witness to the history of the city of Lansing. These trees have survived the development of this entire neighborhood including the building of what has become a symbol of our city- the Otto E. Eckert Power Station. You, the Lansing Board of Water and Light, even saw fit a few years ago to build your new headquarters in connection with this beautiful and historical neighborhood.

All we are asking is that you pause and reconsider your approach to this neighborhood and how you protect and maintain the electrical wiring throughout. Removing trees that have been around as long as the city of Lansing, for something that may never happen, seems over-reactive and extreme. Please consider adjusting the clearance recommendations. Please research burying the electric lines in these older, historic neighborhoods. Please use our neighborhood, that you have long been a part of, to show how willing you are to explore new ways of maintaining, protecting, and updating the delivery of electricity to our homes. We ask

you to look for ways to save these healthy trees, the environment they are a part of, and the unique beauty, character, and history of this Lansing neighborhood.

Thank you,

David, Danielle, Nathanael and Asher Crane

September 25, 2021

Submitted on Thu, 09/30/2021 - 2:50 PM

**Select a Commissioner:**

Douglas Jester (Non-Voting)

**Name**

Mary Pollock

**Message**

Shaw Estates neighborhood at the NW corner of Saginaw and Harrison has quite a few street lights out that we have reported numerous times. I have been told at the customer service line that COVID has delayed response time and they would put in an urgent notice to replace the bulbs at Harrison and Longfellow which is the entrance to our sub-division (I nearly hit a dark-clothed pedestrian there one night recently) and most of the bulbs are out on all of Whitman Drive. There are others out as well in this 105-home area. Also I note that a lot East Lansing is scheduled for street light replacement in FY22. Could you elaborate on what that means exactly?

**From:** Smiljana Williams

**Sent:** Tuesday, October 19, 2021 3:36 PM

**To:** [pollockme](#)

**Cc:** Dick Peffley

**Subject:** Streetlight Outage on Saginaw & Harrison

Good afternoon Ms. Pollock,

This email is a follow-up to my communication to you on October 4, 2021 relevant to your communication to BWL on September 30, 2021 regarding streetlighting. The BWL is slated to convert the streetlighting in the general area of Prescott Dr. in East Lansing from HPS to LED fixtures within the current fiscal year (July 1, 2021 – June 30, 2022).

We have experienced significant delays in sourcing the material used to retrofit this style of fixture due to COVID-19 impacts. However, the BWL is deemed a critical account amongst our manufacturers and distributing partners and we expect to be prioritized for distribution upon material availability. In the meantime, we have repaired and replaced the necessary infrastructure to facilitate reliable operation in that area for the future.

The area of Prescott Dr. has already undergone the design phase for streetlight conversion and will be completed as soon as possible upon material availability.

Thank you,  
Smiljana Williams  
Executive Assistant to General Manager

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**From:** Smiljana Williams  
**Sent:** Monday, October 4, 2021 2:50 PM  
**To:** [pollockm](#)  
**Subject:** Streetlight Outage on Saginaw & Harrison

Good afternoon Ms. Pollock,

The BWL is in receipt of your communication dated September 30, 2021, regarding street light outage at the NW corner of Saginaw and Harrison. The BWL team has followed up on this matter and informed me that the auxiliary switch for the circuit in this area has been replaced. All lights in this area are now working.

The timeline for East Lansing replacement of entire streetlight system will be followed-up on under a separate cover.

Thank you,  
Smiljana Williams

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Submitted on Fri, 10/01/2021 - 3:58 AM

**Select a Commissioner:**

David Price

**Name**

Ellen Todd

Cardiff, California

**Message**

Hi David,

I hope you are well.

I am a Data Researcher for Fundmap, a global financial publication.

From your website I have been trying to locate the latest investment performance report for the LBWL in 2021 but haven't been able to find it. Please could you share a copy of this with me?

Thank you kindly in advance and have a nice weekend.

Ellen

Submitted on Mon, 11/01/2021 - 10:43 AM

Submitted by: Anonymous

Submitted values are:

**Select a Commissioner:**

All Commissioners

**Name**

Jonathan Korpi

**Message**

Hello, I was on hold for over an hour trying to get my account number for the furnace replacement at my new home. I am a new customer and was not given the information when I started. You have to be fucking kidding me. I now have to go almost another month with no heat!! I will be working hard to have this board replaced with consumers.

