



**HUMAN RESOURCES COMMITTEE MEETING Via WEBEX
LANSING BOARD OF WATER AND LIGHT BOARD OF COMMISSIONERS
AGENDA**

February 16, 2021

5:30 P.M. - 1201 S. Washington Ave., Lansing, MI 48910

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

Due to public safety concerns resulting from the COVID-19 Pandemic, this meeting will be conducted via WebEx Conferencing and all Board Members will participate virtually. Instructional options to be in attendance are as follows:

1. Event Address for Attendees:

<https://lbwlevents.webex.com/lbwlevents/onstage/g.php?MTID=eee4960e38d5408d2864c3c44a1306f8f>

Event Number for Attendees: 132 164 4144 Event password: jKyaAjP7q82

2. Audio conference: United States Toll +1-408-418-9388 Access code: 132 164 4144


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Call to Order

Roll Call

Public Comments on Agenda Items

Options for Public Comment (PC) participation include:

- Raising your hand by clicking on the hand  icon button in the Participants panel
- Submitting written comments by email to mdenise.griffin@lbwl.com (By the End of PC)
- Submitting written comments to 1201 S. Washington Ave., Lansing, MI 48910

1. Human Resources Committee Meeting Minutes of November 10, 2020..... **TAB 1**

2. Mid-Year Personnel Evaluation – Charter Appointed Employees

Other

Adjourn

In compliance with the order from the Director of the Michigan Department of Health and Human Services and the order from the Ingham County Health Department, in an effort to protect the health and safety of the public, to mitigate the spread of COVID-19 and to provide essential protections to vulnerable Michiganders and this State’s health care system and other critical infrastructure, it is crucial that all Michiganders take steps to limit in person contact, particularly in the context of large groups. Therefore, the above meeting will be conducted via audio/video conference in accordance with the Open Meetings Act, as amended by Public Act 228 of 2020 effective on October 16, 2020. Members of the public wishing to participate in the meeting may do so by logging into or calling into the meeting using the website or phone number and the meeting ID provided above.

Persons with disabilities who need an accommodation to fully participate in this meeting should contact the Office of the BWL Corporate Secretary at (517) 702-6033 or mdenise.griffin@lbwl.com, or utilize TTY by dialing 7-1-1. A 24-hour notice may be needed for certain accommodations. An attempt will be made to grant all reasonable accommodation requests.

**A quorum of the Board of Commissioners may be in attendance.*

HUMAN RESOURCES COMMITTEE

Meeting Minutes

November 10, 2020

The Human Resources Committee of the Lansing Board of Water and Light (BWL) met via WebEx (BWL Headquarters-REO Town Depot located at 1201 S. Washington Ave., Lansing, MI) at 5:00 p.m. on Tuesday, November 10, 2020.

Event Address for Attendees:

<https://lbwlevents.webex.com/lbwlevents/onstage/g.php?MTID=ecf5a05123f095d6c15f9035f7910c130>

Event Number for Attendees: 132 548 8521 Event Password: B22NmgmSkd3

Audio Conference: United States Toll +1-408-418-9388 Access Code: 132 548 8521

Human Resources (HR) Committee Chairperson Tony Mullen called the meeting to order at 5:01 p.m. and asked the Corporate Secretary to call the roll.

The following Commissioners were present via audio/video:

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|---|---|
| Tony Mullen remotely, Lansing, MI | Deshon Leek remotely, Lansing, MI |
| Tracy Thomas remotely, Lansing, MI | Sandra Zerkle remotely, Lansing, MI |
| Stuart Goodrich remotely, Holt, MI | Beth Graham remotely, Lansing, MI |
| Larry Merrill remotely, Delta Township, MI | David Price remotely, Lansing, MI |
| Ken Ross remotely, Florida (arrived @5:03 p.m.) | David Lenz remotely, Lansing, MI (arrived @5:23 p.m.) |

Absent: None

The Corporate Secretary declared a quorum.

Public Comments

None.

Approval of Minutes

Motion by Commissioner Thomas, **Seconded** by Commissioner Leek, to approve the Human Resources Committee meeting minutes of October 27, 2020.

