

OAKLAND COUNTY
BOARD OF COMMISSIONERS
MINUTES

September 5, 2002

Meeting called to order by Chairperson Thomas Law at 9:46 a.m. in the Courthouse Auditorium, 1200 N. Telegraph Road, Pontiac, Michigan.

Roll called.

PRESENT: Amos, Appel, Brian, Buckley, Causey-Mitchell, Coleman, Crawford, Dingeldey, Douglas, Garfield, Gregory, Law, McPherson, Melton, Middleton, Moffitt, Moss, Obrecht, Palmer, Patterson, Sever, Suarez, Taub, Webster. (24)
ABSENT: Galloway (absent with notice). (1)

Quorum present.

Invocation given by Ruel E. McPherson.

The Board observed a moment of silence in the passing of Brenda Scott, Detroit City Council

Pledge of Allegiance to the Flag.

Moved by Crawford supported by Moss the minutes of the August 22, 2002, Board Meeting be approved.

A sufficient majority having voted therefore, the minutes were approved as printed.

Moved by Sever supported by Suarez the agenda be approved as printed.

AYES: Appel, Brian, Buckley, Causey-Mitchell, Coleman, Crawford, Dingeldey, Douglas, Garfield, Gregory, Law, McPherson, Melton, Middleton, Moffitt, Moss, Obrecht, Palmer, Patterson, Sever, Suarez, Taub, Webster, Amos. (24)
NAYS: None. (0)

A sufficient majority having voted therefore, the agenda was approved as printed.

MISCELLANEOUS RESOLUTION #02206

BY: Finance Committee, Sue Ann Douglas, Chairperson

IN RE: BOARD OF COMMISSIONERS – PROPOSED CITY OF WIXOM DOWNTOWN DEVELOPMENT AUTHORITY – TAX CAPTURE

To the Oakland County Board of Commissioners

Chairperson, Ladies and Gentlemen:

WHEREAS the Oakland County Board of Commissioners strongly supports the economic growth of Oakland County; and

Commissioners Minutes Continued. September 5, 2002

WHEREAS one of the tools used to promote this economic growth is Tax Increment Financing in the form of Downtown Development Authorities (DDAs), Tax Increment Finance Authorities (TIFAs) and Local Development Finance Authorities (LFDAs); and

WHEREAS amendments to the Tax Increment Financing programs were adopted in 1994 by the State Legislature, providing the County with the option to exempt itself from participating in these authorities; and

WHEREAS in order to review requests from the County's cities, villages and townships to establish DDAs, TIFAs and LFDAs, the Board of Commissioners, pursuant to Miscellaneous Resolution #99010, established the Tax Increment Financing (TIF) District Review Policy Ad Hoc Committee to evaluate and recommend to the Finance Committee on the County's participation in these proposed authorities; and WHEREAS on July 23, 2002, the City of Wixom held a public hearing to revise (expand) its DDA District Boundaries; and

WHEREAS on August 8, 2002, the City of Wixom met with the County's TIF District Ad Hoc Review Committee on its proposed District expansion; and

WHEREAS a number of questions need to be addressed before a recommendation can be made; and

WHEREAS those questions include:

1. In regards to the proportion of the ten million dollars of estimated County tax capture, how much of that will be captured by residential? How much will be spent from that amount toward the proposed plan? Need analysis showing currently how much tax is captured from residential and how much would be captured if DDA proposal is approved.
2. How much of the proposed DDA district would be residential and how much commercial?
3. Need clarification from Wixom's counsel about using DDA money for residential development.
4. What is the intent of the DDA regarding storm water runoff?
5. Wixom's assessment needs to be identified. Oakland County would be contributing a third of the cost towards this proposed plan. Is it clear that additional millages are necessary?
6. At what cost is Wixom's commitment to redevelopment of the district?; and

WHEREAS the Downtown Development Authority Act, 1975 Public Act 197, as amended, Section 3 (3), authorizes the governing body of a taxing jurisdiction levying ad valorem property taxes that would otherwise be subject to capture by a DDA to exempt its taxes from capture by adopting, not more than 60 days after the Public Hearing on the adoption of a proposed DDA District, a resolution to that effect and filing a copy with the clerk of the municipality proposing to create the authority; and

WHEREAS Section 3 (3) of 1975 Public Act 197, as amended, authorizes the governing body of a taxing jurisdiction levying ad valorem property taxes to rescind any resolution exempting its taxes from capture by a proposed DDA; and

WHEREAS the statutorily mandated 60 day time period within which the County must act to preserve its right to exempt its taxes from capture forces the County to make its tax exemption determination before the TIF District Ad Hoc Review Committee can complete its review; and

WHEREAS the TIF District Ad Hoc Review Committee is faced with the legal mandate that the County act on the issue of tax capture exemption within 60 days of July 23, 2002.