**From:** Sherry Smith  
**Sent:** Wednesday, November 10, 2021 12:31 PM  
**To:** MDenise Griffin  
**Subject:** FW: Uncomfortable Interaction

Hello,

I have sent this message to Mr. Matus to see what the next steps regarding this matter will be. Michael Flowers is cc'd on the initial complaint. I wanted to know if the Board of Commissioners thinks this is acceptable behavior?  
Can you please make them aware?

Thank you,

*Sherry D. Smith*

Compensation Administrator & HRIS Lead

**From:** Janan Muhammad  
**Sent:** Wednesday, November 10, 2021 8:14 AM  
**To:** Sherry Smith  
**Cc:** Michael Flowers  
**Subject:** Uncomfortable Interaction

On Monday 11/08/2021, somewhere between 10-11:30am I was sitting at my desk working when Lynnette entered the office. She was sort of speed walking to get to someone, and she stopped by my desk, grabbed my braids and said "I love these." I was sort of startled because I mean, she came up behind me and touched my hair, so I just said thank you and looked around to see if anyone else had seen the interaction or thought it was weird, but everyone looked pretty preoccupied. So I just sat on it and finished working. It made me feel super uncomfortable because I rarely speak with Lynnette so I'm not sure why she felt comfortable touching me in any way. Her also being at such a high level made me kind of nervous to tell her directly how I feel, and how I feel it's inappropriate to touch anyone that way that you hardly know, in the office.

**HUMAN RESOURCES COMMITTEE**  
**Meeting Minutes**  
**October 12, 2021**

The Human Resources Committee of the Lansing Board of Water and Light (BWL) met at BWL Headquarters REO Town Depot located at 1201 S. Washington Ave., Lansing, MI on Tuesday, October 12, 2021.

Human Resources (HR) Committee Chairperson David Price called the meeting to order at 4:58 p.m. and asked the Corporate Secretary to call the roll.

Present: Commissioners Chair David Price, DeShon Leek, Tony Mullen and Tracy Thomas. Also present: Commissioners Semone James (arrived @ 5:00 p.m.) and Sandra Zerkle; and Non-Voting Commissioner Brian Ross (DeWitt Township)

Absent: None

The Corporate Secretary declared a quorum.

**Public Comments**

There were no public comments.

**Approval of Minutes**

**Motion** by Commissioner Leek, **Seconded** by Commissioner Mullen, to approve the Human Resources Committee meeting minutes of July 13, 2021.

**Action:** Motion Carried

**Job Description Review – Charter Appointed Position of Corporate Secretary**

An edited draft of the job description for the Charter Appointed Position of Corporate Secretary was provided to the Human Resources Committee for review and discussion.

**Motion** by Commissioner Mullen, **Seconded** by Commissioner Leek, to approve the “DRAFT” October 2021 version of the Charter Appointed Corporate Secretary job description, including the Board of Commissioner’s (Board Chairperson) signature line at the end of the document; and to start the recruitment process for the position of Corporate Secretary.

**Action:** Motion Carried.

Commissioner Mullen asked if the search for the replacement for the Corporate Secretary position would be conducted in the same manner as the search for the Internal Auditor position. Chair Price responded that when the job description for the Internal Auditor was approved, it was given to the HR Department to recruit for the position. The HR Department has internal and external tools to recruit for the position and the review of the applicants is part of the process,

followed by the interview of the selected candidates by the Board. Chair Price would like to present the selected candidate to the Board for approval at the November Regular Board Meeting. Commissioner James asked if there is an independent research human resources firm that is used for the recruiting. Human Resources Director, Lynnette Keller, responded that two of the candidates for the Internal Auditor position were recruited through external recruiters, two candidates were recruited through the BWL website and two candidates are internal.

### **Hiring Process Update – Charter Appointed Position of Internal Auditor**

Human Resources Director, Lynnette Keller, presented the requirements needed for qualification for the Internal Auditor position and stated that six applications were received. A discussion followed on the qualifications of the applications received.

Commissioner Zerkle asked for the salary range for the Internal Auditor position and GM Peffley responded that the information would be acquired and provided before the end of the meeting.

Commissioner Thomas asked if the job description was sent to the hiring recruiters. Ms. Keller affirmed and added that all applicants are logged through the BWL website to follow compliance. GM Peffley added that all of the applicants have been presented at this meeting.

Commissioner Leek asked if the third party to which was referred was the BWL website or if there was a company used as an external recruiter. Ms. Keller responded that Pinnacle Staffing was used for this recruiting process.