Roll Call Vote:

Yeas: Commissioners Tony Mullen, Deshon Leek, Tracy Thomas, and Sandra Zerkle.

Nays: None.

Action: Motion Carried.

401 (a) Plan 32 Adoption Agreement and Defined Contribution (DC) Plan and Trust 2 Addendum

General Manager Dick Peffley introduced Human Resources Executive Director Ms. Lynnette Keller who provided information on the two administrative corrections to the Defined Contribution Plan and Trust 2 and 401 (a) Plan 32 Adoption Agreement. The two administrative corrections for the 401 (a) and 457b Plan are in process so that no participants are negatively impacted. The communication strategy includes two mailings, one which was mailed during the week November 2, 2020, and the second which will be mailed during the week of November 16, 2020. The two corrections will be posted November 16, 2020 and November 23, 2020, respectively. The Retirement Planning Committee (RPC) amended and approved the new adoption agreement for the large 401 Plan and 457b (DC) Plan. Ms. Keller requested that the proposed resolution for the Amendment to Defined Contribution Plan and Trust 2 be forwarded to the full Board for consideration.

There was an inquiry about whether the circumstances in the large 401 plan and small 401 plan are the same and whether the responsibility for the small 401 plan has passed to the Retirement Plan Committee (RPC)? Ms. Keller confirmed.

Commissioner Zerkle asked for a definition of the small 401 plan. Ms. Keller responded that the small 401 plan was created for board appointed employees and there is currently one board appointed employee remaining on the plan.

Motion by Commissioner Deshon Leek, **Seconded** by Chair Tony Mullen, to forward the proposed resolution for the Amendment to Defined Contribution Plan and Trust 2 to the full Board for consideration.

Roll Call Vote:

Yeas: Commissioners Tony Mullen, Deshon Leek, Tracy Thomas, and Sandra Zerkle.

Nays: None.

Action: Motion Carried.

Chair Mullen stated that during a meeting two weeks ago the errors in the large 401 plans were discussed but additional questions were compiled by members of the Finance Committee. The first question requested an in-depth timeline of when errors were detected, who was notified and when, and when did outside auditors become involved.

CFO Heather Shawa responded that an initial flag at the end of 2018, specific to the ICMA error, was for irregularities found in the administrative allowance ledgers during a quarterly review of statements. Discussions followed, research was done, and the information was sent to the RPC. A letter was sent to ICMA regarding findings and a review was requested. The 2019 ICMA response agreed with the findings and BWL asked how the plan sponsor indicated that it should be handled. After Plante Moran was asked if additional expertise was available, ICMA recalculated and Plante Moran verified the pay code error at the end of 2019. The dollar amount of the errors that affected participants was calculated in August 2020.

Commissioner Zerkle inquired as to why information or notification of the errors was not provided sooner as there was knowledge of the errors in 2018. CFO responded that concerns were brought up to ICMA and Chair Mullen added that the ICMA error information was provided to the commissioners in meetings with ICMA.

Commissioner Thomas asked why this was being addressed in HR Committee rather than Finance Committee. Commissioner Thomas stated that the HR Committee members didn't receive the list of questions and asked CFO Shawa if information could have been provided sooner. Chair Mullen responded that these questions refer to an agenda item from a previous HR Committee and there was time remaining during this committee meeting to start the discussion of the questions. CFO responded that the RPC discovered the error, the finance department addressed the correction needed and then provided the board with complete information that would be provided to plan participants. GM Peffley responded that information will be provided to ICMA and Commissioners as it is discovered in the future.

Chair Mullen asked if the RPC was informed of errors and in an appropriate manner of time. CFO Shawa affirmed. Chair Mullen asked if a discussion is necessary regarding the board taking the responsibility

for the retirement plan back from the RPC. Chair Thomas responded that the RPC should keep the responsibility for the retirement plan.

Commissioner Thomas requested that the questions be sent to the rest of the Commissioners as some of them are visual learners. Commissioner Lenz requested the Corporate Secretary send out an email to all the Commissioners with the questions from Commissioner Lenz.

Other

None.

Adjourn

Chair Mullen adjourned the meeting at 5:39 p.m.

Respectfully Submitted,
Tony Mullen, Chair
Human Resources Committee