NOW THEREFORE BE IT RESOLVED that the Oakland County Board of Commissioners, pursuant to Section 3 (3) of 1975 PA 197, as amended, MCL 125.1653 (3), hereby exempts its taxes from capture by the City of Wixom Downtown Development Authority.

BE IT FURTHER RESOLVED that if, after further review of the Wixom DDA Project by the TIF District Ad Hoc Review Committee, the Committee finds it appropriate to rescind the tax capture exemption, such recommendation will be brought back to the Board of Commissioners.

BE IT FURTHER RESOLVED that a copy of this resolution be sent to the Wixom City Clerk.

Chairperson, on behalf of the Finance Committee, I move adoption of the foregoing resolution.

FINANCE COMMITTEE

Commissioners Minutes Continued. September 5, 2002

Moved by Douglas supported by Garfield the resolution be adopted.

AYES: Brian, Buckley, Causey-Mitchell, Coleman, Crawford, Dingeldey, Douglas, Garfield, Gregory, Law, McPherson, Melton, Middleton, Moffitt, Moss, Obrecht, Palmer, Patterson, Sever, Suarez, Taub, Webster, Amos, Appel. (24)

NAYS: None. (0)

A sufficient majority having voted therefore, the resolution was adopted.

Commissioner Douglas requested a Public Hearing be scheduled for the purpose of allowing public comment on the Proposed Fiscal Year 2003/2004 Budget for Oakland County Including the Truth in Budgeting Act and the 2003 Millage Rate. The Chairperson scheduled the hearing for September 19, 2002, at 9:45 a.m. in the Board of Commissioners Auditorium.

MISCELLANEOUS RESOLUTION #02201

BY: Planning and Building Committee, Charles E. Palmer, Chairperson

IN RE: DEPARTMENT OF FACILITIES MANAGEMENT - APPROVAL OF GRANTING A SAFETY PATH EASEMENT TO THE CHARTER TOWNSHIP OF ORION, ORION OAKS COUNTY PARK, PART OF PARCEL NO. 09-17-200-003

To the Oakland County Board of Commissioners

Chairperson, Ladies and Gentlemen:

WHEREAS the County of Oakland is the owner of Orion Oaks County Park located in Orion Township; and

WHEREAS the Charter Township of Orion is proceeding with its planned construction of a 10 foot wide safety path/sidewalk along the south side of Clarkston Road adjacent to Orion Oaks County Park; and

WHEREAS the Charter Township of Orion has requested that the County of Oakland grant a permanent easement for the construction, maintenance, operation, repair, and/or replacement of a safety path and a temporary grading permit adjacent to the north property line of Orion Oaks County Park for the sum of one dollar; and

WHEREAS County staff and the Orion Township consulting engineer have agreed upon the terms and conditions for granting the safety path easement and temporary grading permit; and

WHEREAS the Oakland County Parks and Recreation Commission accepted and approved the requested easement and temporary grading permit on July 10, 2002; and

WHEREAS the Department of Facilities Management and Corporation Counsel have reviewed and approved the attached easement document for safety path and temporary grading permit.

NOW THEREFORE BE IT RESOLVED that the Oakland County Board of Commissioners hereby accepts and approves the granting of the attached permanent easement for the construction, installation, operation, maintenance, replacement and/or removal of a safety path and granting of a temporary grading permit over of portion of Orion Oaks County Park to the Charter Township of Orion.

BE IT FURTHER RESOLVED that the County of Oakland Board of Commissioners hereby directs its Chairperson or its designee to execute the necessary documents.

Chairperson, on behalf of the Planning and Building Committee, I move the adoption of the foregoing resolution.

PLANNING AND BUILDING COMMITTEE

Copy of Grant of Non-Exclusive Safety Path Easement in Gross, Exhibit "A", and Charter Township of Orion Temporary Grading Permit on file in County Clerk's office.

FISCAL NOTE (MISC. #02201)

BY: Finance Committee, Sue Ann Douglas, Chairperson

IN RE: DEPARTMENT OF FACILITIES MANAGEMENT - APPROVAL OF GRANTING A SAFETY PATH EASEMENT TO THE CHARTER TOWNSHIP OF ORION, ORION OAKS COUNTY PARK, PART OF PARCEL NO. 09-17-200-003

To the Oakland County Board of Commissioners

Chairperson, Ladies and Gentlemen:

Pursuant to Rule XII-C of this Board, the Finance Committee has reviewed the above referenced resolution and finds:

1. The resolution accepts and approves the granting of a permanent easement for the construction, installation, operation, maintenance, replacement and/or removal of a safety path and the granting of a temporary grading permit over a portion of Orion Oaks County Park to the Charter Township of Orion for the sum of \$1.
2. No General Fund/General Purpose amendment is required.