Commissioner Mullen asked what the various acronyms for the requirements represented. Ms. Keller responded that CPA stands for Certified Public Accountant, CIA stands for Certified Internal Auditor, CFE stands for Certified Fraud Examiner, and CISA stands for Certified Information System Auditor.

GM Peffley reported the salary ranges for the Internal Auditor position for the last two auditors. The previous Internal Auditor was at Director Level 4 with a salary range of \$113,000 to \$169,000. The prior Internal Auditor was at Director Level 6 with a salary range of \$139,700 to \$209,000.

GM Peffley commented that if an internal candidate is being considered that may not have the minimum requirements yet, if the internal candidate has 60% of the qualifications, prior practice has been that an internal candidate would be a good selection.

Commissioner Thomas commented that the CISA exam is difficult and asked whether the CISA requirement could be extended from six months to one year. GM Peffley responded that certification requirements have been extended for employees in the past based on the circumstances.

Commissioner Zerkle asked whether or not the CISA requirement is the most crucial because it affects the IT department system and audits. GM Peffley responded that the guidelines can be reviewed and a third party can be consulted. Chair Price commented that due to the recent

cyberattack, in previous discussions the Board decided that the CISA certification in cybersecurity was important.

Commissioner Zerkle asked whether any applications that were received weren't accepted. Ms. Keller responded that all the applicants were brought forward in the meeting. Ms. Keller recommended that five of the applicants be interviewed and that she will follow up with the sixth applicant.

Chair Price recommended that the recruitment process for the position of Internal Auditor be closed with the option to reopen if needed.

**Motion** by Commissioner Thomas, **Seconded** by Commissioner Mullen to interview the applicants already received and close the recruitment process for the position of Internal Auditor.

**Action:** Motion Carried.

Ms. Keller reported that the current approved salary range for a fully qualified candidate for the described Internal Auditor position is \$129,800 to \$197,200 with a midpoint of \$163,500.

Commissioner James questioned if the Commissioners that were not on the HR Committee had input in the selection of the Internal Audit candidates that would be interviewed. There was a discussion in response to Commissioner James' question and inquiry about this matter being dealt with in the Committee of the Whole, and it was stated that the HR Committee is the designated committee responsible for the hiring process. During the discussion it was stated that all commissioners could provide their input during the interview meetings, however the HR Committee will vote to make a recommendation to the full Board, and all Commissioners will be able to vote whether to accept the candidate that the Committee brings forward at the Board meeting.

Chair Price stated that the interviews would be conducted at a Human Resources Committee meeting that will be scheduled for October 26<sup>th</sup> and 27<sup>th</sup> at 4:30 p.m. Chair Price added that if the Commissioners' selection results in a tie between two candidates, another HR Committee Meeting will be scheduled, and additional interviews will be conducted with the candidates.

Commissioner Thomas requested that a 30/60/90-day plan be provided by each of the Internal Auditor applicants prior to their interviews. The Commissioners agreed that the HR Department request a 30/60/90-day plan from each of the applicants for the Commissioners to review. The 30/60/90-day plans will be provided with the HR packet and in paper copy for the HR Committee meetings.

### **Other**

Commissioner Leek commented about the email that all Commissioner's received regarding Corporate Secretary's Griffin's unused paid time off and offered the follow motion:

**Motion** by Commissioner Leek, **Seconded** by Commissioner Mullen to authorize the Chairperson and the Vice Chairperson to finalize Corporate Secretary Griffin's exit arrangements between her and the BWL, with details to be completed and agreed upon by November 9, 2021.

**Action:** Motion Carried

**Adjourn**

Chair Price adjourned the meeting at 6:37 p.m.

Respectfully Submitted,  
David Price, Chair  
Human Resources Committee

## HUMAN RESOURCES COMMITTEE

### Meeting Minutes

October 26, 2021

The Human Resources Committee of the Lansing Board of Water and Light (BWL) met at the BWL Headquarters-REO Town Depot located at 1201 S. Washington Ave., Lansing, MI, at 4:30 p.m. on Tuesday, October 26, 2021.

Human Resources (HR) Committee Chairperson David Price called the meeting to order at 4:30 p.m. and asked the Corporate Secretary to call the roll. The following members were present: Commissioners Chair David Price, DeShon Leek, Tony Mullen and Tracy Thomas. Also present: Commissioners Dusty Horwitt and Sandra Zerkle; and Non-Voting Commissioner Brian Ross (DeWitt Township)

Absent: None

#### **Public Comments**

None

#### **Approval of Minutes**

**Motion** by Commissioner Mullen, **Seconded** by Commissioner Thomas, to approve the Human Resources Committee meeting minutes and the Closed Session meeting minutes of October 12, 2021.