FINANCE COMMITTEE

Moved by Palmer supported by Obrecht the resolution be adopted.

AYES: Buckley, Causey-Mitchell, Coleman, Crawford, Dingeldey, Douglas, Garfield, Gregory, Law, McPherson, Melton, Middleton, Moffitt, Moss, Obrecht, Palmer, Patterson, Sever, Suarez, Taub, Webster, Amos, Appel, Brian. (24)

NAYS: None. (0)

A sufficient majority having voted therefore, the resolution was adopted.

MISCELLANEOUS RESOLUTION #02202

BY: Planning and Building Committee, Charles E. Palmer, Chairperson

IN RE: DEPARTMENT OF FACILITIES MANAGEMENT - APPROVAL OF GRANTING A SANITARY SEWER EASEMENT TO THE CHARTER TOWNSHIP OF ORION, ORION OAKS COUNTY PARK, PART OF PARCEL NO. 09-17-200-003

To the Oakland County Board of Commissioners

Chairperson, Ladies and Gentlemen:

WHEREAS the County of Oakland is the owner of Orion Oaks County Park located in Orion Township; and

WHEREAS Mullins Contracting Company has requested that the County of Oakland grant a 20-foot wide by 597.65 foot and a 40 foot by 1,752.64 foot permanent easement for the construction, installation, operation, maintenance, replacement and/or removal of a sanitary sewer together with a 20 foot wide temporary construction easement over a portion of Orion Oaks County Park to the Charter Township of Orion, for the sum of one dollar; and

WHEREAS Mullins Contracting Company and County staff have agreed upon the terms and conditions for granting the requested sanitary sewer easement inclusive of restoration and sewer leads for possible future County access to the sanitary sewer; and

WHEREAS the Oakland County Parks and Recreation Commission accepted and approved the requested easement on February 6, 2002; and

WHEREAS the Department of Facilities Management and Corporation Counsel have reviewed and approved the attached easement document for sanitary sewer.

NOW THEREFORE BE IT RESOLVED that the Oakland County Board of Commissioners hereby accepts and approves the granting of the attached permanent easement for the construction, installation, operation, maintenance, replacement and/or removal of a sanitary sewer over of portion of Orion Oaks County Park to the Charter Township of Orion.

BE IT FURTHER RESOLVED that the County of Oakland Board of Commissioners hereby directs its Chairperson or its designee to execute the necessary documents.

Chairperson, on behalf of the Planning and Building Committee, I move the adoption of the foregoing resolution.

PLANNING AND BUILDING COMMITTEE

Commissioners Minutes Continued. September 5, 2002

Copy of Grant of Sanitary Sewer Easement, Attachment "B", and Certificate of Survey on file in County Clerk's office.

FISCAL NOTE (MISC. #02202)

BY: Finance Committee, Sue Ann Douglas, Chairperson

IN RE: DEPARTMENT OF FACILITIES MANAGEMENT - APPROVAL OF GRANTING A SANITARY SEWER EASEMENT TO THE CHARTER TOWNSHIP OF ORION, ORION OAKS COUNTY PARK, PART OF PARCEL NO. 09-17-200-003

To the Oakland County Board of Commissioners

Chairperson, Ladies and Gentlemen:

Pursuant to Rule XII-C of this Board, the Finance Committee has reviewed the above referenced resolution and finds:

1. The resolution accepts and approves the granting of a permanent easement for the construction, installation, operation, maintenance, replacement and/or removal of a sanitary sewer over a portion of Orion Oaks County Park to the Charter Township of Orion for the sum of \$1.
2. No General Fund/General Purpose amendment is required.

FINANCE COMMITTEE

Moved by Palmer supported by Obrecht the resolution be adopted.

AYES: Causey-Mitchell, Coleman, Crawford, Dingeldey, Douglas, Garfield, Gregory, Law, McPherson, Melton, Middleton, Moffitt, Moss, Obrecht, Palmer, Patterson, Sever, Suarez, Taub, Webster, Amos, Appel, Brian, Buckley. (24)

NAYS: None. (0)

A sufficient majority having voted therefore, the resolution was adopted.

MISCELLANEOUS RESOLUTION #02203

BY: Planning and Building Committee, Charles E. Palmer, Chairperson

IN RE: DEPARTMENT OF FACILITIES MANAGEMENT – APPROVAL OF CONVEYANCE OF COUNTY OWNED REAL ESTATE TO HURON VALLEY HOSPITAL, INC., COMMERCE TOWNSHIP, PART OF PARCEL NO. 17-10-101-006

To the Oakland County Board of Commissioners

Chairperson, Ladies and Gentlemen:

WHEREAS the County of Oakland is the owner of a 3.28 acre parcel of land located adjacent to the Huron Valley Hospital in Commerce Township; and

WHEREAS the said 3.28 acre parcel of land was deeded to the County of Oakland for the sum of one dollar by the Huron Valley Hospital in 1985 for water well purposes as part of the Commerce Township water supply system; and

WHEREAS the Oakland County Drain Commissioner via an agreement with Commerce Township operates and maintains the township water supply system; and

WHEREAS the Drain Commissioner's staff has determined that the wells located on the subject property can be properly operated and maintained on a .94 acre site and therefore, 2.34 acres of the subject property is no longer required for present or future County use and are considered excess land; and

WHEREAS the Huron Valley Hospital, Inc. has requested that the County of Oakland convey via quit claim deed, and for the sum of one dollar, the subject 2.34 acre parcel of excess County owned land to the Huron Valley Hospital, Inc.; and

WHEREAS the Oakland County Drain Commissioner and the Charter Township of Commerce recommend the conveyance of the subject 2.34 acre parcel to Huron Valley Hospital, Inc. for the sum of one dollar so long as proper easements are reserved for water main and ingress/egress purposes; and

WHEREAS the Departments of Facilities Management and Corporation Counsel have reviewed and approved the attached quit claim deed.

NOW THEREFORE BE IT RESOLVED that the Oakland County Board of Commissioners hereby approves the conveyance, for the sum of one dollar, via the attached quit claim deed, of part of Parcel No. 17-10-101-006 to the Huron Valley Hospital, Inc., a Michigan Nonprofit Corporation.

Commissioners Minutes Continued. September 5, 2002

BE IT FURTHER RESOLVED that the County of Oakland Board of Commissioners hereby directs its Chairperson or designee to execute the necessary documents.

Chairperson, on behalf of the Planning and Building Committee, I move the adoption of the foregoing resolution.

PLANNING AND BUILDING COMMITTEE

Copy of Quit Claim Deed, Exhibit A, A-1, B, and Watermain Easement "D" on file in County Clerk's office.

FISCAL NOTE (MISC. #02203)

BY: Finance Committee, Sue Ann Douglas, Chairperson

IN RE: DEPARTMENT OF FACILITIES MANAGEMENT - APPROVAL OF CONVEYANCE OF COUNTY OWNED REAL ESTATE TO HURON VALLEY HOSPITAL, INC., COMMERCE TOWNSHIP, PART OF PARCEL NO. 17-10-101-006

To the Oakland County Board of Commissioners

Chairperson, Ladies and Gentlemen:

Pursuant to Rule XII-C of this Board, the Finance Committee has reviewed the above referenced resolution and finds:

1. The resolution approves the conveyance via quit claim deed of part of Parcel No. 17-10-101-006 to the Huron Valley Hospital, Inc. for the sum of \$1.
2. The Drain Commissioner has determined that wells located on the subject property can be operated and maintained on a .94 acre site and therefore 2.34 acres of the subject property is no longer required for present or future County use and are considered excess land.
3. No General Fund/General Purpose amendment is required.

FINANCE COMMITTEE

Moved by Palmer supported by Dingeldey the resolution be adopted.

AYES: Coleman, Crawford, Dingeldey, Douglas, Garfield, Gregory, Law, McPherson, Melton, Middleton, Moffitt, Moss, Obrecht, Palmer, Patterson, Sever, Suarez, Taub, Webster, Amos, Appel, Brian, Buckley, Causey-Mitchell. (24)

NAYS: None. (0)

A sufficient majority having voted therefore, the resolution was adopted.

MISCELLANEOUS RESOLUTION #02207

BY: Nancy Dingeldey, District #11

IN RE: ENVIRONMENTAL INFRASTRUCTURE FUND REIMBURSEMENT FOR PROJECT IN THE CHARTER TOWNSHIP OF COMMERCE – FISCAL YEAR 2000 ALLOCATION

To the Oakland County Board of Commissioners

Chairperson, Ladies and Gentlemen:

WHEREAS the Oakland County Board of Commissioners established an Environmental Infrastructure Funds and Disbursement Policy per Miscellaneous Resolution #99093 in an effort to increase the share of dollars flowing into infrastructure projects for the County and its cities, villages and townships (CVTs); and

WHEREAS pursuant to the Disbursement Policy, the Township of Commerce has submitted a resolution of authorization to the County for reimbursement of expenses incurred in connection with an eligible environment remediation of improvement project; and

WHEREAS the Township of Commerce is requesting reimbursement for expenses directly related to water main connection; and

WHEREAS authorized funding for FY 2000 for the Township of Commerce is \$117,321.87 from the Environmental Infrastructure Fund as repayment to the Township of Commerce for expenses incurred in connection with the water main connection project.