**Action:** Motion Carried.

#### **Interview Candidates for the Charter Appointed Position of Internal Auditor**

The Human Resources (HR) Committee conducted the first set of interviews with three of the five applicants for the Charter Appointed position of Internal Auditor, in accordance with Section 5-202.2 of the Lansing City Charter, which states: "The Board shall appoint an Internal Auditor who shall report directly to the Board. The Internal Auditor shall serve at the pleasure of the Board."

The HR Committee members presented the three applicants with hypothetical situation questions as well as questions about previous experiences in particular work areas.

Upon conclusion of each applicant's interview, the HR Committee engaged in discussion, reviewed, and considered each applicant.

#### **Other**

None

#### **Adjourn**

Chair Price adjourned the meeting at 7:40 p.m.

Respectfully Submitted,  
David Price, Chair  
Human Resources Committee

## **HUMAN RESOURCES COMMITTEE**

### **Meeting Minutes**

**October 27, 2021**

The Human Resources Committee of the Lansing Board of Water and Light (BWL) met at the BWL Headquarters-REO Town Depot located at 1201 S. Washington Ave., Lansing, MI, at 4:30 p.m. on Wednesday, October 27, 2021.

Human Resources (HR) Committee Chairperson David Price called the meeting to order at 4:30 pm and asked the Corporate Secretary to call the roll. The following members were present: Commissioners Chair David Price, DeShon Leek, Tony Mullen and Tracy Thomas. Also present: Commissioners Semone James (by phone), Dusty Horwitt and Sandra Zerkle; and Non-Voting Commissioner Brian Ross (DeWitt Township)

Absent: None

#### **Public Comments**

None

#### **Interview Candidates for the Charter Appointed Position of Internal Auditor**

The Human Resources (HR) Committee conducted the second set of interviews with two of the five applicants for the Charter Appointed position of Internal Auditor, in accordance with Section 5-202.2 of the Lansing City Charter, which states: "The Board shall appoint an Internal Auditor who shall report directly to the Board. The Internal Auditor shall serve at the pleasure of the Board."

The HR Committee members presented the two candidates with hypothetical situation questions as well as questions about previous experiences in particular work areas.

Upon conclusion of each applicant's interview, the HR Committee engaged in discussion, reviewed, and considered each applicant.

Commissioner Zerkle recommended that the Director of the Human Resources Department forward the information of all applicants to the Human Resources Committee with an indication of the level of qualification for the Internal Auditor position.

Commissioner Thomas commented that the interviewing process should be thorough in order to obtain the right applicant who would fill the position for a lengthy amount of time. Commissioner Thomas also asked for a search firm independent of BWL Management to search for candidates for the Internal Auditor position.

Chair Price reported the scoring values for each candidate and noted that Commissioner Thomas didn't vote.

Commissioner Thomas commented that it is the Board of Commissioners' responsibility to appoint a qualified person for the position of the three employees. The process is to be perceived

as fair and objective and the applicant should possess the qualifications to perform the job and work well with the BWL culture. Commissioner Thomas added that additional time should be taken to find the best applicant, the application should be opened to a broader pool of applicants, and a search firm should be enlisted to assist with the selection. Commissioner Thomas stated that in the previous hiring process, the Board of Commissioners interviewed the applicants, along with the search firm, and the Human Resources Department didn't. Commissioner Thomas stated that he would vote no as he didn't feel comfortable with the current process. Human Resources Executive Director, Lynnette Keller, responded that a search firm had been contracted from which the top two candidates were obtained. Ms. Keller added that the job posting was sent out through multiple mechanisms, such as the BWL website, Indeed.com, and Glassdoor.com.

Commissioner Mullen commented that a search firm was hired for the last interviewing process for the position of Internal Auditor and it didn't work out. Commissioner Mullen thought BWL's internal service through the Human Resources Department would be adequate for this interview process. Commissioner Mullen added that he thought the current candidates were adequate but has no problem with the application process being reopened.