NOW THEREFORE BE IT RESOLVED that the Oakland County Board of Commissioners approves the project submitted by the Township of Commerce as eligible for reimbursement from the Environmental Infrastructure Fund.

Commissioners Minutes Continued. September 5, 2002

BE IT FURTHER RESOLVED that the Board authorizes a FY 2000 appropriation in the amount of \$117,321.87 from the Environmental Infrastructure Fund (Account #90-263206-41000-3985) to repay the Township of Commerce for expenses incurred in connection with the water main connection project, once proper invoices are presented.

Chairperson, I move the adoption of the foregoing resolution.

NANCY DINGELDEY

Copy of attachments on file in County Clerk's office.

The Chairperson referred the resolution to the Finance Committee. There were no objections.

MISCELLANEOUS RESOLUTION #02208

BY: David Galloway, District #2 and Tom Middleton, District #4

IN RE: ENVIRONMENTAL INFRASTRUCTURE FUND REIMBURSEMENT FOR PROJECT IN THE CHARTER TOWNSHIP OF INDEPENDENCE – FISCAL YEAR 2001 AND FISCAL YEAR 2002 ALLOCATION

To the Oakland County Board of Commissioners

Chairperson, Ladies and Gentlemen:

WHEREAS the Oakland County Board of Commissioners established an Environmental Infrastructure Funds and Disbursement Policy per Miscellaneous Resolution #99093 in an effort to increase the share of dollars flowing into infrastructure projects for the County and its cities, villages and townships (CVTs); and

WHEREAS pursuant to the Disbursement Policy, the Township of Independence has submitted a resolution of authorization to the County for reimbursement of expenses incurred in connection with an eligible environment remediation of improvement project; and

WHEREAS the Township of Independence is requesting reimbursement for expenses directly related to Clarkston Gardens storm water drainage; and

WHEREAS authorized funding for FY 2001 and FY 2002 for the Township of Independence is \$112,473.23 annually from the Environmental Infrastructure Fund as repayment to the Township of Independence for expenses incurred in connection with the storm water drainage project.

NOW THEREFORE BE IT RESOLVED that the Oakland County Board of Commissioners approves the project submitted by the Township of Independence as eligible for reimbursement from the Environmental Infrastructure Fund.

BE IT FURTHER RESOLVED that the Board authorizes a FY 2001 and FY 2002 appropriation in the amount of \$112,473.23 annually from the Environmental Infrastructure Fund (Account #90-263212-41000-3985) to repay the Township of Independence for expenses incurred in connection with the Clarkston Gardens storm water drainage project, once proper invoices are presented.

Chairperson, I move the adoption of the foregoing resolution.

THOMAS MIDDLETON

Copy of attachments on file in County Clerk's office.

The Chairperson referred the resolution to the Finance Committee. There were no objections.

MISCELLANEOUS RESOLUTION #02209

BY: Tom Middleton, District #4, Fran Amos, District #5

IN RE: ENVIRONMENTAL INFRASTRUCTURE FUND REIMBURSEMENT FOR PROJECT IN THE CHARTER TOWNSHIP OF WATERFORD – FISCAL YEAR 2002 ALLOCATION

To the Oakland County Board of Commissioners

Chairperson, Ladies and Gentlemen:

WHEREAS the Oakland County Board of Commissioners established an Environmental Infrastructure Funds and Disbursement Policy per Miscellaneous Resolution #99093 in an effort to increase the share of dollars flowing into infrastructure projects for the County and its cities, villages and townships (CVTs); and

Commissioners Minutes Continued. September 5, 2002

WHEREAS pursuant to the Disbursement Policy, the Township of Waterford has submitted a resolution of authorization to the County for reimbursement of expenses incurred in connection with an eligible environment remediation of improvement project; and

WHEREAS the Township of Waterford is requesting reimbursement for expenses directly related to numerous sanitary sewer projects; and

WHEREAS authorized funding for FY 2002 for the Township of Waterford is \$262,893.19 from the Environmental Infrastructure Fund as repayment to the Township of Waterford for expenses incurred in connection with the sanitary sewer projects.

NOW THEREFORE BE IT RESOLVED that the Oakland County Board of Commissioners approves the project submitted by the Township of Waterford as eligible for reimbursement from the Environmental Infrastructure Fund.

BE IT FURTHER RESOLVED that the Board authorizes a FY 2002 appropriation in the amount of \$262,893.19 from the Environmental Infrastructure Fund (Account #90-263229-41000-3985) to repay the Township of Waterford for expenses incurred in connection with sanitary sewer extension projects, once proper invoices are presented.

Chairperson, I move the adoption of the foregoing resolution.

THOMAS MIDDLETON

Copy of letter from Terry E. Biederman, PE, Charter Township of Waterford and Attachment A on file in County Clerk's office.