Chair Price stated that the hiring process started with an approved Internal Auditor job description, then the HR Department utilize their contracted search firm and posted the job opening on several sites. When the applications were received in house, the applications were sent to all of the Commissioners to review and five candidates were selected to interview. Chair Price asked what else could be done to improve the process. Commissioner Thomas responded that the information wasn't received until right before the Committee meeting. Commissioner Leek commented that the Commissioners were provided the information from the applicants but weren't included by the HR Department in the process. Commissioner Thomas added that the Commissioners are not involved in the hiring process of the 650+ BWL employees but the three employees are their responsibility. The process should involve extensively searching for an applicant as the Internal Auditor position is a major position in the company with a large financial responsibility. Chair Price stated that the HR Department does the vetting of the qualifications of the applicants and the Commissioners conduct the interviews of the applicants just like managers of BWL departments conduct the interviews of applicants for their departments.

**Motion** by Chair David Price, **Seconded** by Commissioner Tony Mullen to reopen the hiring process for additional candidates and to have the Human Resources Department hire an additional independent search firm.

**Action:** Motion failed. (Yeas 2: Commissioners DeShon Leek and Tracy Thomas; Nays 2: Chair Price and Commissioner Tony Mullen)

Commissioner Mullen commented that he didn't think the hiring process needed to be reopened or that an additional search firm was needed but was not completely opposed to it. Commissioner Mullen is willing to change his vote to obtain additional applicants from a wider net. Commissioner Thomas stated that the current applicants would still be considered.

Commissioner Zerkle asked if there would be guidelines put in place for the length of time to receive additional applications. Commissioner Mullen stated that he had no problem with delegating authority to the Human Resources Department for proceeding with recruiting applications for the Internal Auditor position.

Commissioner Mullen made a motion to reopen the application process for the Internal Auditor position with an independent search firm and finish the process by the end of November.

Commissioner Thomas requested that the Board of Commissioners be mentioned and included in the motion to reopen the application process and search with an independent search firm and that by the end of November be removed from the motion.

Commissioner Horwitt commented that it was important to have the appearance of independence in the process, the search firm should report to the Board of Commissioners and it would give added confidence to the Board that the decision was made without BWL management's influence.

Commissioner Mullen asked that the hiring of a new Internal Auditor be done as expeditiously as possible. Commissioner Thomas asked for a copy of the previous hiring process to be sent to the Commissioners. Chair Price stated that the previous Internal Auditor hiring process transpired from January to May 2019 and included acquiring a search firm, searching for applicants, survey responses from Commissioners, initial screening of candidates by the HR Director, and scheduling interviews.

Commissioner Mullen withdrew his previous motion and another motion was made.

**Motion** by Commissioner Mullen, **Second** by Commissioner Leek to start the process to hire an independent search firm for both the Corporate Secretary and Internal Auditor positions.

**Action:** Motion Failed (Yeas 2: Commissioner Leek, Commissioner Mullen; Nays 2: Chair Price, Commissioner Thomas)

Another motion was made.

**Motion** by Commissioner Mullen, **Second** by Commissioner Thomas to start the process to hire an independent search firm to produce candidates for the positions of Corporate Secretary and Internal Auditor, which will be thoroughly vetted by the HR Committee

**Action:** Motion Carries (Yeas 3: Commissioner Leek, Commissioner Mullen, Commissioner Thomas; Nays 1: Chair Price)

**Other**

None

**Adjourn**

Chair Price adjourned the meeting at 7:20 p.m.

Respectfully Submitted,  
David Price, Chair  
Human Resources Committee

## **Committee of the Whole Meeting (November 9, 2021)**

The Committee Report/Minutes are not available at the time of the creation of the Board packet.

## **Finance Committee Meeting (November 9, 2021)**

The Committee Report/Minutes are not available at the time of the creation of the Board packet.

## **Pension Fund Trustees Meeting (November 16, 2021)**

The Committee Report/Minutes are not available due to the meeting being held prior to the current Board Meeting.

PROPOSED RESOLUTION

Longevity Adjustment  
Charter Position of Corporate Secretary

Whereas, In recognition of the Corporate Secretary's many years of dedicated and exemplary service to the Board of Water & Light and its Commissioners.

RESOLVED, On October 12, 2021 The Human Resources Committee by motion authorized the Chairperson and the Vice Chairperson to finalize the exiting employment arrangements between Ms. Griffin and the BWL.

FURTHER RESOLVED, all accumulated and unused paid time off (as of December 31, 2021 and January 7, 2022), which includes Vacation and Free-Choice' and a final longevity adjustment to the Corporate Secretary's compensation is appropriate given of her many years of dedicated and exemplary service is hereby approved.

FINALLY RESOLVED That the Chairperson and the Vice Chairperson of the Board of Commissioners are authorized to execute all contractual amendments or agreements on behalf of the Board of Commissioners to effectuate the final longevity adjustment.