The Chairperson referred the resolution to the Finance Committee. There were no objections.

MISCELLANEOUS RESOLUTION #02210

BY: Chuck Moss, District #15

IN RE: BOARD OF COMMISSIONERS - OPPOSITION TO THE TARIFF TO BE IMPOSED ON PUBLIC SAFETY ANSWERING POINTS BY WIRELINE CARRIERS

To the Oakland County Board of Commissioners

Chairperson, Ladies and Gentlemen:

WHEREAS the federal government passed the Telecommunications Act of 1996 requiring that the telephone carriers (both wireless and wireline) provide services to capture and transmit to public safety answering points (PSAPs) caller telephone number and location information; and

WHEREAS the federal government provided no funding for this new mandate now required for local governmental units or the telephone companies; and

WHEREAS the State of Michigan imposed a \$.55 monthly fee (wireless surcharge) on cellular telephones two years ago to cover the costs of the wireless carriers; and

WHEREAS at the time, the wireline carriers were believed to have minimal costs to assist in providing this federal mandate, but subsequently discovered that it is a costly endeavor; and

WHEREAS the Federal Communications Commission has recently affirmed an earlier informal position that the wireline costs should be borne by the PSAPs and not the telephone companies; and

WHEREAS the PSAPs in Michigan were generally not moving ahead to enable the compliance with federal requirements; and

WHEREAS Ameritech has taken the lead to secure a funding source on behalf of the PSAPs to enable this unfunded federal mandate by providing a transactional tariff on 9-1-1 calls to be borne by billings to the PSAPs; and

WHEREAS several public safety entities (law enforcement, fire and emergency medical services) in Oakland County have experienced personnel reductions caused by the economy in general, fiscal 2000 census reductions, State revenue sharing reductions, limitations on property tax revenues, the inability to secure recent property tax millages for public safety, and other fiscal pressures; and

WHEREAS the transactional tariff being proposed by Ameritech will tend to exacerbate the fiscal pressures facing public safety within Oakland County.

NOW THEREFORE BE IT RESOLVED that the Oakland County Board of Commissioners calls upon the Michigan Public Services Commission to reject the transactional tariff to be imposed on PSAPs in favor of a public, well-debated legislative solution to this matter.

Commissioners Minutes Continued. September 5, 2002

BE IT FURTHER RESOLVED that should a fee be ultimately determined to be justified, the following bases and/or components of that fee should be used:

- That the fee be based on a per call basis only; avoiding fees associated with transfers and other calls for data (telephone numbers, location, etc.).
- That the capital and operating costs be developed and billed by region (potentially associated with the selective router by region) to ensure that impacted users fund only the costs directly associated with the services in their region.
- That a legislative solution be immediately sought, in lieu of the tariff, with such legislative solution to include consideration of covering the anticipated costs through the wireless surcharge for the wireline costs.

BE IT FURTHER RESOLVED that the Oakland County Board of Commissioners calls upon the Michigan Public Services Commission to require public input, prior to approving the impending tariff request, through public hearings from throughout the State.

BE IT FURTHER RESOLVED that this resolution be forwarded to the Governor, Oakland County's legislative delegation, the Michigan Public Services Commission, the Michigan Municipal League, the Michigan Association of Counties, and all local legislative bodies within Oakland County.

Chairperson, I move adoption of the foregoing resolution.

CHARLES MOSS, PETER WEBSTER, HUGH
CRAWFORD, THOMAS LAW, NANCY
DINGELDEY

The Chairperson referred the resolution to the General Government Committee. There were no objections.

MISCELLANEOUS RESOLUTION #02211

BY: Shelley G. Taub, District #12

IN RE: ENVIRONMENTAL INFRASTRUCTURE FUND REIMBURSEMENT FOR PROJECT IN THE CITY OF ORCHARD LAKE – FISCAL YEAR 2002 ALLOCATION

To the Oakland County Board of Commissioners

Chairperson, Ladies and Gentlemen:

WHEREAS the Oakland County Board of Commissioners established an Environmental Infrastructure Funds and Disbursement Policy per Miscellaneous Resolution #99093 in an effort to increase the share of dollars flowing into infrastructure projects for the County and its cities, villages and townships (CVTs); and

WHEREAS pursuant to the Disbursement Policy, the City of Orchard Lake has submitted a resolution of authorization to the County for reimbursement of expenses incurred in connection with an eligible environment remediation of improvement project; and

WHEREAS the City of Orchard Lake is requesting reimbursement for expenses directly related to sewer and drainage related to the Indian Trail paving project; and

WHEREAS authorized funding for FY 2002 for the City of Orchard Lake is \$20,101.47 from the Environmental Infrastructure Fund as repayment to the City of Orchard Lake for expenses incurred in connection with the paving project.

NOW THEREFORE BE IT RESOLVED that the Oakland County Board of Commissioners approves the project submitted by the City of Orchard Lake as eligible for reimbursement from the Environmental Infrastructure Fund.

BE IT FURTHER RESOLVED that the Board authorizes a FY 2002 appropriation in the amount of \$20,101.47 from the Environmental Infrastructure Fund (Account #90-263250-41000-3985) to repay the City of Orchard Lake for expenses incurred in connection with the sewer and drainage related to the Indian Trail paving project, once proper invoices are presented.

Chairperson, I move the adoption of the foregoing resolution.

SHELLEY TAUB

Copy of attachments on file in County Clerk's office.

The Chairperson referred the resolution to the Finance Committee. There were no objections.

MISCELLANEOUS RESOLUTION #02212

BY: Shelley Goodman Taub, District #12

IN RE: BOARD OF COMMISSIONERS – SUPPORT PREVENTING THE ISSUANCE OF DRIVER'S LICENSES TO ILLEGAL IMMIGRANTS

To the Oakland County Board of Commissioners

Chairperson, Ladies and Gentlemen:

WHEREAS a recent tragic drunken driving incident involved a driver who was in the United States illegally - yet was able to obtain a driver's license from the Michigan Secretary of State; and

WHEREAS this individual, even after having been deported from the United States on two occasions, was not prohibited from obtaining a Michigan Driver's License; and

WHEREAS policy within the State of Michigan prohibits the Secretary of State's office from inquiring about an applicant's immigration status or to determine if applicants are legal residents of this country; and

WHEREAS to prevent future tragedies and abuses, it is imperative that the Secretary of State's office be empowered to ascertain the immigration status of applicants for driver's licenses in the State of Michigan.

NOW THEREFORE BE IT RESOLVED that the Oakland County Board of Commissioners hereby urges the Michigan State Legislature and the Michigan Secretary of State to move forward on approving the appropriate statute and/or administrative regulation that will authorize the Secretary of State to verify the immigration status of driver's license applicants in the State of Michigan.

BE IT FURTHER RESOLVED that copies of this adopted resolution be forwarded to the Governor, the Michigan Secretary of State, the Michigan State Legislature, the Michigan Association of Counties and to the County's legislative lobbyists.

Chairperson, I move the adoption of the foregoing resolution.

SHELLEY TAUB, JOHN GARFIELD, FRAN AMOS, PETER WEBSTER

The Chairperson referred the resolution to the General Government Committee. There were no objections.

MISCELLANEOUS RESOLUTION #02213

BY: Shelley Goodman Taub, District #12, William R. Patterson, District #1

IN RE: BOARD OF COMMISSIONERS - SUPPORT OF CREATION OF SENIOR CITIZENS COORDINATOR POSITION

To the Oakland County Board of Commissioners

Chairperson, Ladies and Gentlemen:

WHEREAS recognizing that a growing segment of Oakland County's population - senior citizens - are facing many challenges, the Oakland County Board of Commissioners adopted Miscellaneous Resolutions #00166 and #01012 authorizing the creation of the Oakland County Senior Summit Task Force; and

WHEREAS the Oakland County Senior Summit Task Force was a multi-agency collaboration that included: the Oakland County Health Division, local caregivers, and public and private agencies, working in conjunction with the Oakland County Board of Commissioners, undertaking an initiative to integrate and coordinate policy, planning and program development for older adults through Oakland County; and

WHEREAS the 2000 census clearly identifies the tremendous growth in Oakland County's senior population. The age group over 85 has increased 33% since 1990 in Oakland County. The minority population within Oakland County in age group 60 and over has increased 108% since 1990; and

WHEREAS in order to assist the growing senior population within Oakland County, there is a pressing need for Oakland County government to have a key person to focus on the needs of senior citizens, serve as a resource to community organizations, act as a liaison with all senior centers in the county and establish a centralized Oakland County database for senior related information; and

WHEREAS the Oakland County Senior Summit Task Force supports the creation of a Senior Citizens Coordinator position in Oakland County; and

WHEREAS the Oakland County Executive has proposed the creation of a Senior Citizens Coordinator in the Fiscal Year 2003 Budget, with the cost associated with this position being offset with the elimination of other positions within the County Executives administration.

Commissioners Minutes Continued. September 5, 2002

NOW THEREFORE BE IT RESOLVED that the Oakland County Board of Commissioners hereby recognize the compelling need for the creation of a position within Oakland County to provide information, technical and support services to older persons and senior organizations in Oakland County and supports the creation of a Senior Citizens Coordinator position.

Chairperson, we move the adoption of the foregoing resolution.

SHELLEY TAUB, WILLIAM R. PATTERSON,
CHARLES MOSS

The Chairperson referred the resolution to the General Government Committee. There were no objections.