Proposed Resolution  
Retain a Hiring Consultant

**WHEREAS**, the Board of Water & Light has an immediate need to fill the Charter appointed positions of Internal Auditor and Corporate Secretary;

**WHEREAS**, Chapter 2, Section 5-202 of the Lansing City Charter states it is the responsibility of the Board of Commissioners to appoint an Internal Auditor and Corporate Secretary:

*“(2) The Board shall appoint an Internal Auditor...”*

*“(3) The Board shall appoint its own Secretary...”*

**WHEREAS**, the Board of Commissioners requires professional assistance (“Consultant”) in filling its appointment responsibility;

**WHEREAS**, Section 19.6 of the Board of Water & Light’s (“BWL”) Administrative Rules of Procedure states:

*“The Board of Commissioners may hire external consultants, such as accountants, but not outside legal counsel. The full Board will meet before a consultant is hired to determine the scope of the issues to be addressed by the consultant, the consultant’s budget, and the scope of contact with the Board. One Board member may be authorized as the primary contact with the consultant...”*;

**WHEREAS**, the Human Resources Committee recommended by motion to retain a Consultant to assist with filling the positions of the Internal Auditor and the Corporate Secretary;

**WHEREAS**, the Board of Commissioners desires to use the services of the Executive Director of Human Resources to issue a Request for Proposal (“RFP”); to obtain multiple proposals (“Proposals”) from hiring recruiters from which the Board of Commissioners can choose from; and

**RESOLVED**, the Board of Commissioners hereby directs the Executive Director of Human Resources to issue a RFP for the sole purpose of obtaining Proposals for recruiting consultants.

**RESOLVED**, the Board of Commissioners will choose and retain the Consultant for the above-stated purposes from the Proposals provided.

**RESOLVED**, the Board of Commissioners will require the Consultant to report directly to the Human Resources Committee, with the Chairperson as the primary contact.

**NOW, THEREFORE BE IT RESOLVED FURTHER**, the Board of Commissioners will require the terms of Consultant engagement, specifically describing the scope, consistent with Section 19.6 of the Board of Water & Light’s (“BWL”) Administrative Rules of Procedure.

Proposed Resolution  
2022 Regular Board Meeting Schedule

In accordance with the Lansing Board of Water & Light's Rules of Administrative Procedure, a schedule of dates, places, and times for each regular meeting of the Board of Commissioners for the calendar year shall be adopted in November.

RESOLVED, that regular meetings of the Lansing Board of Water & Light's Board of Commissioners are hereby set for calendar year 2022 as follows, unless otherwise notified or as a result of date conflicts with rescheduled City Council meetings:

**2022**

**Lansing Board of Water & Light Board of Commissioners**  
**Regular Board Meeting Schedule**

Tuesday	January 25
Tuesday	March 22
Tuesday	May 24
Tuesday	July 26
Tuesday	September 27
Tuesday	November 15

Meetings will be held in the Lansing Board of Water & Light REO Town Depot located at 1201 S. Washington Ave., Lansing, MI at 5:30 p.m.

RESOLVED FURTHER, that a notice of the meeting schedule shall be published in a newspaper of general circulation in Ingham County the week of January 1, 2022.

PROPOSED RESOLUTION  
Interim Internal Auditor

WHEREAS, on November 9, 2021 the Finance Committee recommended that BWL Principal Auditor Brian Schimke be named as the Interim Internal Auditor and report directly to the Board of Commissioners until a permanent Internal Auditor has been named.

WHEREAS, as the Interim Internal Auditor, Mr. Schimke is authorized to work on the Internal Audit Plan.

RESOLVED, that Brian Schimke will serve as the Interim Internal Auditor until the Charter Appointed position of (Director) Internal Auditor is filled by the Board of Commissioners.

PROPOSED RESOLUTION  
Grant of Settlement Authority

WHEREAS, On November 9, 2021 the Committee of the Whole met in Closed Session for an Attorney Client Privilege Memorandum as permitted in Open Meetings Act, specifically MCL 15.268(e).

WHEREAS, by motion the Committee of the Whole recommended authorization for the Legal Counsel to negotiate a settlement between the BWL and Mr. Wesley Lewis within the set-forth parameters.

RESOLVED, that the Board of Commissioners, authorizes Legal Counsel to negotiate a settlement of claims made against the Board by Mr. Wesley Lewis within the recommended parameters.