Moved by McPherson supported by Appel to suspend the rules and consider resolution; BOARD OF COMMISSIONERS – OAKLAND COUNTY WEST NILE VIRUS SPRAYING PROGRAM for immediate adoption.

Discussion followed.

Vote on suspension of rules:

AYES: Douglas, Gregory, Law, McPherson, Melton, Moffitt, Moss, Patterson, Sever, Suarez, Appel, Brian, Buckley, Causey-Mitchell, Coleman. (15)

NAYS: Crawford, Dingeldey, Garfield, Middleton, Obrecht, Palmer, Taub, Webster, Amos. (9)

A sufficient majority having voted therefore the motion to suspend the rules carried, and the resolution was before the board for immediate consideration.

MISCELLANEOUS RESOLUTION #02214

BY: Ruel E. McPherson, District #25, Tim W. Melton, District #7

IN RE: BOARD OF COMMISSIONERS - OAKLAND COUNTY WEST NILE VIRUS SPRAYING PROGRAM

To the Oakland County Board of Commissioners

Chairperson, Ladies and Gentlemen:

WHEREAS West Nile is a mosquito-borne virus that can cause encephalitis (inflammation of the brain) or meningitis (inflammation of the lining of the brain and spinal cord); and

WHEREAS West Nile virus is spread to humans by the bite of an infected mosquito. A mosquito becomes infected by biting a bird that carries the virus; and

WHEREAS as of September 3, 2002, the Center for Disease Control reports 29 positive cases of West Nile Virus in humans in the State of Michigan, with two associated deaths. Of these, Oakland County has 18 reported human cases - the highest in the State; and

WHEREAS the spread of West Nile Virus can be prevented in two major ways: (1) personal protective measures to reduce contact with mosquitoes and (2) public health measures to reduce the population of infected mosquitoes in the environment; and

WHEREAS the Oakland County Health Division has undertaken an informational program to educate residents about personal protection measures to reduce contact with mosquitoes; and

WHEREAS public health measures, which involve the elimination of larval habitats or spraying of insecticides to kill juvenile (larvae) and adult mosquitoes, have not been implemented throughout Oakland County; and

WHEREAS the Center for Disease Control reports that the combination of mosquito control methods selected for use in a control program depends on the type of mosquitoes to be controlled and the habitat structure. In emergency situations, wide area aerial spraying is used to quickly reduce the number of adult mosquitoes; and

WHEREAS the concentrated outbreak of West Nile Virus cases in Oakland County merits instituting proactive public health measures, such as aerial spraying, to reduce the population of infected mosquitoes in the environment.

NOW THEREFORE BE IT RESOLVED that the Oakland County Board of Commissioners hereby supports the Oakland County Executive and Oakland County Health Division plan to develop a proposal to implement in 2002/2003, a county targeted mosquito spraying and eradication program.

Commissioners Minutes Continued. September 5, 2002

Chairperson, we move the adoption of the foregoing Resolution.

RUEL MCPHERSON, TIM MELTON, BRENDA CAUSEY-MITCHELL, VINCENT GREGORY, ERIC COLEMAN, WILLIAM PATTERSON, MICHELLE FRIEDMAN APPEL, CHARLES MOSS, GEORGE SUAREZ, FRAN AMOS, WILLIAM BRIAN, DAVID MOFFITT, NANCY DINGELDEY, HUGH CRAWFORD, LAWRENCE OBRECHT, JOHN GARFIELD

Discussion followed.

Moved by McPherson supported by Appel the resolution be adopted.

Moved by Douglas supported by Dingeldey to amend the resolution by deleting the BE IT FURTHER RESOLVED paragraph and amend the NOW THEREFORE BE IT RESOLVED to read as follows:

NOW THEREFORE BE IT RESOLVED THAT the Oakland County Board of Commissioners **hereby requests supports** the Oakland County Executive and Oakland County Health Division **plan** to develop a proposal to implement in 2002/2003, a countywide **targeted** mosquito spraying ~~program~~ **and eradication** program.

A sufficient majority having voted therefore, the amendment carried.

Discussion followed.

Vote on resolution, as amended:

AYES: Dingeldey, Douglas, Garfield, Gregory, Law, McPherson, Melton, Middleton, Moffitt, Moss, Obrecht, Palmer, Patterson, Sever, Suarez, Taub, Webster, Amos, Appel, Brian, Buckley, Causey-Mitchell, Coleman, Crawford. (24)

NAYS: None. (0)

A sufficient majority having voted therefore, the resolution, as amended, was adopted.

The Board adjourned at 10:20 a.m. to the call of the Chair on September 19, 2002, at 9:30 a.m.

FRANK H. MILLARD, JR.
Deputy Clerk

THOMAS A. LAW
Chairperson